



# MEETING MINUTES

## Town of West Warwick Planning Board

**Meeting Date:** Monday June 3, 2019

**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  
Anthony Petrarca  
Joshua Barrette (Alt. member)  
Jessica Rubery (Alt. member)

**Members Absent:** Joe Gardosik  
Wayne Miller

**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 the May 6, 2019 meeting minutes.

Motion to approve the May 6, 2019 minutes by Mr. Appolonia, seconded by Mr. Petrarca. All in favor.

### Item 2 Public Hearing Blasting Approval 175 Greenbush Road

**Applicant/Owner:** Western Mass. Blasting Corp.  
**Location:** 175 Greenbush Road  
**Assessor's Plat:** 12-2  
**Lot:** 20

Zoned: Residential R-10  
Area: 40.12 Acres  
Number of lots: NA  
Engineer: NA

The applicant is requesting approval to perform limited blasting for utilities as required in accordance with stipulation #8 of the Planning Board final approval letter for the development located at 175 Greenbush Road.

**Discussion**

Mr. DiFiore read the exhibits into the record. The Affidavit of Notice was marked as Ex #2. Fred Dickerson and Jeffrey Gilman are present. Mr. Gilman is the President, Owner and Blaster. Mr. Gilman said he made an attempt to not blast but it was futile. The blasting should be done in one day. He will re-apply for the state permit and re-notify abutters. He also stated he will call the councilman for Ward 5 with the date they intend to blast. There will be minimal vibrations and minimal noise.

Bob Lally, 75 Nottingham Dr: He requested a pre-blast survey to be done. He has an exterior brick wall, a cement apron around his pool and an interior fieldstone wall. He would like photos taken of his property prior to the blasting. Mr. Gilman said he will personally do the survey.

Marilyn Papa of 72 Nottingham Dr, Marguerite D’Ambra of 145 Greenbush and Ron Salvas of 179 Greenbush all have the same concerns as Mr. Lally and requested pre-blast surveys also. Mr. Gilman agreed to these surveys, he also stated pre-blast surveys are not required but notification of the blasting is and he will provide approximately one week notice rather than 24 hours which is required.

Motion to close the public hearing by Mr. Appolonia, seconded by Mr. Barrette.

**Planning Board Vote**

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

Motion passes.

Motion to approve blasting for utilities for the development located at 175 Greenbush Road by Mr. Barrette, seconded by Mr. Appolonia.

**Planning Board Vote**

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

Motion passes.

**Item 3**  
**Public Informational Meeting**  
**Major Subdivision**  
**52-66 Leaf Street**

Applicant/Owner: Donald W. Elliott & Susan A. Elliott  
Location: 52-66 Leaf Street  
Assessor's Plat: 14  
Lot(s): 88  
Zoning District: Residential R-8  
Land Area: 28,603 S.F.  
Number of lots: 2  
Engineer: Boyer Associates, Inc.

The applicant is requesting master plan approval to subdivide a 28,603 S.F. parcel containing three (3), two-family dwellings, to raze one of the two-family dwellings and to create two new lots; each lot having a two-family dwelling with the required lot area and frontage but having less than the required lot width and less than the required side-yard setbacks in a Residential R-8 zoning district.

**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) Not in compliance with the standards and provisions of the Town Zoning Ordinance therefore requiring approval from the Zoning Board of Review (ZBR) to create two new lots each lot with less than the required lot width and less than the required side-yard setbacks in a Residential R-8 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.
- 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 increased flooding and soil erosion.

### **Planning Office Recommendation**

After conferring with the Technical Review Committee (TRC) and the Planning Board Attorney, the Planning Office recommendation is to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to create two new lots having less than the required lot width each lot having a two-family dwelling with less than the required side-yard setbacks.
- 2) That the applicant shall provide easement language to be reviewed and approved by the Planning Board Attorney to accommodate the overhead electrical lines and N-Grid pole #6 ½.
- 3) That a portion of the existing stone (retaining) wall on proposed lot shall be removed and the land shall be graded to allow access to proposed parking space 4.
- 4) That the proposed four (4) new parking spaces shall be paved.
- 5) That the sewer and water locations and connections shall be indicated on all future plans.
- 6) That the sewer line for the razed structure shall be cut, capped and inspected by the West Warwick Wastewater Treatment Authority.

### **Discussion**

Attorney Tom Cronin is representing. Mr. DiFiore read the exhibits into the record and the green certified return cards were submitted. The applicant is requesting master plan approval to subdivide a 28,603 S.F. parcel containing three (3), two-family dwellings, to raze one of the two-family dwellings and to create two new lots; each lot having a two-family dwelling with the required lot area and frontage but having less than the required lot width and less than the required side-yard setbacks in a Residential R-8 zoning district.

Jane Graham, 65 Perkins: Lives behind the lighthouse, she is asking how many dwellings and Mr. Cronin reviewed the plan for her and stated the front house will be razed and two, two family dwellings will be built.

Motion to close the public informational meeting by Mr. Appolonia, seconded by Mr. Barrette.

### **Planning Board Vote**

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

Motion passes.

Motion to approve Master Plan and to forward a favorable recommendation to the ZBR including all stipulations by Mr. Appolonia, seconded by Mr. Petrarca.

**Planning Board Vote**

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

Motion passes.

**Item 4**  
**Public Informational Meeting**  
**4 Blossom Street**

Applicant:	LaCroix Properties
Location:	4 Blossom Street
Assessor's Plat:	36
Lot(s):	5, 59 & 200
Zoning District:	Business (B) proposed change to Residential R-7.5
Land Area:	12.81 acres
Number of lots:	3
Engineer:	Ocean State Planners, Inc.

The applicant is requesting a Master Plan approval for the construction of 66 residential condominium units on approximately 12.81 acres and a recommendation to the Town Council for a street abandonment of a portion of Giorgio Drive and a Zone Change from Business (B) to Residential R-7.5.

**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) Not in compliance with the standards and provisions of the Town's Zoning Ordinance, therefore requiring a Town Council zone change to rezone the property from Business (B) to Residential R-7.5 and to authorize construction of a residential condominium development not to exceed 66 residential dwelling units.
- 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 increased flooding and soil erosion.

### **Planning Office Recommendation**

After conferring with the Technical Review Committee (TRC) and the Planning Board Attorney, the Planning Office recommendation is to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive a Zone Change from the Town Council from Business (B) to Residential R-7.5 with for the purpose of constructing a 66 unit Residential Condominium development.
- 2) That the applicant shall receive a street abandonment from the Town Council for a portion of Giorgio Drive.
- 3) That the development plan shall indicate the nearest fire hydrant to the site and shall provide a sufficient number of hydrants at a distance of no greater distance than 500' between hydrants to service the development which shall be approved by the West Warwick Fire Department prior to preliminary approval.
- 4) That the proposed development shall preserve all mature trees located along the parameter of the development and in particular along the northerly and easterly boundary lines abutting the existing residential homes and said buffers shall be enhanced with additional plantings to provide screening of the development for the abutting residences.
- 5) That the preliminary plan shall include a detailed landscaped plan prepared by a RI Registered Landscape Architect and said plan shall include a buffer detail as required in stipulation #4.
- 6) That the preliminary plan shall incorporate the recommendations contained in the Traffic Impact Assessment performed by RAB Professional Engineers dated February 28, 2019, including:
  - a. That Giorgio Drive shall provide one way access only to the development and shall be controlled through a combination of signage and physical restrictions.
  - b. That the Blossom Street access shall be reconfigured as a standard residential street extending into the property.
  - c. That the Petrarca Street approach to Blossom Street shall be controlled with a stop sign.
  - d. That double yellow pavement markings shall be installed through the Blossom/Petrarca Street intersection and the existing yield control on Blossom Street shall be removed.
- 7) That the development shall include an enhanced entry consisting of landscaping, signage and other means designed to indicate entry to the development.
- 8) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties.
- 9) That should it be determined that chipping and/or blasting of ledge is required, that a detailed blasting plan which shall be developed and stamped by a Registered Professional Engineer shall be approved by the Planning Board after a review and recommendations from the Town Engineer, Fire Marshal and Building Official.

- 10) That a Soil and Sediment Control Plan shall be required at preliminary approval in conformance with Development Review Regulations Section 17-18(F) (1) "Erosion and Sediment Control Plan required."
- 11) That the applicant shall provide an excavation/construction plan, which may be combined with the Soil and Sediment Control Plan, designed to mitigate the impact of construction on the abutting residents which shall include but not be limited to, construction access, best practices for dust control and vibration and hours of operation; said plan shall be approved by the Town Engineer prior to preliminary approval.
- 12) That all utility connections including but not limited to the West Warwick Wastewater Authority and the Kent County Water Authority shall be approved prior to preliminary approval.
- 13) That the preliminary plan shall verify the sewer and access easements issued to the West Warwick Wastewater Treatment Authority for the existing sewer line located parallel along the Pawtuxet River along westerly side of the property.
- 14) That all necessary State of Rhode Island permits including but not limited to RIDEM Wetland permit and RIDEM Underground Injection Control (UIC) permit shall be issued prior to preliminary approval and any Blasting Permits (if necessary) shall be issued prior to final approval.
- 15) 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 site plans, within the deeds to the property and within the condominium declaration documents which shall be approved by the Planning Board solicitor prior to final approval.
- 16) That the developer shall be required to provide a fee-in-lieu of land dedication equal to \$2,500.00 per dwelling unit as prescribed in the Land Development Regulations Section 17-21 "Dedication of Public Land" and shall be collected at the time of application for a building permit.
- 17) That the Condominium Association documents and by-laws shall be approved by the Legal Counsel for Planning and Zoning prior to final approval.

### **Discussion**

Item #'s 4 and 5 are being heard at the same time. Attorney Tom Cronin is representing. Richard Byzdra of Ocean State Planners is also present. Mr. DiFiore read the exhibits into the record and the green certified cards were submitted. The applicant is requesting a Master Plan approval for the construction of 66 residential condominium units on approximately 12.81 acres and a recommendation to the Town Council for a street abandonment of a portion of Giorgio Drive and a Zone Change from Business (B) to Residential R-7.5, Attorney Cronin reviewed the site plan and also noted there will be no clubhouse or common area. Utilities will be from Providence St, there will be an underground injection system for drainage in the center of the development which should help with current drainage issues but more detailed information on this will be available at the preliminary stage. RI DOT approval is not needed as there will be no curb cuts, etc. Giorgio Drive will be used as an ingress only, there is a 200ft setback

requirement from the river and they have a wetlands delineation approval from RI DEM. Mr. DiMartino is concerned with traffic in the area and would like to hear from the Traffic Engineer. He said there is often a backup from the Toll Gate Road intersection past the entrance to this proposed development. Attorney Cronin noted the Town Council could make a request to RI DOT regarding the traffic signal at that intersection.

Mr. DiFiore advised the board they could continue the hearing to next month for the purpose of speaking with the Traffic Engineer. Mr. Cronin said he would agree to that. Mr. DiMartino explained the process for approval for those present at the hearing.

Residents present at the meeting were Charles Poxon 516 Providence St, Sharon Kilday 12 Blossom St, Anthony Fossa 450 Providence St, Meredith Barr 11 Auburn St, Lola Rigano 450 Providence St, James Riemer 450 Providence St and Elsa DaSilva One Blossom St.

Their concerns consisted of the following:

Traffic, they don't want dumpsters at the proposed development, trees abutting some properties are overgrown and some are dead, they do not want subsidized housing, they feel the number of units is too high, the area is surrounded by 2 other large condo developments, concerned with the effect on the school system, water runoff, the condos at 450 Providence St abut this development and the land drops off due to soil erosion from runoff, concerned if blasting will be required and the type of lighting that will be installed on the property.

Motion to continue master plan to the July 1, 2019 meeting for the purpose of having the Traffic Engineer and Civil Engineer present only by Mr. Petrarca, seconded by Ms. Rubery.

**Planning Board Vote**

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

Motion passes.

**Item 5**

**Amendment to the Town's Zoning Map**

Applicant:	LaCroix Properties
Assessor's Plat:	36
Lot(s):	5, 59 & 220 and a portion of Giorgio Drive
Zoning District:	Business (B)
Map Amendment:	Zoning map amendment to rezone Assessors Plat 36, Lots 5, 59 & 220 and a portion of Giorgio Drive from to Business (B) to Residential R-7.5

**Planning Department Findings**

Upon conferring with the Planning Board's Legal Counsel, the Planning Office finds the proposed zoning map change to be in compliance with the Town's Comprehensive Plan including Chapter 1 Section 1 Purpose, the Land Use 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 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;
  - 2.3.2 The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution;
  - 2.3.3 The values and dynamic nature of freshwater ponds, riverfront, stream banks and the shorelines of freshwater wetlands;
  - 2.3.5 The availability and capacity of existing and planned public and/or private services and facilities;
  - 2.3.6 The need to shape and Balance urban and rural development
- 2.8 Promote a balance of housing choices for all income levels and groups…;
- 2.12 Promote implementation of the Comprehensive Plan of the Town of West Warwick adopted pursuant to the General Laws.
- 2.14 Providing 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.

The Planning Office recommendation is for a favorable recommendation to the West Warwick Town Council for the requested zoning map amendment with all of the stipulations included in the Master Plan approval.

**Discussion**

Motion to forward a favorable recommendation to the Town Council regarding the amendment to the zoning map by Ms. Rubery, seconded by Mr. Appolonia.

**Planning Board Vote**

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

Motion passes.

Motion to forward a favorable recommendation to the Town Council to abandon a portion of Giorgio Drive as shown on the plan by Mr. Petrarca, seconded by Mr. Barrette.

**Planning Board Vote**

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

Motion passes.

**Item 6**  
**Administrative Subdivision/Approval**  
**For Informational Purposes**

None

**Item 7**  
**Public Comment**

None

Motion to adjourn at 7:35 pm by Mr. Appolonia, seconded by Mr. Barrette.

All in favor.