

**City of Warwick Planning Board
Meeting Minutes**

**Wednesday,
March 14, 2007**

Members Present: John J. Mulhearn Jr.
Carter Thomas
Attilio Iacobucci
Rick Robinson
Jeanne Foster
George Arnold
Michael Constantine

Members Absent: Philip Slocum
Vincent Gambardella

Also in attendance: Peter Ruggiero, Solicitor
Patricia Reynolds, Business Development Planner
Eric Hindinger, Assistant City Engineer

Chairman Mulhearn called the meeting to order at 6:05 P.M.

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

Public Hearing

Major Land Development Project

Jefferson Boulevard Office Park

Applicant: Wilco Development LLC.
Location: Jefferson Boulevard, Kansas Avenue, and Malbone Street
Assessor's Plat: 282
Lot(s): 78 (portion), 82-84, 87-90, 93, 96, 97, 100-102, 105-108
Zoning District: GI and LI (General and Light Industrial)
Land Area: 3.76 acres
Number of lots: 18
Engineer: DiPrete Engineering
Ward: 3

Attorney Jeffery Caffrey represented the applicant and was requesting preliminary approval of a Major Land Development Project to construct a new 75,000 square foot office building on a lot with less than required landscape buffer and off site

parking. The attorney explained that the project had received master plan approval from the Planning Board and had also received the required relief from the Zoning Board of Review. Attorney Caffrey also stated that the applicant was in agreement with the Planning Department's recommended stipulations.

Being no question from the board members 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 a variance, Petition #9389A and Petition #9389B for less than required landscape buffer and off-site parking.
- 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 preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That the applicant shall merge all abutting lots by means of an Administrative Subdivision prior to final approval.
- 2) That an "As-built" drawing and Certification for Compliance of the storm drainage system must be submitted and approved by the City Engineer prior to issuance of a Certificate of Occupancy.
- 3) That the applicant shall install a double check detector check on the fire service and an RPA backflow device on the domestic service.
- 4) That the applicant shall meet with Warwick Sewer Authority to review the service connection policy, submit interior plumbing plans to Pretreatment for review and approval, and provide a sampling manhole.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted six 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 upon compliance with the Planning Department's recommended stipulations.

Public Meeting

Minor Subdivision

Conimicut Trolley Plat (Section 3)

| | |
|-------------------------|------------------------------------|
| Applicant: | Robert J. and Cynthia A. Henninger |
| Location: | 200 Beach Avenue |
| Assessor's Plat: | 332 |
| Lot(s): | 834 |
| Zoning District: | Residential A-7 |
| Land Area: | 23,841 square feet |
| Number of lots: | 2 |
| Surveyor: | Flynn Surveys Inc. |
| Ward: | 4 |

Attorney K. Joseph Shekarchi represented the applicant and was requesting preliminary approval to subdivide one lot with an existing dwelling to create two new lots, one lot with an existing dwelling and one new lot for development in a Residential A-7 Zoning District. Attorney Shekarchi explained to the board that his client would like the opportunity to research property lines as they relate to proposed Planning Department stipulation number 3. He explained that his client thought that he owned the property and would like to be able to perform research in an attempt to clarify the property line.

Attorney Shekarchi informed the Planning Board that if his client determined he did not own the property he would conform to stipulation number 3, but if he could prove he did own the property he would return to the Planning Board to request the stipulation be removed.

The Planning Staff offered no objection to the request.

Being no questions or 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) 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 preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That the existing and proposed dwellings shall be connected to the Warwick Sewer System.
- 2) That the applicant shall provide a development plan which shall include the proposed structure, driveway, utilities and grading to be approved by the City Engineer prior to final approval.
- 3) That the existing chain link fence and shed located within the June Avenue right-of-way adjacent to Proposed "Parcel A" shall be removed prior to recording the subdivision.
- 4) That the existing 36 inch oak tree adjacent to proposed "Parcel B" and within the City right-of-way along June Avenue shall be protected during construction; any access and utilities shall maintain a minimum of 15 foot setback from said oak tree.

On the motion of Mr. Robinson, seconded by Mr. Thomas and Mr. Arnold, 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 upon compliance with the Planning Department's recommended stipulations.

Public Hearing

Major Subdivision

Faria Plat

Applicant: Alberto Faria
Location: 257 Nausauket Road & Viewesta Road
Assessor's Plat: 367
Lot(s): 550
Zoning District: Residential A-7
Land Area: 39,618 square feet
Number of lots: 3
Surveyor: NRC Associates.
Ward: 7

The applicant is requesting master plan approval to subdivide one lot to create three lots, one conforming lot with an existing dwelling and two new lots for development with less than the required lot width on a new street in a Residential A-7 Zoning District.

The hearing was continued to the April 11, 2007 meeting due to a defective notice.

Public Meeting

Minor Land Development Project

The Verndale Plat

Applicant: North End Realty
Location: 100 Verndale Street
Assessor's Plat: 339
Lot: 119 & 291
Zoning District: Residential A-7
Land Area: 16,008 square feet
Number of lots: NA
Surveyor: Flynn Surveys Inc.
Ward: 5

Attorney John Shekarchi represented the applicant and was requesting preliminary approval of a Minor Land Development Project to merge two lots and to construct a two-family dwelling in a Residential A-7 Zoning District. The attorney explained that the project meets all the dimensional standards contained in the zoning ordinance for a two-family dwelling, that it had access to city sewer and water and that the development would require a Special Use Permit from the Zoning Board of Review.

The attorney informed the Planning Board the he had met with the neighbors prior to the meeting

and has agree to meet with them prior to the zoning board hearing to discuss issues related to the development. He also explained that the development would be an owner occupied condominium and not a rental property.

Board member Robinson asked if the neighborhood was primarily single family.

Attorney Shekarchi responded to the affirmative.

Board member Iacobucci asked if the building was a side by side duplex.

The attorney responded to the affirmative and presented a rendering of the new structure.

Board member Foster asked if there were other two families in the area.

The attorney responded that there were not and that he would provide a real estate expert to testify at the Zoning Board.

Mr. John DelGiudice of 111 Verndale Street and a City Councilman expressed his concern that the two-family was out of character with the neighborhood because the neighborhood was exclusively owner occupied single family homes. Mr. DelGiudice was also concerned that the two-family would become a rental property.

Ms. Sharon Terzian of 106 Verndale Street objected to the proposal and informed the board that the existing neighborhood is comprised of single family homes on large lots. Ms. Terzian also spoke against any proposal to create substandard lots to accommodate two single family homes on the site stating that there are currently no substandard lots in the area.

Mary Anne DelGiudice of 111 Verndale Street stated that she believed that the developer could build a modular home on the property and still make a profit. Ms. DelGiudice also stated that there was not enough frontage to create two lots.

Attorney Shekarchi stated that he would set up a meeting for the applicant to meet with the neighbors.

Mr. Forte of 50 Kenwood Street and Mr. and Mrs. Janovski of 10 Verndale Street also appeared in opposition to the development.

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

The Planning Department found 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, however requiring 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.

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 receive a Special Use Permit from the Zoning Board of Review authorizing the establishment on a two-family dwelling.
- 2) That the existing lots shall be merged by way of an Administrative Subdivision and that the existing lot line to be removed shall be clearly delineated on the plan.
- 3) That the proposed new two-family dwelling shall be connected to the Warwick Sewer System.
- 4) That the final plan shall include all existing and proposed utilities, existing and proposed contours, that the final contours shall be designed in such a manner that no storm water runoff is directed toward Verndale Street and a notation that the contractor shall obtain a Physical Alteration Permit from the City of Warwick for any work within the Verndale Street right-of-way.

On the motion of Mr. Constantine, seconded by Mr. Thomas and Mr. Iacobucci, the Planning Board voted six 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

Francis Estates

Applicant: Allen Francis
Location: 42 Oxford Avenue
Assessor's Plat: 317
Lot(s): 133, 134, 135 & 407
Zoning District: Residential A-7
Land Area: 17,625 square feet
Number of lots: 2
Surveyor: WP Skorupski, PLS.
Ward: 4

Mr. Walter Skorupski, PLS. represented the applicant and was requesting preliminary approval to subdivide four abutting nonconforming lots to create two lots, one conforming 7,200 square foot lot with an existing dwelling and one new 10,425 square foot lot for development with less than the required frontage and lot width on an existing street in a Residential A-7 Zoning District.

Mr. Skorupski explained that the Planning Board had granted master plan approval and that the Zoning Board of Review had also approved the subdivision. He also asked for clarification regarding the stipulation number 2 as it pertains to removal of the garage.

The Planning Staff explained that the intent of the stipulation was to insure that the lot does not have an accessory use (the garage) without a principle use as it would constitute a violation according to the zoning ordinance. Therefore the property owner would be required to apply for a building permit within one year or the garage would have to be removed.

Being no further question or 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 #9371) to have a lot with less than the required frontage and lot width on an existing street.
- 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 the existing shed on proposed “Parcel 2” shall be removed prior to the recording of the subdivision and that the existing garage may remain up to one year unless a building permit has been issued within said timeframe.
- 2) That the proposed new dwelling shall be connected to the Warwick Sewer System.

On the motion of Mr. Robinson, seconded by Mr. Arnold 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 upon compliance with the Planning Department’s recommended stipulations

Public Hearing

Major Land Development Project

Dunkin’ Donuts – Centerville Road

| | |
|-------------------------|-----------------------------------|
| Applicant: | Dan’s Management Company |
| Location: | 1016 Centerville Road |
| Assessor’s Plat: | 241 |
| Lot(s): | 5 |
| Zoning District: | General Business |
| Land Area: | 2.64 acres |
| Number of lots: | 1 |
| Engineer: | Crossman Engineering Incorporated |
| Ward: | 8 |

Attorney K. Joseph Shekarchi represented the applicant and was requesting preliminary approval to construct a 4,011 square foot commercial building for general business use and fast food with drive-thru, on a lot with less than required parking in a General Business Zoning District. Attorney Shekarchi explained that the development had received master plan approval for the Planning Board, a City Council zone change and a variance for less than the required parking from the Zoning Board of Review.

The attorney asked that stipulation number 4 be amended to add the term “if necessary.” The Planning Staff had no objection to the request.

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) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received a City Council Zone Change (PCO-63-05) rezoning the property from Residential A-15 to General Business and a Zoning Board of Review Variance (Petition #9455) to allow the construction of a 4,011 square foot commercial building for general business use and fast food with drive-thru with less than required parking.
- 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, and:
- 5) That the proposed subdivision possesses adequate and permanent 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 record an Administrative Subdivision deeding the proposed 15 foot strip to the northerly side of the property to the adjoining lot 18 prior to final approval.
- 2) That the final landscape plan shall be revised as follows, change the two Amelanchier canadensis along the easterly property line to large shade trees, either Quercus rubra, London Plane trees or Zelkova serrata, increase the number of Hemerocallis daylilies along Centerville Road to fifty and add 30 Sedum "Autumn Joy" and plant a minimum of eight low growing evergreen shrubs in the vicinity of the drive-up window.
- 3) That the final drainage plan shall revise the slope of the proposed overflow pipe to avoid erosion at the outlet of the flared end.
- 4) That the final utility plan shall include a fire hydrant within 100 feet of the Fire Department connection, exact location to be approved by the Fire Marshall prior to final approval if necessary.

On the motion of Mr. Robinson, seconded by Mr. Iacobucci 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 upon compliance with the Planning Department's recommended stipulations

Public Hearing

Major Land Development Project

Home Loan Bank Office Building

Applicant: Home Loan Bank
Location: Altieri Way and Home Loan Plaza
Assessor's Plat: 276
Lot(s): 017
Zoning District: General Industrial (GI)
Land Area: 4.1 acres
Number of lots: 1
Engineer: Commonwealth Engineering
Ward: 8

Attorney Kevin Murphy represented the applicant and was requesting master plan approval of a Major Land Development Project to construct a new, four-story, 60,000 square foot general office building with less than required wetlands setback and relief from the zoning height requirements.

The attorney explained that the project was comprised of a four story 60,000 square foot building. He informed the Board that the building would require height relief, that the maximum building height for the General Industrial district is 45 feet and the building was proposed to be 67 feet and potential wetland setback relief. He further informed the board that the development would meet all other zoning requirements including parking.

Board member Foster asked the applicant to identify the wetlands relief.

Attorney Murphy then introduced Ms. Kara Beck, RLA from Commonwealth Engineering who explained that there was an area subject to storm flowage (ASSF) associated with Route 95 adjacent to the property. Ms. Beck explained that the Rhode Island Department of Environmental Management (RIDEM) did not determine if it was a jurisdictional wetlands but that RIDEM would review the wetland as part of its overall sight review related to an Underground Injection Control (UIC) permit.

Ms. Beck further explained that the plan included plantings adjacent to the wetland and an underground drainage system that would result in an improvement of the existing condition of the gravel lot. She surmised that these improvements would benefit the wetland.

Being no further question or comment the Planning Board closed the public hearing and 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) Not compliance with the standards and provisions of the City’s Zoning Ordinance; therefore, requiring approval from the Zoning Board of Review to have less than the required wetlands setback and a building higher than allowed.
- 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 Master Plan approval with the following stipulations:

- 1) That the applicant shall receive approval from the Zoning Board of Review for less than required wetlands setback and to have a building higher than allowed.
- 2) That the preliminary plan shall include a landscape plan designed and stamped by a Rhode Island Registered Landscape Architect and approved by the Warwick Landscape Project Coordinator.
- 3) That all state permits, including but not limited to RI Department of Environmental Management (DEM) wetland permit and DEM Underground Injection Control (UIC) permit shall be required prior to preliminary approval.
- 4) That the applicant shall prepare a Stormwater Management Plan, designed in accordance with the Rhode Island Stormwater Design and Installations Standards Manual which shall be approved by the City Engineer prior to preliminary approval.
- 5) That the applicant shall make accommodations to remove sediment from the existing detention basin and scarify the bottom of the basin.
- 6) That the location and number of fire hydrants shall be approved by the Warwick Fire Marshall and any fire service required must be on a separate tap from the domestic water service.
- 7) That the applicant shall provide the Warwick Sewer Authority with a Sewer Impact Analysis stamped by a P.E which shall estimate projected flows and address the capacity at the Altieri pump station prior to preliminary approval.

On the motion of Mr. Iacobucci, seconded by Mr. Constantine 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 Land Development Project

Texas Roadhouse Restaurant

| | |
|-------------------------|---|
| Applicant: | Texas Roadhouse Holdings, LLC |
| Location: | 1200 Quaker Lane |
| Assessor's Plat: | 215 |
| Lot(s): | 2 & 23 |
| Zoning District: | GB, R (General Business, with Restrictions) |
| Land Area: | 27 +/- acres |
| Number of lots: | 2 |
| Engineer: | WD Partners |
| Ward: | 9 |

Attorney Daniel K. Flaherty represented the applicant and was requesting master plan approval of a Major Land Development Project and a zone change recommendation for the construction a new 7,135 square foot restaurant within the existing parking facilities at the Showcase Cinema. Attorney Flaherty informed the board that there was ample parking present to accommodate both the cinema and the proposed restaurant.

Mr. Flaherty explained that 1025 spaces were required that there were currently 1369 spaces on site and after the construction of the restaurant there would be 1307 spaces remaining. The attorney also informed the Planning Board that cinema would continue to provide traffic details for the property through the East Greenwich Police Department.

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) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of City's Zoning Ordinance; therefore, requiring a modification to City Council Zone Change PCO-1-97 to allow for the construction a new 7,135 square foot restaurant within the existing parking facilities at the Showcase Cinema.

- 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 Master Plan approval with the following stipulations:

- 1) That the applicant shall receive approval from the City Council for a modification to existing PCO-1-97 to allow the construction of a new restaurant within the existing parking facility.
- 2) That the applicant shall obtain approval from both Kent County Water Authority and the West Warwick Sewer Authority.
- 3) That the existing manual traffic control be maintained as requested in a February 22, 2007 letter from the East Greenwich Town Manager.

On the motion of Mr. Constantine, seconded by Mr. Arnold and Mr. Robinson, 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

Request for a Zone Change

| | |
|---------------------------|--|
| Applicant: | Texas Roadhouse Holdings, LLC and NAIRI, Inc. |
| Location: | 1200 Quaker Lane |
| Assessor's Plat: | 215 |
| Assessor's Lot(s): | 2 and 23 |
| Zoning District: | GB (R) with the right to re-model and expand to twenty auditoriums to be revised to allow the construction of a new 7,135 square foot restaurant within the existing parking facilities. |

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 Economic Development Element.

The Planning Department also finds 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 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 the land, including its suitability for use based on the soil characteristics and topography.
- 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.

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

103.12 Promote 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 zoning amendment with the following stipulations:

- 1) That the future development of the property shall be subject to a formal Development Plan Review by the Warwick Planning Board as a Land Development Project.
- 2) That the applicant shall maintain the existing manual traffic control as requested in a February 22, 2007 letter from the East Greenwich Town Manager.

On the motion of Mr. Constantine, seconded by Mr. Arnold and Mr. Robinson the Planning Board voted unanimously to formally adopt the Planning Department's findings and to recommended favorably to the Warwick City Council for the requested zoning amendment with the Planning Department's recommended stipulations.

Public Meeting

Minor Subdivision

Beach Avenue and Maywood Avenue

Applicant: James Johnston, Jr.
Location: 245 Beach Avenue
Assessor's Plat: 331
Lot: 295
Zoning District: Residential A-7
Land Area: 23,721 square feet
Number of lots: 2
Surveyor: John W. Greene, PLS
Ward: 4

The applicant is requesting preliminary approval to subdivide one lot with an existing dwelling to create two new lots, one lot with an existing dwelling and one new lot for development in a Residential A-7 Zoning District.

The applicant did not appear therefore the proposed subdivision could not be acted upon by the Planning Board. The Solicitor informed the Planning Board that applicant would be required to reapply to initiate a new hearing process.

Public Meeting

Request for an Extension

Lowe's/Stop & Shop

Applicant: 5-113 LLC.
Location: Greenwich Avenue
Assessor's Plat: 265 Lot(s): 20
Assessor's Plat: 271 Lot(s): 1 & 184
Zoning District: General Business
Land Area: 13.1 acres
Number of lots: NA
Engineer: VHB Engineers.
Ward: 8

Attorney K. Joseph Shekarchi represented the applicant and was requesting an extension of the preliminary approval for the "Stop & Shop" development to construct a 71,307 square foot supermarket and a 42,200 square foot retail building with less than the required parking and loading spaces recorded on April 21, 2006 extended to April 21, 2008.

The attorney explained that the applicant was in the process of purchasing a City owned parcel

contained within the development.

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

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 April 21, 2008.

On the motion of Mr. Iacobucci, seconded by Mr. Robinson the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant the requested extension to expire on April 21, 2008.

Street Abandonment

Portion of Humes Avenue

Petitioner: Warwick Housing Authority
Location: Assessors Plat: 332 See attached map.
Ward: 4

Reason for Abandonment: That portion of Humes Avenue has ceased to be useful to the public as a highway or drift way. The petitioner currently owns property on one side of the roadway and desires to expand its property which is to be developed as senior housing.

Attorney K. Joseph Shekarchi represented the applicant, The Warwick Housing Authority, and asked that the Planning Board forward a positive recommendation in favor of the requested abandonment to the City Council

The Planning Department recommendation was to continue the petition so that the applicant

could revise the plan to present an accurate representation of the abutting properties to the west (lots 385 and 378), to show all utilities including the existing catch basin and drain line shall be contained on the plan and so the abutter to the west (lots 385 and 378) could be formally notified of the proposed abandonment.

On the motion of Mr. Thomas, seconded by Mr. Robinson the Planning Board voted six in favor with Chairman Mulhearn opposed to forward a positive recommendation in favor of the requested abandonment to the City Council with the stipulation that the applicant revise the plan to present an accurate representation of the abutting properties to the west (lots 385 and 378), show all utilities including the existing catch basin and drain line on the plan and that the abutter to the west (lots 385 and 378) be formally notified of the proposed abandonment.

Being no further business the Planning Board adjourned at 7:15 PM.