



MEETING MINUTES

Town of West Warwick Planning Board

Meeting Date: Monday, December 7, 2015

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
Joseph Gardosik
Wayne Miller
Anthony Petrarca

Members Absent: Joseph DiMartino, Chair

Alternate Members Present: Joshua Barrette

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

Legal Counsel: Albert DiFiore, Esquire

The meeting was called to order at 6:00 pm.

All witnesses listed below were sworn in prior to testimony.

Item 1 **Approval of Minutes**

Review and approval of November 2015 meeting minutes.

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

Item 2 **Public Hearing** **Village Design Control District - Sign**

59 Greenhill Street

Applicant: The Peltier Group LLC. c/o property owner John D. Manera
Location: 59 Greenhill Street
Assessor's Plat: 40
Lot(s): 75
Zoning District: Commercial Industrial (CI)/Village Design Control District (VDCD)
Land Area: 1.15 acres
Number of lots: NA
Engineer: NA

The applicant is requesting approval to construct a new 14'x18' (252 S.F.) storage building to be used in conjunction with an existing environmental testing company on a lot zoned Commercial Industrial (CI) within a Village Design Control District (VDCD).

Planning Office Findings

The Planning Office finds this proposal to be generally consistent with Zoning Ordinance Section 5.13 "Village Design Control District," harmonious with the spirit and intent of the district and appropriate to the character and function of the district:

- 1) Zoning Ordinance Section 5.13.8(F) "Architectural controls and review process," classifies this application as "major work."
- 2) The existing use as an environmental testing company constitutes a pre-existing legal nonconforming use.
- 3) That the subject property is adjacent to the Pawtuxet River and is within the Rhode Island Department of Environmental Management (RIDEM) jurisdiction.
- 4) That the proposed storage building meets or exceeds the setback requirements of the CI zoning district.
- 5) Zoning Ordinance Section 5.13.7 "Expansion of legal nonconforming uses," allows the expansion of lawfully existing non-residential uses if the expansion is on the same lot as the existing use.

Planning Office Recommendations

After conferring with the Technical Review Committee (TRC) and the Planning Board Solicitor, the Planning Office recommendation is to approve the application contingent upon the applicant receiving Rhode Island Department of Environmental Management (RIDEM) approval for the proposed 14'x18' (252 S.F.) storage building and with the following stipulation:

1) That the construction shall be in substantial compliance with the approved plan.

Discussion

Mr. DiFiore read the exhibits into the record. Motion to open the Public Hearing by Mr. Petrarca, seconded by Mr. Gardosik. All in favor.

Richard Warick, VP, 74 Governor Bradford Dr, Barrington, RI is present. He advised the board a 14x18 storage shed will be installed. It will be used for storage of test liquids until they are picked up. An application packet was submitted to DEM, and they have the ultimate jurisdiction due to the proximity to the river. The final approval will also be contingent on an elevation certificate, Mr. Carruolo noted this property is no longer in the flood zone as of the current maps effective 10/2/15. Mr. Carruolo read the findings into the record.

Bob Boyer, 1071 Main St, WW, he is also Chairman of the KCWA Board: He asks if there is a manifest for these materials. Mr. Carruolo asked Mr. Warick if they are licensed by the Board of Health as operating a business in North Providence and he said yes and they are in the process of updating and transferring the licensing. He also noted all samples have been logged and maintained a waste manifest.

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

Motion to approve contingent upon DEM approval by Mr. Miller, seconded by Mr. Gardosik. Roll call vote:

Planning Board Vote

Felix Appolonia	Yes
Joe Gardosik	Yes
Anthony Petrarca	Yes
Wayne Miller	Yes
Joshua Barrette (Alt.)	No

Motion carries.

Item 3
Public Hearing
Home Street

Applicant:	Padula Builders
Location:	Home Street
Assessor's Plat:	6
Lot(s):	283
Zoning District:	Residential R-6/ ADCD
Land Area:	4,996 square feet

Number of lots: 1
Engineer: Scituate Surveys Inc.

The applicant is requesting approval to construct a new single family home on a pre-existing, legal nonconforming lot with less than the required area and lot width zoned Residential R-6 and contained within the ADCD.

This application is to be continued to the January 4, 2016 meeting due to a newspaper advertising error. The advertisement did not meet the fourteen (14) day notice deadline as required in Development Review Regulations Section 5.15.10 "Public Hearing."

Planning Office Findings

The Planning Office finds this proposal to be generally consistent with Zoning Ordinance Section 5.15 "Arctic Design Control District," harmonious with the spirit and intent of the district and appropriate to the character and function of the district:

- 1) Zoning Ordinance Section 5.15.8(F) "Architectural controls and review process," classifies this application as "major work."
- 2) Proposed use is an allowed use within the ADCD zoning district.
- 3) The Residential R-6 zoning designation requires 6,000 S.F. lot area and 60 feet of lot width and the existing lot consists of approximately 4,996 S.F. and 50 feet lot width.
- 4) The lot is pre-existing legal nonconforming for area and lot width (refer to the September 13, 2007 letter from Planning Board Solicitor DiFiore to Mr. Stan Pikul, Building Official).
- 5) The proposed dwelling will comply with all setback requirements for the Residential R-6 zoning district.
- 6) Zoning Ordinance Section 5.15.3 "Dimensional Requirements," authorizes the Planning Board to waive dimensional requirements in the ADCD if the proposed use is consistent with the spirit and intent of the district.

Planning Office Recommendations

After conferring with the Technical Review Committee (TRC) and the Planning Board Solicitor, the Planning Office recommendation is to approve the application with the following stipulations:

- 1) That the construction shall be in substantial compliance with the approved plan.
- 2) That the proposed dwelling shall be connected to public water and sewer.

- 3) That the proposed dwelling shall provide a minimum of two (2) off street parking spaces contained on the lot.

Discussion

Legal Counsel advised the Board there was an error with the Kent County Times, they did not advertise within the proper time frame, therefore this item cannot be heard tonight. State Law requires 14 days notice.

Motion to continue to the January, 2016 meeting by Mr. Gardosik, seconded by Mr. Petrarca. All in favor.

Planning Board Vote

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

Item 4

**Proposed 2016 Meeting Dates
For Informational Purposes**

January 04, 2016
February 01, 2016
March 07, 2016
April 04, 2016
May 02, 2016
June 06, 2016
July 11, 2016
August 01, 2016
September 12, 2016
October 05, 2016 (Wednesday)
November 07, 2016
December 05, 2016

Item 5
Public Comment

None.

Motion to adjourn at 6:30 pm by Mr. Gardosik, seconded by Mr. Petrarca. All in favor.