



CITY OF WARWICK
PLANNING DEPARTMENT

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SCOTT AVEDISIAN
Mayor

MARK CARRUOLO
Director

Office of Planning

Office of Community
Development

Office of Landscape
Architecture

Planning Board

Warwick Station
Redevelopment Agency

Zoning Board

Conservation Commission

Harbor Management
Commission

Historic District
Commission

Historic Cemetery
Commission

City of Warwick Planning Board Meeting Minutes

Wednesday, February 9, 2011

Members Present: John J. Mulhearn Jr., Chairman
Philip Slocum
Leah Prata
Thomas Kierman
Cynthia Gerlach
Sue Stenhouse

Members Absent: James Desmarais
Vincent Gambardella

Also in attendance: Diana Pearson, Solicitor

Chairman Mulhearn called the meeting to order at 6:02 P.M.

On the motion of Ms. Prata, seconded by Mr. Slocum, the Planning Board voted unanimously to approve the November 2010 meeting minutes.

Public Meeting

Minor Subdivision

Marsocci Plat

Applicant: John T. Guadagni and David Marsocci
Location: 99 Eton & 15 Eton Avenue
Assessor's Plat: 317
Lot(s): 57, 58, 417 & 418
Zoning District: Residential A-7
Land Area: 29,779 square feet
Proposed # of lots: 4
Engineer: MLC Surveying Inc.
Ward: 4

The applicants, Mr. Guadagni and Mr Marsocci were present for the application. Mr. Guadagni represented the project and requested Preliminary Approval of a minor subdivision to divide four (4) record lots to create four (4) lots, two (2) lots with existing dwellings and two (2) new record lots for development, in a Residential A-7 zoning district.



The City of Warwick is committed to the promotion of fair housing and equal program access regardless of age, race, sex, national origin or physical handicap.



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Mr. Guadagni informed the Board that he had reviewed the Planning Department's stipulations and had no questions or objections.

Mr. Slocum asked Mr. Guadagni why he needs to relocate the existing drain. Mr. Guadagni stated that it is for surface water drainage and is obsolete.

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.

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 all plans shall comply with Section 3.02 C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of RI, effective April 1, 1994.
- 2) That the existing drain on proposed lot three (3) shall be relocated along a common property line and a 20' wide easement shall be provided.
- 3) That the proposed granite bounds shall be set at the common front corners of proposed lots 1 & 2 and proposed lots 3 & 4.
- 4) That the Final Plan shall include a reference to "Lot 58" in the Title Block.
- 5) That the Final Plan shall depict the westerly property line of "Lot 57."
- 6) That the developer shall plant a 2" caliper street tree for each new house lot. Trees shall be set back ten feet from the overhead wires. Tree species shall be *Pyrus Calleryana* *Chanticleer* and shall meet ANLA Standards for form and planting.

- 7) That the existing evergreen tree on "Lot 60" shall be protected using RIDOT dripline tree protection.
- 8) That the existing and proposed dwellings shall be connected to sewers, prior to the issuance of a Certificate of Occupancy (CO).

On the motion of Mr. Slocum, seconded by Ms. Gerlach and Ms. Prata, 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

Minor Land Development Project

Old Forge and Potowomut Roads

Applicant:	Steve Miller
Location:	46 Potowomut Road
Assessor's Plat:	210
Lot:	232
Zoning District:	Residential, A-7
Land Area:	77,904 square feet
Existing # of lots:	1
Proposed # of lots:	3
Engineer:	Ocean State Planners, Inc.
Ward:	9

Mr. Richard Bzdyra, PLS., President, Ocean State Planners, Inc.; represented the applicant, Mr. Steve Miller, and requested Preliminary Approval to subdivide an existing, conforming lot to create three (3) new lots, two (2) new lots for development and one (1) lot with an existing single family dwelling, in a Residential A-7 zoning district.

Mr. Bzdyra stated that this project began with another surveyor and that he has taken over the project. The original surveyor is no longer involved. Mr. Bzdyra testified that the applicant is intending to develop proposed "Parcel C" and retain "Parcel A" for future development.

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

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:

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 all plans shall comply with Section 3.02 C of the Procedural & Technical Standards for the practice of Land Surveying in the State of Rhode Island, effective April 1, 1994.
2. As per *City of Warwick Development Review Regulations, Check List for Minor Subdivisions*, the applicant shall submit a revised plan with the following information:
 - a. Item 11. Indicate provisions for an easement for the electric line that crosses Parcel C to Parcel B.
 - b. Item 16. Indicate all existing and proposed utilities.
 - c. Item 17. Show the proposed location of the OWTS for each Parcel and a grading easement for Parcel C.
 - d. Item 18. Indicate provisions for stormwater collection
 - e. Item 23. Indicate base flood elevation.
 - f. Item 25. Indicate existing and proposed contours. Existing contours for Parcels A and C will be required on the Final plan submission.
 - g. Item 29. Indicate the location of one granite bound per lot.
 - h. Item E. Submit correct verbage and certification on the plan set.
3. That all necessary state permits are required prior to Final Approval, including but not limited to, Rhode Island Department of Transportation (DOT), Physical Alteration Permit and Rhode Island Department of Environmental Management (DEM), OWTS.
4. That the applicant shall coordinate the installation of the water service with the Warwick Water Division, prior to beginning any construction activities on the site.
5. That the applicant shall contact the City's Landscape Office regarding tree protection, quantity and species selection, prior to beginning any construction activities on the site.

On the motion of Mr. Slocum, seconded by Mr. Kiernan, the Planning Board voted five in favor, with Chairman Mulhearn abstaining, 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

Minor Subdivision with a Street Extension

Lufkin Court

Applicant: Sturbridge Home Builders
Location: Lufkin Court
Assessor's Plat: 296
Lot: 154
Zoning District: Residential A-7
Land Area: 5.06 acres
Proposed # of lots: 5
Engineer: DiPrete Engineering
Ward: 2

Attorney Sanford Resnick represented the applicant and requested Final Approval of the project from the Board. Mr. Resnick explained that the project had received Preliminary approval in August 2010. Mr. Resnick stated that the Applicant had reviewed the Planning Department's stipulations and had resolved the first stipulation regarding the discrepancy in survey information with the abutting "Pettaconsett Plat survey plan." Mr. Resnick said the applicant agreed with the second stipulation.

Mr. Slocum asked if the Planning Department had reviewed the survey. Mr. DePasquale responded that the Department had not. Mr. Erik Prive, PE, DiPrete Engineering, explained that the discrepancy in the surveys had no effect on the proposal and that the proposed new lots are not near the discrepancy. Mr. Prive explained that the difference is actually a one (1) foot gap and not an overlap and that the resolution was to agree to hold the line of the "Pettaconsett Plat survey plan."

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

The Planning Department finds this 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.

The Planning Department recommendation was to grant Final Approval, with the following stipulation:

1. That the development shall be subject to the Inflow and Impact fee for a four lot subdivision, which shall be paid prior to the recording of the Record Plat.

On the motion of Mr. Kiernan, seconded by Ms. Prata, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant Final Approval, with the Planning Department's recommended stipulation.

Public Hearing

Major change to a Major Land Development Project

Applicant:	Balise Motor Sales/BAR RI LLC
Location:	1400 Post Road
Assessor's Plat:	309
Lot(s):	062
Zoning District:	General Business, with variances.
Land Area:	9.2 acres
Number of lots:	1
Engineer:	Fuss & O'Neill
Ward:	3

Attorney K. Joseph Shekarchi was present for the applicant and requested Preliminary Approval of a major change to a previously approved Major Land Development Project. The applicant is proposing to construct a new fuel dispensing system for on-site vehicles for an existing auto dealership/service center. Mr. Shekarchi explained that this project had originally been filed with a cell tower component and was therefore on a different permitting path. T-Mobile has since withdrawn the cell tower portion of the application. Mr. Shekarchi emphasized that the fuel pump is for the dealership's on-site vehicles only and will not be for use by the general public.

Being no questions or comment the Planning Board closed the public hearing on a motion by Mr. Slocum and seconded by Ms. Prata. 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 having received City Council zone change PCO-18-08, amended.

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, with the following stipulations:

1. That all plans shall comply with Section 3.02C of the Procedural & Technical Standards for the practice of Land Surveying in the State of Rhode Island, effective April 1, 1994.
2. That the applicant shall submit a revised plan indicating the location of the fuel dispensing system and the associated setbacks; and a note shall be added to the plan stating that, "the fuel dispensing system is an accessory use for the auto dealership only", prior to Final Approval.
3. That a copy of all necessary state permits shall be submitted, prior to Final Approval.
4. That the applicant shall protect or relocate on-site any landscape material affected by the installation of the fuel dispensing system.
5. That any additional development on the property shall require a Development Plan Review (DPR) to be approved by the Warwick Planning Board in compliance with City of Warwick Development Review Regulations.

On the motion of Ms. Prata, seconded by Mr. Slocum, 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 Departments recommended stipulations.

Public Hearing

Major Land Development Project

**Telecommunication Tower
Greenwich Bay Marina**

Applicant: Omnipoint Communications, Inc./T-Mobile
Location: 1 Masthead Drive
Assessor's Plat: 366
Lot: 81
Zoning District: Waterfront Business w/a Telecommunication Tower, per PCO-37-09
Land Area: 11.99 Acres
Engineer: Advanced Engineering Group
Ward: 7

Attorney, Jacqueline Murray, was present for the applicant, T-Mobile New England, LLC and requested Preliminary Approval to construct a wireless facility at Masthead Marina. The applicant is looking to further develop their network and have identified a gap in coverage in this area of Warwick. This project will be to construct a 90' monopole that will be concealed in a flagpole, in a 30' x 30' leased area, with chain link fencing. Attorney Murray stated that T-Mobile has received a City Council amendment for the proposal; RI Department of Environmental Management approval, and Coastal Resources Management Council approval.

Being no questions or comment the Planning Board closed the public hearing on a motion by Mr. Slocum and seconded by Ms. Prata. The Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department finds this 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 City Council zone change PCO-37-09.
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 stipulation:

1. That all plans shall comply with Section 3.02 C of the Procedural & Technical Standards for the practice of Land Surveying in the State of Rhode Island, effective April 1, 1994.
2. That a revised landscape plan shall be submitted noting that the plant material shall be not less than six feet in height at the time of planting, and that the wire, hose and stakes shall be removed one year after planting.

On the motion of Mr. Slocum, seconded by Ms. Prata, the Planning Board voted unanimously to grant Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the recommended stipulations

Bond Reduction

Brookwood Estates Smile Court

Current bond total	\$10,331.00
<u>Amount to be released</u>	<u>\$10,331.00</u>
	Full Release

On the motion of Ms. Gerlach, seconded by Mr. Kiernan, the Planning Board voted unanimously to grant the requested bond reduction.

Administrative Subdivisions

The Administrative Subdivision was included for informational purposes.

Greco Plat Plat: 274 Lots: 259, 263 & 270

On the motion of Mr. Slocum, seconded by Ms. Prata, the Planning Board voted unanimously to adjourn the meeting at 6:35 PM.