



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday, September 18, 2017

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
Wayne Miller
Joe Gardosik
Anthony Petrarca

Members Absent: Joseph DiMartino, Chair

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 July 10, 2017 meeting minutes.

Motion to approve the July 10, 2017 minutes by Mr. Garsdosik, seconded by Mr. Petrarca. All in favor.

Item 2 **Public Hearing** **175 Greenbush Road**

Applicant: Bratt Brothers, LLC.
Owner: C. Geoffrey Matteson
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: Crossman Engineering

The applicant is requesting preliminary approval to demolish an existing single family dwelling and construct a 119 unit multi-family residential condominium development on a 40 acre parcel zoned Residential R-10. The proposed development has received a Special Use Permit to be issued by the Zoning Board of Review.

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) In compliance with the standards and provisions of the Town Zoning Ordinance and has received a Special Use Permit (SUP) (Petition #2016-3) from the Zoning Board of Review (ZBR) authorizing multi-family dwellings in a Residential R-10 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 Solicitor, the Planning Office recommendation is to grant preliminary approval with final approval to be through the Administrative Officer with the following stipulations:

- 1) That the condominium development shall be limited for sale to persons 55 years or older in compliance with the decision of the Zoning Board of Review.
- 2) That the Planning Board is directed, upon hearing of preliminary plan, to negotiate with all parties involved to resolve questions regarding buffer zones especially along the easterly side of the property.

- 3) That the proposed development shall provide a landscaped berm planted with evergreen trees in proximity to abutting lot 234 to provide additional screening for the abutting residential dwelling located at 179 Greenbush Road.
- 4) That the additional parking areas provided throughout the development to accommodate visitor parking shall be clearly indicated/signed as visitor parking.
- 5) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties.
- 6) That the owner must obtain approval from the West Warwick Sewer Department prior to the issuance of a building permit.
- 7) That the developer shall provide an Operations and Maintenance Manual for the private sewer system as required by the West Warwick Regional Treatment Facility before a Certificate of Occupancy (C.O.) is granted for the development.
- 8) That the Condominium Association documents shall include a provision that the homeowners association provide the necessary maintenance for the drainage system and maintenance of the permeable pavement.
- 9) 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.
- 10) 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 prior to final approval.
- 11) 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.
- 12) 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."
- 13) That the Condominium Association documents and by-laws which shall be approved by the Legal Counsel for Planning and Zoning prior to final approval.

Discussion

Mr. Appolonia reviewed the history of the project and the timeline. Attorney Tom Cronin, 1070 Main St Coventry is representing. Mr. DiFiore reviewed the list of exhibits. Mr. Cronin stated they have Master Plan approval and a Special Use Permit in place, the original proposal was 130 units, it is now 119. They are one level, 2, 3 or 4 units per building, 60x30, approx. 1800sf, one parking space and a one car garage. Age restricted, 55 and over and this will be recorded in the Condo Documents. This will be a private road, snow removal, trash pickup and roadway maintenance will all be done by the Condo Assoc, as well

as a drainage maintenance schedule to be followed by the association as well. There is a single family dwelling on the site which will be demolished.

Brian King, Civil Engineer with Crossman Engineering, has been qualified in the past as an expert witness.

Motion to accept Mr. King, as a qualified expert witness by Mr. Gardosik, seconded by Mr. Petrarca. All in favor.

Mr. King stated they followed the DEM Stormwater Manual and he reviewed the watershed maps for the Board. There is a hill in the center of the site, everything flows toward the wetlands and the abutting properties. There will be no increase in flow. There will be various drainage systems on site, conditions are good for infiltration. The rooftop runoff will go into an underground infiltration system, there are infiltration basins and underground retention chambers that will work together as well as independently and there is a Soil Erosion and Sediment Control Plan in place.

Mr. Appolonia asked if the conservation easement shows on the plan and Mr. Cronin said yes and reviewed the plan. Mr. Miller asked where the water will flow to and questioned the permeable pavement and its treatment. Mr. King said the flow rates will be less than they are now and there is about 200' of permeable pavement that will be maintained by the association and is outlined in the long term maintenance plan.

Mr. Appolonia asked about the additional screening for the abutting property located at 179 Greenbush Road and Mr. Cronin stated there will be an earthen berm with white pines planted on top.

John Shevlin, Traffic Engineer, Sr VP, Pare Corp.

Motion to accept Mr. Shevlin as an expert witness by Mr. Gardosik, seconded by Mr. Miller. All in favor.

Mr. Shevlin noted the traffic analysis with counts was adjusted after school started. They reviewed three years of crash data, trip generations, safety and capacity. There were no safety concerns, the site distance was also okay. They looked at the existing conditions and provided a ½% annual growth over a five year period. There will be no significant impact from the development. Mr. Gardosik asked about the site distance and Mr. Shevlin said they met or exceeded the requirement. Mr. Miller asked if there are any plans to widen the intersection at Rt. 2 and East Greenwich Ave and Mr. Carruolo stated the Town has submitted a request for that intersection to RI DOT.

Mr. Cronin indicated they would like to have final approval administratively. Mr. DiFiore said all Condominium Documents must be reviewed by him for approval prior to final approval being issued.

Atty. Harry Hoopis, 33 College Hill Rd, Bldg 5, Warwick RI is representing Ron Salvas, owner of 179 Greenbush Rd. He is concerned with the buffer zone, shows 10 ft on plan, also there is a pond on the Salvas property which is fed by the site. He is asking the height of the white pines at planting stage, he wants them to be 10-12 feet. Mr. Cronin said the berm will be 3' high and the pines planted on top of the berm will be 6 foot. He also stated the 10ft buffer conforms with the Zoning code. DEM made specific reference to plantings and the locations of the plantings. Mr. King noted the drainage system conforms to DEM standards and there will be no adverse impacts to any properties. Mr. Hoopis is requesting a larger buffer, concerned with the aesthetics of the Salvas property. Mr. DiFiore noted the Zoning Board has no authority to say the buffer has to be more than 10ft., it is the Planning Board's discretion. Mr.

Cronin advised the Board the house is 140 ft away, the driveway has a 10 ft buffer. Any change to increase the buffer would require them going back to DEM. Mark Boyer, Professional Land Surveyor and member of Bratt Bros stated the buildings are 30' off the property line.

William Venturini, Greenbush Rd: Any consideration on the impact of the Elementary School? He is also concerned with traffic. Mr. DiFiore said the 55 and over restriction are Federal Guidelines, he believes the only way someone under 55 can live there is the spouse of someone who is 55, but he would have to review the regulations. Mr. Carruolo stated a study was done at Master Plan stage for an unrestricted age development and there was an approximation of 7 children total. It would be far less in an age restricted development. Mr. Shevlin noted approximately 40 vehicles were marked in each direction, average speeds were 33-35 mph, very few at 41mph.

Kay Batista and Justin Venturini of 220 Greenbush Rd: They are new to the area, they also have concerns about traffic, especially around 3 pm. They have invested time and money in the area and are concerned with property values. They feel this is the nicest part of WW and don't want to see it change drastically.

Roger Richards, 1 Crossbow Lane: He is wondering if the condos will sell. Will the developer wait to break ground until they are sold or will they start building right away? He also asked if the Lippitt Mill Project is going forward. Mr. Carruolo said yes, permits for Lippitt Mill are pending, however that project is for affordable units. Mr. Richards said he would rather have single family homes. Mr. Cronin said they had a Real Estate Expert Witness, Carolyn Petreccia, who spoke at the Zoning Board meeting, and stated there is a strong market for this type of condo and the values would be the same as the surrounding homes.

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

Mr. Carruolo added an additional stipulation noted in the traffic report: To restripe the lanes along Greenbush Rd, rounding the horizontal curve where the site driveway is located and add additional curvature warning signs, such as chevrons or advance curvature signs.

Additional discussion by the Board: Mr. Miller stating he would like to see improvements to the intersection of Rt. 2 and East Greenwich Ave. and Mr Appolonia stating the house at 179 Greenbush Rd is 140ft away, the applicant has met the setback ordinance, not in a position to turn the project away due to the buffer.

Motion to approve the Preliminary Plan with original stipulations, as previously noted, by Mr. Gardosik, seconded by Mr. Miller.

Planning Board Vote

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

Motion passes.

Motion to amend with additional stipulation as noted by the Town Planner: To restripe the lanes along Greenbush Rd, rounding the horizontal curve where the site driveway is located and add additional curvature warning signs, such as chevrons or advance curvature signs by Mr. Gardosik, seconded by Mr. Miller.

Roll call vote on amendment

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

Motion passes.

Motion to approve Preliminary Plan as amended by Mr. Gardosik, seconded by Mr. Miller.

Roll call vote:

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

Motion passes.

Motion to approve Final to be done administratively by Mr. Gardosik, seconded by Mr. Miller.

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

Motion passes.

Item 3

Amendment to the Town's Zoning Ordinance

Section 5.3.1 Wind Energy Conversion Systems, 5.17 Wind Energy Conversions System (WECS) by repealing said section in its entirety and adopting a new Section 5.17 Wind Energy Systems and 5.21 Green, Renewable or Alternative Energy Installations and Facilities (Green Projects)

Applicant:

Town of West Warwick

Zoning Amendment:

Zoning Ordinance amendment to Sections:

5.3.1 "Wind Energy Conversion Systems"

5.17 "Wind Energy Conversions System (WECS)"

5.21 "Green, Renewable or Alternative Energy Installations and Facilities (Green Projects)"

The Town of West Warwick desires to amend Zoning Ordinance Section 5.3.1 Wind Energy Conversion Systems, 5.17 Wind Energy Conversions System (WECS) by repealing said section in its entirety and

adopting a new Section 5.17 Wind Energy Systems and 5.21 Green, Renewable or Alternative Energy Installations and Facilities (Green Projects)

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 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 Providing for a range of uses and intensity of use appropriate to the character of the town reflecting current and future needs.
- 2.3 Provide for orderly growth and development which recognizes:
 - 2.3.5 The availability and capacity of existing and planned public and/or private services and facilities.
- 2.11 Promote a high level of quality in design in the development of private and public facilities.
- 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 noted this is before the Town Council tomorrow night, he reviewed the history of the ordinance, certain parts of the Wind Ordinance and parts of the Green Ordinance were conflicting. The Town Council placed a moratorium on all Wind Energy Systems until December 31, 2017. The State Office of Energy Resources issued some guidelines in a report and that report was used as a basis for this ordinance. Research was also done on other Cities and Town's that have Wind Ordinances in place. He also stated he spoke with the gentleman who prepared an extensive report for the City of Warwick with regard to the placement of Wind Energy Systems.

Peter Calci, 260 East Greenwich Ave: Current member of the Zoning Board, former Town Council member. He stated some of the manufacturer's have designed these turbine towers to break at the halfway mark and he also asked Mr. DiFiore if he considered FAA requirements and he said yes. Mr. Calci also noted the Town owns three turbines which are located in the Town of Coventry. There is no room for these large turbines. This Wind Ordinance replaces the old one, the Green Ordinance stays in place, but the wind portion was removed from that ordinance. Mr. Calci also noted there have been complaints about the ones in Coventry with regard to noise, flicker, etc.

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

Planning Board Vote

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

Motion passes.

Item 4
Public Comment

None.

Motion to adjourn at 8:00 pm by Mr. Gardosik, seconded by Mr. Petrarca. All in favor.