

**City of Warwick Planning Board
Meeting Minutes**

Wednesday, December 10, 2008

Members Present: Philip Slocum Acting Chairman
Michael Constantine
Rick Robinson
James Desmarais
Vincent Gambardella
Leah Prata

Members Absent: John J. Mulhearn Jr.
Thomas Kiernan
Cynthia Gerlach

Also in attendance: Peter Ruggiero, Solicitor

Acting Chairman Slocum called the meeting to order at 6:00 P.M.

On the motion of Mr. Robinson, seconded by Mr. Constantine, the Planning Board voted unanimously to approve the October 2008 meeting minutes.

Public Meeting

Minor Subdivision

Samantha Guadagni Plat

Applicant: John T. Guadagni
Location: 115 Eton Avenue
Assessor's Plat: 317
Lot(s): 59, 60 & 61
Zoning District: Residential A-7
Land Area: 19,898 square feet
Number of lots: 2
Engineer: MLC Surveying Inc.
Ward: 4

Mr. Guadagni represented himself and requested approval of a minor subdivision to divide four record lots with an existing dwelling to create two new record lots, one lot with an existing dwelling having less than the required front yard setback and one new lot for development on an existing street in a Residential A-7 zoning district.

Mr. Guadagni informed the Board that he would like to sell the existing house and keep the lot for future development.

Acting Chairman Slocum asked if Mr. Guadagni lives in the existing house.

Mr. Guadagni responded that he did not live there and that the house was being rented.

Being no other questions or comments the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations; and:

1. Generally consistent with the Comprehensive Community Plan.
2. In compliance with the standards and provisions of the City's Zoning Ordinance.
3. That there will be no significant negative environmental impacts from the proposed development.
4. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to a public street.

Planning Department recommendation was to grant a combined preliminary/final approval.

On the motion of Mr. Constantine, seconded by Mr. Gambardella and Mr. Desmarais, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant a combined preliminary/final approval.

Public Meeting

Request for an Extension

Graydon Plat

Applicant:	Carmel I. Cenami, Trust
Location:	126 Wentworth Avenue and Cady Avenue
Assessor's Plat:	355
Lot:	322
Zoning District:	Residential A-7
Land Area:	28,354 Square feet
Number of lots:	1

Engineer: Flynn Surveys, Inc.
Ward: 5

Attorney K. Joseph Shekarchi represented the applicant and was requesting a second extension of a master plan approval for a major land development project to merge three lots containing four residential dwelling units and to establish one additional dwelling unit in a building with less than the required side setback in a Residential A-7 Zoning District.

Attorney Shekarchi informed the Planning Board that the application could not be heard by the Zoning Board of Review (ZBR) due to a legal issue and that he hoped a pending RI Supreme Court decision would allow the application to proceed to the ZBR in the future.

Board member Gambardella asked if there was an issue with public sewer for the property.

The Planning Staff informed the Board that there was not a sewer issue and there was no change to the existing condition proposed. It was explained that the property owner was simply attempting to bring the property back into conformance with previous City of Warwick approvals.

Being no additional questions or comments the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found that:

1. The project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this project.
2. The Development Review Regulations, the Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of the original application, as they would apply to this project.
3. The Zoning Map designation for the subdivision has not changed since the time of the original application.
4. No substantial change to the physical conditions of the subdivision or the neighboring property has occurred since the time of the original application.

The Planning Department recommendation is to grant the requested extension to expire on November 3, 2009.

On the motion of Mr. Gambardella, seconded by Mr. Desmarais, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant the requested extension to expire on November 3, 2009.

Public Meeting

Request for an Extension

House of Hope

Applicant: House of Hope Community Development Corporation
Location: 3188 Post Road
Assessor's Plat: 245
Lot: 52
Zoning District: Office Zone
Land Area: 27,771 Square feet
Number of lots: 1
Engineer: Casali & D'Amico Engineering
Ward: 7

Attorney K. Joseph Shekarchi represented the applicant and was requesting a second extension of a master plan approval for a major land development project to convert an existing dwelling to an office building and to establish five residential dwelling units on a lot with less than the required land area, front setback, driveway width and less than the required parking in an Office Zoning District.

Attorney Shekarchi explained that the applicant was scheduled for a public hearing before the City Council on December 15, 2008 and that the applicant was requesting an extension out of an abundance of caution.

Being no comments or questions the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found that:

1. The project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this project.
2. The Development Review Regulations, the Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of the original application, as they would apply to this project.
3. The Zoning Map designation for the subdivision has not changed since the time of the original application.
4. No substantial change to the physical conditions of the subdivision or the neighboring property has occurred since the time of the original application.

The Planning Department recommendation was to grant the requested extension to expire on

November 3, 2009.

On the motion of Mr. Desmarais, seconded by Mr. Robinson, the Planning Board voted five in favor with Mr. Slocum abstaining to formally adopt the Planning Department's findings and to grant the requested extension to expire on November 3, 2009.

Public Meeting

Minor Subdivision

Applicant: Pontiac Free Library Associates
Location: Corner of Greenwich Avenue & Greble Street
Assessor's Plat: 273
Lot(s): 368
Zoning District: Residential A-7
Land Area: 22,181 square feet
Number of lots: 2
Engineer: MJF Engineering Associates
Ward: 8

Ms. Barbara Collins, Treasurer, Pontiac Free Library represented the applicant and was requesting preliminary approval of a minor subdivision to divide one lot into two new lots for development on an existing street in a Residential A-7 zoning district.

Being no question or comment the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations:

1. Generally consistent with the Comprehensive Community Plan.
2. In compliance with the standards and provisions of the City's Zoning Ordinance.
3. That there will be no significant negative environmental impacts from the proposed development.
4. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to a public street.

Planning Department recommendation was to grant a combined preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

1. That the developer shall contact the City's Landscape Project Coordinator to determine which trees shall be preserved and protected prior to construction.
2. That a six foot stockade fence and screening shall be installed along the westerly property line of each new lot abutting adjacent to the existing retaining wall.
3. That the developer shall meet with the WSA to discuss the sewer extension policy.
4. That new street trees shall be installed in accordance with the Warwick Development Review Regulations, prior to a Certificate of Occupancy.

On the motion of Mr. Gambardella, seconded by Mr. Constantine and Mr. Robinson, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant preliminary approval with final approval to be through the Administrative Officer with the Planning Department's recommended stipulations.

Public Meeting

Request for an Extension

Amoroso Estate

Applicant:	Walter and Margaret Amoroso
Location:	85 Rustic Way
Assessor's Plat:	364
Lot:	227 & 528
Zoning District:	Residential A-7
Land Area:	2.37 Acres
Number of lots:	8
Engineer:	Alpha Associates
Ward:	7

The applicant is requesting preliminary plan approval for a Major Subdivision to divide two lots into eight new lots, one lot with an existing dwelling and seven new lots for development on a new street in a Residential A-7 zoning district.

The applicant was not represented at the meeting.

On the motion of Mr. Robinson, seconded by Ms. Prata, the Planning Board voted unanimously to continue the requested extension to the next available Planning Board meeting.

Bond Reduction

Aurore Plat Ethan Street

Current bond total	\$30,879.00
<u>Amount to be released</u>	<u>\$30,879.00</u>
	Full Release

On the motion of Mr. Desmarais, seconded by Mr. Gambardella, the Planning Board voted unanimously to grant the requested bond reduction.

Administrative Subdivisions

The Administrative Subdivision was included for informational purposes.

McKenna Plat
Foster Street and Coldwell Street Plat: 334 Lots: 367 & 378

Stoppard – Teakwood Plat
Teakwood Drive Plat: 268 Lots: 7 & 501

On the motion of Mr. Gambardella, seconded by Mr. Robinson, the Planning Board voted unanimously to adjourn the meeting at 6:20 PM.