



**CITY OF WARWICK**  
**ZONING BOARD OF REVIEW**  
**WARWICK, RHODE ISLAND 02886**  
**(401) 921-9534**

**POSTED 1/4/2022**

**WARWICK ZONING BOARD OF REVIEW**  
**MINUTES OF THE NOVEMBER 4, 2021 MEETING**

A special hearing of the Warwick Zoning Board of Review was held on Tuesday, November 4, 2021, at 99 Veterans Memorial Drive, Warwick, Rhode Island. The meeting was called to order by Chairman Paul DePetrillo.

The Secretary called the roll and noted the following members present:

Present: Paul DePetrillo - Chairman  
Robert DeGregorio – Vice-Chairman  
Salvatore Deluise  
Lorraine Byrne  
Walter Augustyn

Absent: Constance Beck - Alternate  
Julie Finn – Alternate

Also present: David Petrarca, Esq., City Solicitor  
Daniel Geagan, Warwick Planning Department  
Cindy Tangney - Stenographer  
Amy Cota, Secretary

Petition #10732

Ward 3

1160 Post Rd.

The petition of PRW Holdings, LLC 72 Essex Manor Lane, Saunderstown, RI, and Cenikor, LLC, 1160 Post Rd., Warwick, RI, for a special use permit to remove the rear portion of the existing commercial structure, and construct a new three story storage facility. Front portion of existing building to be renovated for retail and mixed use. Seeking a dimensional variance for having less than required parking. Assessor's Plat 298, Lot 18, zoned General Business (GB). (Remanded back to Zoning Board from Superior Court for further hearing).

The Chairman stated the Board received a letter from Attorney Mancini, requesting a continuance due to Rhode Island Superior Court determining the Warwick Zoning Board shall hear the petition *de novo*. Attorney Mancini will require adequate time to prepare submission materials, as well as coordinate a mutual hearing date agreeable with City Officials, expert witnesses, and particularly, members of the Zoning Board.

David Petrarca, Esq., the City Solicitor stated there is nothing for the Board to do this evening. If and when this application comes back before the Board, it will be re-advertised and the neighbors will receive notice.

David Bouchard, 173 Puritan Drive, Warwick, RI, was present as a representative from Save Sand Pond.

Mr. Bouchard is a member of Save Sand Pond, and they have been actively involved in the work to have this application denied. Many of us have to make major accommodations to their scheduled to attend these meetings. In his letter, Mr. Mancini gives no consideration to the citizens who actually pay taxes, vote for the Mayor and our Councilman.

Mr. Bouchard stated any action the Board takes, he would encourage them to involve members of the community to make sure further hearing dates are also acceptable to the citizens. He is respectfully requesting the Board be sure to include Councilman Howe is involved in the meeting in the future, as well as members of the community. They would like the same respect that has been conveyed to Mr. Mancini by the Zoning Board over the last four and a half years.

Mr. Bouchard respectfully requests that any future Zoning Board hearings on this matter be coordinated with their Councilman, Tim Howe.

City Councilman Timothy Howe, 33 Elite Drive, Warwick, RI, was present as the Councilman representing Sand Pond. The Councilman asked what will be the next step, is the applicant requesting to pick up another appeal at the City, or will this process start from the beginning.

Attorney Petrarca stated they would be starting over with a new Zoning Board application for a special use permit and a dimensional variance. Master Plan approval from the Planning Board is vested, that was never appealed, so they are that far along in the process.

Shawn Dunn, 153 Puritan Drive, Warwick, RI, was present and stated he is not here to repeat what Tim Howe just said but he doesn't understand the approval process.

Attorney Petrarca explained the applicant has to go back to the last thing that was approved, which was their conditional Master Plan approval that was granted by the Zoning Board of Appeals, now they are proceeding to the next step which is a special use

permit and a dimensional variance. Attorney Petrarca stated he knows this is confusing and he is trying to explain it the best he can.

Attorney Petrarca let the Chairman know this shouldn't be a topic of discussion tonight because the applicant is not present and the public hearing is not open. He is trying to provide as much clarity in the procedural stance in which we find ourselves, but at a certain point the City and the Zoning Board could become at risk of prejudicing the applicant by allowing too much more conversation.

Alissa Richardson, 133 Puritan Drive, Warwick, RI, was present. She stated she understands the procedure, and asked if because they did not appeal the Zoning Board overturning the Planning Board's Master Plan denial, they have to start over.

Attorney Petrarca stated there are three steps, Conditional Master Plan approval, Zoning Board approval, and then back to Planning for Preliminary approval, and then it could be given final Administrative Plan approval or it would go back in front of the Planning Board. They have to pass each step to move to the next one. They are vested at step one.

David Bouchard asked to speak again. His first procedural question relates to the fact that they really can't discuss this any further tonight, they are all here and it seems disrespectful of Mr. Mancini did not send a representative here to address this Board, he finds that disrespectful and somewhat unprofessional. If they did send someone, maybe they could address some of these issues which Mr. Petrarca is cautious about addressing because Mr. Mancini might take this Board and the City to Superior Court, but he thinks the Zoning Board should remember that the only body to take this Board to Superior Court was Save Sand Pond and they were found by Judge Lanphear to be correct, at least on a number of points that it was remanded back to this Board. He stated they have shown no disrespect to this Board or the Planning Board over the last four and a half years. Attorney Petrarca stated Mr. Bouchard had a procedural question, which we haven't heard yet. Mr. Bouchard said they heard from the entire Board last month how tired they are coming here, and certainly they don't enjoy it. At the eleventh hour, Mr. Mancini decided not to be here and sent a letter.

Attorney Petrarca stated that is a valid opinion, and he is not trying to undermine that, but a land use attorney not only within this city but throughout the state, this is typically done when an applicant is not ready to go, they send a letter and the Board can take that anyway they want.

Mr. Bouchard stated his second point is they are appreciative of what Mr. Petrarca has done relative to the request for clarification, however, procedurally Save Sand Pond was very reluctant to support the concept that Mr. Mancini at his own risk wanted to skip ahead to the Planning Board Preliminary phase, and they made that aware to Mayor Picozzi and to their Councilman, Tim Howe, and yet based on Attorney Petrarca's advice, without a decision from Judge Lanphear, Mancini and the developers were allowed to go to the Planning Board, so procedurally they don't see those as null and void.

The Chairman stated they are well aware and supportive of the efforts of Save Sand Pond over the course of this entire process.

A motion was made by Robert DeGregorio, seconded by Salvatore Deluise and passed unanimously by the Board to adjourn at 6:30 p.m.

The minutes from the August 30, 2021 and August 31, 2021 meeting were approved. (Walter Augustyn and Lorraine Byrne abstained from voting as they are new members).

The regular meeting was adjourned at 7:35 p.m.

BY ORDER OF THE ZONING BOARD OF REVIEW, WARWICK, RHODE ISLAND

Paul DePetrillo, Chairman