



TOWN OF PORTSMOUTH PLANNING BOARD

2200 East Main Road
Portsmouth, RI 02871
401-683-3717

PORTSMOUTH PLANNING BOARD

Regular Meeting

February 8, 2023

Members Present: Edward Lopes, Luke Harding, David Garceau, Kathleen Wilson, Chris O'Connell and Nora Kane-Daly

Members Absent: Ryan Tibbetts

Others Present: Leon Lesinski, Administrative Officer, Portsmouth Planning Board, Lea Hitchen, Town Planner and Atty. Kevin Gavin, Town Solicitor

The Zoom meeting was called to order in the Town Council Chambers by Mr. Lopes at 7:00 p.m.

1. Agenda Continuances/Modification: none

2. Approval of minutes for Planning Board meeting of January 11, 2023

MOTION: Mr. Harding made a motion, seconded by Ms. Wilson, to approve the January 11, 2023 minutes. All in favor. So voted.

3. Applicant: International MFG Services, Inc., Owners: Silvia Holdings, LLC, Terra Cotta Associates, LP and International MFG Services, Inc. - AP47-2A, AP 53-18J, AP53-18D and AP 53-18 (Schoolhouse Lane) - Approve Decision to merge existing lots and create easement plan by relocating property lines between the owners.

MOTION: Mr. Harding made a motion, seconded by Ms. Wilson, to approve the written decision to merge existing lots and create easement plan by relocating property lines between the owners for *Applicant: International MFG Services, Inc., Owners: Silvia Holdings, LLC, Terra Cotta Associates, LP and International MFG Services, Inc. - AP47-2A, AP 53-18J, AP53-18D and AP 53-18 (Schoolhouse Lane)*. All in favor. So voted.

4. Applicant: Prescott Point, LLC, Owners: Prescott Point, LLC and Prescott Point Investor, LLC – AP55 Lot 1A (2547 West Main Road) - Approve written decision for Major modifications to the Final Plan Decision (Second Amendment) and the Development Agreement (Second Amendment)

MOTION: Mr. Harding made a motion, seconded by Ms. Wilson to approve the written decision for major modifications to the Final Plan Decision (Second Amendment) for *Applicant: Prescott Point, LLC, Owners: Prescott Point, LLC and Prescott Point Investor, LLC – AP55 Lot 1A (2547 West Main Road)*. All in favor. So voted.

5. Applicant: Joseph Lacerda and Lori Lacerda, Co-Executors, Owner: Estate of Joseph F. Lacerda – AP64, Lots 14 &15 and AP61, lot 2 (Paquins Lane) - Request for Master Plan approval to subdivide non-conforming lots AP 64, Lots 14&15 and AP61, Lot 2

Atty. David Martland, Silva, Martland, Thomas & Offenber, Ltd, 1100 Aquidneck Avenue, Middletown, RI appeared representing the applicants with a request for Master Plan approval to subdivide three non-conforming lots, AP64, lots 14 & 15 and AP 61, lot 2 into two new lots. He asked for the combination of preliminary and final plan approvals. He noted that the subdivision request is pursuant to the Last Will and Testament of Joseph Lacerda, the applicants' father.

Mr. Lopes explained to Atty. Martland that the application is advertised for master plan approval but that he could request the combined preliminary and final approvals as the application goes forward. Mr. Lopes read a letter, dated February 2, 2023, from an abutter to the west, Paul Zurlo, Z Family Farm, LLC in which Mr. Zurlo expresses his support for the subdivision request.

Mike Russell, P.E., Land Development Engineering & Consultants, LLC, 207 High Point Avenue, Portsmouth, RI explained that the major subdivision designation is due the relief sought from the Zoning Board of Review for dimensional variances for non-conforming lots with no frontage on a public road. He noted that Paquin's Way is a private road. He explained how the plan gives Parcel A, in the northeast corner to AP 61, Lot 2 in order to create a 50 foot right of way to East Main Road. This action is pursuant to Mr. Joseph Lacerda's will and is to the benefit of the applicants, his heirs and to Z Family Farm, the abutters. He also noted that this Parcel A is subject to an easement granted to the Portsmouth Water and Fire District for water service to the applicants' parcels and to Z Family Farm.

Mr. Lopes called for public comment from the audience or in the Zoom meeting to which there was none.

MOTION: Mr. Harding made a motion, seconded by Ms. Wilson, to make Master Plan approval for *Applicant: Joseph Lacerda and Lori Lacerda, Co-Executors, Owner: Estate of Joseph F. Lacerda – AP64, Lots 14 &15 and AP61, lot 2 (Paquins Lane)* in consideration of the letter, dated February 2, 2023, from Paul Zurlo, Z Family Farm, LLC and pursuant to the following findings of fact: 1. The granting of approval will not result in conditions inimical to the public health, safety and welfare; 2. The granting of approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district; 3. The plans for the subject project comply with all of the requirements of the Zoning Ordinance and Land Development Regulations, or that the necessary variances and/ or waivers have been granted; 4. The plans for the subject project are consistent with the 2022 Comprehensive Community Plan.

6. Discuss process for approving and recording written Planning Board Decisions (past and future practice)

MOTION: Ms. Wilson made a motion, seconded by Mr. Garceau to continue Agenda Item 6, *Discuss process for approving and recording written Planning Board Decisions (past and future practice)* to the March 8, 2023 regular meeting. All in favor. So voted.

7. Approve February 8, 2023 Monthly Project Status Report, Administrative Subdivisions, Plat Plan Recording and status of new road construction.

MOTION: Mr. Garceau made a motion, seconded by Mr. Harding, to accept and place on file the February 8, 2023 Monthly Project Status Report, Administrative Subdivision, Plat Plan Recording and status of new road construction. All in favor. So voted.

Ms. Hitchen announced that the Portsmouth 2020 Comprehensive Community Plan is approved by the state. Via Zoom, Gary Crosby, former Town Planner expressed his pleasure that the plan is approved. He asked that the Planning Board work to ensure that the goals, policies and implementation of the plan are carried forth. Mr. Lopes congratulated Mr. Crosby for his work and achievements on the comprehensive plan.

At 7:20 p.m., a motion was duly made and seconded to adjourn the meeting. All in favor. So voted.

Respectfully submitted:
Dede Walsh
Recording Secretary for:

Leon Lesinski
Administrative Officer