



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday October 7, 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
Joshua Barrette
Joe Gardosik
Jessica Rubery (Alt. member)

Members Absent: Felix Appolonia, Vice Chair
Anthony Petrarca

Planning Staff: Mark Carruolo, Town Planner
Elaine Mansour, CDBG Manager

Legal Counsel: Albert DiFiore, Esquire

All witnesses sworn in by Legal Counsel or the Chairperson.

Item 1 Approval of Minutes

Review and approval of the September 9, 2019 meeting minutes.

Motion to approve the September 9, 2019 minutes by Mr. Gardosik, seconded by Ms. Rubery. All in favor.

Item 2 CONTINUATION OF Public Informational Meeting Nottingham Drive Condominiums

Applicant: Atlantic Capital Real Estate, Inc.
Location: Nottingham Drive
Assessor's Plat: 12-1
Lot: 31

Zoning District: Residential R-10
Land Area: 21.79 acres
Number of lots: NA
Engineer: DiPrete Engineering

The applicant is requesting a Master Plan approval for the construction of a 24-unit residential condominium complex on approximately 21.79 acres in a Residential R-10 Zoning District.

Applicant presented expert testimony in real estate and traffic and provided a written planning analysis. It was determined that the applicant (Atlantic Capital Real Estate, Inc.) was not properly registered as a corporation in Rhode Island and the public informational meeting was continued to October 7, 2019 with direction to the applicant that they provide proof of registration as a Rhode Island Corporation.

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’s Zoning Ordinance. However, requiring a Special Use Permit (SUP) from the Zoning Board of Review (ZBR) authorizing the proposed multi-family residential development.
- 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 Special Use Permit (SUP) from the Zoning Board of Review (ZBR) authorizing a 24 unit residential condominium development prior to preliminary approval.
- 2) That a sufficient number of fire hydrants shall be located within the development and there shall be no greater distance than 500’ between hydrants to be approved by the West Warwick Fire Department prior to preliminary approval.

- 3) That the driveway length and proposed cul-de-sac shall be approved by the West Warwick Fire Department prior to preliminary approval.
- 4) That a landscape plan designed by a RI Registered Landscape Architect shall be required prior to preliminary approval. Said landscape plan shall include a distinctive entry way with aesthetically pleasing features including but not limited to manmade and natural features such as landscaped berms and or stone walls, street trees and ornamental lighting along the access driveway, and preservation of the existing stone walls located along the easterly property line.
- 5) That the applicant shall provide additional parking areas located throughout the development to accommodate additional visitor parking.
- 6) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties.
- 7) 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."
- 8) 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.
- 9) That the storm-water maintenance plan shall be provided prior to final approval which shall include a regular schedule of storm-water facility maintenance to be performed by the condominium association with annual maintenance reports to be provided to the Town Engineer and the Building Official's Office.
- 10) 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.
- 11) 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.
- 12) 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.
- 13) 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."
- 14) That a conservation easement shall be issued to the Town of West Warwick or an alternate environmental protection group for the remaining undeveloped land and said conservation easement shall be indicated on the final plans and in all associated deed and documents related to the proposed development and shall be approved by the Planning Board Legal Counsel prior to final approval.

- 15) That the Condominium Association documents and by-laws shall be approved by the Planning Board Legal Counsel prior to final approval.
- 16) That the developer shall be required to reconfigure/reconstruct the 3-way intersection at Crossbow Lane and Nottingham Drive to a 90 degree intersection with 3-way stop signs, stop lines and pavement marking as recommended on page 5 of the RAB Professional Engineers Traffic Study dated September 21, 2018.

Discussion

Mr. DiFiore read the exhibits into the record. Attorney K. Joseph Shekarchi is representing. Paul Bannon and Joe Lombardo are also present. It was noted all testimony from last month's meeting stands. The applicant has registered with the Secretary of State.

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

Mr. Lombardo gave a brief review of his report, Mr. Shekarchi noted this is consistent with the land use plan and is generally consistent with the neighboring properties. He also stated the approximate sales price would be \$275,000.

Carolyn Petreccia, 27 Nicole Dr: She is a 40 year resident of the Town and she actively sells single family homes and condominiums as well. In her professional opinion she stated there were approximately 260 condo units approved over the past several years, one current development is just about stalled. Developers cannot afford to keep these properties for the amount of time it takes them to sell. Condos in a single family residential development will not increase the values of the single family homes.

Mark Fleury, 76 Nottingham Drive: Not in conformance with the neighborhood. He also feels anything prior to registering with the Sec of State is invalid and feels any action is invalid. He also questioned the traffic study and the specific travel routes that were not mentioned. The traffic will have a detrimental effect on the majority of residents and he does not support the project.

Kathleen of 50 Crossbow Ln: Stated building was stopped due to a brook back in the 90's. Nottingham Phase III has a drainage retention pond however all homes on Nottingham get water in their basements. Ex#15 Info submitted on Hawkinson Brook from the resident of 50 Crossbow.

Roger Richards Jr, Crossbow Ln: In favor of Planning Recommendation #16, it should be professional looking, however he is not in favor of the condo project. Exchange, Longbow and Cone will all be impacted. He also mentioned the fiscal impact study stated 55 and over and he wonders what will happen in the future.

Ex#16 Street map.

Bob Lally, 75 Nottingham Dr: He is very upset about what's going on in the neighborhood, he feels condos deflate equity.

David, 51 Lancer Ln: Questioned future development and asked about land being given to residents. Mr. Shekarchi stated no further development is planned beyond this, the land is being given to residents for buffering purposes. He will meet with the homeowner and research.

Daniel Dias, 121 Nottingham: Wondered if the new condos on Greenbush were taken into consideration, he lives behind Greenbush School and there is a lot of water coming from there onto his property.

Doug, 42 Acorn Lane: He moved to WW for a quiet residential neighborhood, Greenbush School is outstanding. He is against the project.

Mary Iacono, 63 Bramble: Lived on Cone and Pine Orchard and now on Bramble, traffic is crazy, speeding and a lot of parking along the roadway on Greenbush for the school.

Paul Villa 15 Janet Dr: The town is over extended with condo's, if they don't sell they will be rentals and non-owner occupied properties bring problems. Rec #10 should be very specific, stating info from Jim Geremia that the capacity can be handled and flow calculations should be done.

Mr. Shekarchi agrees and will absolutely address the sewer issue. He also noted two units will be built and sold at a time, as a prudent business practice. This will be a slow and gradual build out. He stated the notice is the applicant's responsibility and there were no changes from the first notice to date. Expert testimony was presented with reputations and a code of ethics. They will follow best practices, will have zero runoff, it's the law. Studies will be done as needed as the project moves forward. Houses would generate more traffic than condominiums.

Frank Lombardo, 44 Acorn Ln: His daughter was hit head on by a speeding car, it's like a drag strip and he feels the area has grown too large.

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

Mr. Barrette and Ms. Rubery both stated if everything is done correctly and within the law, if the board denies, the developer can appeal.

Mr. DiMartino said the Zoning Board is free to ignore or accept the Planning Board's recommendation.

Motion to forward a favorable recommendation to the Zoning Board with the stipulation that #10 will have more specific details that the developer should be required to do a capacity analysis and it is to be reviewed by James Geremia by Mr. Gardosik, seconded by Ms. Rubery.

Planning Board Vote

Joseph DiMartino	Yes
Joe Gardosik	Yes
Joshua Barrette	Yes
Jessica Rubery (Alt.)	Yes

Motion passes.

Item 3
2020 Meeting Dates

January 06, 2020
February 03, 2020
March 02, 2020
April 06, 2020

May 11, 2020
June 01, 2020
July 06, 2020
August 03, 2020
September 14, 2020
October 05, 2020
November 09, 2020
December 07, 2020

Item 4

Administrative Subdivision/Approval for Informational Purposes

None

Item 5

Public Comment

None

Motion to adjourn at 7:15pm by Mr. Barrette, seconded by Ms. Rubery. All in favor.