

**City of Warwick Planning Board
Meeting Minutes
Wednesday, May 14, 2014**

Members Present: James Desmarais
Vincent Gambardella
Steve Horowitz
Laura Pisaturo
Philip Slocum
Sue Stenhouse

Members Absent: Cynthia Gerlach
Thomas Kiernan
John Mulhearn

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

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

The February 2014 meeting minutes were presented for review and approval. A motion was made by Ms. Stenhouse to approve the February meeting minutes, as presented, seconded by Ms. Pisaturo, with Mr. Desmarais abstaining. All voted in favor, none opposed.

Chairman Slocum informed the Public that the Applicants would be heard out of order.

Public Informational Meeting
Major Subdivision
Master Plan
Cowesett Road

Location: Cowesett Road
Assessor's Plat: 231
Assessor's Lot: 4
Applicant: H. A. Fisher Homes
Property Owner: First Baptist Church
Zoned: A-40 (Residential)

Land Area: 21.98 Acres
Ward: 9
Engineer: DiPrete Engineering

Mr. Sanford Resnick, ESQ, represented the Applicant who was proposing a cluster design subdivision of a 21.98 acre site. The Applicant proposes to create (8) eight new lots; (6) six new single family residential dwellings with the potential for an additional accessory dwelling unit/in-law requiring Zoning Board of Review approval and (2) two new Open Space lots, not for development. The site will be accessed via a new street with a sidewalk on one side only.

Mr. Resnick explained that the property had received approval in the 1990's for a 14 lot subdivision, that was started but not completed and had subsequently had an approval for a church which included approvals for a school and outdoor recreational facilities; along with parking for 250 vehicles.

Mr. Resnick introduced Mr. Chris Duhamel, PE, DiPrete Engineering. Mr. Duhamel gave a brief description of the project, indicating that the project was abutting the City owned Dawley Farm and the National Grid site fronting along Cowesett Road. Mr. Duhamel indicated that there was a 50 foot access off of Cowesett Road and a wetland crossing culvert that had been established and constructed as part of a prior approval. He indicated that the proposal was for six lots for the development of a maximum of four bedroom homes or the option of a three bedroom home and a one bedroom casita.

Additionally, there was a 25' access off Cowesett Road that was of no use to the Applicant and the Applicant was in the process of discussing deeding over the property to the abutters.

Mr. Duhamel stated that two lots to the rear of the parcel would have a common driveway for access and these lots had recently been modified to accommodate an archeologically sensitive area. Additionally the common drive would also serve as an access to the Cemetery to the rear of the parcel.

Mr. Gambardella asked if the common driveway had sufficient width for fire access. Mr. Duhamel responded that the fire department had reviewed the proposal and required a minimum of 16 feet, which the driveway met.

Ms. Stenhouse asked if there would be established parking for the Open Space access and access to Dawley Farm.

Mr. DePasquale explained that 53% of the lot would remain Open Space, he further explained that the Cluster regulations limited the Open Space access to the Home Owner's Association use. He stated that the City required access to the Cemetery to the rear of the parcel and that would be achieved by an access through the common driveway. The City is looking into the possibility of parking facilities for the Dawley Farm, separate from this application.

Mr. Resnick then introduced the Applicant Mr. Fisher. Mr. Fisher addressed the Board indicating that he was proposing a single level living design, to provide for aging in place.

The homes would have the option to be a four bedroom house without the option of an accessory dwelling or a three bedroom house with an additional bedroom in the accessory dwelling. The accessory dwellings will have a separate entrance, as well as, an internal access.

Mr. Resnick indicated that he would like to have the option to retain the ability to rent the property, as long as the property owner lives on-site.

Mr. Desmarais asked how this would be enforced. Mr. Fisher and Mr. Resnick explained that the properties would be restricted by deed and Homeowner Association (HOA) restrictive covenants and the HOA would have the authority to enforce the restrictions.

Mr. DePasquale indicated that the current City regulations allow for in-law apartments that are very hard to regulate and enforce. This development would have the option to self-enforce due to the HOA's ability to enforce its restrictive covenants and deeded restrictions. Additionally, Mr. DePasquale discussed the City's need for varied types of housing designs and the City's growing aging population. He indicated that these properties would be highly marketable.

Being no further questions from the Board, Mr. Gambardella, seconded by Ms. Stenhouse made a motion to pen the Public Hearing. All in favor none opposed.

Barbara Flynn, 760 Cowesett Road, addressed the Board indicating that she had no objection to the Casita concept. Ms. Flynn had some general questions regarding the casita option. She was concerned about safety due to minimal lighting along Cowesett Road and would like full lighting to be turned back on, she was especially concerned about her artesian well being undisturbed by the construction activity, and finally she wanted to be certain that access to the cemetery on the parcel would not be impeded.

Mr. Slocum and Ms. Stenhouse suggested that Ms. Flynn contact her Councilperson regarding the lighting and Mr. DePasquale showed Ms. Flynn the plan showing the permanent access to the cemetery. Mr. Duhamel indicated that there was no ledge in the area that would require blasting and the Applicant was proposing public water and there should be no impact on Ms. Flynn's artesian well.

Lucille Gallager, 854 Cowesett Road, addressed the Board indicating that she was a 42 year resident and that the current proposal was the best she had seen to date. Ms. Flynn had concerns regarding drainage. Mr. DePasquale and Mr. Slocum discussed the standard zero net run-off requirement, explaining that there would be no additional run-off onto her property. Ms. Flynn also indicated that she had had a survey done of her property and was concerned that there may be a discrepancy along the property line. Additionally, Ms. Flynn was concerned that any public parking would be in her direct line of site. Mr. Duhamel addressed the property line discrepancy indicating that he had spoken to Ms. Flynn's surveyor, Waterman Engineering Associates, and that there was no conflict.

Mr. Tom Flynn, 760 Cowesett Road, addressed the Board asking if all the homes would be built with a casita.

Mr. Fisher explained that the casita was an option, not a standard. Mr. DePasquale further explained that an original owner may not want the casita, but that a subsequent buyer may choose to have the casita addition.

Being no further questions, Ms. Stenhouse, seconded by Ms. Pisaturo, made a motion to close the public hearing.

Mr. DePasquale presented the following modification to finding no. 11, *That the primary of accessory unit dwelling unit, shall not be a rental unit, unless the primary of accessory unit is occupied by the property owner, this shall be enforced by the Homeowner's Association Documents-Restrictive Covenant and Deed Restriction*, and added the modification as a stipulation.

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, specifically *Chapter 7, Housing and Neighborhoods* which details the demand for diverse housing types and the City's diverse housing needs; and *Chapter 12, Future Land Use Zoning and Urban Design*, which specifically calls for the preservation of environmentally sensitive lands, and park land and to connect them in a network when possible, and generally consistent with the existing neighborhood, having lots within the 400' radius that meet or exceed the requirements of the A-40 Zoning District and large tracts of Open Space recreational land.
2. That the subject property is located along Cowesett Road and the City owned Dawley Farm; and is identified as Assessor's Plat: 231; Assessor's Lot: 4.
3. That the Applicant proposes to create a single family cluster development that consists of (8) eight lots; (6) six new conforming lots for single family dwelling development on a new street (cul-de-sac); and (2) two new lots, for Open Space.
4. That the subject property consists of (1) one tax Assessor's lot totaling 21.98 acres and is Residential A-40.
5. That the City's Zoning Ordinance, requires a A-40-Cluster residential development, in which sewer service is NOT provided, to have a minimum lot area of 23,500 square feet and 100 feet of frontage and lot width, per individual lot.
6. That the Applicant is proposing a six (6) foot wide sidewalk located along one (1) side of the roadway and cul-de-sac.

7. That the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance, specifically, Section 501.4 (c) *District Regulations*.
8. That in 1995, the property received an approval for a (14) fourteen lot subdivision with related improvements known as Princeton Estates.
9. That in 2000 the property was sold to the First Baptist Church which subsequently received approval for a 400 seat auditorium, a school, an outdoor amphitheater and outdoor recreational facilities; along with parking for 250 vehicles.
10. That the Applicant is requesting an innovative design concept of single family dwellings with the potential for attached accessory dwelling units, with separate access for a single level living design.
11. That the primary of accessory unit dwelling unit, shall not be a rental unit, unless either the primary of accessory unit is occupied by the property owner, this shall be enforced by the Homeowner's Association Documents-Restrictive Covenant and Deed Restriction and added the modification as a stipulation.
12. That based on the Planning Department's request, the Applicant held a community outreach meeting at City Hall on March 26, 2014 to present the plan, as well as, to gain feedback from the community.
13. 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 departmental comments and community feedback.
14. That the Applicant and the Project's Engineer coordinated with RI Historical Preservation & Heritage Commission and made revisions to the original plan based on RIHPHC comments and feedback.
15. That the development as proposed includes 11.72 acres of Open Space, which will provide connectivity to the abutting City owned Dawley Farm.
16. That the parcel includes Historic Cemetery No. 130.
17. That the parcel has (2) two access points onto Cowesett Road.
18. That (2) two of the proposed lots shall have a shared driveway within the Open Space.
19. That stone walls are tangible links to the City's colonial agrarian past and, as such, hold a unique historic significance for the City.

20. That stone walls are continuously threatened by both private and public development and need to be protected.
21. That the parcel will be serviced by Kent County Water and RIDEM On-Site Wastewater Treatment System. (OWTS)
22. 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.
23. That the proposed development possesses adequate access to a public street.

Being no further modifications, Ms. Stenhouse, seconded by Mr. Gambardella, made a motion to adopt the Planning Departments Findings, as amended and Mr. DePasquale read the Recommendations, which were as follows.

Planning Department Recommendations

Planning Department recommendation is to grant Master Plan approval, 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 Preliminary approval a Stormwater Management Plan, including but not limited to, a Drainage Plan and Calculations, shall be designed in accordance with Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development. Per the RI Low Impact Development Site Planning Design Guidance Manual, the Design Engineer shall incorporate Low Impact Design (LID) as a first choice, if practicable. This plan shall be subject to approval by the City Engineering Division. Prior to submission to RIDEM or RIDOT, the City's Engineering Division shall review and approve the proposed drainage system design.
3. The Drainage area shall include access to and around the drainage area to ensure proper maintenance and repair. The Drainage area shall be subject to approval by the City's Engineering Division.
4. That prior to Preliminary Approval, the Project Engineer shall review and certify that the existing concrete culvert meets or exceeds the design standards, as set forth by the RIDOT.
5. That as part of the installation of the new roadway, the Applicant shall provide driveway curb openings for Assessor's Plat: 231, Assessor's Lots: 3 & 12.

6. That the Applicant shall provide concrete curbing along both sides of the roadway.
7. That prior to Preliminary Approval, the Applicant shall coordinate with property owners of Assessor' Plat: 231, Assessor's Lots: 5 & 10 regarding the feasibility of transferring a small portion of land existing between these two properties, to the aforementioned lots.
8. That the Preliminary Plan shall show all two way travel lanes on the new street (cul-de-sac) to have a minimum of 24 feet of unobstructed width, to allow for unimpeded access for fire apparatus.
9. That the Preliminary Plan shall show that all roadway corners are negotiable by vehicles having an outer tire turning radius of 50 feet left or right.
10. That the Preliminary Plan shall show an adequate number of fire hydrants spaced 300 ft. apart and providing a minimum of 1000 GMP. Buildings with sprinklers require a hydrant within 100 ft. of the Fire Department Connection.
11. That the Preliminary Plan shall depict the Drainage Area on its own separate lot, which shall be deeded to the City.
12. That prior to Preliminary Approval, the Applicant shall receive Zoning Board of Review Approval, for the requested innovative design concept of a single family dwelling with the potential of an attached accessory dwelling unit, with variances.
13. That prior to Preliminary Approval, the Applicant shall coordinate with the Historic Cemetery Commission for review and approval of the project, as it relates to Cemetery No. 130.
14. That prior to Preliminary Approval, the Applicant shall coordinate with the Historic District Commission regarding any alteration to the existing stone walls, if deemed necessary.
15. That the Applicant's Licensed Landscape Architect shall coordinate with the Planning Department, prior to the development of a landscape plan, that conforms to the *City of Warwick Development Review Regulations*, specifically, Appendix D, Sections D3.3 (a) through (g) entitled Landscaping and Trees.
16. That prior to Preliminary Approval, the Applicant shall receive approval from the Kent County Water Authority.
17. That the Preliminary Plan, shall include all easements of record.
18. That prior to Preliminary Approval, the Applicant shall receive all required State and local permitting, including, but not limited to, RIDEM-Wetlands, RIDEM-OWTS, RIDOT, and local Physical Alteration Permit.

19. That the RIDEM-OWTS design shall be restricted to a total of (4) bedrooms, with the single family house designs to be limited to either (3) bedrooms in the main house and (1) one bedroom in the accessory dwelling or (4) bedrooms in the main house without the option of an accessory dwelling unit.
20. That the Preliminary plan shall note the dwelling and OWTS building envelope.
21. That all utilities shall be installed underground.
22. That prior to Preliminary Approval, the Applicant shall provide a *Trails Access and Management Plan*. The plan shall be subject to approval by the Administrative Officer.
23. That the primary of accessory unit dwelling unit, shall not be a rental unit, unless the primary of accessory unit is occupied by the property owner, this shall be enforced by the Homeowner's Association Documents-Restrictive Covenant and Deed Restriction.
24. That prior to Preliminary Approval, the Administrative Officer shall review the Homeowner Association Documents and Deeds which shall include but not be limited to, Restrictive Covenants regarding the accessory dwelling unit and a detail of the cost arrangement for the repair and maintenance of the shared driveway and Open Space access, which shall be the sole responsibility of the Homeowner's Association.
25. That any alteration to the Homeowner Association Document's Restrictive Covenants, relative to the accessory dwelling unit or the maintenance of the common driveway, shall be authorized by the Planning Board only.

Ms. Stenhouse, seconded by Mr. Desmarais, made a motion to adopt the Planning Department's recommendations, as read and amended, and to grant Master Plan Approval. All in favor; none opposed.

Public Informational Meeting
Major Subdivision
Master Plan
23 Belmont Road

Location:	23 Belmont Road Berkeley Street Beverley Road Bay View Avenue
Assessor's Plat:	220
Assessor's Lot:	4, 6, & 7
Applicant/Owner:	Mark H. Mainelli
Zoned:	A-10 (Residential)
Land Area:	36,322 square feet
Ward:	9
Engineer:	Commonwealth Engineers & Consultants, INC

Project Scope

Mr. K. Joseph Shekarchi, ESQ, represented the Applicant who was proposing to reconfigure (3) three existing lots, to create (2) two new lots; (1) one new 22,285 square foot lot located along 23 Belmont Road and Berkeley Street with an existing dwelling and a shed having less than required rear yard setback and (1) one new 14,037 square foot lot for the development of a single family dwelling on a corner lot having less than required frontage and lot width on Bay View Avenue, meeting the required frontage and lot width along Beverly Road.

Mr. Shekarchi indicated that Mr. Mark Mainelli, Property Owner, was also present. Mr. Mainelli has lived in the existing home for over 54 years, and he would like to subdivide the lot. Mr. Shekarchi stated that the Applicant wished to keep the existing shed which had sentimental value to the Applicant. Mr. Shekarchi indicated that the property would be serviced by Kent County Water and OWTS. He further stated that the property would meet, at a minimum, the Zero Net Run-Off requirements.

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

Mr. Darrell Lucente, 110 Bay View Avenue stated that he did not believe that the lot was suitable for an OWTS, due to the existing grade and high water table. Mr. Lucente indicated that he has had to have his property mitigated to prevent his basement from flooding due to surface water and the high water table. He stated that although he has had his property mitigated that during severe storm events his system is overwhelmed. He was very concerned with the location of the OWTS. Mr. DePasquale indicated that this project was currently at Master Plan and that there were different types of OWTS available and that the Project Engineer would need to address any design concerns as part of the RIDEM-OWTS approval.

Mr. Lucente indicated that he understood that there were different types of systems available, his concern was specific to the leach field. He stated that he would be sampling to have a datum of the current contaminants. Additionally, he was concerned that if it was determined that the system was not functioning properly how would this be addressed.

Mrs. Patricia McManus, 100 Spencer Avenue stated that she had a new system installed on her property and that during the installation it was discovered that the area had ledge and that without blasting they could not install the approved system, and they could not be guaranteed that the blasting would not affect her foundation or the foundations of the abutting properties. Ms. McManus indicated that she modified her application with RIDEM-OWTS to avoid blasting. Ms. McManus wanted to know if there would be blasting to accommodate the OWTS or the water line. Additionally, Mrs. McManus asked for clarification on the non-conformance and the relief sought.

Mr. Slocum indicated that the project was currently at the Master Plan phase and that information was not part of the Master Plan requirements. Mr. DePasquale further explained that the Master Plan phase was the "concept phase" of a project and that it was a time in which these types of issues and concerns were received.

Mr. DePasquale indicated that as the project proceeds through the process; the City would have more information. Mr. DePasquale indicated that the City relied on RIDEM-OWTS and the Project Engineers, as the project moved through the process, to determine if the lot was suitable for development.

Mr. DePasquale explained that the lot was existing non-conforming to frontage and lot width on the secondary frontage. Mr. DePasquale explained that the A-10 regulations required 80 feet of frontage on a secondary street and the Property only contained 60 feet.

Armond Lusi, 120 Spencer Avenue asked if the Applicant removed the shed, would the Property owner require any approvals. Mr. DePasquale indicated that the lot would require Zoning Board approval but being that the lot would not be merged with the larger lot if there were no shed, he would not be before the Planning Board.

Being no further testimony, Ms. Stenhouse, seconded by Ms. Pisaturo, made a motion to close the Public Hearing.

The Board accepted that Planning Department findings, which were as follows, and Mr. DePasquale read the recommendations.

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 lots within the 200’ radius that are existing nonconforming having less than required frontage and lot width.
2. That the subject property is located along Belmont Road, Berkeley Street (existing single family dwelling), and Beverley Road and Bay View Avenue (proposed single family dwelling); and is identified as Assessor’s Plat: 220; Assessor’s Lots: 4, 6, & 7.
3. That the subject property consists of (3) three Tax Assessor’s lot totaling 36,322 square feet and is zoned Residential A-10.
4. That the Applicant proposes to create (2) two lots; (1) one Assessor’s Lot with an existing single family dwelling; and (1) one new Assessor’s Lot for the development of a single family dwelling.
5. That the original record plat, platted in 1925 as the “Spencer Heights Plat, Plat Card 331” platted this area as 7,200-7,500+/- square foot lots.

During the 1940's-1950's the area was zoned Residential A-10 requiring 10,000 square feet of land area for development and 100' feet of frontage. In 1950, (3) three of the Spencer Heights Plat, record lots were merged into (1) one conforming 21,600 square foot assessor's lot, Assessor's Plat 220, Lot 7 for the development of a single family dwelling fronting on Belmont Road and Berkeley Street. In 1988, the City enacted a citywide zone change which included a provision that corner lots meet 80% of the frontage requirement on the secondary street, which is now 80' in an A-10 Residential district, (100' on the primary frontage/80' on the secondary frontage).

6. That the Applicant could develop Assessor's Plat: 220, Assessor's Lots: 4 & 6 as (1) one parcel under the City of Warwick Zoning Ordinance, Section 400 Non-Conformance of the Zoning Ordinance, specifically 405.4 Residential Use of Nonconforming Lots, (B) which states: *Where such lot or lots contain 7,000 square feet or more, and have a minimum frontage of at least 50 feet, a new dwelling may be constructed thereon without the approval from the Zoning Board of Review being necessary provided that such construction complies with the front and corner side yard, side yard and rear yard requirements of Table 2A, Dimensional Regulations, for the district in which such lot is located*, by removing/moving an existing shed on lot 7, located along the property lines of Assessor's Plat: 220, Assessor's Lots 6 & 7.
7. Being that the above-referenced shed has personal and sentimental value; the Applicant has asked to proceed to the Planning Board to allow the movement of the lot line between lots 6 and 7 to accommodate the shed. By moving this common lot line, the Applicant no longer can develop lots 4 and 6 under City of Warwick Zoning Ordinance, Section 400 Non-Conformance of the Zoning Ordinance, specifically 405.4 Residential Use of Nonconforming Lots (B) and requires Planning Board and Zoning Board Approval.
8. That the proposed development shall have less than required second street frontage and lot width (Bay View Avenue) on the lot proposed for a new single family dwelling AP. 220: Lots: 4 & 6 and the existing single family dwelling AP. 220: lot 7 shall have a shed with less than required rear yard setback.
9. That the lot contains a stone wall, which is a tangible link to the City's colonial agrarian past and, as such, holds a unique historic significance for the City.
10. That stone walls are continuously threatened by both private and public development and need to be protected.
11. That the parcel will be serviced by Kent County Water and RIDEM On-Site Wastewater Treatment System.
12. That there will be no significant negative environmental impacts from the proposed development.

13. 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.
14. That the proposed development possesses adequate access to a public street.

Planning Department Recommendations

Planning Department recommendation is to grant Master Plan approval, 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 Preliminary Approval, the Applicant shall receive Zoning Board of Review approval for a new parcel with less than required secondary frontage and lot width (Bay View Avenue) AP: 220 Lots: 4 & 6; and an existing parcel with an existing single family dwelling containing an existing shed having less than rear yard setback, AP 220, Lot: 7.
3. That the Applicant shall propose a single family dwelling that shall meet or exceeds the front and corner side yard and side yard setbacks for the Residential A-10 Zoning District.
4. That prior to Preliminary Approval, the Applicant shall coordinate with the Historic District Commission regarding any alteration to the existing stone wall.
5. That prior to Preliminary Approval, the Applicant shall receive approval from the Kent County Water Authority.
6. That prior to Preliminary approval, a Stormwater Management Plan, including but not limited to, a Drainage Plan and Calculations, shall be designed in accordance with Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development. Per the RI Low Impact Development Site Planning Design Guidance Manual, the Design Engineer shall incorporate Low Impact Design (LID) as a first choice, if practicable. This plan shall be subject to approval by the City Engineering Division.
7. That prior to Preliminary Approval, the Applicant shall receive all required State and local permitting, including, but not limited to, RIDEM-OWTS for both the existing and proposed single family dwelling.
8. That prior to Final Approval, the City shall reconcile the manner and timeline in which the existing single family dwelling AP. 220 Lot 7 (23 Belmont Road, shall install said OWTS and shall abandon any existing cesspool/s as per RIDEM Regulations.

9. That the Preliminary Plan shall include a Plat Title (eg: Mainelli Plat) within the Title Block and that the proposed lots shall be designated as Parcel A/Parcel B or Record Lot 1/Record Lot 2.
10. That the Preliminary Plan shall including Landscaping and Details that shall include, but are not be limited to:
 - Tree preservation of the existing mature evergreen trees on Beverley Road, to the extent practicable.
 - The Applicant shall consider tree preservation when locating utilities, to the extent practicable.
 - The Plan shall note that prior to construction, dripline tree protection shall be installed to protect the root zones of existing property line plantings along abutting lots identified as, Assessor's Plat 220, Assessor's Lot 8 (75 Berkeley Road) and Assessor's Plat 220; Assessor's Lot 5 (110 Bay View Avenue) and along Beverly Road.
 - The Applicant shall install (2) two 2-2.5 caliper trees, (1) one located along Beverly Road and (1) one located along Bay View Avenue. These trees shall be planted on private property to avoid any conflicts with overhead utility lines. The Applicant shall coordinate with the Planning Department relative to species.

Ms. Stenhouse, seconded by Ms. Pisaturo, made a motion to adopt the Planning Board's findings and recommendations, as read and amended, and to grant Master Plan Approval. All in favor; none opposed.

Public Informational Meeting
Major Land Development Project
Zone Change Recommendation
69 Fair Street

Applicant/Property Owner:	House of Hope Community Development Corporation, LLC
Location:	69 Fair Street
Assessor's Plat:	292
Assessor's Lot:	465
Zoning District:	A-7 Residential, Historic Overlay
Proposed Zoning:	Planned District Residential (PDR), A-7/Historic Overlay
Land Area:	35,660 square feet
Number lots:	1
Engineer:	SFM Engineering Associates
Ward:	1

Mr. Slocum made the Applicants aware that Ms. Pisaturo had a family member in the notification area; therefore she would be recusing herself. Mr. Stenhouse made the Applicant aware that she lived within the neighborhood, outside of the notification area and asked if the Applicants would like her to recuse herself. The Applicant's legal counsel indicated that he would like to proceed with the option to continue the meeting during the testimony.

Mr. Ken McGunagle Jr., ESQ represented the Applicant who was requesting Master Plan Approval for the development of ten (10) dwelling units for affordable and a supportive housing use on the parcel; five (5) units will be located in the existing building, the historically significant "Fair House", and a new addition will be constructed for five (5) additional units. The Applicant is also requesting a recommendation to the City Council for a zone change for the parcel from Residential A-7/Historic to Planned District Residential (PDR) A-7/Historic, with waivers for less than required lot area, parking, side yard setback to the building and dumpster, driveway width, location of parking within the required corner side-yard, and walkway within required landscape buffer. The site consists of 35,660 square feet, with an existing 4,100 square foot building. The proposed use of the property is for ten affordable and supportive dwelling units, with the resident population being similar to those living on the abutting parcel, 57 Fair Street (Assessor's Plat 292, Assessor's Lot 507), which is also owned by the Applicant.

Mr. McGunagle indicated the "Fair House" was six years shy of 200 years. The House of Hope (HOH) purchased the property in 2012 and was proposing the complete renovation of historic landmark and an addition. The proposal was for the development of affordable/supportive housing.

Ms. Jean Johnson indicated that the HOH will be celebrating 25 years in the City of Warwick. The HOH has 18 properties and all properties have been built for the homeless. In 25 years the HOH has never had any issues with their independent/supportive housing. HOH provides job training along with other supportive services.

Mr. O'Hearn, O'Hearn Architects, North Smithfield, RI, gave a brief overview of the project indicating that he modified the proposal based on comments from the Historic District Commission. Mr. O'Hearn indicated that the renovations and the addition were designed in a manor to preserve the existing historic character of the property.

Mr. Slocum stated that he applauded the design and the considerations made by the Applicant to keep the character of the existing structure and the consistency with the surrounding area.

Ms. Stenhouse asked if the units were for single individuals only and Ms. Johnson responded in the affirmative.

Mr. Scott Moorhead, Moorhead Engineers, indicated that the property would have fire suppression sprinklers, would contain six parking spaces and would have a 16 foot wide driveway access to reduce the visual impact. Additionally, he stated that the dumpster would be screened and that drainage was designed to pick-up the existing and proposed run-off.

Ms. Diane Soule, Landscape Architect indicated that the existing trees had been evaluated by a Licensed Arborist and few trees were worth saving. The Applicant proposed to add evergreens and perennials along the front and additional landscaping to buffer the parking and the dumpster from the abutting neighbors.

Ms. Stenhouse, seconded by Mr. Gambardella, made a motion to open the Public Meeting. All in favor; none opposed.

Ms. Nancy Craven, 89 Fair Street owned property across the street and asked when construction would begin; what would be the construction sequence; what the funding sources were and the distance from the addition to her bedroom window?

Mr. Ellis indicated that the construction would begin in the Spring of 2015, and that the project received State Tax Credits, Federal Home Loan Funds, RI Housing funding and CDBG funding for the acquisition of the property. Mr. O'Hearn indicated that the construction would begin on the interior of the existing property. Additionally, Mr. Moorhead indicated that Ms. Craven's property was 150' to 200 feet at the closest corner.

Mr. Max Ponder, 18 South Fair spoke in favor of the project, indicating that as a member of the Historic District Commission he applauded the efforts of the Applicant and the Architect to preserve the historic character of the existing structure. He stated that this property was an anchor to the neighborhood and he was very excited to see the project begin.

Ms. Ginnie Leslie, 27 Post Road indicated that she was very pleased to hear that the HOH was interested in restoring the iconic property. She urged the Board to provide the Applicant with the approval and recommendations necessary to allow the project to proceed.

Ms. Jean Johnson indicated that she was also the President of Housing Network RI and she indicated she does not believe that there is another City in the State that is more supportive of their efforts.

Being no further testimony, Ms. Stenhouse, seconded by Mr. Horowitz, made a motion to close the Public Hearing.

The Board accepted the Planning Department findings which were as follows and Ms. Reynolds read the recommendations.

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 recently approved 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 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.
2. That the subject property fronts on Fair Street and South Fair Street and is located in Pawtuxet Village.
3. Pawtuxet Village is a relatively densely developed area, listed on the National Register of Historic Places.
4. The parcel consists of 35,660 sf, is identified as Assessor's Plat:292 Assessor's Lot: 465; and zoned Residential, A-7 with an Historic Overlay zone.
5. The existing building, the Fair House, is a 2 ½ story, Greek Revival building listed on the National Register of Historic Places. It is an important historic resource that has been vacant for several years and is currently in a state of significant disrepair.
6. The proposal is not in compliance with the standards and provisions of the City's Zoning Ordinance therefore requiring City Council approval for a zone change from Residential A-7/Historic to Planned Development Residential (PDR) A-7/Historic, with dimensional waivers for less than required lot area, parking, side yard setback, driveway width, parking within corner side yard and location of walkway within landscape buffer. The existing building, the Fair House, is higher than allowed.
7. That the properties north and south of the subject parcel, and fronting on Fair Street are residential uses, with an existing multifamily located directly to the north at 57 Fair Street (Assessor's Plat 292, Assessor's Lot 507.)
8. That at the September 8, 2012 meeting, the Planning Board granted approval for the development of five residential units for the abutting parcel, 57 Fair Street, (AP 292, AL 507.)
9. That on August 17, 2010, the abutting parcel, 57 Fair Street, (AP292, AL507) received City Council approval for zone change PCO-12-10, changing the zoning from Residential A-7/Historic to Planned District Residential, A-7/Historic, with less than required parking, parking setback, lot area, building side setback, landscape buffer, and side setback for dumpster.
10. That based on the Planning Department's request, the Applicant held a community outreach meeting in Pawtuxet on April 2, 2014 to present the plan, as well as, to gain feedback from the community

11. That the resident population at the subject property (AP292, AL465) will be similar to those living in the abutting 57 Fair Street (AP292, AL507) building. This will be a supportive housing environment, in which the residents rarely own automobiles resulting in a very low need for parking spaces for residents.
12. That this proposal has been approved for state historic tax credits, and the proposed building and site improvements have been reviewed and approved by both the Rhode Island Historic Preservation and Heritage Commission and the Warwick Historic District Commission.
13. That the site has been designed in order to meet the requirements of both the local and state historic commissions. In accordance with preservation authority review, the large front lawn of the property is a character defining feature and shall be preserved; and the parking area shall be minimized in order to have the least visual impact on neighboring properties.
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.
17. That the proposed development has access to public water and sewer.

Planning Department Recommendations

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

1. That the project shall receive City Council approval for a Zone Change from A-7/Historic to PDR/A-7/Historic, with waivers for less than required lot area, parking, side yard setback, driveway width, parking within the required corner side yard and walkways within the required landscape buffer. The existing building is higher than allowed
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. A Stormwater Management Plan and an Operation and Maintenance Plan for the proposed system shall be included in the Preliminary submittal. The design for the stormwater collection system shall be 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.
4. That any and all necessary state permits shall be obtained prior to submission to the Planning Board for Preliminary Plan approval.
5. That the Preliminary Plan shall indicate the buildings on abutting properties, in particular AP 292, AL464.
6. That prior to Preliminary Plan submittal, the Project Engineer shall meet with the Warwick Fire Marshall regarding the proposed street location of the Fire Department Connection (FDC); this shall be approved by the Authority Having Jurisdiction (AHJ), and the water supply shall be in accordance with RIFC 18.3.
7. That any new water service shall be coordinated with the Warwick Division of Water.
8. That backflow preventers shall be installed during construction, and a standard sampling manhole installed for the building. This project shall be subject to Warwick Sewer Authority Inflow and Infiltration (I&I) regulations.
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 City Planning Department.
10. That any additional development or change of use from supportive housing, shall require a Development Plan Review to be approved by the Warwick Planning Board, in compliance with City of Warwick Development Review Regulations. The parking plan shall be reviewed with any change from supportive housing use, as the parking relief is specific to this type of supportive housing use.

Ms. Stenhouse, seconded by Mr. Horowitz, made a motion to adopt the Planning Department's findings and recommendations, as presented and to grant Master Plan Approval.

Request for a Zone Change
Recommendation

Applicant:	House of Hope Community Development Corp.
Location:	69 Fair Street
Assessor's Plat:	292
Assessor's Lot:	465
Total area:	35,660 sf
Zoning District:	Residential A-7, Historic
Proposed Zoning:	Planned District Residential, Residential A-7, Historic, with dimensional relief requested.

Background

The Applicant requested a zone change recommendation for the parcel, which consists of one Assessor’s Lot (465) and is currently zoned Residential A7, with a Historic Overlay zone. The Applicant is requesting a zone change to Planned District Residential (PDR)/A-7/Historic to allow for the development of 10 affordable dwelling units for supportive housing, 5 units located in the existing historic building and 5 dwelling units in a proposed addition, with the following conditions:

- The lot area is less than required in this district.
- Due to the nature of the use, the number of parking spaces is less than required in this district.
- The parking area setback from the corner side yard is less than required in this district
- The building side yard setback is less than required in this district
- The side setback for the dumpster enclosure is less than required in this district.
- The width of the driveway is less than required in this district
- The landscaping buffer is less than required in this district.

Description	Required	Proposed	Note
Minimum Lot area Subsection 308.3	40,000sf	35,660sf	
308.2E Number of parking spaces	25 spaces 2.5/unit	6 spaces	
Side yard setback Subsection 308.3	25 feet	13.8’ to building (north) 20.7’ to building (west) 10’ to dumpster (west)	
701.4 Entrance and Exit Driveway width	24’	18’	As per Historic approval
308.2E Location of parking spaces	No parking space in corner side yard setback—25’	14’	
308.2E Landscape border	10’ around entire perimeter	4’ to walkway, ADA access	Walkway constructed in buffer

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 is a corner lot which fronts on Fair Street to the east and is accessed from South Fair to the south; and is identified as Assessor's Plat: 292 Assessor's Lot 465, currently zoned Residential A-7, Historic
2. Not in compliance with the standards and provisions of the City's Zoning Ordinance therefore requiring City Council approval for a zone change, from Residential A-7/Historic to Planned District Residential A-7/Historic, with waivers.
3. That the properties north, south, east and west of the subject parcel are residential uses, including single and multifamily dwellings.
4. That the proposal was reviewed by the following City Departments and Commissions: Public Works, Building, Water, Sewer, Fire, Land Trust, Conservation Commission and Historic District Commission, all expressing no comments or concerns.
5. That the resident population at the subject property (AP292, AL465) will be similar to those living in the abutting 57 Fair Street (AP292, AL507) building. This will be a supportive housing environment, in which the residents rarely own automobiles resulting in a very low need for parking spaces for residents.
6. That this proposal has been approved for state historic tax credits, and the proposed building and site improvements have been reviewed and approved by both the Rhode Island Historic Preservation and Heritage Commission and the Warwick Historic District Commission.
7. That the site has been designed in order to meet the requirements of both the local and state historic commissions. In accordance with preservation authority review, the large front lawn of the property is a character defining feature and shall be preserved; and the parking area shall be minimized in order to have the least visual impact on neighboring properties.

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

- To make efficient use of available land and proper reuse and expansion of existing land uses.
- Provide a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle.
- Continue efforts to provide scattered site affordable housing for families.
- Protect and preserve the City's historic resources, including structures, natural features and character areas.
- 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 recommends a favorable recommendation to the Warwick City Council for the requested zone change for the parcel from Residential A-7/Historic to Planned Unit Development (PDR) A-7/Historic, with waivers for the following conditions and stipulations:

- The lot area is less than what is required in this district.
- The number of parking spaces is less than what is required in this district and for supportive housing use.
- The parking area setback from the corner side yard is less than required in this district
- The building side yard setback is less than required in this district.
- The side setback for the dumpster enclosure is less than required in this district.
- The width of the driveway is less than what is required in this district.
- The landscaping buffer is less than what is required in this district, due to the location of the walkway.

1. That any additional development or change of use from supportive housing on the property shall require a Development Plan Review to be approved by the Warwick Planning Board in compliance with City of Warwick Development Review Regulations, as well as, City Council review and potential amended zone change.

Mr. Gambardella, seconded by Ms. Stenhouse, made a motion to adopt the Planning Department's findings and recommendations and to forward a favorable recommendation to the City Council for the required Zone Change. All in favor; none opposed with Ms. Pisaturo recusing herself.

On a motion by Ms. Stenhouse, seconded by Ms. Pisaturo, the meeting was adjourned at 8:20 pm. All in favor; none opposed.