

**City of Warwick Planning Board
Meeting Minutes
Wednesday, February 8, 2012**

Members Present: John J. Mulhearn Jr., Chairman
Philip Slocum
Sue Stenhouse
Vincent Gambardella
James Desmarais
Laura Pisaturo

Members Absent: Leah Prata
Cynthia Gerlach
Thomas Kiernan

Also in attendance: William J. DePasquale, Jr., Administrative Officer
Lidia Cruz-Abreu, Planning Specialist
Eric Hindinger, Engineer Project Manager
Peter Ruggiero, City Solicitor

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

The January 2011 meeting minutes were presented for review and approval. A motion was made by Ms. Stenhouse to approve the January meeting minutes, as presented. The motion was seconded by Mr. Gambardella. All voted in favor, none opposed.

Public Meeting

Minor Subdivision

Delano Joseph & Karen L. Brooks Plat

Location: 4433 Post Road & Bay View Avenue
Applicant(s): Delano Joseph & Karen L. Brooks
Assessor's Plat: 220
Assessor's Lot(s): 24
Zoning District: A-10 Residential
Land Area: 47,596 square feet
Surveyor: Alfred W. DiOrio, RLS, Inc.
Ward: 9

Mr. John Kenyon, ESQ, represented the project. He explained that that the property was located at 4433 Post Road, was approximately 47,000 square feet of land area and was in an A-10 Zoning District. He further explained that the Applicant proposed a two (2) lot subdivision with no street creation with an existing house on approximately 33,000 square feet and a new buildable lot on approximately 14,000 square feet with no waivers required and with public water and sewer available.

Attorney Kenyon then introduced Mr. Al DiOrio, PLS, who explained that the property was located on the Westerly side of Post Road and Southerly side of Bay View Ave, that the lot contained approximately 47,956 square feet with one existing dwelling serviced by public sewer and water. He further stated that the lot was not in a flood zone, with an average site elevation of 55' with a range of 45' to 65', and had no wetlands or coastal features in the vicinity. The existing house was accessed from an existing driveway that currently enters onto Post Road, and that the new lot would have access onto Bay View Ave.

Attorney Kenyon stated that he had received the Planning Department's findings and recommendation and he concurred with all the stipulations, except for #5. He wanted to clarify that the one (1) large mature tree that was located on Record Lot 2 was within the building envelope of the proposed house.

Ms. Pisaturo asked how many large mature trees were located on the parcel. Mr. DiOrio and Attorney Kenyon explained that although there were other mature trees located on the Parcel he believed that the stipulation referred to the tree that was within the building envelope of the proposed house.

Mr. DePasquale modified stipulation #5 to refer to the existing house lot-Record Lot 1.

Being no further questions, Mr. Mulhearn asked to have the Planning Department's findings and recommendation read into the record.

Planning Department Findings

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. That the subject property is located at 4433 Post Road & Bay View Avenue and is identified as Assessor's Plat: 220, Assessor's Lot: 24.
2. That the subject property consists of one (1) tax assessor's lot totaling 47,596 square feet and is currently zoned Residential A-10.
3. That the Applicant proposes to create two (2) lots; one (1) 33,232 square foot lot with an existing dwelling and one (1) new 14,364 square foot lot for development.
4. That the Residential A-10 Zoning District requires a minimum of 100 feet of frontage and lot width and a minimum area of 10,000 square feet per individual lot.
5. That the proposed development is in compliance with the standards and provisions of the City's Zoning Ordinance.
6. That the lot is surrounded by a stone wall, which is a tangible link to the City's colonial agrarian past and, as such, holds a unique historic significance for the City.

7. That stone walls are continuously threatened by both private and public development and need to be protected.
8. That all lots as proposed will conform to the requirements of the Residential A-10 Zoning District.
9. That the proposed development is generally consistent with the Comprehensive Community Plan.
10. That there will be no significant negative environmental impact from the proposed development.
11. 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.
12. That the proposed development possesses adequate access to a public street.
13. That the property will have access to public sewer and water.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval, with Final to be by the Administrative Officer, with the following stipulations:

1. That the Applicant shall receive Historic District Commission approval for any alterations to the stone wall, prior to Final Approval.
2. That the Final Plan shall label the proposed lot line "As Proposed" as required per *Development Review Regulation, Appendix B, Checklist Item #22*.
3. That the Final Plan shall remove overflow outlets for the proposed infiltration units. An alternative overflow solution shall be installed at grade of the downspouts to prevent build-up of runoff on the roof, a note and detail shall be added to the plan.
4. That the Final Plan shall note Station and Off-Sets to Post Road.
5. That the large mature existing trees located on proposed Record Lot 1, as noted on the Delano Joseph and Karen L. Brooks Plat Preliminary plan, dated December 21, 2011, shall be preserved and protected with drip line tree protection, including, but not limited to, 2"x2"x6' wooden stakes with plastic 4' snow fencing in a manner to protect the root zone and tree trunks from construction damage.
6. That the Applicant shall plant one (1) new 2"-2.5" caliper shade tree, behind the stone wall, for proposed Record Lot 2, as noted on the Delano Joseph and Karen L. Brooks Plat

Preliminary plan, dated December 21, 2011, prior to the issuance of a Certificate of Occupancy. The Applicant shall consult with the City's Landscape Project Coordinator regarding specific location and species.

7. That the Applicant shall coordinate with Kent County Water for the water service connection.
8. That the Applicant shall coordinate with the Sewer Authority to finalize the location of the connection to Municipal Sewer, prior to the recording of the "Record Plat."

On the motion of Ms. Pisaturo, seconded by Ms. Stenhouse the Planning Board voted unanimously to formally adopt the Planning Department's findings and revised recommendation and to grant Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the Planning Department's recommended stipulations.

Other Business

Election of Officers

Chairman John Mulhearn nominated Mr. Philip Slocum as Chairman and Mr. Vincent Gambardella, Vice Chairman.

A motion was made by Ms. Stenhouse, seconded by Mr. Desmarais to appoint Mr. Philip Slocum Chairman and Mr. Vincent Gambardella, Vice-Chairman, all in favor, none opposed.

Chairman Slocum addressed the Planning Board and thanked former Chairman Mulhearn for his dedication and commitment to the Planning Board and the City of Warwick.

The meeting was adjourned at 6:25 p.m.