

**City of Warwick Planning Board
Meeting Minutes**

Wednesday, February 14, 2007

Members Present: Carter Thomas
Attilio Iacobucci
Rick Robinson
Jeanne Foster
George Arnold
Michael Constantine

Members Absent: John J. Mulhearn Jr.
Philip Slocum
Vincent Gambardella

Also in attendance: Peter Ruggiero, Solicitor
John DeLucia City Engineer
Eric Hindinger, Assistant City Engineer

Mr. Carter Thomas Vice-chairmen called the meeting to order at 6:05 P.M.

On the motion of Mr. Constantine, seconded by Mr. Robinson, the Planning Board voted unanimously to accept the January 2007 meeting minutes.

Public Hearing

Minor Land Development Project with a street extension

Pine Street

Applicant: Robert & Paula McAllister
Location: Pine Street
Assessor's Plat: 297
Lot: 235 & 236
Zoning District: Residential A-7
Land Area: 13,320 square feet
Number of lots: NA
Engineer: Gary C. Lamond, PE, LLC.
Ward: 2

Mr. Gary Lamond, P.E. represented the applicant and was requesting preliminary approval to merge two nonconforming lots and extend a street to allow for the development of a two-family dwelling in a Residential A-7 Zoning District. Mr. Lamond explained that he was aware that the applicant needed a Special Use

Permit from the Zoning Board and that the applicant would be required to construct the roadway, extend the utilities and install an underground drainage system. He stated that he was looking for guidance from the City to determine what type of turn around would be required.

Board member Iacobucci inquired if the applicant intended to extend the street.

Mr. McAllister stated that he was willing to extend the street but that he was waiting for the City to tell him what it was looking for regarding drainage and a turn around.

Vice-Chairman Thomas asked if the applicant would be willing to install a cul-de-sac.

Mr. John DeLucia, City Engineer, explained that the applicant had not submitted updated plans and informed the Planning Board that the applicants engineer would be required to clarify the drainage easement and proposed turn around prior to the application returning to the Planning Board for preliminary approval.

Being no further questions and no public 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, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance, however the proposed use requires a Special Use Permit from the Zoning Board of Review.
- 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.

The Planning Department recommendation was to grant preliminary approval with the following stipulations:

- 1) That the proposed two-family dwelling shall receive the required Special Use Permit from the Zoning Board of Review.
- 2) That the applicant shall be required to extend Pine Street to provide a minimum 70 feet of improved street frontage including a provision for a turn around (preferably a cul-de-sac) which shall be designed to adequately accommodate fire apparatus and rescue vehicles, sanitation vehicles, snow plows, passenger

vehicles and the like.

- 3) That the applicant shall prepare a storm-water management plan and provide drainage calculations for the development and street extension to be approved by the City Engineer prior to final approval.
- 4) That the applicant shall be required to extend and connect to public sewer and water and such extensions shall be approved by the appropriate department prior to final approval.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant master plan approval with the Planning Department's recommended stipulations.

Public Hearing

Major Subdivision

Kalunian Subdivision

| | |
|-------------------------|---------------------|
| Applicant: | Karolyn G. Kalunian |
| Location: | 111 Terrace Avenue |
| Assessor's Plat: | 336 |
| Lot(s): | 305, 306 & 307 |
| Zoning District: | Residential A-40 |
| Land Area: | 18,908 square feet |
| Number of lots: | 2 |
| Engineer: | A.J. Desvoyaux, PE. |
| Ward: | 4 |

Attorney Alfred Ferruolo represented the applicant and was requesting preliminary approval to subdivide three abutting nonconforming lots to create two new nonconforming lots with less than the required land area, frontage and lot width, one lot with an existing dwelling having less than the required side setback and one new lot for development in a Residential A-40 zoning district.

Mr. Ferruolo explained that the Planning Board had granted master plan approval in September 2006 and that the Zoning Board has granted the required zoning relief shortly after. He informed the Board that the existing home was connected to the sewer system and old septic system had been properly closed some time ago.

Being no questions or public comment the Planning Board closed the public hearing and 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) Consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received Zoning Board of Review approval (Petition #9442).
- 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.

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

- 1) That the final plan shall clearly depict the differences between the recorded plat measurements and the field measurements, establish a closing line along Mill Cove, depict all existing and proposed utilities including services to the existing and proposed dwellings, depict the location of the existing septic system, depict proposed grading, limits of the existing and proposed driveways and locate proposed monuments.
- 2) That the lowest floor elevation for the new structure including the basement floor shall be at least three feet above the maximum seasonal high ground water.
- 3) That the existing and proposed dwellings shall be connected to the Warwick Sewer System prior to the issuance of a Certificate of Occupancy (CO).
- 4) That the existing septic system shall be abandoned or removed in accordance with all applicable regulations prior to the issuance of a CO.
- 5) That the 15" maple tree and the 18" maple tree shall be preserved and protected with "drip line" tree protection during construction and the driveway and utilities shall be located so as to preserve these trees to the greatest extent practicable.

On the motion of Mr. Iacobucci, seconded by Mr. Arnold, the Planning Board voted five in favor with Ms. Foster opposed to formally adopt the Planning Department's findings and to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the Planning Department's recommended stipulations.

Public Hearing

Major Subdivision

Re-plat of Dryden Heights

| | |
|------------------|----------------------------|
| Applicant: | James Donelan |
| Location: | 637 Post Road |
| Assessor's Plat: | 289 |
| Lot: | 58, 59, & 60 |
| Zoning District: | Residential A-7 |
| Land Area: | 10,738 square feet |
| Number of lots: | 2 |
| Engineer: | Ocean State Planners, Inc. |
| Ward: | 2 |

Attorney K. Joseph Shekarchi represented the applicant and was requesting preliminary approval of a Major Subdivision to subdivide three lots with an existing dwelling to create two nonconforming lots, one lot with less than the required frontage, lot width and area and an existing dwelling and one new lot for development with less than the required area in a Residential A-7 Zoning District.

Attorney Shekarchi explained that the Planning Board had granted master plan approval approximately six months ago and that the applicant had subsequently received the required Zoning Board approval and was now asking for preliminary approval.

Board member Foster asked what the size the proposed lots would be.

Shekarchi informed the Board that the proposed new lot for development was to be 6,800 square feet and the lot with the existing house would be 3,938 square feet.

Being no further questions and no public comment the Planning Board closed the public hearing and 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 having received Zoning Board of Review approval (Petition #9440).
- 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.

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

- 1) That the applicant shall plant one new street tree on Wendell Avenue, to be inspected and approved by the City's Landscape Project Coordinator, prior to issuance of a Certificate of Occupancy.
- 2) That the outstanding Sewer Assessment for lot 60 shall be paid in full prior to recording of the subdivision.
- 3) That the final plan include a notation that the contractor shall obtain a Physical Alteration Permit from the City of Warwick for any work within the Wendell Road right-of-way.

On the motion of Mr. Robinson, seconded by Mr. Constantine, the Planning Board voted five in favor with Ms. Foster opposed to formally adopt the Planning Department's findings and to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the Planning Department's recommended stipulations.

Public Meeting

Request for an Extension

Bayside Condominiums

| | |
|-------------------------|-----------------------------------|
| Applicant: | Centerville Builders, Inc. |
| Location: | Post Road |
| Assessor's Plat: | 366 |
| Lot(s): | 5, 6 & 66 |
| Zoning District: | Planned District Residential A-10 |
| Land Area: | 9.50 acres |
| Number of lots: | 2 |
| Engineer: | Garafalo & Associates, Inc. |
| Ward: | 7 |

Mr. Robert Lamoureux requested an extension of the master plan approval for the "Bayside Condominiums" project to subdivide three lots to create two lots, one lot "not for development" and one lot for construction of a 10-unit multi-family development with less than the required side yard setback recorded on March 22, 2006.

Mr. Lamoureux explained that the project had received master plan approval and a City Council zone change and he was in the process of obtaining State of Rhode Island approvals including RIDOT and CRMC permits.

The Planning Department found the following:

- 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 March 22, 2008.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted unanimously is to grant the requested extension to expire on March 22, 2008.

Public Meeting

Request for an Extension

Winfield Place

| | |
|-------------------------|--------------------------|
| Applicant: | K. Joseph Shekarchi |
| Location: | 686 Commonwealth Avenue |
| Assessor's Plat: | 247 |
| Lot(s): | 47 |
| Zoning District: | Residential A-10 |
| Land Area: | 2.059 acres |
| Number of lots: | 2 |
| Engineer: | Walker Engineering, LTD. |
| Ward: | 8 |

Mr. Shekarchi requested second extension of the master plan approval for the "Winfield Place" condominium project to subdivide one lot to create two lots, one conforming lot with an existing dwelling and one lot for construction of a 9-unit multi-family development with less than the required frontage, lot width and front setback initially recorded on May 5, 2005 extended to May 5, 2007.

Mr. Shekarchi explained that he had recently received his Zoning Board approval and a RIDEM approval. He further explained that there was minor change to the proposed driveway at the

request of the Fire Department and that the drive away was relocated away from the abutting residential properties.

The Planning Department found the following:

- 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 May 5, 2008.

On the motion of Mr. Iacobucci, seconded by Mr. Arnold, the Planning Board voted unanimously is to grant the requested extension to expire on May 5, 2008.

Bond Reduction

Tillinghast Avenue Subdivision

| | |
|------------------------------|--------------------|
| Current bond total | \$57,779.00 |
| <u>Amount to be released</u> | <u>\$57,779.00</u> |
| | Full Release |

John DeLucia, City Engineer, explained that the City was holding the bond pending “As Built” plans. Mr. DeLucia informed the board that he had received the plans and recommended release of the bond.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci and Ms Foster, the Planning Board voted unanimously is to grant a full release of the Tillinghast Avenue Bond.

Solicitor's Report

Mr. Peter Ruggiero, Assistant City Solicitor informed the Planning Board that the RI Superior Court had decided against the master plan denial of the Woodfield Farm project and had remanded the decision back to the Zoning Board of Appeals. Mr. Ruggiero further explained that there was no immediate action to be taken by the Planning Board but there may be an item docketed for action at a future Planning Board meeting.

Being no further business the meeting was adjourned at 6:50 P.M.