

**Meeting Notice  
City of Warwick  
Planning Board**

**Date:** Wednesday, August 10, 2011

**Time:** 6:00 p.m.

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

Review and approval of June 2011, meeting minutes.

**Public Meeting**

**Minor Subdivision**

**Fairhaven Plat**

Location: 35 Fairhaven Avenue  
Applicant: Bruce Soscia  
Assessor's Plat: 357  
Lot(s): 108, 109, & 110  
Zoning District: A-7 Residential  
Land Area: 15,241 square feet  
Surveyor: Boyer Associates  
Ward: 5

The applicant is requesting Preliminary Approval of a Minor Subdivision to reconfigure three (3) abutting non-conforming lots to create two (2) lots; one (1) 7032 square foot lot with an existing residence and one (1) 8208 square foot lot for development.

**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 35 Fairhaven Avenue and is identified as Assessor's Plat: 357, Assessor's Lots: 108, 109, & 110.

2. That the property consists of three (3) lots totaling 15,241 square feet and is currently zoned Residential A-7.
3. That the applicant proposes to create two (2) lots; one (1) 7,032 square foot lot with an existing dwelling; and one (1) 8,208 square foot lot for development.
4. That all lots as proposed will conform to the requirements of the Residential A-7 Zoning District.
5. That the proposed development is generally consistent with the Comprehensive Community Plan.
6. That the property will have access to public water and sewer.
7. 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.
8. That the proposed development possesses adequate access to a public street.

#### **Planning Department Recommendation**

The Planning Department's 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 "Record Plat" shall show the existing property lines of lots 108, 109, & 110, such lot lines shall be shaded or dashed and that the proposed lot lines shall be shown as solid lines.
2. That prior to final approval the applicant shall coordinate with the Sewer Authority for connection to Municipal Sewers.
3. That the existing and proposed properties shall be connected to Municipal Sewers, prior to the issuance of a Certificate of Occupancy (CO).
4. That the proposed monumentation shall be installed at the locations as shown on the final plan, prior to the recording of the "Record Plat".
5. That the Applicant shall preserve and protect the existing mature trees, especially the 20" caliper shade tree that is noted on the Parcel 2, using RIDOT dripline tree protection. In the event that the aforementioned shade tree cannot be preserved, the applicant shall plant two (2) street trees, prior to the issuance of a CO. The applicant shall consult with the City's Landscape Project Coordinator regarding species, size and location.
6. That the Applicant shall address the fence encroachments noted on the survey plan.

#### **Public Meeting**

## **Minor Subdivision**

### **Melvin Plat**

Location: 120 Sycamore Avenue  
Applicant: Richard S. & Lucille N. Melvin  
Assessor's Plat: 268  
Lot(s): 107, 109-112  
Zoning District: A-7 Residential  
Land Area: 21,271 square feet  
Surveyor: Boyer Associates  
Ward: 8

The applicant is requesting Preliminary Approval of a Minor Subdivision to reconfigure five (5) abutting non-conforming lots to create two (2) lots; one (1) 10,674 square foot lot with an existing residence and one (1) 10,597 square foot lot for development.

### **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 120 Sycamore Avenue and is identified as Assessor's Plat: 268, Assessor's Lots: 107, 109-112.
2. That the property consists of five (5) lots totaling 21,271 square feet and is currently zoned Residential A-7.
3. That the applicant proposes to create two (2) lots; one (1) 10,674 square foot lot with an existing dwelling; and one (1) 10,597 square foot lot for development.
4. That all lots as proposed will conform to the requirements of the Residential A-7 Zoning District.
5. That the proposed development is generally consistent with the Comprehensive Community Plan.
6. That the property has access to public water.
7. That the property does not have access to sewer service, however, there is a main sewer line within 300 feet of the development.
8. That in 2010, the Sewer Authority did a cost analysis and determined that the cost of extending sewers to the property would be \$57,178.87 and that the cost of a conventional system would be between \$10,000 and \$15,000 per lot.

9. That the applicant has an approved RI Department of Environmental Management On-Site Wastewater Treatment System (OWTS) for Parcel A and is in the process of acquiring (OWTS) approval for Parcel B, currently serviced by cesspool.
10. 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.
11. That the proposed development possesses adequate access to a public street.

### **Planning Department Recommendation**

The Planning Department's 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 "Record Plat" shall show the existing property lines of lots 107, 109-112; such lot lines shall be shaded or dashed and that the proposed lot lines shall be shown as solid lines.
2. That the Applicant shall receive an approved RIDEM (OWTS) for the existing house on Parcel B; currently serviced by a Cesspool, prior to Final Approval. In the event that the existing house on Parcel B, currently serviced by Cesspool, does not receive an approval for (OWTS) or in the event that the cost of (OWTS) becomes prohibitive and the Municipal Sewer Line is brought down to the properties, both Parcel A and Parcel B shall connect to Municipal Sewers.
3. That the existing house on Parcel B shall have the new (OWTS) installed, prior to the issuance of a Certificate of Occupancy (CO) for Parcel A.
4. That the proposed monumentation shall be installed at the locations as shown on the final plan, prior to the recording of the "Record Plat".
5. That the Applicant shall make every effort to preserve and protect as many existing mature trees as possible, using RIDOT dripline tree protection. In the event that the aforementioned mature shade trees cannot be preserved, the applicant shall plant two (2) street trees; one (1) on proposed Parcel A and one (1) on Parcel B, prior to the issuance of a CO. The applicant shall consult with the City's Landscape Project Coordinator regarding species, size and location.

**Public Meeting**

**Major Subdivision**

**Norwood Estates**

Location: 247 Sargent Street & Cherry Street  
Applicant: North End Realty, LLC  
Assessor's Plat: 297  
Lot(s): 232-234 & 290-296  
Zoning District: A-7 Residential  
Land Area: 67,995 square feet  
Surveyor: SFM Engineering Assoc/Flynn Surveys, Inc.  
Ward: 2

The applicant is requesting Final Approval to subdivide ten (10) lots to create six (6) new lots, one (1) lot with an existing dwelling and five (5) new 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) That the subject property is located along, Sargent Street & Cherry Street, and is identified as Assessor's Plat: 297; Assessor's Lot: 232, 233, 234, & 290 through 296.
- 2) That the property consists of ten (10) lots totaling 73,595 square feet and is currently zoned Residential A-7.
- 3) That the Applicant received a combined a Master Plan/Preliminary at the April 13, 2011, hearing to create six (6) lots; one (1) 7,616 square foot lot with an existing dwelling; and five (5) new lots for development.
- 4) That at the April 13, 2011 hearing several concerns were raised by the abutters regarding backflow and that the Planning Director submitted a memo to Janine Burke, Executive Director, Warwick Sewer Authority (Exhibit A) and has received a response (Exhibit B).
- 5) That all lots as proposed will conform to the requirements of the Residential A-7 Zoning District.
- 6) That the proposed development is generally consistent with the Comprehensive Community Plan.
- 7) That the proposed development is in compliance with the standards and provisions of the City's Zoning Ordinance.
- 8) That there will be no significant negative environmental impacts from the proposed development.

9) 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.

10) That the proposed development possesses adequate access to a public street.

### **Planning Department Recommendation**

The Planning Department's recommendation is to grant Final Approval, with the following stipulations:

1. That the Applicant shall provide a bond, in the amount of \$3,000, for the connection of the existing dwelling (Record Lot 3) to sewers, prior to the recording of the Final Record Plat. Alternatively, the Applicant may connect the existing dwelling (RL3) to sewers, prior to the recording of the Final Record Plat.
2. That the proposed dwellings shall be connected to sewers, prior to the issuance of a CO.
3. That the Applicant shall install (13) thirteen 2-2½ inch caliper trees, Cleveland Select Flowering Pear (*Pyrus Calleryanna*), within the City right of way, one for every 50 feet of frontage. The Applicant shall loam and seed the remaining areas within the City Right-of-Way. All plantings shall comply with the American Nurseryman and Landscape Association Standards (ANSI Z60.1-2004).
4. That the Applicant shall provide a Performance Bond, in the amount of \$71,704, for the roadway improvements.
5. That the Applicant shall dedicate a "fee-in-lieu of open space", in the amount of \$20,625.00 equal to five (5) lots to the City of Warwick for Recreational District 5, as presented in the Warwick Comprehensive Plan Recreation Element, prior to recording the Final Record Plat.

## **Public Hearing**

### **Major Land Development Project**

#### **North Street/PDR-L**

Location: 20-22 North Street  
Applicant: Robert & Cherine Spagnolo  
Assessor's Plat: 274  
Lot(s): 109  
Zoning District: A-7 with PDR-L Overlay, within an existing Historic Overlay District  
Land Area: 20,045 square feet  
Surveyor: Robert Spagnolo  
Ward: 8

The Applicant is requesting Preliminary Approval of a Major Land Development Project to allow for the conversion of an existing 2-unit dwelling to a 3-unit dwelling, on a lot with less than required frontage and lot width and less than required front and side yard setback.

#### **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 existing 2-unit dwelling has been determined to be a legal use as established by the 1954 Tax Assessor's record.
2. That the proposal is to convert the existing storage area, above the attached garage, to living space.
3. That the proposal is consistent with the surrounding area, 61% of the properties within the 200' radius are multifamily, consisting of (18) single family residences, (7) 2-unit residences, (3) 3-unit residences, and (1) 5-unit residence.
4. That the proposal received a City Council Zone Change, PCO 14-11, to A-7 with a PDR-L Overlay, within an existing Historic Overlay District with variances for less than required frontage and lot width and less than required front and side yard setback from the existing structure.
5. That the proposal is consistent with the lot area and density requirements contained within the City of Warwick Zoning Ordinance; Subsection 308.3A, "*Development Standards for Planning District Residential-Limited (PDR-L)*."
6. That the Applicant received Historic District Commission approval in April 2007 to demolish the existing garage/outbuilding and to construct an attached (3) bay garage with storage space above.
7. That public sewer and water are available to the property.

8. That the proposed development is generally consistent with the Comprehensive Community Plan.
9. That there will be no significant negative environmental impacts from the proposed development.
10. 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.
11. That the proposed development possesses adequate access to a public street.

### **Planning Department Recommendations**

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

1. That the Applicant shall install a six foot stockade fence along the easterly property line to buffer the parking area from the abutting property.
2. That the Applicant shall install (1) one 2-2.5 inch caliper tree. Tree location and species shall be noted on the Final Plan
3. That the off-street parking area and driveway shall be surfaced with bituminous surface with appropriate drainage; or as an alternative, a  $\frac{3}{4}$  inch crushed stone surface having a minimum depth of 4" to 6" inches.
4. That the off-street parking area surfaced by crushed stone or bituminous surface shall include the area dedicated to (6) six, 9' x 18' parking stalls; as well as the driveway and back-up area behind the parking stalls, which shall extend a minimum depth of 20' behind the said stalls.
5. That the Applicant shall install bumper guards as wheel barriers at each parking stall to define the parking area at each parking stall and to prevent projection of vehicles onto the adjacent properties.
6. That the property owner shall have the existing unregistered vehicles removed and prevent any future storage of unregistered, junked, or inoperable vehicles at the property.



## Public Hearing

### Major Change to a Major Land Development Project

#### **577 and 615 Greenwich Avenue**

Applicant: 5-113, LLC  
Location: 555 Greenwich Ave (Lowe's)  
575 Greenwich Ave (Stop and Shop)  
577 Greenwich Ave (6,750sf retail space abutting Stop and Shop)  
615 Greenwich Ave (44,200sf free standing retail building)  
Assessor's Plat: 271  
Lot(s): 001  
Zoning District: General Business  
Land Area: 28.7 acres  
Number of lots: 1  
Engineer: VHB, Inc.  
Ward: 8

The applicant is requesting Preliminary Approval of a major change to a previously approved Major Land Development Project. The applicant is proposing to amend a stipulation of the Planning Board's Final Approval for the project which restricts the use of the property to retail, to allow for mixed use development of two existing buildings on the site.

#### Background

The applicant received Final Approval from the Planning Board for Phase II of a Major Land Development project to construct a 58,400 square foot supermarket (**Stop and Shop, to be referred to as 575 Greenwich Avenue**) with an attached 6,750 square foot retail space (**to be referred to as 577 Greenwich Avenue**) and a free standing 44,200 square foot retail building (**to be referred to as 615 Greenwich Avenue**). The Final Approval was granted with the following stipulation:

- 1) That the use shall be limited to retail use only; no restaurant use shall be permitted without additional review.*

As part of the approval process, the applicant also received City Council Zone change PCO-35-05 allowing a reduction in the minimum parking spaces required to 1087. In constructing the parking field, the applicant provided 1,148 parking spaces, providing a surplus of 61 parking spaces.

The applicant is requesting to remove the Planning Board's stipulation limiting the use of 577 and 615 Greenwich Avenue to retail to allow for mixed use development. All of the proposed uses are allowed in a General Business zone, but will have an effect on the overall parking on the site.

**Parking Calculations**

**Approved by the Warwick Planning Board**

<b>615 Greenwich Avenue</b> 44,200 sf retail space	1 space/200 gsf	221 spaces
<b>577 Greenwich Avenue</b> 6,750 sf retail space	1 space/200 gsf	34 spaces
<b>Total Spaces Required</b>		<b>255 spaces</b>

**Proposed-615 Greenwich Avenue**

*Hair Salon	1 space/250 sf	1,200sf	5 spaces
*Nail Salon	1 space/250 sf	1,500sf	6 spaces
*Medical Office	1 space/200 sf	3,560sf	18 spaces
*General Office	1 space/300 sf	1,500sf	5 spaces
Fast Food	1 space/50sf	1,200 sf	24 spaces
Retail	1 space/200sf	35,240sf	177 spaces
	<b>Total Required</b>	<b>44,200 sf</b>	<b>235 spaces</b> <b>(221 spaces approved)</b>

\*Existing, unapproved use in building

**Proposed-577 Greenwich Avenue**

Fitness Center	1 space/250 sf	2,000 sf	8 spaces
General Office	1 space/300 sf	3,000 sf	10 spaces
Retail	1 space/200 sf	1,750 sf	9 spaces
	<b>Total Required</b>	<b>6.750 sf</b>	<b>27 spaces</b> <b>(34 spaces approved)</b>

**Comparison of Approved and Proposed Parking Calculations**

<b>Total parking requirements 615 and 577 Greenwich Ave</b> as per Planning Board approval	<b>255 spaces</b>
<b>Total parking requirements 615 and 577 Greenwich Ave</b> as per current proposal for mixed use	<b>262 spaces</b>
	<b>7 additional spaces required</b>

**Summary**

Total parking as per City Council zone change PCO-35-05	1,087 spaces
Additional spaces proved by Applicant at time of construction	61 spaces
<b>Total available parking</b>	<b>1,148 spaces</b>
<b>Revised surplus of parking</b>	<b>54 spaces</b> <b>(61 spaces minus 7 spaces)</b>

**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 City Council zone change PCO-35-05, Amended, with relief for less than required parking allowing a reduction in the minimum required spaces to 1087 spaces.
3. The proposed major change to the Major Land Development Project will not exceed the minimum parking requirement of 1,087 spaces specified by City Council zone change PCO-35-05, Amended.
4. That there will be no significant negative environmental impacts from the proposed development.
5. 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.
6. That the proposed development possesses adequate access to a public street.

The Planning Department also finds this proposal to be generally consistent with the following

Goals as presented in the Economic Element of the City's Comprehensive Plan:

- a. Ensure the retention and expansion of existing businesses in Warwick.
- b. Assist in forming an economic base capable of providing a desirable standard of living creating job opportunities, and fulfilling reasonable government tax needs.
- c. Maximize employment opportunities for Warwick residents including: disadvantaged minority groups, the unemployed and under-employed.
- d. Encourage commercial and industrial development in Warwick that emphasizes business retention and expansion.

### **Planning Department Recommendation**

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

1. That the applicant shall receive approval from the Warwick Zoning Board for relief from the Warwick Zoning Ordinance, Section 304.5 More than one nonresidential use or building on a lot authorizing more than one actual use on Assessor's Plat 271, Assessor's Lot 001, specifically for the buildings located at 577 and 615 Greenwich Avenue. The applicant shall prepare a use and occupancy layout listing the specific, actual use code from Warwick Zoning Ordinance, Table 1. Use Regulations for all of the existing and proposed uses for 577 and 615 Greenwich Avenue which shall be restricted to those uses allowed in a General Business zone.
2. That for any future uses proposed for the buildings located at 577 and 615 Greenwich Avenue which exceed the retail parking requirement of 1 space/200 sf gross floor area, the applicant shall submit a revised use and occupancy layout and associated parking calculations to the Planning Director for review and approval.
3. That any additional parking required for the uses in buildings 577 and 615 Greenwich Avenue, in combination with the existing uses at 555 Greenwich Avenue (Lowe's) and 575 Greenwich Avenue (Stop and Shop), shall not exceed the total number of available parking spaces of 1,148 spaces. This number of 1,148 spaces is derived from the total of 1,087 spaces authorized by the City Council and the 61 additional spaces provided by the Applicant.
4. If the total parking required for all of the uses on the lot exceeds the available 1,148 spaces, the Applicant shall receive approval from the Warwick City Council for a modification to the existing zone change.
5. That the project engineer shall submit an "As Built" parking plan for Assessor's Plat 271, lot 001 to be used as a baseline for any future development of the parcel. This plan shall indicate the total number of spaces in each parking row and shall include a table indicating the total number of parking spaces constructed on the parcel.

6. 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

**Bond Release**

**Faria Plat  
Viewesta Court**

Current bond total	\$35,000.00
<u>Amount to be released</u>	<u>\$35,000.00</u>
Retain	\$ 0.00

**Administrative Subdivisions**

<b><u>Plat Name</u></b>	<b><u>Plat No.</u></b>	<b><u>Lot No.</u></b>
BAR RI LLC Plat	282	76, 77, 150, & 200
Wendy's Plat	323	447-450 & 453
Goldsmith Re-Plat	285	160 & 308
Shaw-Budlong Plat	369	56 & 112
TD Bank/Burger King Plat	349	184-186 & 200
Warwick Neck Re-Plat	378	121 & 175
Joyal Plat	378	157 & 158
SKJR-Morse Plat	344	234 & 235
PI Associates Plat A	286	85+
PI Associates Plat B	286	132-140
Bloor-Toth Plat	306	274 & 275
Callahan Plat	329	8 & 523
Re-Plat Ridgeway Terrace Ext	329	432 & 433