



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday, August 6, 2018

Time: 6:00 p.m.

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

Members Present: Felix Appolonia, Vice Chair
Anthony Petrarca
Joe Gardosik
Wayne Miller
Jessica Rubery (Alt. member)

Members Absent: Joseph DiMartino, Chair
Joshua Barrette (Alt. member)

Planning Staff: Mark Carruolo, Town Planner
Elaine Mansour, CDBG Manager (Not present)

Legal Counsel: Albert DiFiore, Esquire

Item 1 Approval of Minutes

Review and approval of July 2, 2018 meeting minutes.

Motion to approve the July 2, 2018 minutes by Mr. Miller, seconded by Mr. Gardosik. All in favor.

Item 2 Amendment to the Town's Zoning Ordinance

AN ORDINANCE AMENDING SECTION 5.6 SUPPLEMENTAL USE REGULATIONS OF THE ZONING CODE OF THE CODE OF ORDINANCES OF THE TOWN OF WEST WARWICK

Applicant: Town of West Warwick
Zoning Amendment: Zoning Ordinance amendment to Section 5.6.1 "Supplemental Use Regulations – Accessory buildings and uses."

The Town of West Warwick desires to amend Zoning Code Section 5.6.1 "Supplemental Use

Regulations – Accessory buildings and uses.”

The intent of the proposed amendment is to clarify the language authorizing accessory uses in all zoning districts. The existing language could be interpreted as to restrict accessory uses to residential zoning districts. The proposed amendment also clarifies the standard of measurement for accessory uses.

Planning Department Findings

Upon conferring with the Planning Board’s Legal Counsel, 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 Housing Element, the Economic Development 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
 - 2.3.7 The use of innovative development regulations and techniques.
- 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.

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

Discussion

Acting Chairman Felix Appolonia read the item into the record, referenced the legal counsel report and turned the presentation over to Attorney Al DiFiore who presented on behalf of the Town. Attorney DiFiore explained that the current language contained in the Town’s Zoning Ordinance did not address accessory uses in business districts. Mr. DiFiore explained that he discovered the oversight when he was researching and preparing a zoning amendment for the next agenda addressing recycling containers. Attorney DiFiore explained that the new language now allows accessory uses in all zoning districts.

Motion to forward a favorable recommendation to the Town Council by Mr. Petrarca, seconded by Mr. Gardosik.

Planning Board Vote

Felix Appolonia	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Jessica Rubery (Alt.)	Yes

Item 3

Amendment to the Town's Zoning Ordinance

AN ORDINANCE AMENDING ARTICLE I GENERAL PROVISIONS, SECTION 3 "DEFINITIONS" AND SECTION 5 "USE REGULATIONS" OF THE ZONING CODE OF THE CODE OF ORDINANCES OF THE TOWN OF WEST WARWICK,

Applicant: Town of West Warwick
Zoning Amendment: Zoning Ordinance amendment to Section 3 "Definitions" and Section 5.3 "Table of use regulations."

The Town of West Warwick desires to amend Zoning Code Section 3 "Definitions" by adding a definition for "Recycling containers," which shall be defined as, "those containers in which members of the public generally deposit used clothing, shoes, books and other items of personal property."

The intent of the proposed amendment is to create a definition for the clothing donation containers and to establish the authorized zoning districts for the proposed use.

The Town of West Warwick desires to amend Zoning Code Section 5.3 Table of use regulations as follows:

	<i>RESIDENTIAL DISTRICTS</i>			
	<i>R-10</i>	<i>R-8</i>	<i>R-7.5</i>	<i>R-6</i>
C. General community facilities				
12. Recycling containers	X	X	X	X
	<i>NONRESIDENTIAL DISTRICTS</i>			
	<i>B</i>	<i>CI</i>	<i>BP</i>	<u><i>VC*</i></u>
J. Other Business Uses				
2. Recycling containers	Y	X	X	X**

** Recycling containers shall be a permitted use in any area of a VC District in which the underlying District is a B District.

The intent of the proposed amendments is to create a definition for the clothing donation containers and to establish the authorized zoning districts for the proposed use.

Planning Department Findings

Upon conferring with the Planning Board's Legal Counsel, 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 Economic Development 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;
 - 2.3.7 The need to shape the urban and suburban development; and
- 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

Acting Chairman Felix Appolonia read the item into the record, referenced the legal counsel report and turned the presentation over to Attorney Al DiFiore who presented on behalf of the Town. Attorney DiFiore informed the Board members that Councilman Messier contacted him to create regulations addressing the large recycling bins. He explained the proposed zoning amendment was intended to regulate the bins which are typically located in business parking lots. Mr. DiFiore informed the board that currently these containers are prohibited. Attorney DiFiore explained that the proposed amendments include a definition for the bins and that they would only be allowed in Business “B” zoning districts.

Acting-Chair Appolonia asked who would be responsible for disposal if someone was to deposit dangerous or hazardous material into one of the bins.

Attorney DiFiore explained that the owner of the bin is responsible for disposal of all material deposited in the bins.

Motion to forward a favorable recommendation to the Town Council by Mr. Gardosik, seconded by Ms. Rubery.

Planning Board Vote

Joseph DiMartino	Yes
Felix Appolonia	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Jessica Rubery (Alt.)	Yes

Item 4
Administrative Subdivision/Approval
For Informational Purposes

Plan Attached

Project name: Administrative Subdivision/KJB LaCroix, LLC.
Applicant: KJB LaCroix, LLC.
Location: LaCroix Drive
Assessor's Plat: 12 Lot: 473 & 485

Plan Attached

Project name: Administrative Subdivision/1029 Main Street
Applicant: Ayoub Engineering
Location: 1029 Main Street
Assessor's Plat: 4 Lot: 212, 347 & 420

Plan Attached

Project name: Administrative Subdivision/NMLM Realty LLC.
Applicant: NMLM Realty LLC.
Location: 1 Bridal Avenue
Assessor's Plat: 15 Lot: 130 & 141

Plan Attached

Project name: Administrative Approval/Arthur Street Condo Development
Applicant: Offshore Development LLC.
Location: Pulaski Street
Assessor's Plat: 8 Lot: 527-537 & 539-549

The Town Planner reviewed the administrative approvals and subdivisions with the Board Members.

Item 5
Public Comment

None

Motion to adjourn at 6:20 pm by Mr. Gardosik, seconded by Mr. Petrarca. All in favor.