

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, June 10, 2009

Time: 6:00 p.m.

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

Review and acceptance of April, 2009 meeting minutes.

Public Meeting

Minor Subdivision

Buena Vista Re-plat

Applicant: Robert Haigh
Location: 20 Buena Vista Avenue
Assessor's Plat: 336
Lot(s): 38, 40, 42, 44 & 48
Zoning District: Residential A-10
Land Area: 22,800 square feet
Number of lots: 2
Engineer: David Gardner and Associates Inc.
Ward: 5

The applicant is requesting preliminary approval of a minor subdivision to subdivide five lots with an existing dwelling to create two lots; one conforming lot with an existing dwelling and one new conforming 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.
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 one 2 ½" caliper street tree to be approved by the City's Landscape Project Coordinator shall be planted on Lot 2 within the Buena Vista Avenue right-of-way prior to the issuance of a Certificate of Occupancy.

Public Meeting

Minor Subdivision

Brier Subdivision

Applicant:	Brier & Associates Inc.
Location:	Oakridge Court
Assessor's Plat:	345
Lot(s):	844, 846 & 67
Zoning District:	Residential A-7
Land Area:	48,496 square feet
Number of lots:	2
Engineer:	N. Veltri Survey Inc.
Ward:	7

The applicant is requesting preliminary approval of a minor subdivision to subdivide three lots 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.
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 one 2 ½” caliper street tree to be approved by the City’s Landscape Project Coordinator shall be planted on Parcel A and Parcel B within the Oakridge Court right-of-way prior to the issuance of a Certificate of Occupancy.

Public Informational Meeting

Major Land Development Project

Cell Tower Greenwich Bay Marina

Applicant:	Omnipoint Communications, Inc.
Location:	1 Masthead Drive
Assessor’s Plat:	366 Lot: 81
Zoning District:	Waterfront Business
Land Area:	11.99 acres
Number of lots:	NA
Engineer:	Advanced Engineering Group
Ward:	7

The applicant is requesting master plan approval and a recommendation to the City Council for approval to install a 90’ monopole (cellular tower) on a lot with an existing marina operation in a Waterfront Business District. The proposed cellular tower requires the following relief from the Zoning Ordinance Section 505 “Telecommunication Facilities and Towers:”

- 506 C-1 Location within two (2) miles of an existing facility
- 506 C-4i Location within 100 feet of a residential district
- 506 C-5 Exceed maximum tower height

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,

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City’s Zoning Ordinance, therefore, requiring City Council approval to have a higher than allowed telecommunications tower within two (2) miles of an existing facility and within 100 feet of a residential district on a lot with an existing marina use in a Waterfront Business Zoning District.
- 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

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

- 1) That the applicant shall receive City Council approval to have to have a higher than allowed telecommunications tower within two (2) miles of an existing facility and within 100 feet of a residential district on a lot with an existing marina use in a Waterfront Business Zoning District.
- 2) That the proposed telecommunications tower shall be a monopole with provisions to accommodate a minimum of two additional cellular providers.
- 3) That the proposed telecommunications tower shall be designed to resemble a flag pole and shall be painted an unobtrusive color.
- 4) That the preliminary and final plan submissions shall conform to all of the requirements contained in the City’s Development Review Regulations.

Public Meeting

Request for an Amendment to the City's Zoning Ordinance

Section 605 "Special Use Permits and Variances"

Applicant: City of Warwick
Location: 3275 Post Road
Zoning District: Zoning Ordinance amendment to Section 605
"Special Use Permits and Variances"

The Warwick City Council desires to amend Zoning Ordinance Section 605 "Special Use Permits and Variances" to allow an applicant to request a "Dimensional Variance" in combination with a "Special Use Permit."

Currently the City of Warwick Zoning Ordinance does not include a provision for such combination relief. The proposed language will allow limited (not to exceed a 50 percent deviation) dimensional relief to be granted simultaneously with a request for a Special Use Permit. The amendment will not allow dimensional deviations to be granted for density in multi-family developments however.

Planning Department Findings

The Planning Department found the proposal to be in compliance with the City's Comprehensive Plan including the Goals and Policies Statement, the Implementation Program, the Land Use Element and the 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 Provide for a range of uses and intensities of use appropriate to the character of the city and reflects current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
 - (A) The goals and patterns of land use contained in the comprehensive plan of the city.
 - (E) The availability and capacity of existing and planned public and private services and facilities
 - (F) The need to shape the urban and suburban development
 - (G) The use of innovative development regulations and techniques.
- 103.11 Promote implementation of the Warwick Comprehensive Community Plan, as amended.

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

103.14 Provide for procedures for the administration of the zoning ordinance

Planning Department Recommendation

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

Public Meeting

Request for a Comprehensive Plan Determination

Applicant:	Narragansett Electric Company d/b/a National Grid Rhode Island Reliability Project
Location:	Cowesett Area
Assessor's Plats:	231, 232, 237, 238, 242, 243, 248 & 255
Assessor's Lot(s):	various lots containing the Narragansett Electric power lines
Zoning District:	Residential and General Business
Wards:	7, 8, & 9

The applicant is requesting an advisory opinion as to whether the proposed project would be consistent with the Warwick Comprehensive Plan.

Planning Department Findings

The Planning Department finds the proposed project as designed is not consistent with the Warwick Comprehensive Plan.

ER - Volume II Figure 2-2 Sheet 34 through and including 36 of 40 Proposed Project Alignment.

The project proposes to introduce additional high intensity transmission lines through and adjacent to commercial properties along Bald Hill Road (Route 2) and residential properties (neighborhood) along Baldwin Road and Pitman Street.

The proposed project does not provide appropriate screening and buffers from the residential and commercial developments.

ER - Volume II Figure 2-2 Sheet 38 of 40 Proposed Project Alignment.

The project proposes to introduce additional high intensity transmission lines adjacent to an existing elderly housing complex and single family homes.

The proposed project does not provide appropriate screening and buffers from

recreational facility and abutting single family homes

ER - Volume II Figure 2-2 Sheet 39 of 40 Proposed Project alignment.

The project proposes to introduce additional high intensity transmission lines through and adjacent to an existing City of Warwick recreational facility (Duchess Street Playground) and directly adjacent to a residential neighborhood along Irene Street.

The proposed project does not provide appropriate screening setbacks and buffers from the recreational facility and abutting residential properties.

ER - Volume II Figure 4-2 sheet 4 of 5 “Bald Hill Road and Centerville Road.”

The project proposes to introduce additional high intensity transmission lines on three new structures ranging from 90’ to 100’ in height through and adjacent to an existing City of Warwick recreational facility and directly adjacent to a residential neighborhood. Currently, the existing structures in this area are limited in number and do not exceed 75’ in height.

The proposed project does not provide appropriate screening and buffers from recreational facility and abutting residential neighborhood.

ER - Volume II Figure 4-2 sheet 5 of 5 “Centerville Road and Cowesett Road.”

The project proposes clearing additional wooded buffer areas to accommodate new 100’ high structures and additional high intensity transmission lines moving the transmission lines closer to residential properties. The existing structures are limited in number, are located further away from the residential properties and do not exceed 70’ in height.

The proposed project does not provide appropriate setbacks, screening and buffers from abutting residential properties.

ER - Volume II Figure 4-9 Proposed Kent County Substation Improvements.”

The project is proposing an expansion of the existing Kent County Substation facility into wetlands complex thereby eliminating approximately .4 acres (17,424 square feet) of sensitive wetlands.

Visibility and Visual Impact Assessment

Figure 12 Viewpoint 70 Sheet 2 of 2

Figure 13 Viewpoint 83 Sheet 2 of 2

Figure 14 Viewpoint 88 Sheets 2 of 3 & 3 of 3

The proposed structures as represented result in extreme visual impacts are aesthetically unacceptable and are not consistent with the Warwick Comprehensive Plan.

Planning Department Recommendation

The Planning Department recommends that the proposed project is not consistent with the following sections of Warwick Comprehensive Plan:

Land Use Element - Policy Recommendations

Residential

- a. Protect and enhance residential neighborhoods by prohibiting intrusion of non-residential uses.
- e. Require buffers and strict design control standards between residential and non-residential land uses.

The proposal is to expand a non-residential land use into residential areas without appropriate setbacks, buffers and screening. This proposal does not comply with these policies as contained in the Comprehensive Plan.

Commercial

- d. Require strict site design control standards for all new and expanded commercial activity.

The proposal is to expand a non-residential land use without appropriate setbacks, buffers and screening. This proposal does not comply with this policy as contained in the Comprehensive Plan.

Major Arterials (Bald Hill Road and Centerville Road)

- e. Require strict site design control standards for all new and expanded non-residential activity along major and secondary arterials.

The proposal is to expand a non-residential land use along Bald Hill Road and Centerville Road without appropriate setbacks, buffers and screening. This proposal does not comply with this policy as contained in the Comprehensive Plan.

Bald Hill Road

- a. Require strict site design standards for new or expanded commercial activity. Encourage existing uses to consider sight design improvements.
- c. Discourage industrial use along Bald Hill Road and Quaker Lane.

The proposal is to expand a non-residential land use along Bald Hill Road and Centerville Road without appropriate setbacks, buffers and screening. This proposal does not comply with these policies as contained in the Comprehensive Plan.

Freshwater Resources

- a. Discourage development in, or alteration of, any wetland areas (as defined by the State of Rhode Island Freshwater Wetlands Act), unless impacts are insignificant.
- b. Require setbacks from wetlands areas at least a minimum distance as prescribed by the State of Rhode Island Department of Environmental Management (RIDEM).

The proposal includes expanding an existing substation and filling of approximately .4 acres of sensitive freshwater wetland. This proposal does not comply with these policies as contained in the Comprehensive Plan.

Natural Resources, Open Space & Recreation Element Planning District 7 Cowesett and Bald Hill

- 2) Duchess Street Field – Approximately 9.96 acres at the end of Duchess Street and abutting the Route 95 right-of-way. This facility includes a ball field and paved parking for about 20 cars. Over 424,000 square feet are either wooded or grassed. Nearby power lines have given rise to questions about the safety of this park.

The proposal includes additional high intensity transmission lines on three new structures ranging from 90' to 100' in height through and adjacent to an existing City of Warwick recreational facility (Duchess Street Field). This proposal will endanger the viability of this recreational resource.

Chapter 7 Goals and Objectives

- 7) Protect remaining wetlands, open space and shoreline areas
 - a) Protect freshwater bodies, coastal waters, areas with soil limitations, unique natural features fish and wildlife habitat, and threatened and endangered species habitat through land use planning and regulatory management programs.

The proposal includes expanding an existing substation and filling of approximately .4 acres of sensitive freshwater wetland. This proposal does not comply with this policy as contained in the Comprehensive Plan.

- 13) To maintain high standards of urban design and aesthetics in public open spaces.

The proposal includes additional high intensity transmission lines on three new structures ranging from 90' to 100' in height through and adjacent to an existing City of Warwick recreational facility (Duchess Street Field). This proposal does not comply

with this policy as contained in the Comprehensive Plan.

Street Abandonment

Portion of Hickory Street

Petitioner: Ronald and Barbara Goldsmith
Location: Assessors Plat: 285 see attached map.
Ward: 2

Reason: The premises are of no use to the public as a highway or driftway. The subject property runs adjacent to two paved parking lots ending along the easterly highway line of Interstate Route 95. It is not contemplated that this roadway will be developed.

Recommendation: The City's Water, Sewer, Fire Department and Conservation Commission have no objection to the proposed abandonment.

The Public Works Department has recommended conditional approval of the abandonment with the following stipulations:

1. The Applicant must remove all landscaping stock pile and equipment from City property; in particular, the Byfield Street and Plum Street right-of-ways and AP 285 / Lot 225.
2. The entirety of Hickory Street should be abandoned; from the Byfield Street cul-de-sac west to Interstate 95.
3. The City must retain an easement that will allow for unimpeded access to City owned lots AP 285 Lots 193 – 200.
4. The City must maintain the perpetual right to use any or all of the abandonment for the installation of utilities as needed in the future.
5. Any proposed improvements will require all applicable local or state permits.

6. An Administrative Subdivision meeting the standards as set forth in the “*Development Review Regulations governing Subdivisions Land Development Projects Development Plan Review*” must be completed if the abandonment is approved by the City Council.

The Planning Department recommends the Planning Board forward a positive recommendation for the requested street abandonment with the recommended stipulations.

Street Abandonment

Portion of Savings Street

Petitioner: Raymond Brooks

Location: Assessors Plat: 340 see attached map.

Ward: 3

Reason: The premises are of no use to the public as a highway or driftway. The subject property runs adjacent to a lot with an existing billboard sign and an undeveloped property containing wetlands. The subject property has been cleared of vegetation and the petitioner proposes to utilize the property as parking for an existing restaurant.

Recommendation: The City’s Water, Sewer, Fire Department and Conservation Commission have no objection to the proposed abandonment.

The Public Works Department has recommended conditional approval of the abandonment with the following stipulations:

1. Required permit approvals, including but not limited to RI DOT Physical Alteration Permit, RI DEM Wetlands and City of Warwick Planning, Building and DPW, must be sought for work that has been completed on and abutting this roadway prior to the approval of the abandonment.
2. The City must maintain the perpetual right to use any or all of the abandonment for the installation of utilities as needed in the future.
3. Any proposed improvements will require all applicable local or state permits, as necessary.

4. An Administrative Subdivision meeting the standards as set forth in the “*Development Review Regulations governing Subdivisions Land Development Projects Development Plan Review*” must be completed if the abandonment is approved by the City Council.

The Planning Department recommends the Planning Board forward a positive recommendation for the requested street abandonment with the recommended stipulations.

Street Abandonment

Portion of Norman Avenue

Petitioner: John M. Carrol and Bruce G. Belvin Realty Partnership

Location: Assessors Plat: 323 see attached map.

Ward: 3

Reason: The premises are of no use to the public as a highway or drift way. The subject property runs adjacent to RIAC property and an abutting dental office. The subject property is paved and is currently being utilized as a parking lot; the petitioner proposes to utilize the property as parking for the existing dental office.

Recommendation: The City’s Water, Fire Department and Conservation Commission have no objection to the proposed abandonment.

The Public Works Department and Sewer Authority has recommended conditional approval of the abandonment with the following stipulations:

1. Due to the fact that the majority of Norman Avenue was condemned by the Rhode Island Airport Corporation, the DPW does not have any objection to the abandonment of the remaining portion.
2. The City must maintain the perpetual right to use any or all of the abandonment for the installation of utilities as needed in the future.
3. An Administrative Subdivision meeting the standards as set forth in the “*Development Review Regulations governing Subdivisions Land Development Projects Development Plan Review*” must be completed if the abandonment is approved by the City Council.
4. That the existing sewer line on Norman Avenue shall be cut and capped at the lateral providing service to the building located at 2212 Post Road.

5. Any proposed improvements will require all applicable local or state permits.

The Planning Department recommends the Planning Board forward a positive recommendation for the requested street abandonment with the recommended stipulations.

Administrative Subdivision

Granite Street Plat

Plat: 247

lot: 47