



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday January 6, 2020

Time: 6:00 p.m.

Location: West Warwick Town Hall
Town Council Chambers
1170 Main Street
West Warwick, RI 02893

Members Present: Joseph DiMartino, Chair
Felix Appolonia, Vice Chair
Joe Gardosik
Joshua Barrette
Anthony Petrarca
Jessica Rubery (Alt. member)
Joe Garcia (Alt. member)

Planning Staff: Mark Carruolo, Town Planner
Elaine Mansour, CDBG Manager

Legal Counsel: Albert DiFiore, Esquire

All witnesses sworn in by Legal Counsel or the Chairperson.

Item 1 **Approval of Minutes**

Review and approval of the December 2, 2019 meeting minutes.

Motion to approve the December 2, 2019 minutes by Mr. Barrette, seconded by Mr. Gardosik. All in favor.

Item 2 **Public Meeting** **Recommendation to the Town Council** **Requested Zone Change/Map Amendment** **511 East Greenwich Avenue**

Applicant: Padula Builders, Inc.
Location: 511 East Greenwich Avenue
Assessor's Plat: 30

Assessor's Lot: 17
Zoning District: Portion Residential R-10 - Portion Commercial Industrial (CI)
Land Area: 8.93 acres
Number of lots: NA
Engineer: NA

The applicant is requesting a Planning Board recommendation to the Town Council for a requested Zone Change/Map Amendment from Commercial Industrial (CI) to Residential R-10 for a portion of an 8.93 acre lot with a split zoning district.

Planning Office Findings

The Planning Office finds the proposed map amendment to be in compliance with the Town's Comprehensive Plan including Chapter 1 Section 1 Purpose, the Land Use Element – Goals, Policies and Implementation Actions, the Housing Element and the Implementation Section. The Planning Office also finds the proposed zoning amendment to be generally consistent with the following purposes of the Town's Zoning Ordinance as presented in Section 2 "General Purposes":

- 2.1 Promote the public health, safety and general welfare.
- 2.2 Provides for a range of uses and intensities of use appropriate to the character of the Town and reflecting current and expected future needs.
- 2.3 Provides for orderly growth and development, which recognizes:
 - 2.3.1 The goals and patterns of land use contained in the comprehensive plan of the Town;
 - 2.3.6 The need to shape the urban and suburban development; and
- 2.8 Promoting a balance of housing choices for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing.
- 2.12 Promote implementation of the comprehensive plan of the Town of West Warwick adopted pursuant to the General Laws.
- 2.14 Provide for efficient review of development proposals, to clarify and expedite the zoning approval process.
- 2.15 Provide for procedures for the administration of the zoning ordinance.

Planning Office Recommendation

After conferring with the Planning Board Attorney, the Planning Office recommendation is to forward a positive recommendation for the proposed Zone Change/Map Amendment from Commercial Industrial (CI) to Residential R-10 for a portion of an 8.93 acre lot with a split zoning district with the following stipulations:

- 1) That any proposed development shall be subject to the Town of West Warwick Subdivision and Land Development Review Regulations.
- 2) That any proposed development shall receive a RIDEM wetlands approval.

- 3) That the subject property shall not be utilized for a multi-family residential condominium development.
- 4) That any new residential development shall be subject to Section 17-21 “Requirements for dedication of public land; public improvements and fees,” for any new homes to be developed on the property.

Discussion

Attorney Tom Cronin is representing. Mr. DiFiore read the exhibits into the record. This is a recommendation to the Town Council for a zone change for a 8.93 acre lot which currently has a single family house on it. The zone is currently split with 1/3 of the lot as Commercial Industrial (CI) and 2/3 Residential 10 (R10). Most of the surrounding area is residential, also the attorney stated he is not in agreement with stipulation #3 that the lot may not be used for multi-family housing. Mr. Barrette asked the reasoning behind that stipulation and Mr. Carruolo stated the principal reason is the lot abuts single family properties to the East and West and there are substantial wetlands on the property. He has no objection to adding “without further Planning Board approval” to the stipulation.

Motion to forward a favorable recommendation to the Town Council by Mr. Appolonia, seconded by Mr. Barrette.

Planning Board Vote

Joseph DiMartino	Yes
Felix Appolonia	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Joshua Barrette	Yes
Jessica Rubery (Alt.)	Yes
Joe Garcia (Alt.)	Yes

All in favor. Motion passes.

Item 3

Public Meeting

Removal of a Stipulation of Approval

June Carr Plat

Applicant:	Shoreline Properties
Location:	146 Cowesett Avenue & Carlson Circle
Assessor’s Plat:	13
Assessor’s Lot:	599
Zoning District:	Residential R-8
Land Area:	2.8 acres
Number of lots:	8
Engineer:	Ocean State Planners, Inc.

The applicant is requesting that the Planning Board reconsider/remove the Master Plan approval stipulation which states: "The developer shall apply to the RIDOT to determine if the agency would allow the development to be accessed from Cowesett Avenue."

Discussion

Attorney Tom Cronin is representing. Mr. DiFiore read the exhibits into the record. Ex #4 Certified Return Receipt cards submitted. Mr. Appolonia stated he will not be voting as he was not present for the previous testimony. Mr. Cronin stated that Mr. Brunero made a representation at the previous meeting that the applicant cannot fulfill. Ms. Carr owns and occupies the existing dwelling at 146 Cowesett Avenue and she is going to remain in the house, Mr. Brunero was not aware of this at the time of the meeting. A roadway cannot go through that lot without removal of the structure.

Mr. DiMartino stated Mr. Brunero's response at that meeting was the State DOT would not approve, this was misrepresented. Mr. Cronin said Mr. Brunero was under the impression Ms. Carr's son had taken over the property and the owner was not living in the house. A site plan was submitted as Ex #5.

Christopher Sheehan, Charlestown RI: He stated Ms. Carr is currently living in the house, she had been hospitalized for quite some time but is back living in the house and has no plans on going anywhere. Mr. DiMartino stated most of the board members were certain RI DOT wouldn't approve, however they felt it was worth asking, he also stated the board was under the impression this was Lot #8 of the subdivision as shown on the plan. He said an affidavit could be submitted signed by Ms. Carr stating she's willing to apply for the request to RI DOT.

Mr. Cronin asks for a continuance to the February 3, 2020 meeting for the purpose of additional information.

Motion to continue to the February 3, 2020 meeting for the sole evidence of Ms. Carr's affidavit regarding the RI DOT request.

Barbara DiFalco, 15 Carlson Circle: She asks if the developer owns the house and Mr. Cronin responded by saying it is under contract, no closing has been held and it is contingent upon approvals.

Jason Licciardi, 26 Carlson Circle: Speaking as a private citizen. He asked if there are 7 or 8 lots. Also wants to know why a right of way can't be on Ms. Carr's property.

Chris Tyler, 31 Carlson Circle: Agrees with Jason Licciardi, appreciates the board's comments. He said 8 lots are shown on the plan, he thinks this is all about money and feels lot 8 is a problem.

Mr. Carruolo noted lot #8 is a residential lot with the existing house. Mr. Cronin stated they changed the property lines of Ms. Carr's lot and that must be shown on the plans due to the reduction of the size of the lot.

James Ainsco, 3 Carlson Circle: Condo's and not single family.

Catherine Ochs, 78 Dawes St: She stated there are no sidewalks in the neighborhood, if someone gets hit by someone coming from Carlson Circle who is named in the lawsuit? The area is very congested, all first responders and the DPW are all affected with additional homes. Perhaps it would be best to wait and then take the house down for access.

Motion to close the Public Hearing by Mr. Barrette, seconded by Ms. Rubery. All in favor.

Motion to continue to the February 3, 2020 meeting to be limited to the affidavit submittal by Mr. Gardosik, seconded by Mr. Petrarca.

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Joshua Barrette	Yes
Jessica Rubery (Alt.)	Yes

Mr. Appolonia and Mr. Garcia abstain.

Motion carries.

Item 4

Administrative Subdivision/Approval for Informational Purposes

None

Item 5

Public Comment

None

Motion to adjourn at 7:00pm by Mr. Petrarca, seconded by Mr. Barrette. All in favor.