

Before I get started I would like to follow up on a question one of my neighbors asked in the last meeting. The question was regarding the abutters right to notification. He basically asked why when the Town decided to recommend 180 units be built in an area zoned R-80, that would allow for 22 homes, were the abutters not notified by mail of such a dramatic change in zoning. He also pointed out that if someone is putting a up a shed near a property line, the abutters are notified by letter. He then asked why when the Town is recommending a zone change from R-80 all the way down to R-20m, a change that results in 8 times more homes than are allowed by current zoning, did we receive no notification as abutters. I am asking if you can confirm that my understanding of the answer which was given to him at the last meeting is indeed accurate. We were told that there were workshops for the comprehensive plan meetings and they were made public in the newspaper. That these ads served as our notification. Is that correct? We were further told that the zoning is still R-80. Is that correct?

I would like to suggest in the future if the Town is going to target specific properties for spot zoning, that the abutters be notified by mail so they can be assured of an opportunity to be heard on a matter that directly affects them. To do otherwise puts every town resident in the affected area in the unenviable position of having to defend against a non-conforming proposal, from a profit motivated developer. I say unenviable, because that developer repeatedly points out how their proposal is consistent with the comprehensive plan, even when it outrageously proposes 180 units where there should be 22. I assure you that in this instance if the abutters were indeed notified by letter of the Town's intent to add the Sand Trace property to Table H-25 we would not find ourselves in the current predicament.

The developer's attorney said more than once that the Town strategy and Table H-25 were not created in the "dark of night in some back room". Well I can tell you without sending letters out to abutters that you were recommending as many as 8 times more houses could be built in an R-80 zone, and then weaponizing Table H-25 further, by adding it into the comprehensive plan, you really have done exactly what this attorney described, in the following sense. I can't speak for everyone, but if you have a full-time job, aging parents that need your help and grandchildren you visit that are out of state, is it reasonable to think that person will be reading every 4" notice put out in the Observer regarding a workshop?

The point I am trying to make is that even though you state the zoning remains R-80 why is it that we are still talking about such an unsuitably large development? Why was it not struck down in the very 1st meeting, as has been done 3 or 4 times previously. Something is clearly different, meaning the zoning clearly has been affected by the Towns creation of Table H-25 and obviously not in a positive way. I am proposing tonight that the next time the Town chooses to employ spot zoning to the extent that it actually recommends to developers how many units they can build, without regard for what the current zoning allows, that they must notify the abutters of their proposal by mail. Just think about the irony here, a shed requires a notification letter to abutters but when the Town is recommending a mini city be built, where it does not belong, abutters receive no notification letter. I am suggesting tonight that the Planning board propose to the Town Council that should they ever again feel the need to advise developers to ignore zoning, as they have done in Table H-25, that every affected abutter be notified by mail of that

intention. In this way the Town can be assured that abutters truly did get the opportunity to attend an open meeting on the subject. I further suggest that this practice should become standard procedure, meaning it should be added to the comprehensive plan. We as abutters received our first written notification a few months ago when this outrageous proposal was already on the table. I hope you recognize that at point in time, the developers foot was already in the door!

The second observation I want to make today is in regards to a pattern of behavior we have seen from the developer's paid team. I want to list those observations one by one and at the end I will explain why this pattern is so relevant.

At the first meeting back in October 2018, the Developers attorney told the Board that all the Towns are using the Table H-25 approach as it is necessary to achieve the 10% threshold of LMI housing the State requires. Minutes earlier the developers Planning expert said just the opposite when he stated that he had done three dozen affordable projects and never ran into a Town that not only selected the sites, but also specified the number of units to be built, as H-25 does.

The developer's attorney, in the first meeting, stated that the level of service which is used to categorize the traffic at various intersections is not like school you know. He pointed out an F in traffic delays is not like an F in school, implying it was somehow acceptable. Well the traffic level of service starts with A, being the best, and ends with an F, being the worst. When you are in the F category it is often time to discuss traffic lights and other potential remedies to alleviate the traffic. So, we get that the traffic level of service categories are not a school report card, but an F is indeed the lowest/least desirable level of service for traffic. It is important to note that the after-build traffic conditions of the proposed development does bring us to a level F during peak periods at the Log road and Pleasant View intersection.

The developer's attorney stated that the propaganda like ads we wrote were anti low/moderate income housing. The facts are that the vast majority of those ads very specifically spoke positively about the need for additional affordable houses in our Town or simply said nothing at all about the LMI aspect of the housing proposal. The emphasis of those ads was on the 135 for-profit units that are being dragged along to get the 27 units that can be counted against the 10 % threshold.

In the first meeting the traffic expert referred to the area for the Sand Trace proposal as a suburban setting then quickly catches himself to point out it is an urban setting. At the coaching of the attorney he goes on to conclude that the after build increase in traffic is acceptable in urban conditions. As I stated last week urban means city, and the last time I checked we live in a neighborhood with houses primarily on 1.5 to 2 acre lots. Our neighborhood is not the image that comes to mind when one thinks of a city.

As mentioned briefly above, the developer's attorney said twice that I implied Table H-25 was created in the dark of night in some back room. For the record these are his words used to describe how Table H-25 was created not mine. Honestly, I never really gave that description much thought when he said it, but now that I have, it is actually a pretty good characterization of what took place.

The Developers attorney spent quite a bit of time making sure everyone on the Planning Board and those in attendance understood that the units they were proposing were targeted to families, because the Town really needed more family housing. The definition of family is “a group residing together and consisting of parents, children”. In the Planning experts report he states “the proposed design of two (2) bedroom units typically do not attract or retain families with children. Based on the report by the developer’s expert on Planning, it is expected that there will only be 13 school age children in the 180 “family” units. Should this number be seriously wrong the fiscal impact narrative will suddenly tell a very different story.

There were several experts who referenced the developer’s willingness to buffer the development from view. Why is there a need to buffer this development when according to the real estate expert, for all practical purposes it will have no negative impact on our home values. In fact, listening to him, one would think that these 180 units will actually improve our property values. You can hide this development from view but this does not buffer us from the commotion associated with this many units, which includes a dramatic increase in traffic delays to get across Pleasant View from Log road.

I really could go on with many additional examples, but the above is sufficient to establish the pattern I was referring to when I first started this listing. The pattern I am referring to is the emphasis being placed on key words and phrases that are intended to give the listener a specific impression that can be misleading. Some of the above statements by the developer’s team are simply not accurate, others may be technically so, but in the current context give a wrong impression. The reason this is so relevant is because this pattern of behavior generally does not stop with some of these easier topics I commented on above (easier in the sense a non-expert can understand them). As the board knows this property abuts the reservoir and 4 wetlands, all which are highly sensitive environmental areas. As such the Board must be 100% certain that the same liberties (taken by the developer’s team) as described above are not being taken when it comes to the more sensitive environmental aspects of this proposal. In the last meeting, I suggested a peer review on the environmental impact of this development. I truly believe that given what is at stake and the accuracy of the testimony so far, this is definitely necessary before any proposal, of any size, should be approved on this property. Just look to the original traffic study that states we will experience a delay of just over 50 seconds during the worst peak period at the Log and Pleasant View intersection. The second traffic study indicates a 157 second delay at this same intersection which is over a 300% increase. I am sure the developer’s attorney will spin these numbers so the developer comes out smelling like a rose but does that change the facts? What if a blunder like this exists in the environmental impact study? The consequences on this sensitive environment will be devastating and permanent.

The last time I spoke I laid out why the Sand Trace proposal did not meet the criteria established by the State of RI for the planning board’s approval of this project. Tonight, I want to provide my views as to why it does meet the criteria set forth by the State for the planning board to reject it. As you know there are 5 criteria that allow a board to reject a comprehensive permit application. I would like to focus on criteria “b” and “e” and emphasize that the Planning Board can reject a request for “any” of the following reasons.

the local review board may deny the request for **any** of the following reasons:

(A) if city or town has an approved affordable housing plan and is meeting housing needs, and the proposal is inconsistent with the affordable housing plan;

(B) the proposal is not consistent with local needs, including, but not limited to, the needs identified in an approved comprehensive plan, and/or local zoning ordinances and procedures promulgated in conformance with the comprehensive plan;

This proposal is not consistent with local needs for the following reasons:

- a) You have received almost 500 signatures from local residents asking for this development to be downsized to something that more closely conforms to the number of units allowed by current zoning. Obviously 180 units being built on a property zoned for 22 units will have a devastating effect on the character of our neighborhood, and more specifically on the quality of life we chose for our families. This is evident when you note the almost 400% increase in the traffic delays to get in and out of Log road to Pleasant View. It also goes without saying that 180 units will bring 8 times more families than are currently allowed by zoning, and with that an 800% increase in overall commotion that invariably comes with human activity. This extra activity, the dramatic increase in traffic delays, the potential additional burden on the school system (especially if the planner is off the mark on his estimate of 13 students) clearly does not qualify as being consistent with local needs.
- b) As far being consistent with local zoning, well it misses that mark by 800%! As I stated in the very first meeting, zoning designations are the only protection a homeowner has to secure their quality of life. To allow a developer to jump through zoning as is proposed here is unfair to every person in this neighborhood and that alone should be enough to deny this proposal!

(C) the proposal is not in conformance with the comprehensive plan;

(D) the community has met or has plans to meet the goal of ten percent (10%) of the year-round units or, in the case of an urban town or city, fifteen percent (15%) of the occupied rental housing units as defined in § 45-53-3(2)(i) being low and moderate income housing; or

(E) concerns for the environment and the health and safety of current residents have not been adequately addressed.

Concerns for the environment and the health and safety of current residents have not been adequately addressed for the following reasons:

- a) As I stated above, this site could not be more sensitive to this environmental concern. The property in question abuts the reservoir, has a pond on site, several wetlands and a stream. Based on the accuracy of the testimony we have heard so far, we strongly recommend that, irregardless of the number of units that will ultimately be built, an environmental impact peer review should be conducted based on what is at stake here.
- b) There appears to be no storm water runoff study. If this property adds the proposed number of 68 structures along with the 180 associated driveways, those roofs and

driveways surfaces will obviously not accept water. That storm water has to go somewhere, and given the already high water table on a good deal of the property this is a serious environmental concern. In addition, there will also be run off of the contaminants on the driveways, lawn chemicals, cleaning products etc. Should the catch basin overflow, those contaminants will make their way into the reservoir. Although I am sure the developer will create a plan to control that overflow, we all know water is one element that has a mind of its own. You need only to watch the Town's attempts to keep the water from running over Log Rd to understand that even the best attempts to control water often fail. We have been watching as the Town has tried one solution after the next and yet the water continues to regularly run over Log Rd flowing from the smaller section into the larger portion of the reservoir. This has been going on for as long as we can remember and we have lived here for 42 years.

- c) There is no study evaluating the effect of traffic congestion on emergency response times for ambulance/fire/police. Given the delays during peak periods provided by the peer review traffic study at Log and Pleasant View cars will begin to stack up. This will not only block the driveways on Log road, but will also create a safety concern should the ambulance or fire trucks have to navigate around that traffic backup. If the 157 second delay requires a traffic light this may actually make this safety concern worse. Cars will be forced to wait for the light, stacking the cars up in the direction of the fire station. In addition, should a light be needed there is no question that cars will also back up on Pleasant View in front of the police station, and any resulting delay in their emergency response time is undoubtedly a safety concern. Finally, should they not add a light, impatient drivers who do not want to wait 157 seconds, will try to merge into smaller gaps in the traffic on Pleasant View creating yet another safety concern. We cannot be short sighted on this traffic issue. If H-25 recommendations are followed on this site and result in a 157 second delay what happens when the abutting H-25 site adds an additional 113 units. The traffic delay at Log road will be so long that there will be no question that these safety concerns for emergency response time for fire, medical and police services will be undeniable.

In conclusion, I want to point out, and I quote: The Town has identified in Table H-25 specific sites that "might" be appropriate for affordable housing." Note the word might in this quote. We have said from the start we are not objecting to the affordable housing aspect of this development, but rather to the 135 market value units that get dragged along with them. We feel strongly that this proposal must be rejected at its current size as it is just too many units for our rural neighborhood to absorb. We are not alone in this belief as we have provided you just under 500 signatures on a petition, which requests the Board to reject the current Sand Trace proposal and ask that it be down sized. Please take note that the majority of those signatures are from the surrounding property owners. It does not get any more local than that! It is also important to recognize that we could have provided more signatures, but we live in a rural community and there are just not that many people in our non-urban neighborhood. My wife and I have also been asked to pass a message on to the Board on behalf of many of the older people who have signed the petition but could not physically get here tonight. They wanted us to ask you to "please not destroy our neighborhood".

The Board Members for two full meetings have heard neighbor after neighbor explain in a wide variety of ways why they felt this proposal was so wrong for our neighborhood. We have had hundreds of people approach us to discuss this 180 unit proposal and there was a common theme that came through loud and clear from all of them. Each person, in their own way, explained that they moved to their current home in our neighborhood to enjoy the country lifestyle it offered. Many of them made it clear that they chose their home to get away from the very thing that we are reviewing tonight. Namely, a 180 unit, mini city, being placed right in the middle of our neighborhood.

Please also keep in mind that the only people who have spoken favorably about this proposal were individuals paid by the developer to do so, and of course our Town Planner. Lastly, I would ask that you avoid the approach that has been used so far in this process, which is to try to address every issue raised as a concern. The risk in doing so and not getting it right is the destruction of our neighborhood and potentially an environmental disaster to the reservoir. We ask that you choose the only certain/safer solution which is to address the root cause of the problem which is there are way too many units being proposed for this site. My wife and I respectfully ask that you reject this proposal tonight as it does not come close to conforming to the current R-80 zone, is in no way consistent with local needs, creates unsafe traffic issues, adversely affects emergency services, and is in a highly sensitive environmental area. Should the developer be agreeable to a lesser number of units I want reiterate my belief that any compromise in terms of proposed units should begin at the number of units currently allowed which is 22. Any potential compromise should not work down from 180 units that is nothing more than a fabricated number.

Loreen and Steven Francazio