



# MEETING MINUTES

## Town of West Warwick Planning Board

**Meeting Date:** Monday, March 7, 2016

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

**Location:** West Warwick Senior Center  
Community Room  
145 Washington Street  
West Warwick, RI 02893

**Members Present:** Joseph DiMartino, Chair  
Felix Appolonia, Vice Chair  
Joe Gardosik  
Wayne Miller  
Anthony Petrarca

**Alternate Members Absent:**  
Joshua Barrette

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

**Legal Counsel:** Albert DiFiore, Esquire

All witnesses sworn in by legal counsel.

### Item 1 Approval of Minutes

Review and approval of February 1, 2016 meeting minutes.

Motion to approve the February 01, 2016 minutes by Mr. Appolonia, seconded by Mr. Gardosik.

### Item 2 Public Hearing **1545 Division Road**

**Applicant:** 1545 Division Road LLC.  
**Location:** 1545 Division Road  
**Assessor's Plat:** 30  
**Lot(s):** 13

Zoning District: Commercial Industrial (CI) with Hotel/motel, multi-family, transient and office business overlay.  
Land Area: 2 acres +/-  
Number of lots: NA  
Engineer: Gordon Archibald, Inc.

The applicant is requesting preliminary approval to construct a 12 unit multi-family residential condominium development on an existing conforming two (2) acre lot in a Commercial Industrial (CI) with Hotel/motel, multi-family, transient and office business overlay.

### **Planning Office Findings**

The Planning Office finds the proposal to be generally consistent with Section 17-5 “General Purposes” of the Towns Subdivision and Land Development regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the Town Zoning Ordinance having received a West Warwick Town Council Zone Change Ordinance #2006-8 authorizing multi-family development on this property.
- 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 physical access to a public street.
- 6) That the proposed development provides for the safe circulation of pedestrian and vehicular traffic, adequate detention of surface water runoff, suitable building sites, and the preservation of natural, historical and cultural features; and
- 7) That the proposed development will not result in any increase flooding and soil erosion.

### **Planning Office Recommendations**

After conferring with the Planning Board Solicitor and the Technical Review Committee (TRC), the Planning Office recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties.
- 2) That a Soil and Sediment control plan shall be provided to the Building Official in conformance with Development Review Regulations Section 17-19(F) (1) “Erosion and sediment control plan required” at the time of applying for a building permit.
- 3) That the landscape plan shall be amended to include screening, where practical, around the perimeter of the development to the east, north and west prior to final approval.

- 4) That the proposed development shall not receive any Town of West Warwick trash hauling services, snow plowing, roadway maintenance, drainage maintenance and other similar services and said stipulation shall be included on all sites plans, within the deeds to the property and within the condominium declaration documents.
- 5) That the developer shall be required to pay a fee-in-lieu of land dedication which shall be \$2,500.00 per dwelling unit at the time of application for a building permit as required per Land Development Regulations Section 17-21(E) "Fees-in-lieu of land dedication."
- 6) That the asphalt mix for the driveway and parking areas is a "pervious pavement mix" which shall be approved by the engineer of record and a copy of the certification shall be placed on file at the Building Officials office.
- 7) That the Condominium Association documents and by-laws shall be approved by the Legal Counsel for Planning and Zoning prior to final approval.

### Discussion

John Revens, Jr of Revens, Revens & St. Pierre with offices located at 976 Centerville Rd, Warwick is representing. Mr. Revens presented the Affidavit of Notice. Mr. DiFiore read the exhibits into the record. This is a 2 acre conforming lot in a CI Zone with an overlay (2014-12) approved by the Town Council. Looking for Preliminary Plan with administrative final. The proposal is for duplex buildings on a cul-de-sac.

Harry Miller of Alpha Associates is present. The project fronts East Greenwich in the NW, Amtrol to the W and N, and Industrial to the W and N. There will be six duplex units, on slab, two bedrooms each, with attached garages. Four septic systems, each capturing three bedrooms.

Todd Rabineau of Gordon Archibald reviewed the soils and surface cover. Also noted DOT has approved a Physical Alteration Permit. Mr. Revens also noted no construction will take place in East Greenwich, spoke with Lee Whittaker in the past, did not speak with the current Town Planner, however they were noticed. Mr. Carruolo stated he reached out to her but did not get a response.

There are no wetlands on the site, there is a 30-36 inch water table. The condo association documents will state the maintenance of the detention ponds. The Board also noted the Town can request verification of the maintenance. Drainage reports are to be given to the Town and this will be noted in the condo doc's, if the annual report/maintenance is not done the Town will do it and assess the cost to the association.

Mr. DiMartino questioned if the roadway surface can't be treated with sand or other de-icing agent as noted on the plans, what can it be treated with? It was stated the engineer will check with RI DEM.

Motion to close the Public Hearing by Mr. Appolonia, seconded by Mr. Petrarca. All in favor.

Motion to approve with the recommendations and stipulations as read into the record by the Town Planner as well as final approval to be done administratively, by Mr. Appolonia, seconded by Mr. Gardosik. All in favor.

**Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes

**Item 3**

**Bond Reduction**

**Countryside Estate – Countryside Way**

The Town’s Public Works Department, Building Office and the Kent County Water Authority have performed inspections of the development and are recommending release of the following:

12” RCP	\$ 800.00
12” PVC Drain Pipe	\$ 9,170.00
Remove and reset concrete curbing	\$11,250.00
Fence	\$ 5,000.00
Modification of outfall structure	\$ 2,000.00
Reset catch basin	\$ 2,500.00
Furnish and install drain manhole	\$ 3,000.00
<u>Relocate Hydrant</u>	<u>\$ 1,500.00</u>
Total funds	\$ 35,220.00

**Discussion**

Mr. Carruolo stated he asked the appropriate departments to review, Building, KCWA and DPW signed off for these items.

Motion to recommend the bond reduction to the Town Council by Mr. Petrarca, seconded by Mr. Appolonia. All in favor.

**Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes

**Item 4**

**Amendment to the Town’s Zoning Ordinance**

**Section 3.15 “Community Residence”**

**Applicant:** Town of West Warwick  
**Zoning Amendment:** Zoning Ordinance amendment to Section 3.15 “Community Residence”

The Town of West Warwick desires to amend Zoning Ordinance Section 3.15 “Community Residence”

to update the section and bring it into compliance with the State Enabling Legislation RIGL 45-24 (15) definition of a Community residence.

### **Planning Department Findings**

Upon conferring with the Planning Board Solicitor, the Planning Office finds the proposal 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 Community Services and Facilities Element, 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 Providing for a range of uses and intensity of use appropriate to the character of the town reflecting current and future needs.
- 2.8 Promote 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.
- 2.15 Provide for procedures for the administration of the zoning ordinance

The Planning Office recommendation is for a favorable recommendation to the West Warwick Town Council for the requested zoning amendment.

### **Discussion**

Mr. DiFiore reviewed the ordinance and noted the current ordinance did not comply with State laws. This states what the State statute is. Adding that language brings the ordinance into compliance.

Motion to forward a favorable recommendation to the Town Council by Mr. Appolonia, seconded by Mr. Gardosik. All in favor.

### **Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes

### **Item 5**

#### **Capital Improvement Program (CIP) Recommendation**

West Warwick Code of Ordinances Article II “Capital Improvements” established the process for determining the Town’s Capital Improvements Program (CIP) budget schedule. Ordinance Section 2-20

designates the Planning Board, Treasurer and the Town Council as the entities responsible to review and prepare a CIP budget schedule and Ordinance Section 2-21 requires that the Planning Board provide a recommendation for consideration by the Town Council on the CIP budget schedule for presentation at the annual financial town meeting.

**Discussion**

Mr. Carruolo explained the budget process to the Board as well as the Enterprise Fund and how it works.

Motion to recommend to the Town Council by Mr. Appolonia, seconded by Mr. Gardosik. All in favor.

**Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes

**Item 6**

**Informational only**

**Administrative Subdivisions**

Subdivision name: Mourato-Padula Plat  
Applicant: Armindo Mourato  
Location: Wakefield Street  
Assessor's Plat: 38  
Assessor's Lot(s): 19, 21, 22 & 134

For information only, all lots are merged and recorded.

**Item 7**

**Public Comment**

None.

Motion to adjourn at 6:45 pm by Mr. Appolonia, seconded by Mr. Gardosik. All in favor.