



# MEETING MINUTES

## Town of West Warwick Planning Board

**Meeting Date:** Wednesday, October 5, 2016

**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  
Wayne Miller

**Members Absent:** Joe Gardosik  
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 May 2, 2016 meeting minutes.

Motion to approve the May 2, 2016 minutes by Mr. Appolonia, seconded by Mr. Miller. All in favor.

Mr. Carruolo noted the November meeting will be held on Monday, November 14, 2016.

**Item 3**  
**Public Informational Meeting**  
**59 Arthur Street**

Applicant: LaCroix Properties  
Location: 59 Arthur Street  
Assessor's Plat: 8  
Lot(s): 26, 62, 94 & 95 and portion of Laramee Avenue and Jefferson Street  
Zoning District: Residential R-7.5  
Land Area: 4.32 Acres  
Number of lots: 4 lots to 2  
Engineer: Crossman Engineering

The applicant is proposing a street abandonment of a portion of Laramee Avenue and Jefferson Street and the construction of a 25 unit residential condominium complex in seven (7) buildings with one (1) existing building having less than the required corner side setback in a Residential R-7.5 Zoning District.

This application is classified as a Major Land Development Project for master plan approval. The proposed multi-family use requires Planning Board approval, a street abandonment for a portion of Laramee Avenue and Jefferson Street by the Town Council and a Special Use Permit (SUP) from the Zoning Board of Review (ZBR).

**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 as the project requires a street abandonment for a portion of Laramee Avenue and Jefferson Street by the Town Council and a Special Use Permit (SUP) from the Zoning Board of Review (ZBR).
- 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 master plan approval with the following stipulations:

- 1) That the applicant shall receive approval for the proposed street abandonment from the Town Council and a Special Use Permit (SUP) from the Zoning Board of Review (ZBR) authorizing a 25 unit residential condominium development prior to preliminary approval.
- 2) That a traffic analysis 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.
- 3) That the proposed development shall provide a minimum ten foot (10') landscaped buffer from abutting lot 100, said buffer shall include a minimum six foot (6') high solid fence and a minimum five foot (5') high tight evergreen hedge as screening from the abutting residential condominium development roadway.
- 4) That due to the steep slopes, the proposed development shall include a sidewalk along the southerly side of the access roadway to allow safe and adequate pedestrian access to the development.
- 5) That all fencing along the proposed retaining walls shall be aesthetic ornamental fencing in character with the architectural design of the development which shall be approved by the Planning Board and/or the Planning Director prior to Preliminary Plan approval.
- 6) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties which shall be approved by the Planning Board and/or the Planning Director prior to Preliminary Plan approval.
- 7) That there shall be no blasting allowed on the site.
- 8) 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."
- 9) 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.
- 10) That a landscape plan designed by a RI Registered Landscape Architect shall be required prior to preliminary approval which easement shall be approved by Planning Board Legal Counsel prior to Preliminary Plan approval.
- 11) That a conservation easement shall be issued to the Town of West Warwick or an alternate environmental protection group such as the Pawtuxet River Authority for the undeveloped land contained within the 200' riverbank wetland as a condition of final approval.

- 12) That the applicant shall provide additional parking areas located throughout the development to accommodate additional visitor parking.
- 13) That the three (3) units proposed along at the terminus of Jefferson Street shall provide adequate provisions for the safe maneuver of fire and rescue apparatus to be approved by the West Warwick Fire Department prior to preliminary approval.
- 14) That all utilities including but not limited to the West Warwick Sewer Authority and the Kent County Water Authority shall be approved prior to preliminary approval.
- 15) That all necessary State of Rhode Island permits including but not limited to RIDEM Wetlands permit and RIDEM Underground Injection Control (UIC) permit shall be issued prior to preliminary approval.
- 16) 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.
- 17) 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."
- 18) That the Condominium Association documents and by-laws shall be approved by the Planning Board Legal Counsel prior to final approval.

**Discussion**

Brian King of Crossman Engineering is present and requests a continuance to the November meeting for the Public Hearing.

Motion to open the Public Hearing by Mr. Appolonia, seconded by Mr. Miller. All in favor. Green cards are submitted.

**Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Wayne Miller	Yes

Motion to continue the Public Hearing to November 14, 2016 at 6:00 pm by Mr. Appolonia, seconded by Mr. Miller. All in favor.

**Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Wayne Miller	Yes

Leo Drolet of 51 Arthur St asked if certified letters will be mailed to abutters and Mr. DiFiore stated the State Law of opening the Public Hearing and continuing to a specific date. This is the notice of the next hearing. Mr. Carruolo said he can provide the abutter's list to Mr. Drolet.

**Item 2**  
**Public Hearing**  
**63 East Main Street**

Applicant:	David Studley
Location:	63 East Main Street
Assessor's Plat:	18
Lot(s):	103
Zoning District:	Commercial Industrial (CI)
Land Area:	9,677 square feet
Number of lots:	NA
Engineer:	Boyer Associates

The applicant is requesting a preliminary approval to construct a 54'x 30' garage with less than the required front, side and rear yard setbacks on a pre-existing legal nonconforming undersized lot with an existing two-family dwelling and fuel oil company with associated office building, said buildings having less than the required front and side yard setbacks in a Commercial Industrial (CI) 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) In compliance with the standards and provisions of the Town Zoning Ordinance having received the requiring dimensional variances from the Zoning Board of Review (see ZBR Petition 2016-1) for less than the required front, side and rear yard setbacks.
- 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 Recommendations**

After conferring with the Planning Board Solicitor, the Planning Office recommendation is to grant preliminary approval with the following stipulations and final approval to be through the Administrative Officer:

- 1) Applicant shall provide a minimum of eight (8) parking spaces, four (4) spaces for the existing office building and garage and four (4) spaces for the existing two-family dwelling.
- 2) Applicant shall provide screening of the proposed garage building from the abutting residential buildings located on abutting lot 102 in the form of solid fencing and/or an evergreen hedge.
- 3) That any exterior lighting shall be contained on site and directed away from and shielded from the abutting residential properties.
- 4) All drainage from the proposed building shall be contained on-site and directed into drywells or into existing drainage catch basins located on the property.
- 5) That the applicant shall record the drainage easement to the Town of West Warwick as a condition of final approval and a notation shall be added to the final plan stating "Drainage easement deeded to the Town of West Warwick."

### **Discussion**

Attorney John Brunero is representing. Mr. DiFiore read the exhibits into the record and he also noted he has reviewed the proposed drainage easement.

Mr. Brunero stated the stipulations from the Zoning Board approval will remain in place and the applicant will grant the easement to the Town, will have it signed and delivered and recorded tomorrow. Bob Boyer, PLS stated the plan is the same, the drainage easement has been added to show on the plan. Mr. Brunero also mentioned the drainage for the new building is not changing with respect to the amount of water on the property, and there will be no new impervious surface. Mr. Brunero is requesting final approval to be done administratively. He stated he has letters from neighbors that were presented to the Zoning Board in favor of the proposed.

Mr. DiFiore added Ex 7 as the Green Cards and Ex 8 is the easement.

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

### **Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Wayne Miller	Yes

Motion to approve the proposed with final to be done administratively by Mr. Miller, seconded by Mr. Appolonia.

**Planning Board Vote**

Joseph DiMartino	Yes
Felix Appolonia	Yes
Wayne Miller	Yes

**Item 4**

**Administrative Subdivisions/Approvals**

**Plan Attached**

Project name: Cottage Grove Condos  
Applicant: 1545 Division LLC.  
Location: 1545 Division Road  
Assessor's Plat: 30  
Assessor's Lot(s): 13

**Plan Attached**

Project name: Orchard aka. Hunters Reserve Condos  
Applicant: Bradford Sternbach, LLC & CWW, LLC.  
Location: North Pleasant Street  
Assessor's Plat: 1  
Assessor's Lot(s): 85, 145 & 529

**Plan Attached**

Project name: 4N Properties Administrative Subdivision  
Applicant: 4N Properties, LLC.  
Location: Industrial Lane  
Assessor's Plat: 18  
Assessor's Lot(s): 246 & 265

**Plan Attached**

Project name: Irene A. Wilde & Michael A. Jepson Administrative Subdivision  
Applicant: Irene A. Wilde  
Location: 75 & 79 Lonsdale Street  
Assessor's Plat: 11  
Assessor's Lot(s): 42, 79 & 695

**Plan Attached**

Project name: Administrative Subdivision - Lamb Motor Co. Inc.  
Applicant: Lamb Motor Co. Inc. c/o L. Stephen Lamb  
Location: 1039 Main Street  
Assessor's Plat: 4  
Assessor's Lot(s): 212, 236, 277, 419 & 420

**Plan Attached**

Project name: Administrative Subdivision – Robert E. & Jeannine A. Shunski  
Applicant: Robert E. Shunski & Jeannine A. Shunski  
Location: 17 Park Boulevard

Assessor's Plat: 16  
Assessor's Lot(s): 208 & 209

**Discussion**

Items are informational only for the Board Members.

**Item 5**  
**Public Comment**

None.

Motion to adjourn at 6:25 pm by Mr. Appolonia, seconded by Mr. Miller. All in favor.