



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday, September 14, 2015

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
Joseph Gardosik
Wayne Miller
Anthony Petrarca

Members Absent: Felix Appolonia

Alternate Members Present: Joshua Barrette

Item 1 **Approval of Minutes**

Review and approval of August 2015 meeting minutes.

Motion to approve by Mr. Gardosik, seconded by Mr. Barrette. All in favor.

Item 2 **Public Hearing** **Wakefield Street Condominiums**

Applicant: Armindo and Maria Mourato
Location: 554 Wakefield Street
Assessor's Plat: 38
Lot(s): 21, 22 134 & a portion of 19.
Zoning District: Residential R-10
Land Area: 3.15 Acres
Number of lots: 4
Engineer: Boyer Associates

The application is classified as a Major Land Development Project. The applicant is requesting preliminary approval to merge four lots to create one 3.15 acre parcel to allow for the construction of a 17 unit condominium project on an existing street. The application received master plan approval from the Planning Board on April 7, 2014 and Zoning Board of Review approval on September 24, 2014, Petition #2014-8.

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 Special Use Permit from the Zoning Board of Review – Petition #2014-8
- 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, 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) There shall be a payment of \$2,500/dwelling unit to be paid at the time of application for a building permit in accordance with Section 17-21(E) of the Town of West Warwick Development Review regulations.
- 2) The Town of West Warwick shall not provide any services for roadway maintenance, snow plowing and removal and trash removal and such stipulation shall be indicated on the final plans.

- 3) There shall be individual trash containers for each unit for trash removal and such stipulation shall be indicated on the final plans.
- 4) There shall be no children's play area provided within the development and such stipulation shall be indicated on the final plans.
- 5) All drainage systems including but not limited to retention and/or detention ponds shall be maintained by the condominium association and any failure to maintain said systems shall result in the Town of West Warwick placing a levy against the interests of the unit owners for the cost incurred to the Town of West Warwick and such stipulation shall be indicated on the final plans.
- 6) The pavement shall be no closer than six (6') feet from the property line of abutting Tax Assessor's Lot # 68.
- 7) A perimeter buffer of trees and shrubs shall be established and maintained to the satisfaction of the West Warwick Planning Board.
- 8) Vegetation located at the entrance to the development shall be placed at a distance far enough away from Wakefield Street so as not to interfere with the appropriate site distance.
- 9) The hot box shall be appropriately screened with evergreen vegetation.
- 10) Roof runoff shall be directed into individual underground leaching systems and approved by the Building Official prior to issuance of a Certificate of Occupancy (CO).
- 11) There shall be 17 additional parking spaces for use by visitors.
- 12) There shall be a headlight barrier approved by the West Warwick Planning Board for those parking spaces one (1) through nine (9) facing Tax Assessor's Lot # 68.
- 13) A Declaration of Condominium, which shall include a provision that trash removal shall not include dumpsters and shall be curbside trash collection as well as provisions that the association shall be responsible for all roadway and drainage maintenance, snow removal and trash removal, shall be approved by the Planning/Zoning Solicitor and recorded simultaneously with the final plan.
- 14) That the applicant shall record an administrative subdivision in accordance with the Subdivision and Land Development Regulations Section 17-11 merging all lots associated with the development project as a condition of final approval.

Discussion

Mr. DiFiore reviewed the exhibits. Attorney Joseph Shekarchi is representing. Mr. Bob Boyer and Mr. Paul Bannon are also present. Green cards presented are Ex #14.

The project is for 17 condominium units, additional landscape was added. The traffic analysis is complete, there was no significant impact.

Mr. DiMartino noted the plans are not the same, one plan shows an additional 17 parking spaces as noted. Mr. Boyer said the landscape plan is not shown on the engineering plans, it is separate. Mr. DiMartino questioned why the engineering plans don't show the 17 parking spaces and wanted to be sure the engineer took into consideration the additional pavement.

Mathew Costa, 6 Colleen Ct: Concerned with the safety of the main entrance, it is at the halfway point of the hill and he also has concerns of water pressure issues. How will this affect the water pressure? He also is curious what the selling prices will be and feels property values will be negatively impacted.

Mathew Francis, 5 Carnival Terrace: If the condos are not built he would like to know the process to change to apartments or single family houses. Are the garages calculated as living space?

Mr. DiFiore stated to change to a single family proposal they would have to start from the beginning. To change from condos to apartments, which falls under multi-family they would have to change the condo declaration. The Board votes on multi family, not whether its condos or apartments.

Mr. Carruolo read a letter from the owner of 4 Golden View, who was unable to attend. Concerns are excessive traffic from Cranston to West Warwick on Wakefield St, wanted to know when the traffic study was conducted.

Mr. Shekarchi noted there will be zero impact on water. KCWA has approved the project and the housing market has improved, construction is scheduled to start in the Spring. Ownership is not an issue but they have stated they will be condos. All 17 units will not be built at the same time.

Paul Bannon, RAB Engineering, 10 Ross Simon Dr, Cranston, RI: Mr. DiFiore recommends acceptance as an expert.

Motion to accept Mr. Bannon as an expert by Mr. Gardosik, seconded by Mr. Barrette. All in favor.

He stated the study was updated in 2014 from the original in 2008. Data collected was during school and peak times. Driveway radar speed was from 25 to 38/40 and the average was 35/36 mph at the stretch of the entrance. The site distance was over 600' to the golf course and 350' to the top of the hill. 260' is required and this is well in excess. The posted speed is 25 mph and they are recommending posting two signs alerting motorists of turning vehicles.

Mr. DiMartino noted driving from Natick Rd. to Wakefield St, a mirror has been installed and has been beneficial. Mr. Bannon stated however this would not be effective in this area.

Mr. Barrette said KCWA approved this but did not state it would not affect the water pressure. Mr. Boyer, speaking in his capacity at KCWA reviewed the map and the minimum psi required and what is in the area.

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

Mr. Carruolo read all of the stipulations into the record.

Motion to approve subject to the stipulations noted, by Mr. Barrette, seconded by Mr. Miller. All in favor.

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Joshua Barrette (Alt.)	Yes

Item 3

Public Informational Meeting

175 Greenbush Road

Applicant:	Calamar Enterprises, Inc.
Location:	175 Greenbush Road
Assessor's Plat:	12-2
Lot(s):	20
Zoning District:	Residential R-10
Land Area:	40.12 Acres
Number of lots:	1
Engineer:	DiPrete Engineering

This application is classified as a Major Land Development Project for master plan approval. The applicant is requesting approval to demolish an existing single family dwelling and construct a 140 unit multi-family age restricted (55 and older) apartment building on a 40 acre parcel of land zoned Residential R-10. The proposed development will require a Special Use Permit (SUP) to be issued by the Zoning Board of Review and dimensional variances from maximum building height, maximum number of stories, and minimum required floor area.

Planning Office Findings

The Planning Office finds this 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 Zoning Board of Review approval for the following:
 - Zoning Section 5 “Use Regulations” 5.3.A.3 requires a Special Use Permit (SUP) to have a multi-family dwelling in a Residential R-10 Zoning District.
 - Zoning Section 10.6 “Special Use Permit” to allow for a dimensional variance in conjunction with a SUP.
 - Zoning Section 5.4 “Dimensional Regulations” to have a building higher than allowed by ordinance (36.5’ versus 30’) and exceeding the maximum stories (3 stories versus 2 stories).
 - Zoning Section 5.5.3 “Minimum Residential Floor Area” to have certain residential units with less than the required floor area (625 s.f. versus 720 s.f.).
- 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 Recommendation

After conferring with the Technical Review Committee (TRC) and the Planning Board Solicitor, the Planning Office recommendation is to grant master plan approval with the following stipulations:

- 1) That the applicant shall receive approval for a Special Use Permit (SUP) authorizing a 140 unit age restricted (55 and over) residential apartment complex and the necessary dimensional variances to exceed the maximum height allowance, to exceed the maximum

stories and a variance to have less than the required floor area per dwelling unit from the Zoning Board of Review (ZBR) prior to preliminary approval.

- 2) That the final approval shall include a stipulation approved by the developer and the Town of West Warwick that the property shall not be utilized as Low and Moderate Income Housing Development as defined under Federal Law or defined in RIGL Chapter 45-53 the “Low and Moderate Income Housing Act.”
- 3) That a traffic study which shall result in no adverse impact on the surrounding neighborhood and no degradation in the existing traffic in the area shall be performed by a Registered Professional Engineer prior to preliminary approval.
- 4) That the preliminary plan shall include the location of the closest fire hydrant to the proposed development and shall provide additional fire hydrants at a maximum distance of 1000’ feet between locations to be approved by the Fire Marshal.
- 5) That the proposed development shall provide a minimum one hundred foot (100’) setback from abutting lot 234 and a landscaped burm planted with evergreen trees in proximity to the westerly property line of lot 234 in order to provide additional screening for the abutting residential dwelling located at 179 Greenbush Road.
- 6) That the northeasterly driveway and associated thirty (30) vehicle parking area shall include a tight evergreen hedge along the easterly side of the drive to provide additional screening and noise attenuation for vehicles accessing the development.
- 7) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties.
- 8) That should it be determined that blasting 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.
- 9) 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.”
- 10) 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.
- 11) That a landscape plan designed by a RI Registered Landscape Architect shall be required prior to preliminary approval.

- 12) That all utilities connections including but not limited to the West Warwick Sewer Authority and the Kent County Water Authority shall be approved prior to preliminary approval.
- 13) That all necessary State of Rhode Island permits including but not limited to RIDEM Wetlands permit and RIDEM Underground Injection Control (UIC) permits shall be issued prior to preliminary approval and any Blasting Permits (if necessary) shall be issued prior to final approval.
- 14) 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.
- 15) That a conservation easement shall be issued to the Town of West Warwick or an alternate environmental protection group for the undeveloped land contained within the designated RIDEM wetland of which a portion of said dedication can be credited toward the dedication of public land as prescribed in the Land Development Regulations Section 17-21, "Dedication of Public Land."
- 16) That the developer shall be required to dedicate a minimum of seven (7) acres of land for open space of which 5% or 2.45 acres must be useable land to serve the present and future residents of the development or 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."

Discussion

Attorney Sanford Resnick is representing. Mr. DiFiore read the exhibits into the record. The Board has two decisions to make: Master Plan granted or denied and a recommendation to the Zoning Board of Review. These will be two separate motions.

Mr. Barrette recused himself as he has a personal relationship with an expert witness.

Mr. Resnick noted this project is located at 175 Greenbush Rd, this is not a fast track proposal, this is controlled by RI Law and the Town of West Warwick. This started back in 2014 between planning and engineers. They have met with TRC and that is part of the record. They must go to the Zoning Board and a traffic study will be required. This is an age restricted community, it will not be for low income programs and that will be noted on the deed and will run with the land. Final construction is estimated at 11 million dollars. There will be approximately \$277,000 for sewer fees and property taxes in excess of \$400,000.

This is the Master Plan stage, there is no engineering completed as of yet, they have done some traffic analysis and will continue to update while school is in session and there will be a fiscal impact study as well. The next step will be ZBR for a Special Use Permit for Multi-Family and a

request for a height variance and for the size of the units and then back to Planning for Preliminary. They will address as many concerns as possible at tonight's meeting. Mr. DiFiore noted the main function of tonight's meeting is conceptual.

Jocelyn Bos, Housing Director for Calamar Enterprises: 25 years in business, medical offices, senior housing, this is the fourth community in the Northeast for the developer. They have 6 in NY, 8 in NE, KS and IA and 5 in PA. There are 3 in NH: Derry, Bedford and Concord. These units are for middle income, from \$30K to \$65K and 55 yrs of age or older. Sizes of one bed units are 625 – 850 sf and rents are \$1,130 to \$1,210 per month including heat and hot water and a washer and dryer in each unit. Two bed units are 799-810 up to 1,284 sf. There is a common area and concierge service is available. There will be 2.5 FTE's. Landscape, snow plowing, electrical all maintained and the average occupant age is 72. This is not assisted living and this is not subsidized housing. This affords seniors to stay in the community.

Len Bradley, PE. Vice President of DiPrete Engineering: Reviewed the location of the site, it is 40 acres with 23.5 usable acres. Construction will be under 5 acres of disturbance. BP Zoning is to the South and East and Residential to the Northeast and West. Proposal is for 140 units, 3 stories. Wetlands delineated on site, according to DEM standards. Building on the high point of the site, land slopes away from the building. There will be a new drive at the corner of the road, similar to where it exists today. The buffer along the Salvus property will be maximized. There will be 207 parking spaces, 8 of which will be ADA.

Sewer and water is available, there are two water lines, high and low pressure. A water model was performed and there is more than adequate pressure, approximately 100 psi. There is no floodplain and the soil is conducive to developing. It will be one phase and they are providing more than the required open space, approximately 18 acres. Detailed drainage and sewer will be available at preliminary and will be designed to state and local regulations. Mr. Bradley said he doesn't expect a significant change to the drainage. The WWFD will note the optimal placement of hydrants. A preliminary traffic study was conducted over the summer and will be finalized with school in session. This is the least intrusive development for this site. The peak hour of traffic for this facility is different than the peak hour of school. A speed study was done, 95% drove in excess of the 25 mph posting. If this were a subdivision with no variances, a total of 79 lots would be allowed.

Mr. Miller stated there is a sewage concern in the New London Turnpike area and was wondering if that will be taken into consideration. Mr. Bradley noted the same concern came up at the July meeting and they will apply to the WW Wastewater Treatment Facility and all concerns will have to be addressed. Mr. Gardosik asked if there will be any future expansion and Ms. Bos said no.

Robert Lally, 75 Nottingham Dr: Has lived there 33 years but noted the last 3 to 4 years traffic is a nightmare. The school has cars parked on both sides of the street and the road is narrow. It is a school zone and a residential area. He also asked what will happen to the remaining 18 acres and feels they can't guarantee it won't be Section 8 Housing.

Mr. DiFiore noted if the additional land were to be used they would have to start the whole process over again. There is a deed restriction for the Section 8 Housing and it cannot be overcome. It strictly prohibits the change to affordable housing and to less than age 55.

Mr. Resnick noted the open space will be dedicated to the Town, the land will not be developed in the future and there will be a conservation easement. Mr. Carruolo also noted this will be addressed in the Planning Board's recommendation.

Frank Lombardo, 33 Acorn Ln: Pedestrian traffic, roads are not conducive to foot traffic. Sidewalks will be needed. He is aware the Planning Board did not vote on the taxes but feels they should pay their fair share. Concerned with how the tax agreement is structured.

Mr. Carruolo noted the development agreement is assessing the property at the multi family rate. Full assessment with the levy to be phased in over 5 years at 20, 40, 60, 80, 100%.

Mark Fleury, 76 Nottingham Dr: Is the age 55 status document public? Mr. Carruolo said yes, Town Council Res 2015-122. He also asked if the purchase and sales agreement was provided to the Board and Mr. Resnick said no. Mr. DiFiore noted that's between two private parties. Mr. Fleury also asked if the plan is contingent upon Planning and Zoning?

Mr. Fleury asked about the plans and variances, how many condos are allowed? He was told 5,000 sf of land per unit would be allowed without variances and they could build that by expanding the footprint of the building. They are asking for 3 variances, maximum height from 30' to 36.5', the size of the units and 2 stories vs 3 stories. Mr. Fleury asked if the variance is to decrease the unit size and was told yes. Mr. DiFiore noted the variance questions are for the ZBR, when they come back to Planning then the ZBR application can have impact. Mr. Resnick noted they are entitled to 70 more units, there was plenty of room to build.

Mr. Fleury noted there are no sidewalks in the area and this is not in conformance with the surrounding area and he takes offense to the statement of no impact to the homeowners and not a burden on the sewers.

Mr. Resnick also noted they can compare single family homes vs apartments in the traffic study.

Mr. DiMartino reviewed the process of steps the applicant will have to take and stated this is the first step.

Mary DiCarlo, 19 Lancer Ln: If the property is sold can the age restriction be changed? Mr. DiFiore said no, it will be in the deed restrictions and will run with the land and binding on future. It will be on the plan and on the deed.

Ron Salvas: Mr. Salvas is concerned with any blasting that may occur. He also noted he does not want to stand in the way but he wants something everyone is happy with. He also stated Mr. Bradley has been very helpful. He asked if the property taxes were paid last quarter and Mr. Carruolo stated as of July they were current.

Mr. DiFiore noted there is no distinction under State law made for apartments or condominiums. They are considered multi-family.

Anthony Pelopida, 91 Bratt Ln: Taxes for single family homes would be substantial. Questions the 80% age 55. He also noted he reviewed the rental application for the other complexes owned by Calamar. Mr. Resnick explained if the person aged 55 or older has a spouse who is younger but the older person passes away, by law they cannot evict the younger occupant. They are protected.

Mark Bourget, 3 Meggan Ct: WW has a bad reputation. He doesn't want a 3 story building, would rather see single family homes.

Eva Treue, 29 Nottingham: Safety concerns. The neighborhood residents all know each other, this facility will have people in and out and feels it's a disadvantage for safety. Concerned with how the 55 age restriction will be enforced, how many people will be in each unit, they are tiny, are there any rules in place for security and visitors? People do walk in the area and it's narrow and dangerous.

Mr. Resnick stated they have the right to check the age of occupants annually.

Mr. Boyer spoke stating he has no connection or interest in the property, however he suggested there are 3 to 4 ways of developing this and noted the Town could take the property, however that would mean no property taxes, he also suggested single family homes, approximately 69 of them but noted the negative part of having additional costs for children in the school system and then he said there is the apartment option. He said WW is very favorable with condos, they become a cash cow. There are no services provided and he also said the parcel could hold 156 units.

Mr. DiFiore noted the Board has no authority to say yes to condo's and no to apartments. Under State law they are both considered multi-family.

Mr. Boyer feels the Town Council was misled on the value of the project and feels it doesn't belong in this area.

Ron Salvas: Do abutters get notified for the ZBR meeting? He was advised yes, if they are within the 200' radius.

Agnes Pelopida, 91 Bratt Ln: She stated this builder does build Section 8 housing, their website says non-income restricted and will build for others. She asked what the difference is between Section 8 housing and this proposal.

Ms. Bos stated there will be a deed restriction and they must maintain it, it will be age restricted of 55 and older and will not be subsidized housing.

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

Mr. DiFiore reminded the Board this is two votes: 1) Approval or denial of the concept/master plan and if approved the Town Planner will spell out the stipulations and 2) A favorable or unfavorable recommendation to the Zoning Board.

The ZBR does not have to follow the Planning Board's recommendation. The Zoning issues are totally separate from what was before the Board tonight.

Mr. DiMartino stated the Board has to look out for the best interest of the entire community, for example he stated he would have loved to have seen a nice single family home on the property where the condos are being built on Wakefield St which was heard earlier tonight, however that would have been a loss of tax dollars, he feels this proposal is good for the Town. Over 55 housing is a good proposal.

Mr. Petrarca noted the concerns raised by the public on roadway safety and Mr. DiFiore said they can voice their concerns and they will be taken into consideration.

Mr. Miller stated he also lives in the area. He has a lot of the same concerns. The developer wants to do this in a certain fashion and it can't be stopped as long as it conforms to State mandates and local codes. In his opinion he feels this is good for the Town and also said single family homes could also have drawbacks.

Motion to approve the Master Plan with stipulations as read into the record, by Mr. Gardosik, seconded by Mr. Miller. All in favor.

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Joshua Barrette (Alt.)	Yes

Motion to forward a favorable recommendation to the Zoning Board with all stipulations as stated, be incorporated into the Zoning Board's approval process by Mr. Gardosik, seconded by Mr. Petrarca. All in favor.

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Joshua Barrette (Alt.)	Yes

Mr. DiFiore noted the Planning Boards decision will be part of the report forwarded to the Zoning Board.

Item 4
Amendment to the Town’s Zoning Ordinance

Section 5.19 “Floodplain Hazard Areas”

Applicant: Town of West Warwick
Zoning Amendment: Zoning Ordinance amendment to Section 5.19 “Floodplain Hazard Areas” in its entirety

The Town of West Warwick desires to amend Zoning Code Section 5.19 “Floodplain Hazard Areas” as presented in the accompanying document.

The Federal Emergency Management Agency (FEMA) completed a re-evaluation of the flood hazards of the Town of West Warwick and as a condition of continued eligibility in the National Flood Insurance Program (NFIP) the Town of West Warwick is required to adopt updated floodplain management regulations. As a result, The Town of West Warwick desires to amend Zoning Code Section 5.19 “Floodplain Hazard Areas” in order to maintain eligibility in the NFIP for the residents of the Town of West Warwick,

The Town Zoning/Planning Solicitor is suggesting that the Town amend as presented on the accompanying document.

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 Natural and Cultural Resources Element, Services and Facilities 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.
- 2.3 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 and freshwater wetlands;
 - 2.3.6 The need to shape the urban and suburban development; and
 - 2.3.7 The use of innovative development regulations and techniques.
- 2.10 Promote safety from fire, flood and other natural or man-made disasters.
 - 2.12 Promote implementation of the comprehensive plan of the Town of West Warwick adopted pursuant to the General Laws.
 - 2.13 Provide for coordination of land uses with contiguous municipalities, the state and other agencies as appropriate.
 - 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. Carruolo reviewed the update to the ordinance requiring the adopting of new FEMA maps. He also noted an open meeting was held and this will be heard by the Town Council and must be adopted by October 02, 2015.

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

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Joshua Barrette (Alt.)	Yes

Item 5

Amendment to the Town’s Zoning Ordinance

Section 5.6.16 “Accessory Family Dwelling Units”

Applicant: Town of West Warwick
Zoning Amendment: Zoning Ordinance amendment to Section 5.6.16 “Accessory Family Dwelling Units”

The Town of West Warwick desires to amend Zoning Code 5.6.16 “Accessory Family Dwelling Units” as presented in the accompanying document.

Section 5.6.16 of the Zoning Code of the Town of West Warwick provides for the granting of Special Use Permits for the creation of accessory dwelling units, and from time to time provisions of the Zoning Code must be amended to provide for existing circumstances and conditions and to clarify any language of the Zoning Code that is subject to misinterpretation and, where possible, to simplify and expedite relief that is sought pursuant to the terms of the Zoning Code.

The Town Zoning/Planning Solicitor is suggesting that the Town amend as presented on the accompanying document.

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 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
 - 2.3.7 The use of innovative development regulations and techniques.
- 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.
- 2.9 Providing opportunities for the establishment of low and moderate income 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.

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 changes in the ordinance. When a legal in-law exists, the current owner can see the Town Planner to sign an affidavit to continue the use as an in-law.

Motion to approve but eliminate Section 5.16.1, by Mr. Gardosik, seconded by Mr. Miller. All in favor.

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Joshua Barrette (Alt.)	Yes

Item 6

2015 Community Development Block Grant (CDBG) Application

Certification to determine compliance of proposed activities with local development policy set forth in the local Comprehensive Community Plan and with local development ordinances and regulations.

Motion to certify the proposed 2015 CDBG application is in compliance with the general policies set forth in the Town's Comprehensive Plan by Mr. Miller, seconded by Mr. Gardosik. All in favor.

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Joshua Barrette (Alt.)	Yes

Item 7

Public Comment

None.

Motion to adjourn at 8:40pm by Mr. Gardosik, seconded by Mr. Petrarca. All in favor.