

**TOWN OF COVENTRY
PLANNING COMMISSION**

DECISION

**Preliminary Plan / Comprehensive Permit
“Willow Lakes Independent Living”**

DATE OF HEARING: February 9, 2022

OWNER: New London Turnpike Realty, LLC

APPLICANT: Willow Lake Properties, LLC

SITE LOCATION: New London Turnpike
AP 16 Lot 3

ZONING DISTRICT: R-20

**TYPE OF PROJECT OR
SUBDIVISION:** Independent Living Community with Assisted
Living and Memory Care Facilities (202
Proposed Units) with 25% affordable
Independent Living Units.

This matter came before the Planning Commission for a Preliminary Plan / Comprehensive Permit application pursuant to the Low & Moderate-Income Housing Act (RIGL § 45-53-1 *et seq.*) on February 09, 2022.

Attorney Patrick J. Dougherty, represented the applicant. As explained, this project is located on the site that was previously approved for the Sherwood Village development. This development was to consist of 168 units in 7 separate buildings with another building to house a recreation facility. Additionally, as this development was permitted through the Comprehensive Permit process pursuant to the Low and Moderate Income Housing Act, 30% of the units (51 total) were to be “affordable”. Tiffany Village (formerly Sherwood Village) received Preliminary Plan approval from the Planning Commission in March of 2012 and Final Plan approval in September of 2015. To date, the development has not been built.

Fast forward to February, 2022 and the Planning Commission is presented with a new proposal for a Preliminary Plan/Comprehensive Permit application entitled “Willow lakes Independent Living.” The project consists of approximately 12.38 acres of vacant land that was used as a former gravel bank. The proposed use is an independent living community with assisted living and memory care facilities with a total of 202 proposed

units, with 25 percent affordable independent units out of the 124 independent living units, for a total of 31. The Applicant proposes to construct a 3-story, 84,000-square-foot building, with a total of 202 units. The complex would include 124 independent living units, 48 assisted living units, and 30 memory care units

Based upon a motion by Vice Chairman Kalunian and seconded by Secretary Lukowicz it is hereby DECREED:

The Major Land Development/Comprehensive Permit Application for Willow Lakes Independent Living is GRANTED Conditional Preliminary Plan Approval, subject to the following stipulations and request for waivers:

Together with this approval the following variances and waivers are to be granted:

- Lot Coverage as defined in Section 603.A (Table 6-1, including 05 and Table 6-7);Section 1460; Section 1481.
- Waivers for wheel blocks, as discussed in tonight's meeting identified in Section 1208.
- Waiver of the Intensity Regulations in Section 1440.
- Waiver of General Development Regulations in Section 920B.
- A physical relief waiver on the survey monuments "sufficient boundary markers shall be adequate".
- A waiver of Article XIV.F.2, Slopes & Walls, as discussed and based on what's shown on the plans, provided the Applicant will look at fencing where wall heights are excessive.

A recommendation is hereby made to the Town Council that they consider waiving the following:

- Fair Share Development fees for the 31 affordable units
- Waiver for all Building Permit fees
- Waiver of Soil Erosion Certificate fees
- A Waiver of Soil Erosion Inspection fees
- A waiver for the Sewer Assessment fee for the 31 affordable or low-to-moderate income units.
- A waiver of the Preliminary Application fees and the Final Application fees for the 31 low-to-moderate affordable units.
- And a recommendation to waive the DPW Sewer Connection Application and Sewer Connection Inspection fees, which total about \$300.
- A waiver for Recording fees.
- A waiver for Stenographer fees.
- And Real Estate Taxes shall be either deferred or abated until the project receives a Certificate of Occupancy.

This conditional approval is also subject to the following stipulations:

1. The Applicant shall obtain approval from Kent County Water Authority for the public water connection.
2. The Applicant shall receive approval from the Coventry Sewer Subcommittee, if required.
3. The Applicant be allowed to proceed to Final Plan administratively.
4. The Planning Director's Report is incorporated into this Decision.
5. The Town Engineer's Report, dated April 21, 2021 shall be incorporated into this decision. It is noted that all 12 items in the report were satisfied.

In issuing this Decision, the Planning Commission makes the following Findings of Fact:

(A) The proposed development is consistent with local needs as identified in the local comprehensive community plan with particular emphasis on the community's affordable housing plan and/or has satisfactorily addressed the issues where there may be inconsistencies. Coventry's affordable housing rate (by the State's definition) is 5.4%, compared with 8.3% in Rhode Island overall. The Town of Coventry and the CHA should continue to secure all available resources to provide housing for low-income groups, particularly senior citizens, the handicapped and disadvantaged families, including:

- Section 8 Certificates and Vouchers
- Section 8 Substantial Rehabilitation and Moderate Rehabilitation Programs
- Section 202/Section 8 Elderly Housing Program
- Section 202/Section 8 Handicapped Housing Program
- Permanent Housing for the Handicapped Program

The 2005 Affordable Housing Plan Goals states that "While Coventry does currently have housing for the elderly, families, single persons and special needs populations, there is a concern that new housing is focused mainly on single family homes out of the price range of most Coventry residents" (p. 34).

(B) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance and subdivision regulations, and/or where expressly varied or waived local concerns that have been affected by the relief granted do not outweigh the state and local need for low and moderate income housing. The proposal was granted waivers on two Special Use Permits; for multifamily use and for "Physical Therapy and other Health Related Services" in the R-20 Zoning District. The proposed density of dwelling units (1 unit per 2670 sf)

exceeds the standard baseline density for the R-20 zone (one dwelling unit per 20,000 sf) as well as the absolute maximum development density permitted under the Zoning Ordinance for the R-20 zone for cluster/multi-family development (one dwelling unit per 10,000 ft.²).

- (C) All low and moderate income housing units proposed are integrated throughout the development; are compatible in scale and architectural style to the market rate units within the project; and will be built and occupied prior to, or simultaneous with the construction and occupancy of any market rate units.** The applicant has identified that the independent living units that will be low-moderate income, will be distributed throughout the independent living units and identical in all aspects to the “market rate” units.

- (D) There will be no significant negative environmental impacts from the proposed development as shown on the plan presented, with all required conditions for approval.**

- (E) There will be no significant negative impacts on the health and safety of current or future residents of the community, in areas including, but not limited to, safe circulation of pedestrian and vehicular traffic, provision of emergency services, sewerage disposal, availability of potable water, adequate surface water run-off, and the preservation of natural, historical or cultural features that contribute to the attractiveness of the community.**

- (F) The proposed development will have adequate and permanent physical access to a public street in accordance with the requirements of § 45-23-60 (5).**

- (G) The proposed development will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, unless created only as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.**

The following votes were cast on the matter:

Chairman Ronald Flynn	Aye
Vice Chair Richard Kalunian	Aye
Secretary Sandy Lucowicz	Aye
James Kenney, III	Aye

Carl Mattson
Glenn Anderson
Michael Burke
Chuck Smith
Kevin Reyes

Aye
Aye
Aye

TOWN OF COVENTRY, R.I.
Apr 14, 2022 12:00P
JOANNE F AMITRANO, TOWN CLERK

The Planning Commission voted on February 9, 2022 to GRANT PRELIMINARY PLAN APPROVAL of the Project and the Planning Commission RATIFIED the written decision at a meeting held on March 23, 2022.

A motion to RATIFY the Decision was made by Member Burke and seconded by Member Mattson. The following votes were cast on this Ratification:

Vice Chairman Rick Kalunian	Aye
Secretary Sandy Lukowicz	Aye
Member Glenn Anderson	Aye
Member James Kenney III	Aye
Member Carl Mattson	Aye
Member Michael Burke	Aye
Member Chuck Smith	Aye
Member Kevin Reyes	Aye

SIGNED:



Vice Chairman Rick Kalunian

4-13-2022

Date