

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, May 9, 2007

Time: 6:00 p.m.

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

Review and acceptance of April 2007 meeting minutes.

Public Meeting

Minor Subdivision

Re-plat of “The Norwood Station Plat”

Applicant: David Yates & Russell Yates
Location: 133 Manolla Avenue
Assessor’s Plat: 286
Lot: 165, 166 & 167
Zoning District: Residential A-7
Land Area: 15,000 square feet
Number of lots: 2
Surveyor: Ocean State Planners, Inc.
Ward: 2

The applicant is requesting preliminary approval to subdivide three lots 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.

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 the existing and proposed dwellings shall be connected to the Warwick Sewer System.
- 2) That the bottom (basement) floor of the proposed dwelling shall be at least 3 feet above the seasonal high ground water.
- 3) That the final plan shall correct the graphic scale, include ties to the reference bounds, include bench mark datum and a note indicating that the contractor shall receive a Physical Alteration Permit (PAP) from the City of Warwick DPW prior to performing and work within the City right-of-way.

Public Hearing

Major Land Development Project

West Shore Court

Applicant: Hugh Fisher
Location: 299 West Shore Road
Assessor's Plat: 319
Lot(s): 489, 490 & 495
Zoning District: Planned District Residential (PDR) A-7
Land Area: 2.13 Acres
Number of lots: NA
Engineer: DiPrete Engineering Associates, Inc.
Ward: 4

The applicant is requesting preliminary approval to merge three lots and develop a 23-unit residential condominium complex with less than required landscape buffer in a Planned District Residential (PDR) 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 Amendment PCO-20-05.
- 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 stipulation:

- 1) That water utility detail shall be corrected to reference the Warwick Water Division not the Kent County Water Authority and that the final water connection shall be approved by the Water Division Chief for type and location of master meter and backflow device.

Public Hearing

Major Land Development Project

176 – 186 Toll Gate Road

Applicant:	176 Toll Gate Road Associates
Location:	176 – 186 Toll Gate Road
Assessor’s Plat:	246
Lot:	238, 239 & 259
Zoning District:	Office
Land Area:	1.75 acres
Number of lots:	NA
Engineer:	Ocean State Planners, Inc.
Ward:	8

The applicant is requesting preliminary approval to merge three lots with three office buildings, demolish two of the buildings and construct an addition to the remaining medical office building

on a lot with less than required parking.

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) In compliance with the standards and provisions of the City’s Zoning Ordinance Amendment PCO-28-06.
- 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 a final landscape plan shall be approved by the City’s Landscape Project Coordinator which shall be revised to remove the existing blue spruce tree and maple tree located along Toll Gate Road, increase the number of shade trees within the parking lot, provide supplemental plantings along the Tollgate Road frontage and provide a dumpster location with appropriate screening.
- 2) That the final plan shall include a notation that the contractor shall receive a Physical Alteration Permit (PAP) from the Warwick DPW prior to performing any work within the city right-of-way.
- 3) That the design engineer shall provide an “as built” drainage plan and certification of construction to the City Engineer prior to issuance of a Certificate of Occupancy (CO).
- 4) That prior to final approval the developer shall provide existing and projected sewer flows stamped by a Professional Engineer to be approved by the Warwick Sewer Authority.
- 5) That the final plan shall include sewer sampling manholes and other pretreatment requirements to be approved by the Warwick Sewer Authority.
- 6) That the proposed 4 inch sewer connection shall be upgraded to a 6 inch connection.

Public Hearing

Major Subdivision

Crosswinds

Applicant: WSR Realty LLC.
Location: West Shore Road
Assessor's Plat: 336
Lot(s): 199 & 200
Zoning District: Residential A-10
Land Area: 3.30 Acres
Number of lots: 8 lots
Engineer: Ocean State Planners, Inc
Ward: 4

The applicant is requesting a combined master plan/preliminary approval to subdivide two lots to create eight (8) new lots for development with a new street in a Residential A-10 zoning district.

Planning Department Findings

The Planning Department finds that this proposal is **not** generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations because the project **does not:**

- c. Protect existing natural and built environments and mitigate the significant negative impacts of proposed development on those environments.
- d. Promote high quality, and appropriate design and construction of land development projects and subdivisions.
- e. Promote subdivision and land development designs that are well-integrated into surrounding neighborhoods, and concentrate development in areas that can best support intensive use because of natural characteristics and existing infrastructure.

The development proposal is to clear cut approximately 3.3 acres of wooded land with a relatively flat terrain and introduce approximately three (3) to six (6) feet of fill throughout the property. The proposed fill will raise the existing elevations from approximately 9 to 12 feet mean sea level (MSL) to 14 to 16 feet MSL in an Federal Emergency Management Agency (FEMA) designated AE-15 flood zone.

The proposal to drastically alter the existing terrain within the FEMA flood zone is in direct conflict with the following sections of the Warwick Development Review Regulations:

D.1.4 Layout Intent: "The layout of the subdivision shall be designed to complement the

natural form, features and vegetation of the land.”

D.1.5 Compatibility: “New developments must be considered in relation to their compatibility to existing conditions in any given area...”

D.2.1 b. Streets Topography: “Streets shall be designed to conform to the topography of the land and substantial alterations to the natural drainage pattern shall be avoided.”

D.2.7 Drainage: “Where possible, drainage designs shall incorporate natural features in a manner that will not impair their beneficial functioning. Considerations shall be given to the preservation of existing vegetation and topographic features...Wherever such designs cannot be achieved, reasons shall be furnished in writing to the Planning Board.”

The proposal is also not generally consistent with the Comprehensive Community Plan.

The Warwick Comprehensive Plan Land Use Element, page 34 reads as follows:

“Because of Warwick’s natural terrain (seaboard and lowland area) and an abundance of wetlands, stream and pond areas, many parts of the city exhibit flood plane characteristics. These areas, which are subject to 100 year storm incident flooding, are most frequently found around low lying shore areas (Conimicut and Oakland Beach areas especially)...Building in flood plane areas can pose problems, both for the building itself and also for other development in and adjacent to the flood plane. The building, in particular, could be destroyed during a flood incident. Also the development could diminish the flood holding ability of the flood plane, causing a subsequent enlargement of the areas, building and property previously not within the flood prone area.”

Once again, the proposal is to clear cut approximately 3.3 acres of relatively flat wooded land and introduce approximately three (3) to six (6) feet of fill in a federally designated AE-15 flood zone thereby raising the existing elevations from between 9 to 12 feet MSL to 14 to 16 feet MSL.

Planning Department Recommendation

It is the Planning Department’s opinion that this proposed substantial alteration of existing topography in a FEMA 100 year flood zone is not in compliance with the City’s Development Review Regulations and is not consistent with the Warwick Comprehensive Plan. Therefore the Planning Department recommendation is to **deny** the requested master plan/preliminary approval.

Public Informational Meeting

Major Land Development Project

Roy Medical Office Building

Applicant: Louis and Joan Roy
Location: 192 Tollgate Road
Assessor's Plat: 246
Lot(s): 237
Zoning District: Residential/A10 and Office
Proposed Zone: Office
Land Area: 48,289 s.f.
Number of lots: NA
Engineer: Eugene Spring
Ward: 8

The applicant is requesting master plan approval of a Major Land Development Project and a recommendation for zone change to construction a new 16,800 square foot medical office building with less than the required parking, less than required driveway (aisle) distance from the proposed building and less than the required building setback and landscape buffer from an abutting residential district in an Office/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. Not in compliance with the standards and provisions of the City's Zoning Ordinance therefore requiring a City Council Zone Change from Residential A10/Office to Office with variances for less than required parking, less than the required building setback, and landscape buffer and less than required driveway (aisle) distance from the proposed building.
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 Master Plan approval with the following stipulations:

1. That the applicant shall receive approval from the City Council for a zone change from Residential A10/Office to Office, with the requested variances not including a variance for less than the required aisle distance from a building.
2. That the project engineer shall meet with the City Engineer to discuss storm-water drainage issues prior to beginning the preliminary design. The project engineer must be aware that Zero Net Runoff is considered a minimum and that this site discharges into Hardig Brook, a water body that had been targeted by Rhode Island DEM for a Total Maximum Daily Loading (TMDL); therefore the project engineer must make every effort to minimize storm water runoff, improve water quality and promote infiltration on site.
3. That the applicant shall reduced the footprint of the proposed building and accommodate the minimum driveway (aisle) distance form the building in order mitigate the adverse impact on the traffic pattern and pedestrian access and to better address the constraints of the parcel (narrow lot).
4. That all state permits, including but not limited to, RI Department of Environmental Management (RIDEM) Wetland and RIDEM Underground Injection Control (UIC) are required prior to preliminary approval.
5. That the project engineer must coordinate grading along the easterly property line with the proposed development of abutting Lot 259.
6. That the applicant shall flag the edge of the freshwater wetland and delineated the edge of wetlands on the preliminary site plan.
7. That the preliminary plans shall depict the Narragansett Electric Easement southeast of the subject lot, shall provide all utility information, including existing and proposed utilities on the site and in the roadway and shall include a landscape plan designed and stamped by a Rhode Island Registered Landscape Architect and approved by the Warwick Landscape Project Coordinator.
8. The project engineer shall stamp and submit all projected flows to the Warwick Sewer Authority. Interior plumbing plans and all pretreatment requirements must be met and submitted to the Warwick Sewer Authority prior to obtaining a building permit.

Request for a Zone Change

Applicant: Louis and Joan Roy
Location: 192 Tollgate Road
Assessor's Plat: 246
Assessor's Lot(s): 235
Zoning District: Residential A10 and Office to eliminate Residential and rezone entire parcel to Office.

Planning Department Findings

The Planning Department finds 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.

The Planning Department recommends favorable recommendation to the Warwick City Council for the requested zoning change with all of the stipulations included in the Master Plan approval.

Public Meeting

Request for an Extension

Centerville Gardens

Applicant: Offshore Development LLC.
Location: 1209 Centerville Road
Assessor's Plat: 250
Assessor's Lot(s): 003
Zoning District: Residential A-15
Land Area: 2.73 acres
Engineer: Ocean State Planners, Inc.
Ward: 8

The applicant is requesting an extension of the master plan approval for the "Centerville Gardens Condominiums" development project to allow for the creation of a 10 unit residential condominiums on a 2.73 acre parcel in a Residential A-15 Zoning District recorded on March 3, 2006. The applicant is in the process of receiving a RIDOT Physical Alteration Permit (PAP).

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 March 3, 2008.

Administrative Subdivisions

Warwick Avenue	Plat: 312	Lot: 173
“Goldsmith Plat” Byfield and Hickory Street	Plat: 285	Lots: 201 - 207
“Metro East Office Park” Lori Ann Way	Plat: 277	Lot: 21