

**City of Warwick Planning Board
Meeting Minutes
Wednesday, December 10, 2014**

Members Present: Vincent Gambardella
Thomas Kiernan
Sue Stenhouse
Cynthia Gerlach
Laura Pisaturo

Members Absent: Philip Slocum
James Desmarais
John Mulhearn
Steve Horowitz

Also in attendance: Patricia Reynolds, Senior Planner
Lidia Cruz-Abreu, Planning Specialist
Eric Hindinger, Engineer Project Manager
Diana Pearson, Solicitor

Chairman Slocum called the meeting to order at 6:10 pm.

**Public Informational Meeting
Major Land Development/Subdivision
Tollgate Hill Farm**

Applicant/Property Owner: Mutual Properties 275 Toll Gate, LLC.
Location: 271 Toll Gate Road
Assessor's Plat: 247
Assessor's Lot: 20
Zoning District: O, Office
Land Area: 10.67 acres
Number of existing lots: 1
Number of proposed lots: 3
Surveyor: Crossman Engineering
Ward: 8

Vice-Chairman Gambardella informed the Applicant that there were only five Board members present and that all five members would need to vote favorable, for the Project to proceed.

Attorney K. Joseph Shekarchi represented the Applicant who was seeking Master Plan approval of a Major Land Development Project/Subdivision for the development of a two story, 58 unit assisted living facility with 112 beds and 54,000 square feet, and an additional 54,000 square feet of office space, on a 10.67 acre parcel located on Toll Gate Road. The site is zoned (O) Office and consists of a deteriorated 1,768 sf dwelling and several smaller outbuildings. The Applicant is seeking Master Plan approval for the project, which will be constructed in two Phases, with Phase I being the construction of the assisted living facility and Phase 2 being the construction of the office buildings.

The Applicant was proposing to subdivide the parcel from one existing lot into three lots to provide for the development. A new drive/access road, with one curb cut, will be provided from Toll Gate Road and will provide access to each lot. Phase I will include this access road and the assisted living facility. Site improvements will include new parking areas, walking trails, stone walls, fencing and landscape areas. An assisted living facility, per Warwick Zoning Ordinance Use Code 705, *Extended care, convalescent, rest, or nursing home*, requires a special use permit in an Office Zoning District.

Attorney Shekarchi informed the Board that at the request of the Planning Department, the Applicant held a neighborhood meeting in early December which was very well received. Mr. Shekarchi indicated that the proposal was on the land commonly known as the "Peskin" property which had previously been through a long review process. Additionally, he has reviewed the Planning Department Findings and Recommendations and has no objections.

Attorney Shekarchi indicated that the current application was for a two phase project, Phase I is for an All American Assisted Living Facility and Phase II would be additional office buildings at a later date. He indicated that, if the application was successful tonight, the Applicant would proceed to the Zoning Board of Review for the proposed assisted living facility use and would be back before the Planning Board for Preliminary Approval. Mr. Shekarchi stated that the project consisted of \$8-9 Million private investment into the community which would create approximately 40 full-time jobs and 30 part-time jobs. Mr. Shekarchi stated that the project was a very neighborhood friendly project which was a low intensity use.

Ms. Stenhouse asked how many residents the facility would undertake and if it would accommodate Dementia/Alzheimer patients and if there would be medical staff on the property. Mr. Ben Wells, Kaplan Development Company indicated that there would be a maximum of 112 residents. Additionally there would be a secured unit with a key pad entry for Dementia/Alzheimer patients. Additionally, he indicated that there would be Licensed Practitioner Nurses and Registered Nurses along with aids, but there would be no physicians onsite.

Ms. Gerlach asked if the project required a traffic study. Ms. Reynolds indicated that the previously approved project had required a traffic study; she indicated that Project Engineer compared the proposed project to the previous project traffic study and they found that the project was less intense. There previous traffic study did note a potential concern with the East bound exit on Tollgate Road.

Mr. Gambardella asked if there would be a traffic light necessary. Mr. Shekarchi indicated that the Project would require a State Physical Alteration Permit and that the project would be back before the board for preliminary with additional information regarding site line distances.

Being no further testimony, Ms. Pisaturo made a motion to open the Public Hearing, seconded by Ms. Stenhouse. All in favor; none opposed.

Mr. Derek Anderson, 2 Gilbert Street, addressed the Board indicating that he was very happy with the project and the manner in which the neighbors were notified and informed of the project. He indicated that Mr. Soccia contacted the neighbors and held a neighborhood meeting and was very receptive of the neighbors. Additionally, he spoke very highly of the project, in particular he was happy with the following: that the lighting would be pointed away from the neighboring properties; that the signage was small; the landscaping proposed for the site, the phasing of the project and the size of the proposed office buildings, that there was only one point of access, and that Mr. Soccia was addressing the high water table on the parcel.

Being no further testimony, Ms. Pisaturo made a motion to close the Public Hearing, seconded, by Mr. Kiernan. All in favor; none opposed.

Being no further questions, the Planning Board adopted the Planning Department Findings into the record; and Planning Staff read the recommendations into the record, as follows:

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’s Comprehensive Plan, specifically ***Chapter 7, Housing and Neighborhoods***, which includes as a goal to have a wide range of housing choices to meet the diverse needs of households at all income levels and all stages of life, and the creation of a supportive medical cluster capitalizing on the area’s proximity to Kent Hospital.
2. That the subject parcel is located along Toll Gate Road, is identified as Assessor’s Plat: 247, Assessor’s Lot: 20, and abuts RIDOT property to the north and west, and a well-established, residential neighborhood to the northeast.

3. That the existing uses fronting on Toll Gate Road, to the east and west of the parcel are primarily medical office use, and the parcels to the northeast of the site are single-family residential uses, zoned Residential A-10.
4. That the parcel consists of a total land area of 10.67 acres, which includes approximately three (3) acres with an existing Narragansett Electric utility easement. This easement specifically prohibits the construction of structures.
5. The parcel is zoned Office (O), and the Phase I proposal meets all of the dimensional requirements of an Office zone, including the parking requirement for convalescent or nursing use of one (1) space per two (2) beds. However, the use requires Zoning Board of Review approval for a special use permit allowing Use Code 705, *Extended care, convalescent, rest, or nursing home*.
6. That in April of 2007, this parcel received conditional development plan approval for the construction of two (2) office buildings, totaling 136,860 square feet, entitled Tollgate Office Park.
7. That the Applicant submitted a traffic comparison, prepared by Crossman Engineering, dated October 27, 2014, comparing the projected traffic generated by this project against a previously approved project on the subject site, entitled Tollgate Office Park. The traffic study for the Tollgate Office Park was prepared by RAB Professional Engineers, Inc. and dated February 2007.
8. The traffic comparison concludes that the proposed development is projected to generate less than half the amount of traffic than the previously approved project, Tollgate Office Park.
9. 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.
10. That the proposed development possesses adequate access to a public street.
11. That the proposed development has access to public water and sewer, with an existing sewer service for the proposed project.

Planning Department Recommendations

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

1. That the project shall receive Zoning Board of Review approval for a Special Use permit, for Use Code 705, *Extended care, convalescent, rest, or nursing home*.

2. That all plans 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.
3. That the design for the stormwater collection system shall be in accordance with the requirements of Rhode Island Stormwater 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 City Engineering staff to review the proposed drainage system prior to any submittals to RIDEM or RIDOT. Connections to municipal stormwater drainage systems will not be allowed.
4. The Applicant shall provide documentation that the development is consistent with the existing Narragansett Electric easement. Approval shall be required from the utility company.
5. That all necessary State permits, including but not limited to RIDEM, and RIDOT Physical Alteration Permit, shall be obtained prior to submission to the Planning Board for Preliminary Plan approval.
6. That the Applicant shall meet with the Warwick Fire Marshall for plan review and approval, prior to Preliminary submittal.
7. That the Project Engineer shall submit a complete set of plans to the Warwick Sewer Authority for review and approval. These plans shall comply with all WSA construction standards and Industrial Pretreatment Regulations.
8. That all exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights and signs and from the movement of vehicles on site shall be shielded from the view of adjacent residential properties.
9. That the Preliminary submittal shall include a Landscape Plan, prepared by a Registered Rhode Island Landscape Architect. Said plan shall be subject to approval by the Administrative Officer and provide, at a minimum, attention to an outdoor area that includes seating, tables, walkways and raised gardens that are safe and accessible for the elderly and sensory impaired, utilizing Rhode Island native plant material in bio-retention basins and throughout the site, incorporating large, deciduous shade trees into the landscape surrounding the parking areas, and incorporating low impact design techniques that will utilize runoff from impervious surfaces to water the trees.
10. That the Applicant shall provide a six foot (6') fence or hedge to be located along the northeasterly corner of the development abutting Assessor's Plat 246, Assessor's Lots 2, 21, and 23, as required in accordance with Warwick Zoning Ordinance Sections 505.1 B and C. This shall be indicated on the Landscape Plan

11. That since the Project will be approved and constructed in phases; the Applicant shall provide a landscape plan that addresses both the landscape for the entire parcel and a landscape plan for Phase I of the project.
12. That as part of the Preliminary submittal for the Phase II office development, the Applicant shall provide an updated traffic impact statement, as per the City of Warwick's Development Review Regulations, Section 6.6.3 Traffic.
13. That the Project Engineer shall consider employing traffic mitigation measures to address visibility issues with eastbound traffic on Toll Gate Road for traffic exiting the site.

On a motion by Ms. Stenhouse, seconded by Mr. Kiernan, Ms. Stenhouse, made a motion to adopt the Planning Department's findings and to grant Master Plan, with the Planning Department's recommended stipulations, as read. All in favor; none opposed.

A list of approved and recorded Administrative subdivisions were presented to the Board for informational purposes.

On a motion by Ms. Pisaturo, seconded by Mr. Kiernan, the meeting was adjourned at 6:40 pm. All in favor none opposed.