

**City of Warwick Planning Board
Meeting Minutes
Wednesday, June 9, 2010**

Members Present: John J. Mulhearn Jr., Chairman
Philip Slocum
James Desmarais
Leah Prata
Michael Constantine

Members Absent: Thomas Kiernan
Cynthia Gerlach
Rick Robinson
Vincent Gambardella

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

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

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

Public Hearing

Minor Subdivision with a Street Extension

Lufkin Court

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

Attorney Sanford Resnick represented the applicant and requested that the Planning Board open the Public Hearing and continue the matter until the August 11, 2010 Planning Board Meeting. Attorney Resnick stated that the City Engineer and the applicants engineer would be meeting in an attempt to resolves some of the outstanding issues presented in the Planning Department's proposed stipulations.

On the motion of Mr. Constantine, seconded by Mr. Slocum, the Planning Board voted unanimously to open the Public Hearing and immediately continue the matter until the August 11, 2020 Planning Board Meeting.

Those interested persons in attendance were informed that the Planning Board would be considering the application at the August 11, 2010 meeting at 6:00 PM in the same location.

Public Meeting

Request for a Zone Change

Shalom Housing Inc.

Applicant:	Shalom Housing Inc.
Location:	1 Shalom Drive
Assessor’s Plat:	271
Assessor’s Lot(s):	192
Zoning District:	Planned District Residential (PDR) A-7 Restricted (PCR 0-94-23)
Proposed Zoning:	PDR A-7 Restricted to add a Wind Turbine higher than allowed.

Attorney Mary Shekarchi represented the applicant and was requesting a zone change from Planned District Residential (PDR) A-7 Restricted (PCR 0-94-23) to PDR A-7 Restricted to add a Wind Turbine higher than allowed to provide power to an existing elderly housing complex.

Attorney Shekarchi presented a letter (Exhibit A) from an abutting property owner in support of the project.

Attorney Shekarchi concluded her presentation by informing the Planning Board that the applicant was in agreement with the Planning Department’s recommended stipulations.

Being no questions or public comment the Planning Board then heard the Planning Department’s findings and recommendation.

The Planning Department found the proposed zone change to be in compliance with the City’s Comprehensive Plan, including the goals and Policies Statement, the Implementation Program, the Land Use Element and the Housing Element.

The Planning Department also found the proposed zone change to be generally consistent with the following purposes of the City’s Zoning Ordinance, as presented in Section 100, “Title and Purpose.”

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- (A) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
- (B) The natural characteristics of land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution.
- (D) The values of unique or valuable natural resources and features.
- (E) The availability and capacity of existing and planned public and/or private services and facilities.
- (F) The need to shape and balance urban and suburban development.
- (G) The use of innovative development regulations and techniques.

103.4 Providing for control, protection and/or abatement of air, water, groundwater and noise pollution, and soil erosion and sedimentation.

103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing, including opportunities for the establishment of low and moderate income housing.

103.10 Promote a high level of quality in design in the development of private and public facilities.

103.15 Provide for reasonable accommodations in order to comply with the RI Fair Housing Practices Act, the US Fair Housing Amendments Act of 1998 (FHAA), the RI Civil Rights of Individuals with Handicaps Act and the American with Disabilities Act of 1990 (ADA).

The Planning Department recommended favorable recommendation to the Warwick City Council for the requested zone change with the following stipulations:

- 1) The wind turbine towers and blades shall be painted with an unobtrusive color with a non-reflective finish and shall not be artificially lighted unless required by the FAA.
- 2) No part of the wind turbine may be utilized for signage and/or advertisement.
- 3) The wind turbine shall not exceed sixty (60) DBA as measured at the closest property line.
- 4) Construction and foundation plans shall be completed by a RI Registered Structural Engineer.

- 5) The petitioner shall install a six-foot high fence that confines the base of the tower and base equipment.

On the motion of Mr. Slocum, seconded by Mr. Desmarais and Ms. Prata, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to forward a favorable recommendation for the zone change to the City Council with the Planning Department's recommended stipulations.

Public Meeting

Request for a Zone Change

Rhode Island Airport Corporation

Applicant:	Rhode Island Airport Corporation
Location:	2000 Post Road
Assessor's Plat:	327
Assessor's Lot(s):	4-15, 37-41, 59-70, 85-96 (see attached map)
Zoning District:	Residential A-7
Proposed Zoning:	Light Industrial

Attorney Kendra L. Beaver represented the applicant and was requesting a zone change from Residential A-7 to Light Industrial for future airport purposes consistent with Light Industrial zoning. Attorney Beaver explained that RIAC intended to develop the property for airport related business and that the proposed use would be a private development which would create in new jobs and revenue for the City.

Attorney Beaver concluded her presentation by informing the Planning Board that the petitioner was in agreement with the Planning Department's recommended stipulations.

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

The Planning Department found the proposed zone change to be in compliance with the City's Comprehensive Plan, including the goals and Policies Statement, the Implementation Program, the Land Use Element, the Transportation Element and the Economic Development Element.

The Planning Department also found the proposed zone change to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- (A) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
- (B) The natural characteristics of land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution.
- (E) The availability and capacity of existing and planned public and/or private services and facilities.
- (F) The need to shape and balance urban and suburban development.

103.7 Provide for the protection of public investment in transportation.

103.10 Promote a high level of quality in design in the development of private and public facilities.

103.12 Provide for coordination of land uses with contiguous municipalities, other municipalities, the state and other agencies.

The Planning Department recommended favorable recommendation to the Warwick City Council for the requested zone change with the following stipulations:

- 1) That all access to the property other than emergency access shall be restricted to adjacent airport property and/or direct access from Airport Road.
- 2) That any future development of the property shall maintain the minimum 100' setback from any adjacent residential or open space zoned property.
- 3) That any future development on the property shall meet or exceed all current zoning requirements.
- 4) That any future development shall be reviewed by the Planning Board as a Major Land Development Project.

On the motion of Mr. Desmarais, seconded by Mr. Constantine, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to forward a favorable recommendation for the zone change to the City Council with the Planning Department's recommended stipulations

Public Meeting

Request for an Amendment to the City's Zoning Ordinance

Section 308 "Planned District Residential (PDR)"

Section 502 "Land Development Project - Two family and multiple family dwelling approved by the Zoning Board of Review"

Applicant: City of Warwick
Location: 3275 Post Road
Zoning District: Zoning Ordinance amendment to Sections 308 PDR and 502 Two family and multiple family dwelling approved by the Zoning Board of Review.

Planning staff presented the Warwick City Council application to amend Zoning Ordinance Section 308 "Planned District Residential" and Section 502 "Two-family and multiple-family dwelling approved by the Zoning Board of Review." The staff explained that the purpose of the proposed amendment was to require that all Two-family and multi-family developments receive City Council approval. Currently only multi-family development in excess of ten (10) residential dwelling units require City Council approval; developments containing between two and ten dwelling units require a Special Use Permit through the Zoning Board of Review.

After a brief discussion the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be in compliance with the City's Comprehensive Plan including the Goals and Policies Statement, the Implementation Program, the Land Use Element and the Housing Element. The Planning Department also found the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance as presented in Section 100 "Title and Purpose":

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provide for a range of uses and intensities of use appropriate to the character of the city and reflects current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
 - (A) The goals and patterns of land use contained in the comprehensive plan of the city.
 - (E) The availability and capacity of existing and planned public and private services and facilities
 - (F) The need to shape the urban and suburban development
 - (G) The use of innovative development regulations and techniques.

103.8 Promote a balance of housing choices for all income levels and groups to assure the health safety and welfare of all citizens and their rights to affordable, accessible safe and sanitary housing, including opportunities for the establishment of low and moderate income housing.

103.11 Promote implementation of the Warwick Comprehensive Community Plan, as amended.

103.13 Provide for efficient review of development proposals, to clarify and expedite the zoning approval process.

103.14 Provide for procedures for the administration of the zoning ordinance

103.15 Provide for reasonable accommodations in order to comply with the RI Fair Housing Practices Act, the US Fair Housing Amendments Act of 1998 (FHAA), the RI Civil Rights of Individuals with Handicaps Act and the American with Disabilities Act of 1990 (ADA).

The Planning Department's recommendation was for a favorable recommendation to the Warwick City Council for the requested zoning amendment.

On the motion of Mr. Slocum, seconded by Mr. Constantine, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to forward a favorable recommendation for the zone change to the City Council

Administrative Subdivision

The following Administrative Subdivisions were included for informational purposes to the Planning Board.

Warwick Housing Plat Plat: 332 Lots: 360-362, 387-391

Wilkinson Plat Plat: 282 Lots: 21, 22 & 193

Being no further business the meeting was adjourned at 6:30 PM.