

Planners review draft of high groundwater amendments

By Michaela Kennedy

The Planning Commission spent half of its Oct. 4 meeting reviewing a high groundwater ordinance amendment drafted by Town Solicitor Larry Parks. The document was created from suggestions received at the joint work session between the Town Council, Zoning Board of Review and Planning Commission last summer.

The commission reviewed proposed amendments to the zoning ordinance relating to the high groundwater table and impervious layer overlay district. Town Planner Lisa Bryer noted that Solicitor Parks, Building Official Fred Brown, Town Engineer Michael Gray and Justin Jobin, the town's new wastewater specialist, worked together with her to develop the draft based on issues raised at the joint workshop.

The town planner addressed a request made by residents at the public workshop to change the order of the approval process for development plans. "If we asked them to come to us before DEM (the state Department of Environmental Management) approval, it may require going back and forth a few times," she said, noting that the process would remain unchanged.

When an applicant goes to the DEM for an individual sewage disposal system, does the state go out and inspect the property? Chairman Gary Girard asked.

Bryer responded yes, and that they also relied on soil test results.

Charlotte Zarlengo of Seaside Drive questioned a table within the draft amendments that analyzed the percentage of maximum impervious cover table for sub-district A lots. "How could the commission justify a zero percent water table and a zero percent impervious layer?" she asked.

Girard said that the percentages represented a seasonal high groundwater table.

The town planner added that a specific definition of a wetland existed, and to not provide regulation would allow development. "You are assuming that the commission would approve it," she said. "If you don't provide standards, that is the loophole," Bryer added. The average percentage of what the commission approved was between nine and 10 percent, she noted.

Commissioner Victor Calabretta reminded Zarlengo that the ordinance already stated that construction must be 12 inches above the groundwater table.

The commission spent almost a half hour discussing the question whether the town should provide impervious cover standards for critical lands.

Girard said that the building official, solicitor, and engineer were scheduled to attend the next planning meeting on Oct. 18.

In new business, the Planning

Commission voted unanimously to approve an amendment to a previous development plan approval for Trattoria Simpatico to allow a seasonal canopy to be erected on a permanent basis. Amy Barclay de Tolly, representing Phyllis Bedard of Trattoria Simpatico, said the restaurant made a request every year to put up two tents, which helped prevent people from blocking the door. Bryer told the board that she and the building official gave temporary approval in the past, "but if they want to do it every year, they have to apply for permanent approval."

In old business, the commission voted 4-1 to approve a revised development plan for a two lot subdivision, with waivers for a private roadway on Luther Street. Commissioner Michael White made the motion to approve the

proposal, and Calabretta recused himself. James Donnelly, attorney representing abutters to the property, requested that a condition be attached to the approval assuring that the road would not be expanded to service other houses in the future. Steven King, an engineer representing applicant Evelyn Furtado, told the board that his client objected to the request, dismissing it as "speculative."

Commissioner Barry Holland agreed with King, saying that putting a restriction on the plan would be an assumption.

The town planner suggested putting a condition in that the adequacy of the road be considered, if the commission had concerns about road construction in the future.

Commissioner Betty Hubbard said that she objected to the road

design from the beginning, and voted against the plan.

Girard asked that the final plan should be amended to show the road plan

In the town planner's report, Bryer said the new town hall construction was starting, and the old planning building would be taken down "somewhere around the sixteenth."

White, liaison to the town tree committee, reported a "very successful tree inventory day, despite the rain and wind."

Commissioner Richard Ventrone was absent.

Fill an empty bowl to help people in need

Empty Bowls 2006 will be held on Friday, Nov. 3 from 4 to 8 p.m. at the Melrose Avenue School.

The second annual event will raise funds to help feed those in need.

The evening will allow participants to select a hand-crafted ceramic bowl, which will be filled with hearty soups or stews. Tickets are \$15 for adults, \$10 for children under 17 and everyone gets to keep their bowl.

There will be a silent auction of bowl-related art, music and fun.

MURPHY'S LAW

"When you go into court, you are putting yourself into the hands of twelve people who weren't smart enough to get out of jury duty." - *Murphy's Lesser Known Laws* [courtesy of Prof. Shealy]

The lame joke notwithstanding, jury duty is a high obligation of citizenship. And, service upon a jury can, if properly handled, serve as a powerful tool for civic education.

Criticizing the Narragansett Tribe for seeking an amendment to the RI Constitution is like punishing a slave who runs away from his master. The present constitutional restriction on gambling was put in place at least partially to prevent the Narragansetts from getting a privilege that the state had freely granted to other entities and to itself.

Speaking of hypocrisy, holding oneself out as a protector of the young and vulnerable while secretly engaging in pedophilia seems to be a law that occurs all-too-regularly.

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