

**CHARLESTOWN PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**

**Wednesday August 28, 2024, at 7:00 p.m.**

**Charlestown Town Hall, Council Chambers**  
**4540 South County Trail, Charlestown, RI 02813**

**1. CALL TO ORDER/Pledge of Allegiance**

The meeting was called to order at 7:01 P.M. by Frances Topping, Vice Chair

**2. ROLL CALL**

Members present: Sarah St Laurent, Denise Rhodes (virtual attendance – 7:06 P.M.), Patricia Stamps, Lisa St Godard, Carol Mossa, and Frances Topping

Members absent: Ruth Platner

**3. MINUTES APPROVAL**

**Discussion and/or potential vote(s) concerning:**

**A. Minutes from July 24, 2024 Regular Meeting**

The Commission reviewed the meeting minutes from July 24, 2024.

**A motion was made by Ms. St Laurent to approve the meeting minutes as written. Seconded by Ms. St Godard and carried by unanimous vote.**

**4. PLANNING COMMISSION APPLICATIONS**

**A. Coastal Woods Minor Subdivision (owner/applicant David D’Ambra dba Dune Top Realty, LLC) Master Plan Public Hearing; Assessor’s Plat 16, Lot 119, Buckeye Brook Road.**

**Discussion and/or potential action and/or vote(s) concerning:**

- 1. Approval, approval with conditions or denial of proposed master plan, as may be modified by testimony and/or evidence presented throughout the public hearing;**  
**or**
- 2. Continuation of master plan review to a date determined at the meeting.**

Ms. Topping began by thanking those in attendance. She briefly reviewed the public hearing procedure and explained that the Planning Commission is bound by certain rules and laws. A landowner has the right to use a property within the parameters set by the town and state. An application cannot be denied based simply on the fact that the Commission and the public do not like it. There may be some strong feelings about the applications before the Commission, but there must be specific findings of fact, and the application has to comply with the Comprehensive Plan and zoning. A decision can include conditions that may evolve from public testimony. She explained that the applicants' presentations would be first heard, then comments and questions from the Commission, followed by public comments. She asked that anyone wishing to speak, come up to the table to use the microphones.

Ms. Topping read the call for the public hearing.

**A motion to open the public hearing to hear Coastal Woods Minor Subdivision Master Plan application was made by Ms. St Laurent and seconded by Ms. Stamps. The motion was carried by unanimous vote.**

David D'Ambra, applicant, Patrick Freeman, P.E. with American Engineering, and Attorney Daniel Carter sat before the Commission. Mr. D'Ambra stated that he was seeking master plan approval for a five-lot subdivision. Since the pre application meeting they have done some additional testing and have developed more detailed concepts. He said that there had been some concern about the yield plan, coverage and ledge. He explained that each lot is oversized for the zone; all the lots will be between 1.5 acres and 1.75 acres. Since the last meeting, they met with the Technical Review Committee (TRC) and they have done extensive ledge testing and have compliant test pits that allows for a septic system and foundation to be located on each of the lots. They are not expecting extensive rock removal.

Ms. Topping asked if they were anticipating having to blast. Mr. D'Ambra responded that he cannot say for certain that there will be no blasting

Mr. D'Ambra told the Commission that they are asking for separate approval for the landscape plan so that they will be able to provide the abutters that have been greatly impacted by some of the road excavation for the road with some buffering.

Attorney Daniel Carter, representing the applicant, referenced the traffic study dated August 20<sup>th</sup> and said that the results were positive. The study states that there will only be minimal traffic impact on Buckeye Brook Road. Ms. Topping asked if the traffic study was based on the premise of five bedrooms per house. Attorney Carter stated that it was his understanding that the study was done based on the proposed 5-bedroom houses. Mr. Freeman further explained that they looked at the population in the town as well as the number of school children and did an average, and based their results on that information. He said that there is no definitive way to determine the number of children that will live in a subdivision. There was some discussion as to whether the traffic study was correct in the number of residents in the proposed subdivision. Discussion ensued as to the number of people and cars per lot could be expected.

Ms. Topping asked if they would have a complete stormwater analysis and management plan prepared for the preliminary phase of the application. Mr. Freeman confirmed that they would have that for the next phase. They will be submitting for a RIPDES permit because they will be disturbing more than an acre of land. They will also have to meet the town's stormwater requirements.

Ms. Topping asked about the Director of Public Works Road requirements and request for a dry retention basin. Mr. Freeman said that they will do their best to accommodate his requests.

Ms. St Laurent asked if DPW requirements for the road and drainage are being addressed. She added that Mr. Arsenault requested that the pitch of the road be away from Buckeye Brook. Ms. Topping added that there is a groundwater protection area alongside Buckeye Brook so none of the water can go that way. Mr. Freeman said that it benefits him and makes his job easier to have the proposed road pitch away from Buckeye Brook.

Ms. St Laurent asked if the Fire Department was satisfied with the width of the road and the turning radius at the cul de sac. Mr. Freeman said that he will confirm everything with the fire department to be sure that they have an adequate radius.

Ms. Topping asked Mr. Freeman if he had an impervious pavement calculation. Mr. Freeman answered that the maximum building coverage is 15%.

Ms. Topping asked if they have verification about soil evaluation. Mr. Freeman said soil evaluations have confirmed septic systems can be set on each lot. Mr. Freeman said that another step that they will have to take before preliminary plan is to submit subdivision suitability to DEM. They will have to get the locations approved by DEM for the leach fields.

Ms. Topping suggested moving the road ROW over a little within the 50' entrance to provide the abutters a little more screening. She felt that would be possible without encroaching on the other neighbor.

Ms. St Laurent suggested that when planting the buffer that they consider a mix of trees. Ms. Topping said that she would prefer that they use noninvasive, native trees.

Mr. D'Ambra said that if he constructs the homes, that he would prefer to plant trees to replace the ones that they may have to take down to build on the lot. If he does not build the homes, then he will not be able to predict what another contractor might do.

Ms. St Laurent stated that buffering for the abutters was very important. Mr. D'Ambra said that once he gets landscaping approval from the Commission, he is ready to begin planting the buffer.

Ms. Topping asked about the existing stone walls. Mr. Freeman responded that there is a stone wall on the westerly portion of the property as well as one along the northerly property line, which belongs to the neighbor. Mr. D'Ambra said that he believes that they will be able to adjust the property line between lots C&D so that the stone wall will be close to the property line, but will be

on one property or the other. There will be no need to ever move it. They will make that adjustment to the property line.

Ms. Topping confirmed that there will be underground utilities, but no lighting or sidewalks, and no blasting if possible. She asked if there has been discussion about a fire system. Mr. D'Ambra said that he spoke with Fire Marshal Bobola and he said that he was open to locating a 10,000 gallon cistern on parcel "F", but that driveway will have to be increased in size so they can turn the fire truck around at the cistern. He said they had preliminary talks, but nothing has been nailed down. Mr. Freeman will prepare a proposal and then submit it to the Fire Department. The road width is going to be 22' and Ms. Weidman said that the fire marshal was at the TRC meeting and approved the 22' road width.

There was discussion about the drainage issues on Buckeye Brook Road. Mr. D'Ambra felt that the drainage issues would only improve. There won't be any chance of water flowing onto Buckeye Brook from the property moving forward. Mr. D'Ambra said that none of the water from his property is draining onto Buckeye Brook, as his property is in a low-lying area.

Ms. Weidman asked if they had a plan for starting some of the planting and landscaping before the road is constructed. Mr. D'Ambra responded that they would be ready to plant to provide buffering for the neighbors on Lot 107 if they received approval for the landscape plan that they submitted.

Ms. Stamps said that there is concern from the neighbors regarding runoff and debris. She asked if that was coming from Buckeye Brook Road onto the applicant's right of way. Mr. D'Ambra said that Buckeye Brook Road has some drainage issues itself and the crown is here, but along the edge of the road the berm in some places has eroded and become flattened and it doesn't do a good job of capturing the water and bringing it to the basins at the bottom of Buckeye Brook Road. It is going into everyone's driveways as it comes down the hill. There was discussion as to where the drainage issues were and the cause. Mr. D'Ambra added that he does not have water leaving his driveway and going up over the crown of the road.

Ms. Topping began the public comment portion of the hearing by reading into the record a letter that came via email just prior to the meeting from Jeannine and Todd Harrington, 7 Madlin Avenue. The letter expressed their concern about the well water supply and overuse of groundwater. The letter stated that their home has experienced low water supply due to current heavy use, since the new developments in the areas were built. They wanted to know if a study had been done relating to the additional burden that the Coastal Woods subdivision could put on the groundwater supply in the existing neighborhood. Additionally, the Harringtons' are concerned about the impact that the subdivision will have on the wildlife.

Ms. Topping said that she felt the same about the wildlife, but the only thing they could do would be to limit clearing.

Mr. D'Ambra reiterated that all the lots were oversized. As to the groundwater concern, there are developers that could propose something considerably denser. He added that much of each lot will remain forested.

Mr. Freeman said that he will do some research to see if there is a groundwater study available for the area. He did add that they have a 10-acre parcel and are proposing 5 wells, that is 2-acres per well. It is relatively low density when it comes to the number of wells. He said that they will have to provide wells for the parcels that provide an adequate water supply for each of the proposed dwellings. Ms. Topping said that public concern is that it is a cumulative thing, and she did not know what the water table is there. Mr. Freeman said that there is a considerable distance from each lot's proposed well to the nearest neighbors' wells.

Ms. Darlene Dubois, 63 Buckeye Brook Road, Lot 107 restated that she has the same concerns that she has expressed at past meetings, wildlife, blasting, drainage, and privacy. She expressed her concern with the size of the proposed houses. New families coming into Charlestown will not be able to afford the houses.

Ms. St Laurent asked Ms. Dubois if the applicant began planting a buffer between her home and the proposed road, if that would give her some privacy. Ms. Dubois responded that the ADU that that her son and his husband currently reside in has lost all its privacy and the proposed buffering would certainly improve the situation.

Ms. Dubois said that they get a lot of flooding from Buckeye Brook Road, and she was originally concerned about the retaining ponds, but at the TRC meeting it was stated that they would be dry basins. Mr. John Dubois further discussed the runoff problem. He said that at a previous meeting, the runoff situation was discussed. It was his belief that some of the problem was that the town drain at the bottom of the hill is too far away from the edge of the road. All the water comes down from both sides of the hill on Buckeye Brook Road and goes between his yard and his neighbor's yard and flows almost to where the proposed turn around will be. He said that he is concerned that a 12' dry basin may not be enough. He wants to be sure that the applicant does their due diligence pertaining to stormwater runoff.

Trina Zesk, 10 Madlin Avenue, told the Commission that she has lived there since 1981. She gave a brief history of ownership of the subject parcel. The previous developer owned and built many of the homes in the area. The entire parcel in 1974 consisted of 175 acres. She felt that if the previous owner thought that this ten-acre parcel was buildable, he would have developed it years ago. She said that when the lot was advertised for sale it was for one lot. She said that the applicant should be allowed one or two lots, but not five. She was concerned with the increased traffic and the added school children.

Patrick Quirk, 71 Buckeye Brook Road, said that he has the same concerns as that of the Dubois'. He has experienced flooding in his yard as well. He questioned where the water was going to flow if they raise up the land and build a house on the lot behind him. He also questioned how younger families would be able to afford the type of homes that are being proposed. He said that he felt very fortunate to have moved to Charlestown and to have been able to purchase his home, but now he is losing much of the quiet and privacy that first drew him back here.

Sean Quinn-Poirier, 63 Buckeye Brook Road, stated that he lives in the ADU with his husband. He said that he agrees with most comments that were brought up. He asked what the rule on blasting is. Ms. St Laurent answered that the Commission discouraged it, and the applicant would

prefer not to have to blast. She said that there was some discussion at the TRC with DPW Director, Alan Arsenault where he said that sometimes blasting is quicker and perhaps better for neighbors.

Mr. Quinn-Poirier asked what the responsibility is of the applicant should the stormwater management system and/or dry basin fail. Mr. D'Ambra responded that he, as the developer would be responsible.

Mr. D'Ambra said that there are other ways to remove rock other than blasting depending on the severity of the rock. He assured the Commission as well as the neighbors present that if blasting had to be done, they would hire a reputable, licensed and insured blaster.

There was a brief discussion about scheduling a site walk. Ms. Weidman said that it should be before the next meeting as she anticipated a decision will be rendered at the September 25<sup>th</sup> meeting. The Commission scheduled a site walk for Sunday, September 8<sup>th</sup> at 2:00 P.M. with a rain date of Wednesday, September 11<sup>th</sup> at 4:00 P.M.

**A motion was made by Ms. St Godard to continue Coastal Woods master plan application for a minor subdivision with the creation of a town road to September 25<sup>th</sup>. Seconded by Ms. St Laurent and carried by unanimous vote.**

Mr. D'Ambra asked if he could begin planting the buffer. The Commission responded affirmatively.

The Commission took a five-minute break.

**B. Shoreline Plaza Major Land Development (owner/applicant John Sullivan dba Solari RI Commercial Properties, LLC), Preliminary Plan Public Hearing; Plat 13 Lot 30, 3769 Old Post Road.**

**Discussion and/or potential action and/or vote(s) concerning:**

- 1. Approval, approval with conditions or denial of proposed preliminary plan, as may be modified by testimony and/or evidence presented throughout the public hearing;**
- or**
- 3. Continuation of preliminary plan review to a date determined at the meeting.**

Ms. Topping read the call for the public hearing and announced that Ms. Mossa would be recusing herself from hearing this application.

**A motion to open the public hearing was made by Ms. St Godard. Seconded by Ms. St Laurent and carried by unanimous vote.**

Attorney Michael Monti, representing the applicant and owner, John Sullivan, Solari RI Commercial Properties, LLC, addressed the Commission. He began by introducing Karen Beck of the Principe Company, the landscape architect, and Frank Karpowicz, the project architect. He

began by stating that the application before the Commission was for preliminary plan approval for a major land development of an approximately 9-acre lot located in Charlestown, just before the South Kingstown line. The property is in the TVD zone. In the TVD zone, most commercial uses are permitted as of right. He said that he was last before the Commission approximately two years ago and he realizes that there is a rather large public interest. He gave a brief summation of how the project has evolved over the past two years. The Traffic Engineer, Robert Flynn of VHB, the consultant that provided the lighting plan, and the property owner were unable to attend tonight's meeting. Attorney Monti said they understood the meeting will be continued to September 25<sup>th</sup>. Attorney Monti continued by stating that Mr. Sullivan purchased the property in 2021. The lot is almost 400,000 square feet. Mr. Sullivan's intent in purchasing the property was to develop it further. He first came before the Commission in 2022 with a preapplication concept plan to construct three new commercial properties on the lot. Each of those buildings had a very expansive building footprint and the feedback to that concept proposal was largely negative. The buildings were too big in terms of size, scale and massing.

In June of 2022, the applicant came back with a master plan application. At that time, the proposal morphed into the addition of five new commercial buildings, while not increasing the overall building footprint. The idea behind this proposal was to reduce the size, scale and massing by breaking it up. Throughout the master plan review process, additional changes were made by the applicant in response to feedback from the Commission and the public. Those changes included increasing the number of buildings from five to six to further decrease the size, scale and massing, reducing the height of the buildings, and the removal of a proposed drive thru. The design included the addition of porches and other enhancements. In October of 2022, the Planning Commission unanimously granted master plan approval of the revised plan subject to conditions. The applicant was required to receive multiple state permits and approvals from the RI DOH, RI DEM, RI DOT, and CRMC. It took approximately two years to obtain the approvals. The applicant has now received approvals from all the agencies. The proposal is to construct six new buildings, each under 4,000 square feet of building footprint. Forty-two percent of the nine-acre lot will remain undisturbed. The phasing of the project has been broken down into six phases.

Ms. Karen Beck, Registered Landscape Architect, for Principe Company discussed in detail the six phases of development by reviewing the plan set. She described the site itself and the proximity to the neighboring properties. They have been coordinating and with the neighboring abutters throughout the entire process. Test holes were done early in the process to determine the soil types and ledge. During that testing, they located most of the trees that were 12 inches or greater in diameter and showed them on the plan as part of the master plan approval so they can look at which of those trees they may potentially be able to save. She stated they are aware of the stonewalls on the property and to the best of their ability, they will be retained and if they must be disturbed through the course of construction, the rocks will be stockpiled and the walls rebuilt where they can.

She moved onto the proposed development plan; as stated by Attorney Monti, the plan is to retain the existing building and add six new buildings. During the development process, they looked at how the traffic was going to flow through the site, the number of parking spaces needed, and grading requirements for proper drainage and OWTS installations. It was determined that a community well would be required to service the site. A community well has a 200' radius

requirement rather as opposed to a 100' radius for a private well. Approval for a community well must be approved through DOH and was a ten-month process. There was coordination with one of the abutters because some of the 200' radius requirement for the community well goes across the property line and they needed to document that the property owner (Mr. Sullivan) has control of that 200' radius or obtain an agreement from the neighboring property owner. In this case, they coordinated with Ms. Mossa, the abutting property owner to come to an agreement that she was comfortable with.

Ms. Beck discussed parking next. She said that the parking is based on the potential uses in the buildings in addition to making sure that they had access through the property for fire and emergency vehicles. Ms. Beck said they did coordinate with both the police and fire departments and did not receive any comment from the police. She did receive comment from the Fire Chief stating that he was comfortable with the plan as shown and believes that it demonstrates adequate access throughout the property. She added that they will have a traffic engineer at the September 25<sup>th</sup> meeting to further discuss parking requirements.

Ms. Beck stated that the current well and septic system on site serves the existing building. The existing septic system will be expanded to tie into the proposed buildings B, C and D. The expansion of the existing septic will be done as part of Phase One, even if buildings, B, C and D don't get built right away. The second septic system which will be located toward the center of the frontage of the property provides septic for buildings A, E, and F.

Ms. Beck continued with the DOT permit. Because Old Post Road is a state highway and they are proposing an increase in use as well as changing the existing curb cut slightly, proposing a second curb cut, and eliminating a curb cut they had to go to DOT.

As part of the CRMC requirement they were required to get a stormwater permit as well as a RIPDES permit because the parking lot is commercial in nature.

Ms. Beck explained that the drainage is designed in phases to make sure that each building that is constructed and each part of the parking lot when constructed will control its own stormwater. The parking lot in its entirety will be of permeable pavement. The applicant is aware of the type of maintenance that will be needed. As a requirement of CRMC, RIPDES, and stormwater permitting approval they had to supply them with an O&M manual, submitted as part of the application. The existing curb cut, almost directly across from Ridgewood Road will be moved slightly. The driveway behind the existing building will have old pavement removed and a grass grid permeable system installed to take the weight of vehicles serving the back of the building. The proposed emergency access drive will loop around the building and come out to where the existing curb cut is. Ms. Beck went into detail pertaining impervious pavement, its uses and functions.

Rain gardens will be utilized for water quality and recharge. Ms. Beck added that they are aesthetically pleasing. They will be clearing a decent amount of the land, but they will still be meeting the recharge and water quality requirements while at the same time reducing the amount of flow that will come off the property.



Ms. Beck went into detail explaining the components of all the proposed 6 phases. Phases 5 and 6, will be the new proposed buildings to the front center of the property. Phases 2, 3 and 4 will be more to the back of the property.

Attorney Monti asked Ms. Beck if it was the case that when you go to construct one of the phases, there is to be no disturbance of the areas for future phases. Ms. Beck explained that phasing was critically designed for two reasons. The first is to try to limit the amount of disturbance in any one phase to less than an acre. This allows the contractor to be sure that he does not disturb too much soil that would get displaced during heavy rainfall and could cause failure of the erosion control and allow for sediment to get onto the road. Also, each phase controls its own stormwater. Each phase will clear what needs to be cleared, do the construction for that phase and then stabilize that area and then they will move onto the next phase.

Ms. St Laurent asked if the buildings would be built as they have a need. Ms. Beck responded that she was not able to answer that question. It was up to the applicant.

Ms. Topping was concerned about the actual view from Route 1. She wanted to be sure that there would be adequate buffer to the Scenic Highway. Ms. Beck answered that they would be cutting into the slope for the back buildings, so they would be lower in elevation in addition to the fact that it will be in most areas, at least 100' of buffer to the back property line. As far as abutters, the abutter on the western property line, the 20' setback is not going to be touched. The existing wooded area will remain there. On the eastern side, the closest point is almost 77 feet of woods between Ms. Mossa's property line and the project's clearing limit.

Ms. Topping confirmed that there would be no truck washing per CRMC as it is in the groundwater protection area. Ms. Beck agreed and said that as part CRMC approval, they had to provide a soil erosion and sediment control plan as part of the construction plan.

Ms. Topping confirmed that the old well was being removed.

Ms. Weidman questioned why the buildings in the front were being built last. Ms. Beck said that the applicant and project team felt that if the buildings in the front were constructed first, that there would be more of a site impact than if they built the buildings in the back first.

Ms. Beck moved onto the landscape plan. The minimum requirement for interior landscaping in parking areas is 10%, they are proposing 31.4%. A lot of that has to do with the fact that they have an interior landscaped area of approximately 6000 square feet. They considered the pedestrian circulation as well as vehicular circulation. There are sidewalks around all the buildings as well as crosswalks in the interior of the property. The crosswalks will be constructed of a different pavement type, but they will still be porous. There are islands that will be in specific locations. They do have over the required amount of canopy at 40%. There was discussion as to the species of tree and shrubbery as well as their locations on the property. Ms. Topping requested an alternate to Tree Lilac that has been shown to become invasive in other adjacent states.

Ms. St Laurent asked if Ms. Beck could confirm that both abutters on each side would have an opaque screen buffering and they will not be able to see the plaza. Ms. Beck said that she felt it would be difficult to see with the current distances and the added planting of junipers.

Ms. St Laurent asked about a lighting plan. Ms. Beck said there is a detail for lighting in the plan. The lighting for the parking lot will be spaced at a maximum distance. The lights will meet all the dark sky requirements as far as lumens, etc. The lighting expert will discuss it in greater detail at the next meeting.

Mr. Frank Karpowicz, project architect explained that they covered a lot of ground in the previous Master Plan review. The plans have been changed. They made the buildings smaller, reduced the building height, retained and varied the roof pitches with overhanging eaves, and added bay windows to the buildings near the road (A, E, F). They have also increased the width of all the dormers to make the proportions a little more traditional. All the buildings have porches and some kind of lower element to help break up the façade vertically. Some of the buildings are twenty-three feet tall and some are twenty-six feet in height. The corner board elements have been reduced substantially. The signage bands have been reduced to 18" in height. They also removed the metal roof awnings and changed them to canvas. The building colors will be neutral colors to help soften their overall appearance. Eave projections will vary slightly, the main roof will have bigger eaves, and the dormers will have smaller eaves so it will be proportional to the mass of the building. They have retained traditional-looking materials throughout, stone base, clapboard siding, and painted trim. Mr. Karpowicz felt that the changes and reduced sizing was more compatible with Charlestown. Sample materials were brought in for review.

There was some discussion as to what would be visible from Route 1. Mr. Karpowicz stated that roof HVAC equipment will be in roof wells and will be disguised so as not to be visible.

Mr. Karpowicz added that the lighting that would be on the back of the three buildings in the rear of the parcel would be minimal, only that is required for security. The lights will point directly on the ground. There will be lighting around the buildings for safety purposes; there will be a range, but not a lot of light. Lights are needed to be over each door and there will be recessed lights within the porches. The side of the buildings will be lit with sconces. Ms. Topping asked if the lighting on the existing building that points west will be removed. Attorney Monti stated that it will either be removed or replaced with the type of lights that Mr. Karpowicz was referring to, but at this time, it was his belief that the lights were turned off at the request of the abutting property owner. The owner commits to remove the light from the west side or those that are not compliant with dark sky requirements will be replaced.

Ms. Topping asked Mr. Karpowicz if he felt that the building had the historic feel of Charlestown. Mr. Karpowicz responded that they are building new buildings, so it is very difficult to construct that and make it look historic. Ms. Topping said that she does appreciate that they made some changes that improved it a lot, but it still looks somewhat "modern mall". She felt that it still does not reflect the general character of Charlestown. Mr. Karpowicz said that he had read the draft design standards, and they have incorporated a lot in their design.

Ms. Stamps disagreed with Ms. Topping's views and said that she felt that the applicant and project team had done a nice job. She does not think that it looks like a mall.

Mr. Karpowicz distributed some samples of the building materials and explained what they would be used for in the project e.g. Hardie board siding, stone look siding, synthetic corner board material as well as awning material.

Ms. St Godard agreed with Ms. Stamps and said that she liked the project and landscaping concept. Attorney Petrarca reminded the Commission that if they intended to extend the meeting after 10:00 P.M. a motion would have to be made.

**A motion to extend the meeting to 10:15 P.M was made by Ms. St Laurent.  
Seconded by Ms. Stamps and carried by unanimous vote.**

Ms. Topping asked about signage. Ms. Beck said that the signage that is currently out there today will be reused with additional placards. Ms. Topping confirmed that the outdoor rubbish disposal areas will be screened and landscaped. Ms. Beck stated that the locations are shown on the site plan with a detail showing cedar fencing around the perimeter of the dumpsters. They will all be accessed appropriately by maintenance vehicles.

Ms. Topping asked if there were any comments from the public.

Phil Moreschi said that he had a few concerns. He asked if the lights would remain on all night. Ms. St Laurent stated that it was a requirement that the lights be turned off after business closings and motion sensor lights be used for security purposes. He said that the Town is working to establish their part of the Block Island Sound Bikeway on Old Post Road. The objective is to foster alternative transportation mobility with cycling and pedestrian access along Old Post Road. He requested that the project include bike racks to accommodate bicyclists. Ms. Beck stated that bike racks were shown on the plan. Mr. Moreschi asked if the 40% of the property that was not going to be developed would remain so in perpetuity. Ms. Beck stated that they cannot develop beyond what is shown on the plan.

Lewis Johnson, an abutting property owner addressed the Commission. He said that he had met in the past with Mr. Sullivan about putting up a fence and Mr. Sullivan said that would be fine, he would do that. At the June 22, 2022, Planning Commission meeting Attorney Landry said that they had no problem with putting up a fence or some hardscaping and addressing Mr. Johnson's lighting concerns as well. At that meeting, Attorney Landry said that Mr. Sullivan agreed to all of Mr. Johnson's requests. Mr. Johnson said because of the earlier discussions with Mr. Sullivan and Attorney Landry, he was disappointed to see on the landscaping plan that the fencing was replaced by cedar trees. He explained that through the years, he has planted Norway spruce, he has planted between 45 and 50 of them, some that have grown to be 50-60 feet tall. At some point, the trees were infested by a spruce gall which he was told by Ocean State Tree Service was from the cedar trees. He was advised at that time to get rid of all the cedars around. For that reason, he is concerned about replacing the fence with cedars. He also felt that describing the area as densely forested was exaggerated. He disagreed with the comment from the project team that the opaque screening between his property and Shoreline Plaza would provide adequate screening where it would be difficult to see the building.

Ms. Topping clarified that Mr. Johnson would prefer a fence as opposed to shrubbery. Mr. Johnson responded that he felt a fence would be a better solution because it would instantly be there. Ms. St Laurent suggested a fence on the abutting property on the other side as well. Attorney Monti stated to the Commission that when they return in September, they will have put together a fencing plan and be prepared to address that issue.

Mr. Johnson asked how late the lights would be on. Attorney Monti responded that they would comply with whatever the ordinance requires as to when the lights can and cannot be on. The applicant's only need for lighting would be to satisfy any security needs in the evening.

Patricia Saydah stated that both she and her sister Ann live in the neighborhood, her sister lives on Ridgewood Road. She read a letter from her sister expressing her concerns about increased traffic and flow. She is also concerned about the impact on neighboring wells and the overall water quality, she questioned who would be monitoring the water quality of the wells. It is an unknown as to the types of businesses that will be in the plaza. Ms. Saydah asked if it was a possibility that water intensive businesses such as a dry cleaner could be located there. Ms. Topping responded that there is a use table for that district, and it is in the groundwater protection area so there are limitations on the types of businesses that could be located there. Ms. Saydah expressed concern for the architecture, landscape design, lighting, and added noise from Route 1 once the forested area is reduced.

Ms. Topping began reading a letter received from Carol Mossa. Attorney Petrarca stated that to save time, it was not necessary to read the letter. Commission members and the applicant all received copies, and it therefore was already a part of the record.

Denise Connelly requested that the letter be read. She said that she had surveyed the neighborhood prior to the last meeting, and she was told to ask neighbors to write letters, and the letters were never heard. She felt that if there was a letter written, the public should hear it.

**A motion to extend the meeting to 10:30 P.M. was made by Ms. St Laurent. Seconded by Ms. St Godard and carried by unanimous vote.**

Ms. Topping read into the record a letter from Carol Mossa, an abutter. Ms. Mossa stated her opposition to the large scale, out of character commercial development. She expressed her multiple concerns. She asked that the Planning Commission require that a transducer be applied to her well once Mr. Sullivan is ready to test his well. Her letter stated that she requested that there be no drive thru businesses allowed and that she be involved in the selection of fencing, trees and the overall aesthetic buffer on the Charlestown side of her property and backyard. She is concerned about the added traffic and potential accidents. Ms. Mossa stated that separate mitigation plans for noise should be put in place both pre and post construction.

Attorney Monti, for the record objected to the consideration of Ms. Mossa's letter as part of the evidence in the matter until and unless Ms. Mossa receives an opinion from the State Ethics Commission with respect to a hardship.

Attorney Petrarca said for the Planning Commission's purposes, they could give the letter whatever weight they deemed necessary. The letter must be accepted.

Karen Raffensperger was curious if a market study had been done to determine need and demand for the proposed development or would it just be another empty, failed place much like it has been for the last twenty years? Attorney Monti responded that he didn't know if a formal market study had been done, but the owner has received substantial interest since he first began developing plans. He added that the existing building is almost at full occupancy. Attorney Monti stated that the applicant would not be going through the effort and expense if the expectation is that this commercial property would not be at full occupancy. Ms. Raffensperger questioned what would happen if it was not a successful venture.

**A motion was made by Ms. St Laurent to continue Shoreline Plaza, Major Land Development, Preliminary Plan Public Hearing to September 25, 2024 at 7:00 P.M. Seconded by Ms. Rhodes and carried by unanimous vote.**

## **5. PLANNING PROJECTS**

### **A. Update on Commercial and Village Design Standards Project (Vice-Chair Frances Topping).**

Ms. Topping said that they held a public workshop and presentation on the draft design standards on August 21st. Quite a few members of the public were present. There were a variety of views from the public and the EIC. They will be reviewing all the comments and making some necessary amendments and then they will be developing a final draft at some point and then will proceed from there.

Ms. Weidman added that she felt that the project went extremely well. The consultant team was very responsive. There was a pretty lively discussion at the public workshop, and it was very well attended. This is the first step in a larger effort for the Town to develop standards. Eventually the standards will need to be adopted by ordinance. In the meantime, the Commission can refer to the guidelines, but they cannot enforce their implementation.

### **B. Update on Charlestown Needs Analysis and Zoning Update (Housing Density Study) funded through the RI Housing Municipal Technical Assistance Program (Town Planner Jane Weidman).**

Ms. Weidman reminded the Commission that there was a special meeting scheduled for next Wednesday, September 4<sup>th</sup> at 6:00 P.M. Weston and Sampson will be presenting Phase 2 of their needs analysis and housing density study. She is expecting that Phase 3 will be presented at a meeting in October. She encouraged everyone's attendance to be sure that there was a quorum.

## **6. PLANNING ISSUES AND CONCERNS**

### **A. Planner Comments**

#### **1. Update on administratively approved applications**

No Comments.

**C. Solicitor Comments**

No comments.

**7. ADJOURNMENT**

**A motion was made by Ms. Rhodes to adjourn the meeting at 10:24 P.M.  
Seconded by Ms. St Godard and carried by unanimous vote.**

Respectfully Submitted,

Janet Lombardo

Planning Assistant