

**City of Warwick Planning Board
Meeting Minutes
Wednesday November 18, 2009**

Members Present: John J. Mulhearn Jr. Chairman
Michael Constantine
Leah Prata
Cynthia Gerlach
Philip Slocum
Rick Robinson
James Desmarais
Vincent Gambardella
Thomas Kiernan

Members Absent: None

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

Acting Chairman Slocum 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 approve the October 2009 meeting minutes.

Public Meeting

Minor Subdivision

66 Grandview Drive

Applicant: Steve Poy
Location: 66 Grandview Drive & Davidson Street
Assessor's Plat: 367
Lot(s): 361 & 364
Zoning District: Residential A-7
Land Area: 15,707 square feet
Number of lots: 2
Engineer: Ocean State Planners, Inc.
Ward: 7

This application is a continuation of the public meeting which was held on October 14, 2009. The Planning Board requested that the applicant provide and updated "Class 1" survey plan depicting the front yard setback and newly constructed deck on 66 Grandview Drive.

Acting Chairman Slocum read into the record a letter from the applicant formally requesting that the petition be withdrawn.

No further action was taken on the petition as it had been formally withdrawn.

Public Hearing

Major Land Development Project

800 Jefferson Boulevard

Applicant:	Michael V. D'Ambra
Location:	800 Jefferson Boulevard
Assessor's Plat:	323
Lot(s):	287,288,289,290,291,518
Assessor's Plat:	277
Lot(s):	11,12,13,18
Zoning District:	General Business, with variances
Land Area:	8.45 acres
Number of Lots:	10
Proposed Lots:	2
Engineer:	Garofalo and Associates, Inc.
Ward:	8

This application is a continuation of the public hearing which was held on October 14, 2009. The Planning Board opened and continued the public hearing to the November Planning Board meeting due to the lack of a voting quorum.

Board members Gerlach and Gambardella recused themselves from the hearing.

Attorney K. Joseph Shekarchi represented the applicant and was requesting preliminary approval of a Major Land Development Project/Subdivision for the construction of four (4) new office buildings, totaling 540,000 square feet, a six story parking garage and a 320 room hotel. The project will be constructed in phases.

Attorney Shekarchi explained that the project had received master plan approval from the Planning Board and a City Council zone change to allow the proposed development. The attorney also informed the board that the applicant had received all State of Rhode Island approvals including RIDEM, RIDOT and RIAC.

Attorney Shekarchi stated that proposed project was fully funded with private money and the project would be a substantial tax generator. The attorney stated that construction would begin as the economy began to improve.

Chairman Mulhearn inquired about traffic and asked if the Airport Connector Ramps would need to be widened.

Mr. D'Ambra, the applicant, explained that the RIDOT Physical Alteration Permit required expansion of the ramps following construction of building number 2 and prior to construction of building 3.

Board member Robinson asked how much the economy would have to improve before construction would begin.

Mr. D'Ambra stated that he would begin construction as soon as he could secure a tenant.

Being no additional questions 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) In compliance with the standards and provisions of the City's Zoning Ordinance having received City Council Zone Change PCO-11-08 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.

Planning Department recommendation was to grant Preliminary approval with the following stipulations; final approvals may be through the Administrative Officer:

- 1) That the project engineer shall show the location and dimensions of all easements on the plans, including the abandonment of Brownell Street, to enable the City Engineer to determine if relocation of the easement is necessary prior to final approval.
- 2) That the project engineer shall provide a separate taps off the main for domestic and fire lines into the buildings. The exact size of both lines shall be determined by free flow tests and average/maximum demand.

- 3) Interior plumbing plans shall be submitted to the Warwick Sewer Authority for final review and all pretreatment requirements shall be met. The applicant shall submit an Inflow and Infiltration (I&I) fee based on submitted flows.
- 4) That the applicant shall demolish the existing industrial building located at the southern portion of the lot prior to the issuance of a Certificate of Occupancy for the phase three office building.
- 5) That the applicant shall record an Administrative subdivision merging the ten existing lots and creating two new lots for the development prior to the issuance of a building permit.
- 6) That the maximum building height shall not exceed 107 feet and that the top floor of any building (excluding the parking garage) shall not exceed fifty percent (50%) of gross floor area (GFA) of the base for any height exceeding 86'.
- 7) That the parking structure shall be designed to accommodate a minimum of 1966 spaces, based on the parking analysis contained in the Traffic Impact and Access Study prepared by Jacobs Edwards and Kelcey and dated November 2007, and that the number of spaces shall be adjusted as necessary according to future parking analyses to be provided by the developer for each new building constructed.
- 8) That prior to construction of a second building for occupancy, the applicant shall widen the easterly Airport Connector off-ramp onto Jefferson Boulevard for approximately 250' west of the intersection in order to provide two left turn lanes and one right turn lane. The applicant shall also provide an additional short right turn lane along Jefferson Boulevard at the Airport Connector on-ramp that will transition into a single entry lane onto the Airport Connector, as recommended in the updated traffic report prepared by RAB Professional Engineers, Inc and dated March 5, 2008.
- 9) That prior to construction of the third building for occupancy, the applicant shall be required to install a traffic signal at the northerly access drive as recommended in the updated traffic report prepared by RAB Professional Engineers, Inc. and dated March 5, 2008.
- 10) That the applicant shall perform a traffic analysis for each additional building following the construction of the third building for occupancy and the applicant shall be required to improve any intersection within the existing right-of-way area experiencing an unacceptable level of service (LOS F) as a result of the development, to an acceptable LOS.
- 11) That the Warwick Fire Marshall will review all building plans for compliance with life safety codes and issues, before the issuance of any building permits.

On the motion of Mr. Slocum, seconded by Mr. Desmarais, the Planning Board voted six (6) in favor with members Gerlach and Gambardella recusing and Chairman Mulhearn abstaining to formally adopt the Planning Department's findings and to grant preliminary approval and final approval may be through the Administrative Officer with the Planning Department's recommended stipulations.

Public Hearing

Major Land Development Project

Bayside Condominiums

Applicant:	Centerville Builders Inc.
Location:	3818 Post Road
Assessor's Plat:	366
Lot(s):	82 & 83
Zoning District:	Planned District Residential (PDR) A-10
Land Area:	1.6 Acres
Number of lots:	2
Engineer:	Garofalo & Associates, Inc.
Ward:	7

This application is a continuation of the public hearing which was held on October 14, 2009. The Planning Board opened and continued the public hearing to the November Planning Board meeting due to the lack of a voting quorum.

Attorney John C. Revens represented the applicant and was requesting preliminary approval of a 10-unit multi-family development with less than required side-yard setback in a Planned District Residential (PDR) A-10.

Attorney Revens introduced Mr. Steven Garafalo who briefly reviewed the plan. Mr. Garafalo informed the board that all State of Rhode Island permits had been granted including RIDOT and CRMC.

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.

- 1) 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-20-06 to PDR A-10 for a 10-unit multi-family development with less than the required side-yard setback.

- 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 with the following stipulations:

- 1) That a sewer sampling manhole and backflow preventer to be approved by the Warwick Sewer Authority shall be will be required for each building.
- 2) That the proposed buildings shall be at least 3 feet above the maximum seasonal high ground water elevation, as determined by the designer.
- 3) That plan note 2 on sheet C2 shall be removed as the project received City Council Approval PCO-20-06 and does not require a Special Use Permit.

On the motion of Mr. Constantine, seconded by Ms. Prata and Mr. Robinson, the Planning Board voted eight (8) in favor with Chairman Mulhearn abstaining to formally adopt the Planning Department's findings and to grant preliminary approval with final approval may be through the Administrative Officer with the Planning Department's recommended stipulations.

Public Meeting

Request for a Zone Change

Applicant:	BAR RI, LLC
Location:	340 Jefferson Boulevard
Assessor's Plat:	282
Assessor's Lot(s):	76, 77, 150, and 200
Zoning District:	General Industrial
Proposed Zoning:	Light Industrial, with variances

Attorney K. Joseph Shekarchi represented the applicant and was requesting a zone change from General Industrial (GI) to Light Industrial (LI), with variances and a waiver of the Special Use Permit requirement to have an auto body repair facility in conjunction with the existing general automotive repair use. The building is a pre-existing non conforming building with less than required front and rear yard setbacks, on a lot with less than required landscaping, landscape buffer and less than the required parking setback from an abutting residential zoning district.

Attorney Shekarchi introduced a planning analysis prepared by Edward Pimental that found the proposed zone change to be consistent with the City's Comprehensive Plan.

Attorney Shekarchi then introduced Mr. Joseph Casalli, PE, of Casali Engineering; who explained that ten percent (10%) of the existing building was currently being used for an auto-body use and that 100 percent of the auto-body use was contained inside of the building. He further explained that any outside storage of vehicles was contained in a fenced and screened area adjacent to the building.

Attorney Shekarchi explained that the intent of the zone change was to allow the property owner to expand the auto-body use to occupy approximately fifty percent (50%) of the building. The attorney explained that under the current zoning conditions the use could not be expanded without City Council approval.

Board-member Kiernan asked if there would be additional tenants in the remainder of the building.

Attorney Shekarchi responded that Balise Auto would be the only tenant but that Balise would also maintain offices and storage in the building.

Being no further questions the Planning Board accepted public comment.

Mr. Bill Wilber of DBS Development LLC. 300 Jefferson Boulevard expressed some concerns about the proposal. Mr. Wilber explained that his company owns the abutting office building and that he was concerned about storm-water runoff onto his property, a potential future abandonment of Vermont Avenue, noise emanating from the body shop, and landscaping and fencing.

Mr. Casalli explained that Balise Auto had recently installed a substantial underground infiltration drainage system and that storm-water runoff from the Balise property would be contained "on site" and deposited into this drainage system.

Mr. Wilber expressed an interest in working with Balise in partnering to abandon Vermont Avenue and Kansas Avenue.

Attorney Shekarchi stated that his client would be willing to discuss the possibility of a street abandonment.

Mr. Wilber expressed concerns about noise and screening/fencing the side of the property that faces his property.

Attorney Shekarchi explained that all of the auto-body work would be contained within the building that that there were no plans for additional soundproofing. Attorney Shekarchi also offered to work with Mr. Wilber on some additional landscaping along their abutting property line.

Being no further questions or comments the Planning Board then closed the public hearing and 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 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.
- 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.

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

- 1) That the applicant shall merge the subject lots through the Administrative Subdivisions procedure as contained in the City of Warwick Development Review Regulations.
- 2) 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.
- 3) That the westerly line of Kansas Avenue shall be formally delineated with the installation of concrete curbing along the full frontage of the subject property except for proposed driveway curb cuts.
- 4) That a dense landscape screen to be approved by the City's Landscape Project Coordinator shall be provided along the abutting property line of lot 197.

Bond Reduction

Buckpell Estates Davis Circle

Current bond total	\$9,330.00
<u>Amount to be released</u>	<u>\$6,050.00</u>
Retain	\$3,280.00

For a waiver of sidewalks to be donated to the City's tree planting fund at the suggestion of the developer.

The Planning Board continued the bond reduction to the next meeting.

Being no further business the meeting was adjourned at 7:05 pm.