

**City of Warwick Planning Board
Meeting Minutes
Wednesday, May 13, 2015**

Members Present: James Desmarais
Vincent Gambardella
Cynthia Gerlach
Steve Horowitz
Chelsea Siefert
Sue Stenhouse
Philip Slocum

Member Absent: Thomas Kiernan
Laura Pisaturo

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

Chairman Slocum called the meeting to order at 6:05 pm.

The October 2014 meeting minutes were presented for review and approval. A motion was made by Ms. Gerlach to approve the October meeting minutes, seconded by Ms. Stenhouse. All voted in favor, none opposed; with Ms. Siefert abstaining.

The January 2015 meeting minutes were presented for review and approval. A motion was made by Mr. Desmarais to approve the January meeting minutes, seconded by Mr. Horowitz. All voted in favor, none opposed; with Ms. Siefert and Ms. Stenhouse abstaining.

The February 2015 meeting minutes were presented for review and approval. A motion was made by Ms. Pisaturo to approve the February meeting minutes, seconded by Mr. Horowitz. All voted in favor, none opposed; with Mr. Desmarais abstaining.

The March 2015 meeting minutes were presented for review and approval. A motion was made by Mr. Horowitz to approve the March meeting minutes, seconded by Mr. Desmarais. All voted in favor, none opposed; with Ms. Stenhouse and Ms. Gerlach abstaining.

Request for a Zone Change
Recommendation
65 Shippen Avenue

Applicant:	House of Hope Community Development Corp.
Location:	65 Shippen Avenue
Assessor's Plat:	307
Assessor's Lot:	89
Total area:	1.95 acres
Zoning District:	A-10 Planned District Residential and Open Space
Proposed Zoning:	Modification to the conditions of the exiting zone change, PCO-59-89, December 20, 1989.

Attorney K. Joseph Shekarchi represented the Applicant, House of Hope, Community Development Corporation, who was seeking to comply with the stipulations in the previously approved PCO-59-89, the Applicant was requesting to update and modify the zone change to reflect the change in the program from a duplex to transitional housing for unrelated individuals, provided in a facility with shared living spaces. There will be no change to the exterior of the building or increase in building footprint.

Mr. Shekarchi indicated that the transitional housing needs have changed since the original Zone Change and that the current use has been in place for many years. He further indicated that he and the Applicant had read the Planning Department's Findings and Recommendations and concurred.

Being no further presentations, the Board heard the Planning Department's Findings and Recommendations, which were 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. That the subject property was formerly the Spring Green School, constructed in 1917, and is the property of the City of Warwick.
2. That the parcel is bounded by Shippen and Willing Avenues and Balsam and Aster Streets, and consists of 1.95 acres.
3. That the House of Hope is an organization devoted to providing shelter for homeless families and individuals.
4. That the Applicant has leased this building from the City of Warwick continuously since 1989 to provide transitional housing.

5. That the Applicant renewed the lease agreement with the City for the building on June 24, 2013 for a term of ten (10) years.
6. That a portion of lot 89 is zoned Open Space and is used for outdoor recreational use.
7. That the use is not in compliance with the stipulations of Zone Change PCO-59-89, therefore requiring notification of abutters within 200' and City Council review and approval.
8. That the properties east and south of the subject parcel are single-family dwellings. The properties to the north and west of the subject property are commercial uses (Office zone), including single and multi-family dwellings.
9. That the proposal was reviewed by the following City Departments and Commissions: Public Works, Building, Water, Fire, Land Trust, Conservation Commission and Historic District Commission, all expressing no comments or concerns.
10. That the Sewer Authority expressed no concerns regarding the modification to the zone change, but stated that sewers will be available for this parcel in 2015-16, and recommended connecting as soon as sewers are available since the parcel is currently utilizing a pre-1990's on-site system.
11. That the program and resident population at the parcel will continue to exist in its current use, which has been in existence since the fall of 2010. This will continue to be a transitional housing environment as per City Council zone change PCO-59-89.

The Planning Department finds the proposed modification to zone change PCO-59-89 to be in compliance with the City's Comprehensive Plan, including the Goals and Policies Statement, the Historic and Cultural Resources, and the Housing and Neighborhoods Element, including, but not limited to the following:

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 a policy to continue efforts to provide scattered site affordable housing needs for families and, *Chapter 6, Historic and Cultural Resources*, which specifically calls for protection and preservation of the City's historic resources, including structures, natural features and character areas, and to promote adaptive reuse of historic buildings.

The Planning Department also finds this proposal to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose,"

- 103.1 Promote the public health, safety and general welfare of the City.

- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
- A.) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
 - E.) The availability and capacity of existing and planned public and/or private services and facilities.
- 103.5 Provide for the protection of the natural, historic, cultural and scenic character of the City or areas therein.
- 103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing, including opportunities for the establishment of low and moderate-income housing.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.
- 103.15 Provide for reasonable accommodations in order to comply with the RI Fair Housing Practices Act, the US Fair Housing Amendments Act of 1988 (FHAA), the RI Civil rights of Individuals with Handicaps Act, and the Americans with Disabilities Act (ADA).

The Planning Department supports a favorable recommendation to the Warwick City Council for the modification to zone change PCO-59-89 to eliminate the duplex restriction, and to allow for transitional housing in a facility with shared living spaces, with the following stipulations:

1. That the Applicant shall connect the building to municipal sewers, when available.
2. That any changes to this use shall be reviewed and approved by the City Council.

Ms. Stenhouse, seconded by Ms. Siefert, made a motion to adopt the Planning Department Findings and Recommendations, as presented, and to forward a favorable recommendation to the City Council for the requested Zone Change. All in favor; none opposed.

Public Meeting
Minor Subdivision
162 Payton Avenue
Park Avenue
The Payton Plat/Preliminary

Location: 162 Payton Avenue
Park Avenue
Applicant: North End Realty, LLC
Assessor's Plat: 355
Assessor's Lot(s): 188
Zoning District: A-7 Residential
Land Area: 30,056 Square Feet
Surveyor: Flynn Survey, Inc.
Ward: 5

Attorney K. Joseph Shekarchi, represented the Applicant, North End Realty, who was requesting Preliminary Approval of a Minor Subdivision, to subdivide (1) one existing 30,056 square-foot lot with an existing single-family dwelling, to create (4) four new lots, (2) two new conforming 7,514 square-foot lots for the development of single-family dwellings fronting on Payton Avenue and (2) two new conforming 7,514 square-foot lots for the development of single-family dwellings fronting on Park Avenue, zoned Residential A-7.

Mr. Shekarchi indicated that the Applicant was asking to subdivide the existing lots into four lots that would meet all of the requirements of the Zoning Ordinance. Mr. Shekarchi further indicated that at the request of Councilman Ladouceur and the Planning Staff, the Applicant held a neighborhood meeting to address concerns. Based on the neighborhood concerns the Applicant has agreed to plant trees on-site and in other locations as determined by the Ward 5 Councilman in conjunction with the City's Sustainability/Landscape Coordinator. Additionally, the Attorney stated that the Applicant was proposing single family dwellings and that the drainage was designed to meet the minimum zero-net runoff requirement and that the Applicant was in agreement with the City's Findings and Stipulations.

Being no further presentations, the Board heard the Planning Department's Findings the Recommendations, which were 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. That the proposed development is generally consistent with the Comprehensive Community Plan, and consistent with the existing neighborhood, having lots within the 200' radius containing single-family dwellings that meet and exceed the existing zoning requirements.

2. That the subject property is located at 162 Payton Avenue and Park Avenue, in the vicinity of Hope Avenue and Tidewater Avenue and is identified as Assessor's Plat: 355, Assessor's Lot: 188.
3. That the subject property consists of (1) one Tax Assessor's lot totaling 30,056 square feet and zoned A-7 Residential.
4. That the Applicant proposes to subdivide (1) one existing 30,056 square-foot lot with an existing single-family dwelling, to create (4) four new lots, (2) two new conforming 7,514 square-foot lots for the development of single-family dwellings fronting on Payton Avenue and (2) two new conforming 7,514 square-foot lots for the development of single-family dwellings fronting on Park Avenue.
5. That the A-7 Residential 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 with the standards and provisions of the City's Zoning Ordinance.
7. That the Applicant, on March 18, 2015, received Historic District Approval for alteration to the existing stone walls on-site.
8. That RI Historical Preservation & Heritage Commission (RIHPHC) reviewed the plan submission and determined that the existing structure, although not on the National Register of Historic Places, appears to be a building of historical interest. The structure is historically known as the Malachi R. Gardiner House, which was built in 1850 and altered in the 1880s. The structure is included in the RIHPHC publication Warwick, Rhode Island: Statewide Historical Preservation Report.
9. That the RI Tree Council, at the request of the former owner, visited the site last year to assess the condition, species and caliper of several trees on the site. The RI Tree Council found that there were (3) three trees of significant interest: a Champion Tulip Tree in the side-yard of the parcel measuring 187 inches in circumference and 59 inches in diameter, believed to be the Fourth Largest Tree in the State; an American Linden measuring 158 inches in circumference and 50 inches in diameter; and a Cucumber Magnolia measuring 124 inches in circumference and 39 inches in diameter, determining that the aforementioned trees were excellent specimens, in good health and believed to be 80 to 100 years old.
10. That the Mayor's Office, Ward 5 Councilman Ed Ladouceur, and the Planning Department received several calls and emails with concerns regarding the destruction of the aforementioned trees.
11. That, at the request of the Planning Department and due to concerns from the Mayor's Office, the Ward 5 Councilman, and the neighbors, the Applicant held a neighborhood meeting on April 22, 2015 to address the constituents' concerns.

12. That both Payton Avenue and Park Avenue have been recently resurfaced by the Warwick Sewer Authority.
13. That the property will have access to Municipal Sewer and Water.
14. 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.
15. That there will be no significant negative environmental impacts from the proposed development.
16. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That all plans submitted 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.
2. That prior to Final Approval, the Applicant shall provide a Final Plan and Record Plat, which shall include, but not be limited to:
 - Note existing and proposed utilities, including, but not limited to, gas lines
 - Note the existing structure
 - Show wetlands within 200 feet or add standard wetland notation
 - Differentiate the delineation between existing and proposed utilities
 - Note the far side of the roadway edge
 - Note the top of foundation elevation
 - Note structures on abutting properties
 - Note required Monumentation
 - Note roadway restoration details
3. That the lowest floor elevation of all buildings (including basements) shall be at least (3) three feet above the maximum high ground water elevation.
4. That, prior to Final Approval, the Applicant shall provide drainage calculations detailing that the drainage, as proposed, is sufficient to mitigate the additional run-off created by the proposed development, meeting the zero-net run-off standard. There shall be no additional run-off directed to abutting properties or the City's Rights-of-Way.

5. That, prior to construction, the Applicant/Developer shall excavate test holes to determine the maximum high groundwater elevation and adjust building elevations accordingly.
6. That the temporary utility trenches shall be properly compacted in (6) six inch lifts and must have a minimum of (12) twelve inches of compacted gravel under the temporary pavement; temporary pavement shall be a minimum of (4) four inches thick and shall be laid in two courses.
7. That the Applicant shall be responsible for the final restoration of the roadways. Curb-to-curb restoration shall be required in all the locations of the proposed utilities. An even saw-cut shall transverse the pavement. The interface between new and old pavement shall be completed with a smooth transition. The patch area must be properly compacted. The entire restoration must be cold-planed to a depth of 1.5 inches; tack coat must be applied and a 1.5-inch bituminous wearing course to shall complete the process. A permanent patch shall not be installed prior to a 90-day settlement period.
8. That the Applicant, prior to Final Approval, shall coordinate with the City's Water Division and the Sewer Authority regarding installation and connection to Municipal Water and Sewer.
9. That the Applicant, understanding the many environmental benefit of trees and the importance of trees to air quality and to stormwater mitigation, has agreed to plant (18) eighteen 2"-2.5" caliper deciduous shade trees, (1) one 2"-2.5" caliper deciduous shade tree for every 50 feet of lot frontage along Lot 1 and Lot 2 on Payton Avenue and (1) one 2"-2.5" caliper deciduous shade tree for every 50 feet of lot frontage along Lot 3 and Lot 4 on Park Avenue. The remaining trees shall be planted based on recommendations of the Ward 5 Councilman, in cooperation with the City's Sustainability/Landscape Coordinator, prior to the issuance of a Certificate of Occupancy.
10. That, as specified in Chapter 6, Historic and Natural Resources, the Applicant shall coordinate with Planning Staff regarding "Historic Marker Signage for the site with a summary of the historic significance of the site.
11. That the Applicant, prior to Final Approval, shall provide deeds for review.
12. That the Applicant shall provide a Performance Bond for the installation of Monumentation, roadway restoration and installation of trees, prior to the recording of the "Final Record Plat".

Ward 5 Councilman Ladouceur indicated that it was unfortunate that the trees had been removed but that the proposed trees would be planted abutting the site and within the neighborhood.

Ms. Stenhouse questioned why the trees were removed when the RI Tree Council had noted that the trees were in good condition and excellent specimen. Mr. Shekarchi indicated that his client was not aware that the tree had been surveyed by the RI Tree Council, when he purchased the property and that the applicant and one of the neighbors believed that the trees were dangerous.

Ms. Siefert asked if there was a plan in place to maintain the trees. Mr. Shekarchi responded that the trees would be the responsibility of the property owner.

Mr. Desmarais, seconded by Mr. Horowitz, made a motion to adopt the Planning Department Recommendations, as presented, and to grant Preliminary Approval with Final Approval through the Administrative Officer. All in favor; none opposed.

Public Meeting
Minor Subdivision
224 Samuel Gorton Avenue
Three G's Plat/Preliminary

Location:	224 Samuel Gorton Avenue
Applicant:	Michael Capuano
Assessor's Plat:	356
Assessor's Lot(s):	13
Zoning District:	A-7 Residential
Land Area:	15,000 Square Feet
Surveyor:	John W. Greene, PLS
Ward:	5

Mr. John Greene, Registered Professional Surveyor, represented the Applicant, Michael Capuano, who was requesting Preliminary Approval of a Minor Subdivision, to subdivide (1) one existing 15,000 square-foot lot with an existing single-family dwelling, garage and shed to be razed, to create (2) two lots; (1) one new 7,500 square-foot conforming lot for the development of a single-family dwelling; and (1) one new 7,500 square-foot conforming lot for the development of a single-family dwelling, both lots fronting on Samuel Gorton Avenue, zoned Residential A-7.

Mr. Greene stated that the land, being similar to the other properties in the area, was low and had a high water table, further indicating that the development would require fill and retaining walls. The Applicant indicated that the proposed lots were larger than required.

Being no further presentations, the Board heard the Planning Department's Findings the Recommendations, which were 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. That the proposed development is generally consistent with the Comprehensive Community Plan, and consistent with the existing neighborhood, having lots within the 200' radius containing single-family dwellings that meet and exceed the existing zoning requirements.
2. That the subject property is located at 224 Samuel Gorton Avenue, in the vicinity of Hope Avenue, Elmdale Avenue and Arlington Avenue, and is identified as Assessor's Plat: 356, Assessor's Lot: 13.
3. That the subject property consists of (1) one Tax Assessor's lot totaling 15,000 square feet and zoned A-7 Residential.
4. That the Applicant proposes to create (2) two new lots; (1) one 7,500 square-foot conforming lot fronting on Samuel Gorton Avenue, and (1) one new conforming lot fronting on Samuel Gorton Avenue for the development of a single-family dwelling.
5. That the A-7 Residential 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 with the standards and provisions of the City's Zoning Ordinance.
7. That the Applicant submitted plans for review and comment by City Departments, and, based on the aforementioned comments, has submitted revised plans for Planning Board approval.
8. That the RI Historical Preservation & Heritage Commission reviewed the plan submission and determined that the existing structure, built in 1857, had been altered significantly and therefore was not considered historic.
9. That the property is serviced by a 6-inch AC Water Main.
10. That the property will have access to Municipal Sewer and Water.
11. 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.
12. That there will be no significant negative environmental impacts from the proposed development.
13. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That all plans submitted 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.
2. That the Final Plans shall meet all requirements of the City of Warwick Land Development Regulations, including, but not limited to, required statements.
3. That, prior to Final Approval, the Applicant shall provide a Final Plan and Record Plat, which shall include, but not be limited to, noting and identifying clearly, existing and proposed utilities.
4. That there is an existing $\frac{3}{4}$ inch service for the subject parcel that can be utilized for development. Should the Applicant decide NOT to utilize the existing curb stop, the Applicant shall cut-off the curb stop at the main and a minimum 1-inch curb stop shall be installed.
5. That the Applicant, prior to Final Approval, shall coordinate with the City's Water Division and the Sewer Authority regarding installation and connection to Municipal Water and Sewer.
6. That the temporary utility trenches shall be properly compacted in 6-inch lifts and must have a minimum of 12-inches of compacted gravel under the temporary pavement; temporary pavement shall be a minimum of 4-inches thick and shall be laid in two courses.
7. That the Applicant shall be responsible for the final restoration of the roadways. Curb to curb restoration shall be required in all the locations of the proposed utilities. An even saw-cut shall transverse the pavement. The interface between new and old pavement shall be completed with a smooth transition. The patch area must be properly compacted. The entire restoration must be cold-planed to a depth of 1.5 inches; tack coat must be applied and a 1.5-inch bituminous wearing course shall complete the process. A permanent patch shall not be installed prior to a 90-day settlement period.
8. That the Applicant, prior to Final Approval, shall provide deeds for review.
9. That the Applicant shall preserve and protect the existing street tree located along the frontage of Parcel B of the Three G's Plat, by installing drip-line tree protection.

10. That the Applicant shall plant (3) three 2”-2.5” caliper deciduous shade trees for one every 50 feet of lot frontage along Samuel Gorton Avenue, prior to the issuance of a Certificate of Occupancy.
11. That the Applicant shall coordinate with the City’s Landscape Project Coordinator regarding species and location, prior to tree purchase.
12. That the Applicant shall provide a Performance Bond for the installation of Monumentation, roadway restoration and installation of trees, prior to the recording of the “Final Record Plat”.

Ward 5 Councilman Ladouceur indicated that this parcel was in his Ward and he had not received any calls or concerns from neighbors regarding the development.

Ms. Stenhouse asked the Applicant if he was in agreement with the Planning Department Findings and Recommendation; Mr. Capuano responded affirmatively.

Ms. Stenhouse, seconded by Ms. Siefert, made a motion to adopt the Planning Department’s Findings and Recommendations, as presented, and to grant Preliminary Approval, with Final Approval through the Administrative Officer. All in favor; none opposed.

Public Meeting
Minor Subdivision
900 Greenwich Avenue
Greenwich Avenue Plat/Preliminary

Location:	900 & 934 Greenwich Avenue Alvin Street
Applicant:	Gladys L. Cok Revocable Living Trust Igor Cok, Trustee Church of Christ
Assessor’s Plat:	266
Assessor’s Lot(s):	497 & 564
Zoning District:	A-10 Residential
Land Area:	3.45 Acres
Surveyor:	Boyer Associates
Ward:	7

Project Scope

Attorney, Joseph Brennan, Shekarchi Law Offices, represented the Applicant, Igor Cok, Trustee and the Christ of Church who was requesting Preliminary Approval of a Minor Subdivision. The Applicant was proposing to subdivide (2) two lots to create (3) three lots; (1) one new 23,408 square-foot lot with an existing single-family dwelling and related accessory uses, fronting on Greenwich Avenue; (1) one new 19,226 square-foot lot for the development of a single-family dwelling, fronting on Greenwich Avenue; and (1) one new 107,627 square-foot lot with an existing religious facility, fronting on Greenwich Avenue and Alvin Street and zoned Residential A-10.

Mr. Brennan indicated that the Applicant was acquiring a small portion of the Church of Christ frontage to allow for the proposed development, indicating that the lots would conform to all of the requirements of the Zoning Ordinance. Mr. Brennan indicated that he had read through the Planning Department Findings and Recommendations and he asked to have a few modifications to the recommendation, specifically, that stipulation No. 2 be modified to read 200' feet from construction; that stipulation No. 10 be modified to have bounds installed prior to recording so that the Applicant would not be required to provide a bond for Monumentation; and finally that stipulation No 4 be modified to allow the existing foundation to remain. After a brief discussion the Board decided that stipulation No. 4 remain as presented and modifications be made to stipulations Nos. 2 and 10. (See stipulations Nos. 2, 10 & 11)

Being no further presentations, the Board adopted the Planning Department Findings and heard the Planning Department recommendations, which were 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. That the proposed development is generally consistent with the Comprehensive Community Plan, and consistent with the existing neighborhood, having lots within the 200' radius containing single-family dwellings that meet and exceed the existing zoning requirements.
2. That the subject property is located at 900 & 934 Greenwich Avenue and Alvin Street and is identified as Assessor's Plat: 266, Assessor's Lots: 497 & 564.
3. That the subject property consists of (2) two Tax Assessor's lots totaling 3.45 acres and zoned A-10 Residential.
4. That the Applicant proposes to subdivide (2) two lots to create (3) three lots; (1) one new 23,408 square-foot lot with an existing single-family dwelling and related accessory uses, fronting on Greenwich Avenue; (1) one new 19,226 square-foot lot for the development of a single-family dwelling, fronting on Greenwich Avenue; and (1) one new 107,627 square-foot lot with an existing religious facility, fronting on Greenwich Avenue and Alvin Street.
5. That the A-10 Residential Zoning District requires a minimum of 100 feet of frontage and lot width and a minimum area of 10,000 square feet per individual lot.
6. That the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance.
7. That the Applicant submitted plans for review and comment by City Departments, and based on the aforementioned comments, has submitted revised plans for Planning Board approval.

8. That the Applicant has received a RIDOT-PAP No.150401, for the curb cut for the proposed single-family dwelling.
9. That the Applicant has received Kent County Water Approval No. 847, for the proposed single-family dwelling.
10. That there are a well and garage on-site that are made of stones that are unique in character.
11. That the property will have access to Municipal Sewer and Kent County Water.
12. 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.
13. That there will be no significant negative environmental impacts from the proposed development.
14. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That all plans submitted 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.
2. That, prior to Final Approval, the Applicant shall provide a Final Plan and Record Plat, which shall include, but not be limited to, noting that there are no wetlands within 200 feet of the proposed construction.
3. That the Applicant/Developer, prior to Final Approval, shall coordinate with the City's Sewer Authority regarding installation and connection to Municipal Sewer, for both the existing and proposed dwelling. That, prior to the issuance of a Certificate of Occupancy, both the existing and proposed dwellings shall be connected to Municipal Sewers.
4. That the Applicant, prior to final approval, shall raze the existing foundation noted to the rear on Parcel 1 of the Greenwich Avenue Plat.
5. That the existing house on Parcel 1 of the Greenwich Avenue Plat is to remain a single-family use, until such time as the Applicant/Property Owner applies for multi-family approval.

6. That the Applicant/Developer shall retain and reuse the stones from the existing well on Parcel 2 on-site as part of the overall design.
7. That the Applicant shall preserve and protect the existing Crimson King Maple tree, located on Parcel 1 and the 20" caliper Oak tree located in close to the property line between Parcel 1 and Parcel 2 of the Greenwich Avenue Plat.
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 Parcel 1 and Parcel 2 of the Greenwich Avenue Plat. This number may be reduced if there are existing mature trees in good condition that can be preserved and protected during construction.
9. That the Applicant shall coordinate with the City's Landscape Project Coordinator regarding species and location, prior to tree purchase.
10. That the Applicant shall provide a Performance Bond for the installation of Landscaping, prior to the recording of the "Final Record Plat".
11. That, prior to the issuance of a Certificate of Occupancy, the City's Engineering Division shall verify that the Monumentation, as noted, on the Greenwich Avenue Record Plat, is located in the correct locations. If the Monumentation has been removed, displaced or disturbed the Applicant shall be responsible for replacing said Monumentation.
12. That the Applicant, prior to Final Approval, shall provide deeds for review.

Ms. Stenhouse, seconded by Mr. Desmarais, made a motion to adopt the Planning Department Findings and Recommendations, as presented, and to grant Preliminary Approval with Final Approval through the Administrative Officer. All in favor; none opposed.

Public Informational Meeting
Major Land Development/Zone Change
West Shore Road Condominiums
Master Plan

Location:	West Shore Road
Assessor's Plat:	352
Assessor's Lots:	50 & 61
Applicant:	Sturbridge Home Builders
Zoned:	A-10 (Residential)
Proposed Zone:	A-10 (Planned District Residential-PDR)
Area:	6.2 Acres
Ward:	5
Engineer:	DiPrete Engineering

Attorney Sanford Resnick, represented the Applicant, Sturbridge Home Builders, who was requesting Master Plan Approval of a Major Land Development Project along with a recommendation for a Zone Change. The Applicant proposed to merge (2) two vacant lots to accommodate an (18) eighteen-unit condominium complex with less than required front-yard and side-yard setback. The Applicant is proposing single-story and story-and-a-half units to accommodate aging in place.

The Applicant was also requesting a recommendation to the City Council for a zone change from A-10 Residential to A-10 Planned District Residential (PDR) with the following City Council Zoning exemption for less-than-required front-yard setbacks.

Mr. Resnick indicated that the project was in the concept phase, that the property would require archeology and a zone change, prior to returning to the Board for Preliminary Approval.

Mr. Resnick introduced the Applicant, Hugh Fisher, who indicated that he had acquired the property from the Roman Catholic Church a few years prior, and this location was significant in the King Phillip's War. He indicated that the site may have remains of the "the Stone Castle" which was taken down in the early 1700's and that he would like to incorporate any stone remains into the design of his condo development which would be 1-1.5 story units with full master suites on the first floor; additionally, he would incorporate the "Stone Ender" design concept of the proposed garages to the street-view elevation.

Mr. Fisher indicated that he had prepared an application for 15 units and that during a Planning Department requested informational neighborhood meeting an abutter approached him and asked if he was interested in purchasing the abutting lot; which allowed Mr. Fisher to propose 18 units.

Mr. Gambardella asked if there was sufficient guest parking; Mr. Fisher indicated that he was proposing more than required parking. Mr. Gambardella was concerned that there would be parking on the street.

Mr. Resnick indicated that a Traffic Report was required for the development that was currently being prepared and would be available prior to proceeding to the City Council for the requisite Zone Change.

Mr. Slocum asked about the existing cemetery on-site. Mr. Fisher indicated that the construction would be 100+ feet from the perimeter of the cemetery and Public Archeology Lab (PAL) would be on-site to determine if there were burial sites outside of the limit of disturbance.

Ms. Gerlach asked about the removing of the stone wall, Mr. Fisher indicated that there were portions of walls within the construction area and that any stones removed would be incorporated into the development.

Mr. Resnick introduced Mr. Alan Leveillee, Senior Archeologist, PAL, indicating that the Applicant had applied for a permit with RIHPHC for archeology. Mr. Leveillee indicated that the City was a fascinating place and that he had previously done work in this area and had determined that the area was significant for archeology.

Mr. Fisher contacted PAL to make a determination of archeology on-site. He recommended that machine assisted investigation be done and has applied to RIHPHC for the requisite permit. Additionally, he indicated that he has contacted the City's Cemetery Commission and the Narragansett Indians.

Mr. Leveillee indicated that he would be in the field for approximately one week and that the first step would be to peel back the plow zone and determine if there is anything on-site. Additionally, he indicated that the information obtained from the area would be used in the local schools as an educational tool.

Mr. Hindinger indicated that the Applicant had applied for and received a soil erosion permit.

Mr. Dave Russo, PE, DiPrete Engineering, addressed the Board indicating that there is a wetland verification and class one survey for the property. He indicated that the project would need approval from RIDEM and RIDOT, both of which will require zero-net run-off. Additionally, he indicated that property would be serviced by Municipal Sewer and Water and that they would be proposing an additionally hydrant to meet the required one per 300' minimum standard. That the project provided sufficient parking and included a handicap accessible garage and parking spaces, as well as additional parking spaces for guests. Soil testing would be done when archeology was complete.

Being no further presentations, the Board adopted the Planning Department Findings and heard the Planning Department recommendations, which were 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 further finds:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, being consistent with the existing neighborhood, having other multi-unit residences within the 200' radius of the subject property.
2. That the subject property is located along West Shore Road; and is identified as Assessor's Plat: 352; Assessor's Lots: 50 & 61.
3. That the subject property consists of (2) two Tax Assessor's lots totaling 6.2 acres and is zoned Residential A-10.
4. That, based on the Planning Department's request, the Applicant held a community outreach meeting at City Hall on February 18, 2015 to present the plan, as well as to gain feedback from the community.
5. That, subsequent to that neighborhood meeting, the Applicant purchased an additional abutting lot and sent letters the neighbors notifying them of an increase of units from the (13) thirteen, as presented at the meeting to the current (18) eighteen units.

6. That the Applicant and the Project's Engineer held a pre-submission meeting with Planning Staff and City Departments to review the proposed development and that the Applicant has made revisions to the original plan based on the departmental comments and community feedback.
7. That the Project, as proposed, is not in compliance with the standards and provisions of the City's Zoning Ordinance and therefore, requires a City Council Zone Change from A-10 Residential to A-10 Planned District Residential and exemptions for less-than-required front-yard and side-yard setbacks.
8. That the RI Historical Preservation and Heritage Commission (RIHPHC) has reviewed the project and determined that the area is sensitive for archaeological resources. Findings of Native American Artifacts have been reported to RIHPHC, with the potential that the area contains a significant pre-contact site. Additionally, this was the site of the "Stone Castle" built in 1649, a stone-built house that served as the garrison house of the Colonial settlement in Warwick. It was the only English building to survive the King Philip's War and was demolished in 1795. It is expected that foundations of the "Stone Castle" and associated artifacts from the 17th and 18th centuries will be found on-site, representing a significant cultural resource. This is, potentially, the most important early historic archaeological site in Rhode Island.
9. That, additionally, RIHPHC found that the Wickes-Greene Historic Cemetery No. 28 may contain burials outside of the proposed 25-foot buffer.
10. That the Applicant retained the Public Archaeology Laboratory to perform a comprehensive survey of the property and RIHPHC has issued a permit for archeological investigation.
11. That the Applicant has received RIDEM-Wetlands Verification Application No. 11-0234.
12. That West Shore Road is a 35 mph zone roadway, which requires a sightline distance of 250 feet and that the proposed entrance locations provide in excess of 300 feet of sightline distance in both the east and west directions.
13. That the parcel will have access to Municipal Water and Sewer.
14. 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.
15. That the proposed development possesses adequate access to a public street.

Planning Department Recommendations

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

1. That the Applicant shall receive a City Council Zone Change from A-10 Residential to A-10 Planned District Residential with exemptions for less-than-required front-yard setback.
2. That the Applicant shall submit a Preliminary Plan 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.
3. That the Applicant shall submit a Preliminary Plan that shall include, but not be limited to:
 - Note an adequate number of fire hydrants spaced 300 feet apart and provide a minimum of 1000 GPM. Sprinklered buildings require a hydrant within 100 feet of the Fire Department Connection.
 - Note the Sewer line extension.
 - Note Mueller Hydrants.
4. That, prior to Preliminary Approval, a Storm Water Management Plan shall be submitted in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010. This plan shall be subject to approval by the City Engineer, prior to submission to RIDEM and RIDOT.
5. That, prior to Preliminary Approval, the Applicant shall receive all required State and local permitting, including, but not limited to, RIDEM, RIDOT-PAP and local PAP.
6. That, prior to Preliminary Approval, the Applicant shall receive Historic Cemetery Approval.
7. That the Applicant shall coordinate with Planning Staff regarding stones located on-site that shall be retained and reused on-site as part of the overall design.
8. That, as specified in Chapter 6, Historic and Natural Resources, the Applicant shall coordinate with Planning Staff regarding “Historic Marker Signage for the site with a summary of the historic significance of the site.
9. That all archeological investigations and determinations shall be finalized prior to the submission to the City Council for the required Zone Change.
10. That the Applicant shall coordinate with the City’s Sanitation Division regarding trash and recycling collection.
11. That the Applicant shall coordinate with the City’s Water Division regarding water services, prior to the submission for Preliminary Approval.
12. That all Monumentation shall be protected during all phases of construction. Any Monumentation that is disturbed or destroyed shall be replaced by the Applicant.

13. That, as part of the Preliminary Application, the Applicant shall include a Landscape Plan, drawn and stamped by RI Licensed Landscape Architect.

Being no further testimony, Mr. Gambardella, seconded by Ms. Stenhouse, made a motion to open the public meeting, all in favor, none opposed.

Mr. Joseph Carchia, 15 Whalen Avenue, addressed the Board asking how much of a deviation was being requested for the front-yard setback and if there would be landscaping. Mr. Fisher answered that there would be 25' front yard setback, and that there would be full landscaping and the potential for stone walls.

Ward 5 Councilman Ladouceur addressed the Board indicating that he had received a call from a constituent; and stated that she had spoken to Mr. Fisher and he had addressed all of her concerns.

Being no testimony, Mr. Gambardella, seconded by Mr. Desmarais, made a motion to close the public meeting, all in favor; none opposed.

Ms. Siefert addressed the Board and the Board's Solicitor, indicating that she had purchased a home that was built by the Applicant in the summer of 2014. The City Solicitor indicated that she felt that because the transaction was complete that there was no mandate that Ms. Siefert recuse herself, but that she could do so if she chose. Ms. Siefert participated in the vote.

Ms. Stenhouse, seconded by Mr. Gambardella, made a motion to adopt the Planning Department Findings and Recommendations, as presented, and to grant Master Plan Approval. All in favor; none opposed.

Request for a Zone Change
Recommendation
West Shore Road

Location:	West Shore Road
Assessor's Plat:	352
Assessor's Lots:	50 & 61
Applicant:	Sturbridge Home Builders
Zoned:	A-10 (Residential)
Proposed Zone:	A-10 (PDR)
Area:	6.2 Acres
Ward:	5
Engineer:	DiPrete Engineering

The Applicant was requesting a zone change recommendation to merge (2) two vacant lots to accommodate an (18) eighteen-unit condominium complex with less than required front-yard setbacks. The Applicant proposed single-story and story-and-a-half units to meet the diverse needs of households at all stages of life.

Being no further presentations, the Board adopted the Planning Department Findings and heard the Planning Department recommendations, which were 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. That the proposed development is generally consistent with the Comprehensive Community Plan, being consistent with the existing neighborhood, having other multi-unit residences within the 200’radius of the subject property.
2. That, the Project, as proposed, is in compliance with the City’s Comprehensive Plan, including the Goals and Policies Statement, the Historic and Cultural Resources, the Housing and Neighborhoods Element, and the Natural Resources Element.
3. That, the Project, as proposed is not in compliance with the standards and provisions of the City’s Zoning Ordinance, and therefore, requires exemptions for less-than-required front-yard and side-yard setbacks.
4. That, based on the Planning Department’s request, the Applicant held a community outreach meeting at City Hall on February 18, 2015 to present the plan, as well as to gain feedback from the community.
5. That, subsequent to that neighborhood meeting, the Applicant purchased an additional abutting lot and sent letters to neighbors notifying them of an increase of units from the original (13) thirteen to the current (18) eighteen units.
6. That the Applicant and the Project’s Engineer held a pre-submission meeting with Planning Staff and City Departments to review the proposed development and that the Applicant has made several revisions to the original plan based on the departmental comments and community feedback.
7. That the RI Historical Preservation and Heritage Commission has reviewed the project and determined that the area is sensitive for archaeological resources. Findings of Native American Artifacts have been reported to RIHPHC, with the potential that the area contains a significant pre-contact site. Additionally, this was the site of the “Stone Castle,” built in 1649, a stone-built house that served as the garrison house of the Colonial settlement in Warwick. It was the only English building to survive the King Philip’s War and was demolished in 1795. It is expected that foundations of the “Stone Castle” and associated artifacts from the 17th and 18th centuries will be found on-site, representing a significant cultural resource. This is potentially the most important early historic archaeological site in Rhode Island.
8. That, additionally, RIHPHC found that the Wickes-Greene Historic Cemetery No. 28 may contain burials that are outside of the proposed 25-foot buffer.

9. That the Applicant has coordinated with Public Archaeology Laboratory to perform a comprehensive survey of the property and RIHPHC has issued a permit for archeological investigation.
10. That the Applicant has received RIDEM-Wetlands Verification Application No. 11-0234.
11. That West Shore Road is a 35-mph zone roadway, which requires a sightline distance of 250 feet and that the proposed entrance locations provide in excess of 300 feet of sightline distance in both the east and west direction.
12. That the parcel will have access to Municipal Water and Sewer.
13. That the proposed development possesses adequate access to a public street.

The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
 - B.) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick.
 - C.) The natural Characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface (water) or groundwater pollution
 - D.) The values and dynamic nature of coastal and freshwater ponds, the shoreline, and freshwater and coastal wetlands
 - E.) The values of unique of valuable natural resources and features
- 103.5 Provide for the protection of the natural, history, cultural, and scenic character of the City or areas therein.
- 103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing, including opportunities for the establishment of low and moderate income housing.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.

The Planning Department recommended a favorable recommendation to the Warwick City Council for an amended zoning amendment from A-10 Residential to A-10 Planned District Residential (PDR), with exemptions for less than required front-yard and side-yard setbacks, with the following stipulations:

1. That the Applicant shall coordinate with Planning Staff regarding stones located on-site that shall be retained and reused on-site as part of the overall design.
2. That, as specified in Chapter 6, Historic and Natural Resources, the Applicant shall coordinate with Planning Staff regarding “Historic Marker Signage” for the site with a summary of the historic significance of the site.
3. That the Applicant shall coordinate with the City’s Sanitation Division regarding trash and recycling collection.

Ms. Stenhouse, seconded by Mr. Desmarais and Mr. Horowitz, made a motion to adopt the Planning Department Findings and Recommendations, as presented, and to forward a favorable recommendation to the City Council. All in favor; none opposed.

Other Business

Annual Election of Officers

Mr. Horowitz made a motion to waive the 2-year term limitation of the Development Review Regulations, specifically Section 8.1.2 to submit Mr. Slocum for Planning Board Chair and Mr. Gambardella for Vice-Chairman, seconded by Ms. Stenhouse and Mr. Desmarais; all in favor none opposed.

On a motion by Ms. Stenhouse, seconded by Mr. Gambardella, the meeting was adjourned at 7:45 pm. All in favor; none opposed.