

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, August 8, 2007

Time: 6:00 p.m.

Location: Warwick City Hall
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886

Review and acceptance of June 2007 meeting minutes.

Public Hearing

Major Subdivision

Lorden Plat

Applicant: Daniel & Anne Lorden and Frank Miale
Location: 80 Balsam Street
Assessor's Plat: 307
Lot(s): 76 & 77
Zoning District: Residential A-10
Land Area: 10,000 square feet
Number of lots: 2
Engineer: Ocean State Planners, Inc.
Ward: 1

This petition was continued at the request of the applicant from the June 2007 Planning Board meeting.

The applicants are requesting preliminary approval to subdivide two merged lots to create two non-conforming lots with less than the required frontage, lot width and area, one lot having an existing dwelling with less than the required front and side yard setback and one new lot for development in a Residential A-10 zoning district.

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) 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 #9493) to create two non-conforming lots with less than the required frontage, lot width and area.
- 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 Recommendations

Planning Department recommendation is to grant preliminary with final approval to be through the Administrative Officer upon compliance with the following stipulations.

- 1) That the final plan shall include the following notations:
 - Show the location of existing utilities (gas, water, electric, etc.) on Balsam Street and Shippen Avenue.
 - Notation regarding wetlands within 200' of the parcel.
 - Note base flood elevation on plan.
 - Topography must be depicted on plan.
 - Location of adjacent houses must be depicted on plan.
 - Show granite bounds to be set.
- 2) That the properties shall be connected to the Warwick Sewer System when it becomes available.

Public Meeting

Minor Subdivision

Carlucci 184 Bend Street

Applicant:	Richard Carlucci
Location:	184 Bend Street
Assessor's Plat:	337
Lot:	479
Zoning District:	Residential A-7

Land Area: 14,770 square feet
Number of lots: 2
Surveyor: MJF Engineering Associates
Ward: 5

The applicant is requesting preliminary approval to raze an existing dwelling and subdivide one 14,770 square foot lot to create two new conforming lots for development in a Residential A-7 Zoning District.

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) 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, and:
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.

Planning Department Recommendation

Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That the final plan shall include the following notations:
 - Reference source of north arrow.
 - Add a reference bearing note to one line.
 - Show topography on City of Warwick datum (MSL).
 - Show existing building to be removed on lot 479.
 - Add a note that the lowest floor elevation shall be 3’ above the maximum seasonal high water table.
 - Add “Final Plan” to the title block.
 - Note purpose of the subdivision.

- 2) Provide a final development plan which shall include proposed new dwellings, all utilities including but not limited to sanitary sewer, water and gas connections and drywells for roof runoff prior to final approval.
- 3) That the applicant shall provide a landscape plan to be approved by the City's Landscape Project Coordinator which shall include a tree protection detail and depict those trees that are to be preserved and protected during construction prior to final approval.

Public Meeting

Minor Subdivision

Samuelian Plat

Applicant:	Russell Yates
Location:	39 Loring Road
Assessor's Plat:	337
Lots:	479
Zoning District:	Residential A-7
Land Area:	19,606 square feet
Number of lots:	2
Surveyor:	David Gardner and Associates, Inc.
Ward:	4

The applicant is requesting preliminary approval to subdivide six undersized nonconforming merged lots with an existing dwelling in order to create two conforming lots; one new 9,806 square foot lot with an existing dwelling and one new 9,800 square foot for development in a Residential A-7 Zoning District.

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) 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, and:

- 5) That the proposed subdivision possesses adequate and permanent access to a public street.

Planning Department Recommendation

Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That the final plan shall include the following notations:
 - Correct Assessor's Plat in title block to reflect AP: 337.
 - Depict abutting lots and record information across Loring Road & Mayette Avenue.
 - Add a note that the lowest floor elevation shall be 3' above the maximum seasonal high water table.
 - Note lot line to be eliminated and proposed new lot lines.
 - Correct note #3 on the preliminary subdivision plan to reflect correct lot 410- 412.
 - Note purpose of the subdivision.
- 2) That the developer shall plant one street tree, size, type and location to be approved by the City's Landscape Project Coordinator, on proposed lot #2 along the frontage of Loring Road.
- 3) That both the existing and proposed dwellings shall be connected to the Warwick Sewer System, prior to the issuance of a Certificate of Occupancy (CO.)

Public Hearing

Major Land Development Project

Residences at Ives Bluff

Applicant:	Ives Bluff, LLC.
Location:	Old Forge Road
Assessor's Plat:	209
Lot(s):	1 & 6
Zoning District:	Planned District Residential (PDR) A-10/A-40
Land Area:	15.5 Acres
Number of lots:	2
Engineer:	S.F.M. Engineering Associates
Ward:	9

The applicant is requesting preliminary approval of a Major Land Development Project to construct eight single-family residential structures on one lot in a Planned District Residential (PDR) A-10/A-40 zoning district and in accordance with PCO-7-06 (as amended).

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) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City’s Zoning Ordinance PCO-7-06, as 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 Recommendations

Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That a water connection plan including a meter pit detail, tapping sleeve and valve details, separate curb stops and dual back flow devices for each building shall be approved by the Warwick Water Division prior to final approval.
- 2) That the proposed in-ground swimming pool, pool cabana maintenance building and associated parking area shall be eliminated from the development in that they were not contained in the original development proposal and are not in character with the surrounding area.
- 3) That the landscape plan shall be amended to include supplemental plantings along the water quality basin located at the northeasterly corner of the development and adjacent to building #8, that the vegetated buffer and screen located along the easterly property line shall be extended from the southerly end of the proposed retaining wall in a southerly direction along the abutting property lines of lots 24 and 23 approximately 35 feet to the three white spruce trees.

Public Hearing

Major Subdivision

Pickett Plat

Applicant: Russell Yates
Location: 142 Church Avenue
Assessor's Plat: 337
Lot(s): 84, 85, 86 & 87
Zoning District: Residential A-7
Land Area: 12,507 square feet
Number of lots: 2
Engineer: David Gardner and Associates
Ward: 5

The applicant is requesting master plan approval to subdivide four merged lots with an existing dwelling to create two lots, one undersized nonconforming lot with an existing dwelling, and one undersized nonconforming lot for development in a residential A-10 Zoning District.

Planning Department Findings

The Planning Department finds this proposal to **not to be generally** consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) **Not** consistent with the Comprehensive Community Plan. The Comprehensive Plan Land Use Element does not support the creation of undersized lots.
- 2) **Not** in compliance with the standards and provisions of the City's Zoning Ordinance. Zoning Section 405.3 (B) "Subdivision of merged lots" requires that resulting lots shall conform to the minimum area requirement.
- 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 development possesses adequate and permanent access to a public street.

Planning Department Recommendation

Planning Department recommendation is to deny the master plan.

Public Hearing

Major Subdivision

Verndale Street

Applicant: North End Realty, LLC
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: 2
Engineer: Flynn Surveys, Inc.
Ward: 5

The applicant is requesting master plan approval to raze and existing dwelling and to subdivide two merged lots to create two new nonconforming lots for development with less than the required frontage and lot width in a Residential A-7 Zoning District.

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) Consistent with the Comprehensive Community Plan.
- 2) **Not** in compliance with the standards and provisions of the City's Zoning Ordinance. The proposed lots exceed the required minimum area but do not conform to the minimum frontage and lot width. The City's Zoning Ordinance requires 70' frontage and lot width and the proposed subdivision consists of 40' frontage and lot width.
- 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

The subject property received master plan approval from the Planning Board on March 14, 2007 for the construction of a two-family dwelling in full compliance with the City of Warwick Zoning Regulations. Several of the abutters objected to the construction of a two-family dwelling in a neighborhood consisting exclusively of single family homes. It is the Planning Department's understanding that subsequent to the approval, the abutters and the property owner agreed to a compromise development to subdivide the property into two nonconforming lots and construct two single family homes which would be more compatible with the existing neighborhood than the previously approved a two-family dwelling.

Planning Department does not support the creation of nonconforming lots. However, in this particular instance the Department is not inclined to recommend denial of the proposed subdivision. The proposed lots each contain 8,004 square feet land area, approximately 14% more than the minimum required area for the Residential A-7 Zoning District, also the neighborhood desires to have two single family homes rather than a two-family dwelling which would not be in character with the surrounding neighborhood.

Therefore the Planning Department recommendation is to grant master plan approval with the following stipulations:

- 1) That the developer shall receive Zoning Board of Review approval to have two lots with less than the required frontage and lot width.
- 2) That the oak tree located on "Parcel A" should be preserved and protected with drip-line tree protection during construction. Should preservation of the tree not be feasible the developer shall plant two, 2 1/2" caliper street trees within the Verndale Street right-of-way; type of tree and location to be approved by the City's Landscape Project Coordinator.
- 3) That a six foot (6') stockade fence shall be erected along the abutting side property lines of lots 116, 120 and 124 in a southerly direction from approximately the rear of the proposed new dwellings to the rear property line and then along the rear property lines of the proposed new lots.
- 4) That both dwellings shall be connected to the Warwick Sewer System.

Public Hearing

Major Land Development Project

Texas Roadhouse Restaurant

Applicant: Texas Roadhouse Holdings, LLC
Location: 1200 Quaker Lane
Assessor's Plat: 215
Lot(s): 002, 023
Zoning District: GB-R (General Business, with Restrictions)
Land Area: 27 +/- acres
Number of lots: 2
Engineer: WD Partners
Ward: 9

The applicant is requesting preliminary approval of a Major Land Development Project for the construction a new 7,135 square foot restaurant within the existing parking facilities at the Showcase Cinema.

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) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of City Council Zone Change, PCO-1-97 (as 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

Planning Department recommendation is 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 approval from the Kent County Water Authority and the West Warwick Sewer Authority which shall include a recorded easement and use

agreement from National Amusements to allow the sewer connection prior to obtaining a building permit.

- 2) The applicant shall provide an adequate number of hydrants, spaced 300 feet apart and providing a minimum of 1000 gallons per minute (GPM). All sprinkled buildings shall have a hydrant within 100 feet of the Fire Department Connection (FDC).
- 3) That the existing manual traffic control be maintained as requested in a February 22, 2007 letter from the East Greenwich Town Manager.

Public Hearing

Major Subdivision

472 Warwick Avenue

Applicant:	Mike DiDomenico & Denis DiMassion
Location:	472 Warwick Avenue & Vickery Avenue
Assessor's Plat:	290
Lot(s):	159
Zoning District:	General Business and Residential A-7
Land Area:	31,248 square feet
Number of lots:	3
Engineer:	Joe Casali Engineering, Inc.
Ward:	1

The applicant is requesting preliminary approval of a major subdivision to subdivide one lot to create three new lots, two conforming lots with a single-family dwelling on each lot and one nonconforming lot with less than the required frontage and lot width having two existing structures with less than the required setbacks.

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) 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 #9539 to create one nonconforming lot with less than the required frontage and lot width said lot having two existing structures with less than the required setbacks.
- 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 Recommendations

Planning Department recommendation is to preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That any use other than a single-family dwelling for proposed "Lot A" shall require Zoning Board of Review approval.
- 2) That Note 2 on plan sheet 6 must be revised to remove the reference to duplex units and reflect the current proposal.
- 3) That the applicant shall plant one new street tree 2 ½ inches in caliper to be approved by the City's Landscape Project Coordinator along the front of new lot "B" and lot "C" within the City right-of-way, prior to the issuance of a Certificate of Occupancy (CO).
- 4) That the existing building and proposed new dwellings shall be connected to the Warwick Sewer System, prior to the issuance of a Certificate of Occupancy (CO)

Public Meeting

Request for an Extension

Pontiac Mill Phase II

Applicant:	Gillespie and Company Inc.
Location:	334 Knight Street
Assessor's Plat:	274
Lot(s):	180, 182 and 204
Zoning District:	Office Planned Unit Development (PUD)
Land Area:	17.35 Acres
Number of lots:	NA
Engineer:	Crossman Engineering, Inc.
Ward:	8

The applicant is requesting a second extension of a preliminary approval of Pontiac Mills Phase II to establish a mixed use development which includes the rehabilitation of existing mill buildings for residential use, retail shops, restaurants and hospitality. The approval was originally granted on August 3, 2005 and extended by the Planning Board to August 3, 2007.

Planning Department Findings

The Planning Department finds 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.

Planning Department Recommendation

The Planning Department recommendation is to grant the requested extension to expire on August 3, 2008.

Administrative Subdivisions

Carlton Avenue	Plat: 378	Lots: 25 & 26
Heights Avenue	Plat: 335	Lots: 22 & 23
Lambert Lind Highway	Plat: 271	Lots: 167 & 169
Beachwood Drive	Plat: 203	Lots: 186, 187 & 322