



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday December 3, 2018

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
Anthony Petrarca
Joe Gardosik
Wayne Miller
Joshua Barrette (Alt. member)

Alternate Members Jessica Rubery (Alt. member)
Absent:

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 the October 1, 2018 meeting minutes.

Motion to approve the October 01, 2018 minutes by Mr. Gardosik, seconded by Mr. Miller. All in favor.

Item 2 **Public Meeting** **Minor Subdivision** **31 Laramie Street**

Applicant/Owner: Kreg New Homes, LLC.
Location: 31 Laramie Street
Assessor's Plat: 7

Lot(s): 31, 32, 33, 34 & 35
Zoning District: Residential R-7.5
Land Area: 23,500 S.F.
Number of lots: 3
Engineer: Boyer Associates

The applicant is proposing to subdivide five (5) abutting nonconforming lots totaling 23,500 S.F. with an existing dwelling to create three (3) new conforming lots; two (2) new 7,500 S.F. lots for development and one (1), 8,500 S.F. lot with an existing dwelling on an existing Town road.

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.
- 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 Planning Board Legal Counsel, the Planning Office recommendation is to grant preliminary approval with final approval to be through the Administrative Officer with the following stipulations:

- 1) That all runoff shall be contained on site for the proposed new dwellings and that all roof drains shall be deposited into drywells.
- 2) That the driveway for proposed lot 35 shall be no closer than 15 feet from the intersection of Bleach and Laramie Avenues.
- 3) That all local and State of Rhode Island permits (if required), including but not limited to West Warwick Sewer Authority, Kent County Water Authority and West Warwick DPW road opening permit shall be issued prior to the issuance of a building permit.

- 4) That a sewer easement across lot 35 to enable a sewer connection to the proposed residence on lot 33 shall be included on the final plan and in the property deeds, to be approved by the West Warwick Sewer Authority and the Planning/Zoning Legal Counsel prior to final approval.
- 5) That payment of a section 17-21 "Fee-in-lieu of Land Dedication" of \$2,500.00 shall be required for the two new dwelling units and shall be collected at the issuance of a building permit.

Discussion

Mr. DiFiore read the exhibits into the record. Attorney Tom Cronin is representing. The request is to combine five small lots into three conforming lots. There will be private water and public sewers, there will be an easement over lot 35 for the sewer, and there will also be off-street parking. The proposed houses will be modest in size and there will be no street creation. Two new lots (33 & 35) will have wells, there is existing public water for the existing house, the line terminates therefore the new houses will have private wells as the cost for extending the water line would far exceed the value of the homes.

Mr. Appolonia questioned the easement and Mr. Cronin said there will be a descriptive easement in the deeds which would be written by the Attorney. Mr. Carruolo stated the sewer line from Bleach, across lot 35 will require an easement.

Motion to approve the plan as it is consistent with the Planning recommendations by Mr. Appolonia, seconded by Mr. Gardosik.

Planning Board Vote

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

Motion passes.

Item 3
Public Meeting
Minor Subdivision
The Powers Plat

Applicant/Owner:	Stephen Powers
Location:	337 Washington Street
Assessor's Plat:	7
Lot(s):	310
Zoning District:	Residential R-6
Land Area:	30,069 S.F.
Number of lots:	2
Engineer:	E. Greenwich Surveyors, LLC.

The applicant is proposing to subdivide one (1) conforming lot totaling 30,069 S.F. with an existing

dwelling to create two (2) new conforming lots; one (1) new 7,962 S.F. lot for development and one (1), 22,106 S.F. lot with an existing dwelling on an existing Town road.

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.
- 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 Planning Board Legal Counsel, the Planning Office recommendation is to grant preliminary approval with final approval to be through the Administrative Officer with the following stipulations:

- 1) That all runoff shall be contained on site for the proposed new dwellings and that all roof drains shall be deposited into drywells.
- 2) That the driveway for proposed Record Lot 2 shall be located southerly on the lot at the location of the existing curb cut along Washington Street to provide separation from the existing driveway for 337 Washington Street.
- 3) That all local and State of Rhode Island permits (if required), including but not limited to West Warwick Sewer Authority, Kent County Water Authority and West Warwick DPW road opening permit shall be issued prior to the issuance of a building permit.
- 4) That the final plan shall indicate the location and connections for the KCWA and the WWSA for the existing and proposed dwellings.
- 5) That the deed for Record Lot 2 shall include easement language to accommodate a portion of an existing driveway associated with abutting house at 337 Washington Street - proposed Record Lot 1 shall be approved by the Planning/Zoning Legal Counsel prior to final approval.

- 6) That payment of a section 17-21 “Fee-in-lieu of Land Dedication” of \$2,500.00 shall be required for the new dwelling unit and shall be collected at the issuance of a building permit.

Discussion

Kirk Andrews, Land Surveyor from EG Survey, is representing the applicant. Motion to allow Mr. Andrews to present the case, subject to the Board possibly requesting the owner to be at a future meeting by Mr. Appolonia, seconded by Mr. Miller. All in favor.

Mr. Andrews said the existing lot with a house on it will be split into two lots and will conform to zoning, with the existing driveway used for both houses and there will be an easement for the driveway. Sewer and water are available.

Mr. Carruolo said stipulation #5 addresses the easement for the driveway and the Board can make the final approval rather than having it done administratively and the owner could be asked to be present at that meeting. Mr. Gardosik asked if the access is only from Washington St and Mr. Andrews said yes, the existing driveway will be for both lots.

Motion to approve subject to all stipulations and for final approval to be done by the Board, not the administrative officer by Mr. Petrarca, seconded by Mr. Gardosik. All in favor.

Planning Board Vote

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

Motion passes.

Item 4

Amendment to the Town’s Zoning Ordinance

AN ORDINANCE AMENDING SECTION 19 PROCEDURE FOR ADOPTION OR AMENDMENT OF THE WEST WARWICK 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 19 Procedure for Adoption or Amendment.

The Town of West Warwick desires to amend Zoning Code Section 19 “Procedure for Adoption or Amendment.”

The intent of the proposed amendment is to correct a publishing error referencing an incorrect zoning section.

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 and to be generally consistent with the Town’s 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 stated all amendments need the Planning Board’s recommendation prior to being heard by the Town Council. This is a possible publishing error.

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

Planning Board Vote

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

Motion passes.

Item 5
Proposed 2019 Planning Board Meeting Dates
For Informational Purposes

January 7, 2019

February 4, 2019

March 4, 2019

April 1, 2019

May 6, 2019

June 3, 2019

July 1, 2019

August 5, 2019

September 9, 2019

October 07, 2019

November 4, 2019

December 2, 2019

Motion to approve the annual meeting dates by Mr. Appolonia, seconded by Mr. Gardosik. All in favor.

Item 6
Administrative Subdivision/Approval
For Informational Purposes

Plan Attached

Project name: Hilltop III - Phase I approval (22 residential units)
Applicant: Gilcrest Associates, LLC.
Location: Gilcrest Avenue
Assessor's Plat: 38 Lot: 34

Discussion

This project was approved prior to 2009 and included access to Walden Woods which was never perfected...the developer had trouble providing that access. They revised the plan and reduced the number of units and added a cul-de-sac at their own risk. If they can't proceed further this will be all that's built.

Mr. DiMartino stated he is very concerned that it wouldn't have a second access and Mr. Carruolo said this is the second old project that was supposed to have a second access to Cranston and wasn't adhered to. Once the plan is recorded, it's vested.

Paul Villa, 15 Janet Drive: In 2005 the Brookfield pump station was overtaxed and there should be no further tie-ins without the Town's Engineer stating it can handle it. The developer should be paying for any required upgrades, not the residents. The previous developer wanted to build the units without the sewer tie-ins. Cranston doesn't want the access. If upgrades are needed they should be paid by the developer. Mr. Carruolo said the upgrade was paid through Capital, which is the rate payer.

A calculation needs to be done by the Town's Engineer. Mr. Villa also stated the Town had all the basements cleaned after the overflow and paid for it. No units should be tied in to the Brookfield Pump Station unless the Town Engineer says it's okay.

Mr. DiMartino said this will be addressed at a future meeting. Mr. Appolonia asked if this was approved subject to a second access and didn't happen and Mr. Carruolo said yes, and it was recorded.

Item 7
Public Comment

None.

Motion to adjourn at 6:50 pm by Mr. Appolonia, seconded by Mr. Gardosik. All in favor.