

William DePasquale, Jr., AICP
Planning Director



Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
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Meeting Notice
City of Warwick
Planning Board

Date: Wednesday, April 12, 2017

Time: 6:00 p.m.

Location: City of Warwick
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886

The following items will be heard by the City of Warwick Planning Board and a vote will be taken:

Review and approval of the March 2017 meeting minutes.

Public Hearing
Major Subdivision/Shatkin Plat
923 Division Street
Preliminary Approval

Location:	923 Division Street
Warwick Assessor's Plat:	216
Warwick Assessor's Lots:	1
East Greenwich Assessor's Plat:	10F
East Greenwich Assessor's Lot:	3
Applicant:	Karen G. Delponte & Danielle Shatkin, Trustees Shatkin Irrevocable Trust 2012
Zoned:	A-40 Residential
Area:	20.81 acres
Ward:	9
Engineer:	Commonwealth Engineering
Surveyor:	East Greenwich Surveyors

Project Scope

The Applicant is requesting Preliminary Approval of a Major Subdivision. The Applicant is proposing to subdivide (1) one 20.81 acre parcel with (2) two pre-existing single-family dwellings and farm related structures, to create (2) two lots; (1) one new 18.44 acre lot with (2) two pre-existing single-family dwellings and farm related structures, serviced via an easement (driveway) but without physical access to an improved and accepted City Street; and (1) one new 2.37 acre lot with less than required frontage and lot width for the development of a new single-family dwelling.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1, “*Purposes and General Statements*” of the City’s Development Review Regulations, and further finds:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which supports Low-Density Residential land uses of one to two dwelling units per acre and is generally consistent with the existing neighborhood, containing other parcels of land within the 400’ radius that have less than required frontage and lot width, but maintain the minimum lot area requirements.
2. That the City of Warwick Comprehensive Plan 2033, (Plan) Section 5, entitled “Parks, Open Space and Recreation” pgs. 5.13-5.16, specifically Subsection, E: Future Park and Recreation Needs, details this area as underserved in the area of playgrounds, playfields and recreation facilities. Additionally the Plan describes the Fee-in-lieu of dedication of land for public purposes in this case for Planning District 7 which depicts on Map 5 pgs. 5-12 the City’s “Conservation Intent” for the remaining open space properties in Planning District 7. Subsection, F, Recommendations Goal 1, calls for “preserved and enhanced parks and open space system” by Integrating existing parks, open space and recreation. The Fee-in-lieu could be used to permanently preserve these “Conservation Intent” lands, as well as, improve trail access on open space lands in this planning district.
3. That the subject property is located along Division Street, and is identified as Assessor’s Plat: 216; Assessor’s Lot 1.
4. That the Applicant is proposing to subdivide (1) one 20.81 acre parcel with two pre-existing single-family dwellings and farm related structures, to create (2) two lots; (1) one new 18.44 acre lot with (2) two pre-existing single-family dwellings, constructed in 1737 and 1875, and farm related structures, on a lot serviced via an easement (driveway) but without physical access to an improved and accepted City street; and (1) one new 2.37 acre lot with less than required frontage and lot width for the development of a new single-family dwelling.
5. That the subject property consists of (1) one Tax Assessor’s lots totaling 20.81 acres +/- and is zoned Residential A-40.

6. That the A-40 Residential Zoning District requires a minimum of 150 feet of frontage and lot width and a minimum area of 40,000 square feet of land area per individual lot.
7. That the Applicant received Master Plan Approval at the December 14, 2016 regularly scheduled Planning Board meeting.
8. That the subdivision, as proposed, is in compliance of the standards and provisions of the City's Zoning Ordinance, having received Zoning Board Approval for Petition No. 10426 at the January 10, 2017 regularly scheduled Zoning Board of Review meeting, for a lot with less than required frontage and lot width, and a lot serviced via an easement (driveway) but without physical access to an improved and accepted City Street.
9. That the Applicant has coordinated with RI Historical Preservation and Heritage Commission (RIHPHC), which has determined that the development is not likely to adversely impact any cultural resources in the area.
10. That the Applicant received Historic Cemetery Commission Approval at its February 7, 2017 regularly scheduled meeting.
11. That the Applicant received a Certificate of Appropriateness, Petition No. 17-216-01 from the Historic District Commission at its regularly scheduled February 15, 2017 meeting.
12. That the Applicant received Kent County Water Approval, No. 1020.
13. That the Applicant has received RIDEM-Wetlands Approval No: 17-0046, and RIDEM-RIPDES Approval No: RIR101520.
14. That the Applicant has received RIDOT-PAP Approval No. 161207.
15. That, at the Preliminary Review Stage, there appears to be no significant negative environmental impacts from the proposed development.
16. That, at the Preliminary Review Stage, the subdivision, as proposed, does not appear to 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.
17. That, the Applicant has coordinated with the City's Assessment Office and has been made aware of the Farm, Forest, and Open Space designation process.
18. That the proposed development with possess adequate access, Record Lot 2 via an easement, to a public street, Division Street.

Planning Department Recommendations

The Planning Department recommendation is to grant Preliminary Approval, with Final

Approval through the Planning Board, upon compliance with the following stipulations:

1. That the Applicant shall submit a Record Plat that shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994; Amended November 25, 2015.
2. That the Applicant shall submit a Final Plan and Record Plat that shall comply with Appendix C, Preliminary Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001.
3. That, prior to submission for Final Approval the Applicant shall coordinate and receive Final Approval from RIDEM-OWTS.
4. That the Final Development Plan shall note that the Property Owner shall be responsible for the long-term operation and maintenance of the proposed Stormwater Management System. The aforementioned requirement shall be noted on the deed.
5. That the Final Development Plan shall note that the installation of the Stormwater Collection System shall be overseen by the Design Engineer.
6. That, prior to Final Approval, the Applicant shall provide finalized-signed easements and deeds.
7. That, the Final Development Plan shall incorporate and note all requirements of the RIDEM-Wetlands, RIDEM-RIPDES, RIDEM-OWTS, and RIDOT-PAP Approvals.
8. That, prior to the issuance of a Certificate of Occupancy, the Design Engineer shall provide an as-built plan and certify that the Stormwater Collection System has been installed in accordance with the approved plan.
9. That, prior to the issuance of a Certificate of Occupancy, the Design Engineer shall provide the Property Owner with an Operations and Maintenance Manual and “as-built” plans.
10. That, prior to the issuance of a Certificate of Occupancy, the Applicant shall plant (1) one 2”-2.5” caliper deciduous shade tree for every 50 feet of lot frontage along Division Street.
11. That, prior to the recording of the Record Plat, the Applicant shall pay a Fee in Lieu of Open Space in the amount of \$666.43.
12. That, prior to the recording of the Record Plat, the Applicant shall provide a Performance Bond equal to the value of the cost of ROW construction, and the installation of utilities, landscaping, and Monumentation.

13. That, prior to the issuance of a Certificate of Occupancy, the Applicant shall install all monumentation depicted on the Final Development Plans/Record Plat.

Public Meeting
Minor Subdivision
RePlat of Sea-View Plat
Preliminary Approval

Location:	Burnett Road & Brinton Avenue
Assessor's Plat:	380
Assessor's Lots:	177, 179, & 180
Applicant:	Steven & Carl M. Palmisciano, JR.
Zoned:	A-7 and A-15 Residential
Area:	19,851 square feet
Ward:	5
Surveyor:	Ocean State Planners, Inc.

Project Scope

The Applicant is requesting Preliminary Approval of a Minor Subdivision. The Applicant is proposing to subdivide three (3) abutting non-conforming lots to create (2) two lots; (1) one 8,582 square foot lot for the development of a single family dwelling fronting on Burnett Road, and (1) one 8,269 square foot lot for the development of a single family dwelling, fronting on Burnett Road and Brinton Avenue, in an A-7 and A-15 split zoning district; more than 50% of land area falls within the A-7 Residential District.

Planning Department Findings

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which supports the protection of established High-Medium Density Residential neighborhood land uses in the City and is generally consistent with the existing neighborhood, containing other parcels of land within the 200' radius containing single-family dwellings that meet and exceed the existing zoning requirements.
2. That the subject property is located along Burnett Road and Brinton Avenue; and is identified as Assessor's Plat: 380; Assessor's Lot: 177, 179, & 180.
3. That the subject property consists of (3) three Tax Assessor's Lots totaling 16,851 square feet, zoned Residential A-7 and A-15.
4. That the subject property consist of a "Split Lot", as noted in section 303.1 in the City of Warwick Zoning Ordinance, which states in part:where a proposed use is permitted in two or more districts on the same lot, the dimensional requirement, other than density, shall be determined by the district's dimensional regulations which represent 50 percent or more of the lot, or contains the most lot area.....

5. That the majority of subject property is located in the A-7 Zoning District and that the A-7 Zoning District requires a minimum of 70 feet of frontage and lot width and a minimum area of 7,000 square feet per individual lot.
6. That the subdivision, as proposed, is in compliance of the standards and provisions of the City's Zoning Ordinance.
7. That the Applicant have access to Municipal Water and has received RIDEM-OWTS Approval Application No. 0035-0755 and Application No. 0035-0758
8. That, at the Preliminary Review Stage, the subdivision, as proposed does not appear to have significant negative environmental impact.
9. That, at the Preliminary Review Stage, the subdivision, as proposed, does not appear to 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.
10. That the proposed development possesses adequate access to a public street, along Burnett Road and Brinton Avenue.

Planning Department Recommendation

The Planning Department recommendation is to grant Preliminary Approval, with Final Approval through the Planning Board, upon compliance with the following stipulations:

- 1 That the Applicant shall submit a Record Plat that shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994; Amended November 25, 2015.
- 2 That the Applicant shall submit a Final Plan and Record Plat that shall comply with Appendix B, Preliminary Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001.
- 3 That the Final Plan Submission shall note:
 - The structure on Assessor's Lot 272
 - A 1-inch water curb-stop
 - Lowest floor elevation shall be at least 3 feet above ground water elevation
- 4 That, prior to Final Approval the Applicant shall receive and submit all required State Approval, including, but not limited to CRMC.
- 5 That, prior to Final Approval, the Applicant's RI Licensed Landscape Architect shall provide a landscape plan that shall include, but not be limited to:

- Note the Preservation and Protection of existing mature trees along Burnett Road and Brinton Avenue that do not require removal for the proposed development.
 - Note (1) one 2”-2.5” caliper deciduous shade tree for every 50 feet of lot frontage along Burnett Road and Brinton Avenue. This number may be reduced if there are existing mature trees in good condition that can be preserved and protected during construction.
 - Preservation of trees in close proximity to abutting lots.
 - The Developer’s Arborist shall be responsible for removing invasive vines and invasive vegetation that is threatening the structural integrity of existing trees.
 - That, prior to Final Approval, the Applicant shall note “Conservation Monumentation” along Wetland Buffers, if practicable.
- 6 That the Applicant shall submit Final Development Plans that note all stipulations and conditions.
 - 7 That, prior to the recording of the Record Plat, the Applicant shall provide a Performance Bond for Landscaping, and Monumentation.
 - 8 That, prior to the issuance of a Certificate of Occupancy, the Applicant shall plant (1) one 2”-2.5” caliper deciduous shade tree for every 50 feet of lot frontage along Burnett Road and Brinton Avenue.
 - 9 That, prior to the issuance of a Certificate of Occupancy, the Applicant shall install all monumentation, including, but not limited to conservation monumentation that shall be depicted on the Final Development Plan/Record Plat.

Public Informational Meeting
Major Land Development/Subdivision
2826 Post Road
Master Plan

Owner/Applicant:	Malibu Investments LLC
Location:	2826 Post Road
Assessor’s Plat:	267
Assessor’s Lots:	217, 219, 298
Zoning District:	General Business (GB)
Zoning Relief:	Special Use Permit for <u>Use Code 807. Ministorage and miniwarehouse facility</u> in a General Business (GB) zone, and dimensional relief for the number of designated parking spaces.
Land Area:	10.8 acres
Number of existing lots:	3
Number of proposed lots:	1
Engineer:	Civil CADD Services, Inc.
Ward:	7

Background

The Applicant is requesting Master Plan Approval of a Major Land Development Project/Subdivision for the merger of three (3) existing lots, to create one (1) lot to provide for a Phased Development; Phase 1 consisting of the construction of six (6) storage buildings with a total of 152,900 sf and a 1,600 sf office building; Phase 2 being the development of a 14,500 sf mixed-use, village-style, commercial/residential building; Phase 3 being the construction of four (4) storage buildings with a total of 41,100 sf; and Phase 4 consisting of an additional 5,000 sf of the mixed-use development.

The Applicant is also requesting a recommendation to the Zoning Board of Review for Phase 1 of the project, for a Special Use Permit for Use Code 807. Ministorage and mini-warehouse facility in a General Business (GB) zone, and dimensional relief for the number of designated parking spaces.

The existing land uses in the immediate area of the parcel can be defined as generally commercial in nature, and include retail, restaurant and office uses. The site is located at the easterly side of Post Road, and it abuts the AMTRAK rail corridor to the East, commercial properties to the west and north, and a residential use to the south.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and

1. Generally consistent with the City of Warwick, Comprehensive Plan 2033, (Comprehensive Plan) which finds that land development in the future will increasingly involve redevelopment of previously used sites.
2. That Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design, Section C, entitled “What the Community Said,” states a majority of City residents who responded to a Comprehensive Plan survey indicated that improving the appearance of major roads and commercial corridors is “very important”, and that more land should be devoted to village-style, Main Street Development.

That Chapter 12, of the Comprehensive Plan, Future Land Use, Zoning and Urban Design element, characterizes this segment of Post Road, from the Greenwood Bridge to Veterans’ Memorial Drive, as having a variety of land uses and cites as a land use issue the integration of green, walkable, and high quality design and development standards for redevelopment of non-residential properties near Gorton’s Pond.

That Chapter 12’s, “General Principles to Guide Future Land Use”, calls for promoting land use configurations that increase connectivity and walkability.

That Chapter 12 also states as a Goal, that Warwick has sufficient diversity of land uses to support a strong and stable tax base, and to continue to balance land uses, particularly between regional retail and non-retail commercial uses.

3. That the subject parcel consists of three (3) Assessor's Lots, and fronts on Post Road. It is identified as Assessor's Plat: 267, Assessor's Lots: 217, 219, and 298; this site was the former location of the Greenwood Nursery.
4. That the Future Land Use Map (FLUM), as contained in the Comprehensive Plan, shows this parcel as private open space, to support the former nursery use, with the remainder of the east side of this segment of Post Road shown as "mixed use."
5. That this segment of Post Road serves as a connector between Apponaug Village, an area rezoned to "Village" in 2011 to support the development of walkable, mixed-use centers in historic village locations, and City Centre, an area with a Master Plan for mixed-use development that is supported by companion zoning.
6. That the existing land uses in the immediate area of the parcel are a combination of commercial and residential in nature. The site is located on the easterly side of Post Road, with the Greenwood neighborhood, a stable single-family neighborhood, located to the west. Gorton's Pond is located south of the site.
7. That the Applicants held an informal neighborhood meeting on January 23, 2017, to introduce the project and solicit feedback from the abutters and area residents.
8. That, as a result of concerns raised at the neighborhood meeting, and comments from the Planning Department, the Applicants significantly modified the proposed design.
9. That the Phase 1 proposal is not in compliance with the standards and provisions of the City's Zoning Ordinance, therefore requiring Zoning Board of Review approval for a Special Use Permit, Phase 1, for Use Code 807. Ministorage and mini-warehouse facility in a General Business (GB) zone, and dimensional relief for the number of designated parking spaces.
10. 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.
11. That at Master Plan, there are no apparent, significant negative environmental impacts from the proposed development.
12. That municipal sewer service is available to the subject parcel.
13. That municipal water is available to the subject parcel. There is an existing water main on Post Road and a 2" and 4" curb stop servicing the property; these may or may not be utilized for the development.

14. That the following stipulations refer to the plan set entitled, Site Plans for Proposed Retail & Mini Storage Facility, Master Plan Submission prepared by Civil CADD Services, and stamped received by the Planning Department on March 17, 2017.

Planning Department Recommendation

Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That the project shall be reviewed as a Phased project; the Applicant shall return to the Planning Board for Preliminary/Final approval of each of the four (4) Phases, beginning with Phase 1, the development of six (6) storage buildings with a total of 152,900 sf and a 1,600 sf office building.
2. That all plans submitted must comply with “Rules and Regulations for Professional Land Surveying in the State of Rhode Island”. All survey monumentation must be set prior to recording of the Final Subdivision Plan.
3. That, as part of the Final Approval, the Property Owner shall record a subdivision, as per The City of Warwick’s Development Review Regulations, merging the three (3) existing lots into one (1) lot for development. This subdivision plan shall include a Record Plat name and Record Lot designations.
4. That the Phase 1 development proposal shall receive Zoning Board approval for a Special Use Permit for Use Code 807. Ministorage and mini-warehouse facility in a General Business (GB) zone, and dimensional relief for the number of designated parking spaces.
5. That a Storm Water Management Plan shall be submitted in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, and designed to demonstrate a zero-net runoff from the proposed development. The Project Engineer shall meet with the Department of Public Works Engineering Staff to review the proposed drainage system prior to submission to RI DEM or RIDOT.
6. That the Operation and Maintenance Plan for the proposed stormwater collection system shall be included in the Preliminary Plan submission to the Planning Board.
7. That any necessary state permits, including, but not limited to, RI DEM and a RI DOT Physical Alteration Permit, shall be obtained prior to submission to the Planning Board for Phase 1, Preliminary Plan approval.
8. That all signage shall conform to the standards of the Warwick Zoning Ordinance, Section 800, and the sign design shall be included in the Preliminary Plan submittal. Please note that LED advertising message boards are prohibited.

9. That the Phase 1, Preliminary Plan submittal shall include a photometric site plan, and specifications for all exterior lighting; the site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
10. That the Phase 1, Preliminary Plan submittal shall include security/screening fencing and gate details, which shall be subject to final approval by the Administrative Officer; the Preliminary Plan shall indicate the location of this fencing for Phase 1.
11. That the Phase 1, Preliminary Plan submittal shall include details regarding the materials and construction of the proposed retaining wall to be located in the southeast portion of the parcel, abutting Assessor's Plat 267, Assessor's Lot 220. This wall shall be constructed to be vandal/graffiti resistant, with evergreen plantings to minimize the visual impact. The project engineer shall meet with the City's Engineering staff prior to beginning the design of the retaining wall.
12. That the Phase 1, Preliminary Plan submittal shall include a Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. Said plan shall be subject to final approval by the Administrative Officer and provide, at a minimum, a fully developed, landscaped buffer and fencing along the area abutting Assessor's Plat 267, Assessor's Lots 218, 405, 366, 408, and the abutting residential use Assessor's Plat 267, Assessor's Lot 220, as well as landscaping to minimize the visual impact of the proposed retaining wall in the southeast area of the parcel.
13. That the Phase 1, Preliminary Plan submittal shall include details of the building elevations; the design of the west elevations of the one-story storage buildings shall be compatible with the village-style design of proposed Phase 2. The Applicant shall also prepare a perspective rendering of the revised design depicting the two-story building and its integration into the topography of the site.
14. That the Preliminary Plan submittal shall include a traffic study prepared by a Professional traffic engineer and based on the full build out of the parcel.
15. That the Building Department requests that the Architect/Engineer review RI State Building Code, SBC-1-2013, Chapters 5, 6 and 7 regarding general building areas, type construction and exterior walls.
16. That the Warwick Water Division states that if the existing curb stops are not utilized for the development, they shall be capped at the existing water main on Post Road. All future metering and cross connection control will be subject to RI Statute and/or Warwick Water Division regulations.
17. That, prior to the issuance of any permits for construction, the Warwick Fire Department shall review the plans for compliance with all life safety codes and issues, and the Project Engineer shall address, at a minimum the following:

- a. An adequate number of fire hydrants, spaced 300 feet apart, providing a minimum of 1000gpm. Sprinklered buildings require a hydrant within 100 feet of the FDC.
 - b. All two-way travel lanes shall have a minimum of 24' of unobstructed width and a vertical clearance of 13'6 to allow for unimpeded access by fire apparatus.
 - c. All corners shall have an outer tire turning radius of 50', left or right.
 - d. All dead end roads longer than 150' shall provide turning provisions for fire apparatus as per NFPA 1 (RIFC), 2012 edition.
18. That a sewer lateral is available for Phases 1 and 2, and all structures shall be connected to the sewer system (if necessary), and a sewer manhole (meeting WSA specifications) shall be installed on each commercial building that is tied in.
19. That, due to site constraints, Assessor's Plat 267, Assessor's Lot 219 was never assessed by the Warwick Sewer Authority. The Applicant shall contact the WSA to resolve this issue, prior to Preliminary Approval.
20. That, as part of the Final Recording, the Applicant shall record a revised easement for the as-built location of the FAA weather data tower located on the parcel.

Actions by the Administrative Officer
Final Plan Approval

<u>Plat</u>	<u>Lot</u>	<u>Project Title</u>
311	251	Marley Realty Inc., Plat-Enterprise
301	107	Monroe Street Plat

Actions by the Administrative Officer
Administrative Subdivisions

<u>Plat</u>	<u>Lot</u>	<u>Plat Title</u>
356	4, 5, 6, & 346	Lonesome Cedar Plat

Any party, person(s) or entity interested in registering for electronic notice for proposed zoning amendments and/or amendments to the City's Zoning Ordinance and the City's Development Review Regulations governing Subdivision, Land Development and Development Plan Review should contact the City's Planning Department at 401-738-2000, extension 6289.