

JOE CASALI ENGINEERING, INC.

CIVIL • SITE DEVELOPMENT • TRANSPORTATION • DRAINAGE • WETLANDS • ISDS • TRAFFIC • FLOODPLAIN
300 POST ROAD • WARWICK, RI 02888 • (401) 944-1300 • (401) 944-1313 (FAX) • WWW.JOECASALI.COM

October 23, 2023

Mr. Tom Kravitz, Planning Director
City of Warwick Planning Department
Sawtooth Annex Building
65 Centerville Road
Warwick, RI 02886

RE: Proposed Retail and Contractor Units (Phase II)
2826 Post Road, Warwick, RI – AP 267, Lot 217
Preliminary Plan Filing of a Major Land Development

Dear Mr. Kravitz:

On behalf of Malibu Investments LLC, Joe Casali Engineering, Inc. (JCE) is respectfully filing the enclosed materials for Preliminary Plan Approval of a Major Land Development project consisting of a Mixed-Use Building and Contractor Units located at 2826 Post Road in Warwick, Rhode Island (Tax Assessor's Plat Map (AP) 267, Lot 217).

This project was originally designed to be constructed in three phases. Phase I of the construction was completed in Summer of 2022. Phases II and III are now proposed to be combined and incorporate some changes to the building size and layout, which caused modifications to the drainage design and the utility design for the project. Phase I included the project consisted of six (6) storage buildings with a total of 152,900 sq. ft. of building area and a 1,600 sq. ft. office building along the southern portion of the project area. Phase II previously included the construction of a 19,500 sq. ft. two-story mixed-use building along with four (4) additional self-storage buildings ranging in size from 8,000 sq. ft. to 10,800 sq. ft. The Applicant proposes modifications to Phase II which is now proposed to include a 9,500 sq. ft. mixed-use building along with two (2) 24,000 sq. ft. contractor unit buildings (46 total units) and one (1) 6,900 sq. ft. mini-storage building.

This project originally received Master Plan approval from the Planning Board in April 2017; with Phase I receiving Preliminary Plan approval in December 2018 and Final Plan approval in July 2019. In addition, the project as a whole was previously approved by the Rhode Island Department of Environmental Management (RIDEM) for a RIPDES permit on June 8, 2018 (RIPDES No. RIR101718), WQC No. 18-037, UIC No. 001834) (a wetlands permit was not required) and by the Rhode Island Department of Transportation for a Physical Alteration Permit (PAPA No. 18-0314). Given the modifications to Phase II, the Applicant has filed for a received approved permit modifications to both the pre-existing RIDEM permit and the pre-existing RIDOT permit. In addition, the Applicant has filed for and received approval from the Zoning Board of Review for a special use permit and several dimensional variances at the September 12, 2023 hearing. All approved permit modification letters, and the recorded Zoning Board of Review approval are attached.

JOE CASALI ENGINEERING, INC.

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This project was originally designed and permitted by Cherenzia & Associates, Ltd. (Cherenzia). As noted above, the project has received the requisite permit modification approvals from RIDEM and RIDOT. Cherenzia has provided JCE with digital and hard copy files including the following: Stormwater Management Report, Malibu Investments, LLC, Retail and Mini Storage Facility, 2826 Post Road, Warwick, Rhode Island, prepared by Cherenzia & Associates Ltd., stamped by Sergio F. Cherenzia, PE, dated May 2018; Drainage Memorandum, prepared by Cherenzia & Associates Ltd., dated September 2018; and Site Plans titled Retail & Mini Storage Facility, 2826 Post Road, AP 267, Lot 217, 218 & 219, Warwick, Rhode Island, Issued for Permitting, prepared by Cherenzia & Associates Ltd., stamped by Sergio F. Cherenzia, PE, dated September 20, 2018. These documents were used as a basis for the design modifications and incorporate the original survey, hydrologic modeling, etc. Additional details are contained within the attached Site Plans and Drainage Memorandum, both of which were prepared by JCE and are dated October 2022. At the request of the Applicant; JCE has taken over design and permitting of the project from Cherenzia. Please allow this letter to serve as certification that JCE is taking over responsible charge of design and permitting for the project moving forward.

Accordingly, for your consideration, please find the following materials enclosed:

- One (1) Signed Major Land Development Application,
- One (1) Appendix C – Major Land Development Review Checklist (Preliminary),
- Two (2) copies of the 200-ft Radius Map and List of Abutters,
- Two (2) copies of the Approved RIDOT and RIDEM Permit Modification Approvals,
- Two (2) copies of the recorded Zoning Board of Review Approval,
- Two (2) copies of the Drainage Memorandum, dated October 2023,
- Two (2) full-size Site Plans, dated October 2023,
- Two (2) full-size Landscape Plans, dated October 2023,
- Two (2) full-size Architectural Floor Plans and Elevations, dated January 2023, and
- Two (2) full-size Site Lighting and Photometric Plans, dated January 2023.

If you should have any questions or require additional copies of any of the submission documents, please call either myself or Joseph Casali at 401-944-1300.

Sincerely,

JOE CASALI ENGINEERING, INC.



Daniel R. DeCesaris, P.E.

Project Manager

xc: R. Nardella (via e-mail); S. Medeiros (via e-mail); file



Department of Transportation
Division of Highway and Bridge Maintenance
360 Lincoln Avenue
Warwick, RI 02888

January 10, 2023

Malibu Investments, LLC.
Mr. Rick Nardella
289 Cowesett Ave,
West Warwick, RI 02893

RE: Physical Alteration Permit #180314 – Request for Modification
2826 Post Road,
Warwick, RI

Dear Mr. Nardella:

Please be advised that the Department has received your request to modify the approved plans to change the proposed site layout for phase 2 of construction for the proposed mixed-use site at the subject location. The modification request proposes the combination of the original phases 2 and 3 of the project with some modification to the building sizes and layout, along with associated revisions to the drainage and utility design. The new construction phase shall include a 9,000 sq. ft. mixed-use building along with two 26,000 sq. ft self-storage buildings and an additional 6,900 sq. ft self-storage building.

With that said, RIDOT has approved your modification request for the subject Physical Alteration Permit as shown on the revised plan received on November 15, 2022. Additionally, our records indicate that a request to release the bond associated with this permit was received on May 20, 2021. After review of the site, we noted that not all work was completed and denied the request to release the bond. Before beginning the work associated with this phase of construction, please verify that this bond is still valid to cover the remaining work within the State Highway Right-of-Way.

Should you have any questions please contact the reviewing engineer, Sam Lapatin, at 401-734-4857.

Sincerely,

Matthew J. Ouellette, P.E.
Acting State Highway Maintenance Operations Engineer

Attachment: Modification Request – Received 11/16/22

cc: Ouellette (all w/o attachment)
Joe Casali Engineering, Inc. | Mr. Dan DeCesaris, P.E. | 300 Post Road, Warwick, RI 02888
File (w/ attachment)



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF WATER RESOURCES

235 Promenade Street, Providence, Rhode Island 02908



January 4, 2023

Rick Nardella
Malibu Investments, LLC
289 Cowesett Avenue
West Warwick, RI 02893

RE: WQC/STW File No. 18-037; UIC File No. 001834; RIPDES File No. RIR101718
Proposed Modification of Proposed Retail & Mini-Storage Facility
2826 Post Road
Assessor's Plat 267, Lots 217, 219, and 298
Warwick, RI 02886

Dear Mr. Nardella:

The Rhode Island Department of Environmental Management Office of Water Resources (RIDEM OWR) has reviewed the above-referenced project for compliance with the RIDEM Groundwater Discharge (GWD)/Underground Injection Control (UIC) Program (Groundwater Discharge Rules: 250-RICR-150-05-4) and the Rhode Island Pollutant Discharge Elimination System Construction General Permit (CGP). The purpose of the project is to construction and maintain a modified version of the second and third phases of the previously permitted retail and mini storage development. The modification will consist of the demolition of any remaining existing structures and pavement on the remaining yet-to-be-redeveloped portion of the site, then to construct and maintain a 9,000 square foot (sf) mixed use building, two (2) 26,000 sf self-storage buildings, and a 6,900 sf self-storage building, along with associated parking areas, utilities--including connections to public sewer and water service, and associated stormwater management infrastructure. The modified plans for the remaining stormwater infrastructure to be constructed include several small closed-drainage systems that will direct runoff into six (6) new underground infiltration practices, each consisting of infiltration chambers embedded in crushed stone. All of the proposed underground infiltration practices will discharge to a common overflow outlet to a pipe outfall located near the site's southeasterly corner of the site.

The work is as further described in your application and detailed on site plans consisting of 14 sheets as prepared by Joseph A. Casali, P.E. of Joe Casali Engineering, Inc., received by RIDEM OWR on 11/18/2022.

This letter serves as your permit/authorization to discharge for the above-referenced project, provided that you comply with the application materials, the Groundwater Discharge Rules, the CGP and the following conditions:

- 1) You must submit the Notice of Start of Construction Form prior to commencement of any permitted site alterations or construction activity. The Start of Construction Form can be found on the Stormwater Construction Permitting website.
- 2) Prior to construction, you must erect or post a sign resistant to the weather and at least twelve (12) inches wide and eighteen (18) inches long, which identifies the initials "DEM" and the application number(s) assigned to this permit. The sign must be posted in a conspicuous location near the site access and maintained until the project is complete.

- 3) A copy of this permit, any inspection records, and a signed and updated SESC Plan, must be kept at the site at all times until the project is complete. Copies of this permit must be made available for review by any RIDEM or City/Town representative upon request. Electronic versions of required documents that are readily accessible from the construction site are acceptable.
- 4) All fill material shall be clean and free of matter that could cause pollution of the waters of the State.
- 5) The stormwater collection and treatment system approved herein is for the discharge of stormwater only. Any other discharge is prohibited.
- 6) Any alterations, additions or modifications to the stormwater system from that approved herein, including permanent closure must be reviewed and approved by RIDEM OWR prior to implementation.
- 7) You must submit the Notice of Termination Form upon completion of the project and final site stabilization. The Notice of Termination Form can be found on the Stormwater Construction Permitting website.
- 8) You are responsible for the long-term inspection, cleaning and maintenance of the stormwater collection and treatment system to ensure proper performance of all components until documentation is provided to indicate that this responsibility has been assumed by another entity. Long-term operation and maintenance is to be as described in the Post-Construction Operation and Maintenance Plan entitled "Stormwater Operation Maintenance and Pollution Prevention Plan For a Proposed Retail & Mini Storage Facility, 2826 Post Road, Warwick, Rhode Island, AP 267, Lot 217, Prepared for: Malibu Investments, LLC, c/o Mr. Rick Nardella, 225 Cowesett Avenue, West Warwick, RI 02893", dated Revised January 2023, dated received 1/04/2023, Submitted by: Joe Casali Engineering, Inc., 300 Post Road, Warwick, RI 02888.

This permit is not transferable to any person except after written notice to the Director, in the form of a Permit Transfer Form available on the RIDEM Stormwater Construction Permitting website.

This UIC/GWD Registration will expire 4 years from the date of issuance if the stormwater discharge system has not been constructed and installed. Once a registration is expired, a new application must be submitted for any proposed activity subject to the Groundwater Discharge Rules. Your authorization to discharge under the CGP expires at midnight on September 25, 2025. If construction has not been completed by that date, there will be measures in place for you to reauthorize.

RIDEM's Rules and Regulations Governing the Establishment of Various Fees require that RIPDES CGP permit holders pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31st of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received.

You are required to adhere to all above terms and conditions and carry out this project in compliance with the CGP and Groundwater Discharge Rules at all times. Issuance of this permit does not bar RIDEM, nor any of its various Divisions, from initiating any investigation and/or enforcement actions that it may deem necessary for violations of this permit or of any and all applicable statutes, regulations and/or permits.

This permit has the full force and effect of a permit issued by the Director. This permit does not relieve your obligation to obtain any other applicable local, state and federal permits prior to commencing construction and does not relieve you of any duties owed to adjacent landowners with respect to changes in drainage. RIDEM assumes no responsibilities for damages resulting from faulty design or construction.

If you have any questions regarding the contents of the permit, you may contact me at nicholas.pisani@dem.ri.gov or (401) 222-4700, extension 2777423.

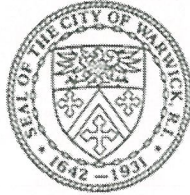
Sincerely,

Nicholas A. Pisani P.E.

Nicholas A. Pisani, P.E., Environmental Engineer IV
Stormwater Engineering and 401 Permitting
Office of Water Resources
Rhode Island Department of Environmental Management

cc: Joseph A. Casali, P.E., Joe Casali Engineering, Inc.
Daniel R. DeCesaris, P.E., Joe Casali Engineering, Inc.
Neal Personcus, RIDEM/ UIC Program
RIDEM / UIC Program

PAUL DEPETRILLO
CHAIRMAN



FRANK J. PICOZZI
MAYOR

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

September 14, 2023

Malibu Investments, LLC
ATTN: Mr. Rick Nardella
339 Quaker Lane
West Warwick, RI 02893

Dear Petitioner:

The following is the decision on your Petition #10927, heard by the Warwick Zoning Board of Review on September 12, 2023, for a special use permit from Section 304.5 to have more than one non-residential use on a lot, and from Table 1 Use Regulations #807 to have a mini self-storage facility (Phase II). The petitioner is proposing to construct a 9,500 sq. ft. multi-use building for six (6) commercial units, construct two (2) 24,000 sq. ft. contractor unit buildings with 23 units in each, and construct one (1) 6,900 sq. ft. mini-self-storage building. Seeking a dimensional variance for having less than required parking spaces, 199 proposed parking spaces (401 spaces required) and having less than required interior landscaping with a proposed 3.7% (5% required). Assessor's Plat 267, Lot 217, zoned General Business (GB).

After the testimony was completed at the public hearing for which due notice was given and a record kept, and after having viewed the premises and the surrounding area, the Zoning Board of Review of the City of Warwick taking into consideration its knowledge and expertise and after taking into consideration all of the testimony at the public hearing, makes the following findings of fact:

1. The subject property is known as Assessor's Plat 267, Lots 217, containing a total of approximately 470,520 square feet of land, more or less, zoned General Business (GB).
2. The petitioner has owned the property since July 2019.
3. The subject property is a large commercial piece of property formerly occupied by Greenwood Nursery.

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Malibu Investments, LLC
2826 Post Road

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4. Phase I of the project has been completed and includes six mini-storage buildings with a detached office.
5. The previous approved project had a Phase II and a Phase III component. They are now proposing to do one final Phase II to include one (1) mixed-use commercial structure in the front, one (1) building for self-storage, and two (2) buildings for commercial contractor storage/bays.
6. The petitioners are seeking a special use permit for the self-storage and mixed use. They are also seeking a dimensional variance for having less than required parking and interior landscaping.
7. The petitioners agreed to the stipulations placed on the approval by the Board.
8. There was no one present in opposition or in favor of the petition.
9. The area surrounding the subject property consists of commercial operations with a residential neighborhood to the south.

The Zoning Board of Review applied these findings to the standards of review for the granting of a special use permit as follows:

1. The special use permit is authorized by Table 1 Use Regulations #807 and Section 304.5 of the Warwick Zoning Ordinance, upon approval of the Zoning Board of Review.
2. The special use meets all of the criteria set forth in said section.
3. The proposed use will not alter the general character of the surrounding area nor impair the intent or purpose of said ordinance or the City's comprehensive plan.

The Zoning Board of Review applied these findings to the standards of review for the granting of a dimensional variance as follows:

1. The hardship from which the petitioner seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area and not due to a physical or economic disability of the applicant. The subject property is a larger commercial piece of property.
2. Said hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.

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3. The granting of the requested variance will not alter the general characteristic of the surrounding area or impair the intent or purpose of this zoning ordinance or the comprehensive plan of the City.

4. The relief requested is the least relief necessary.

5. Literal enforcement of the dimensional regulations in this case would constitute more than a mere inconvenience for the applicant.

Based on the foregoing, the Board voted unanimously to grant the petitioner's application for a dimensional variance and a special use permit with the following stipulations and conditions:

1. *The landscaping on the north side of the project area be extended to the end of the property in order to screen more of the storage area from the neighboring properties. There is also space internal to the site that should be landscaped that wasn't shown on the submitted plan.*
2. *Substantial compliance with the plans and testimony as presented to the Board, with substantial compliance to be determined by the Building Official.*
3. *No expansion of this use without prior approval of the Zoning Board of Review.*
4. *That this decision must be recorded in the Land Evidence Records in the City Clerk's Office before a building permit/certificate of occupancy is issued.*

**Please note that the appeal period (20 days) begins when said decision is posted with the City Clerk's Office.*

5. *That this grant shall be activated with a building permit (which must remain active, as required by the State Building Code Section 23-27.3-114.2)/certificate of occupancy, within one (1) year, unless extended by the Board, or it shall become void, or as otherwise governed by RIGL 45-24-61.1, as amended.*
6. *Note this zoning resolution expires if a permit is not kept active as required the State Building Code 23-17.3 Section 114.2.*

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Malibu Investments, LLC
2826 Post Road

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(Robert DeGregorio voted to approve, Salvatore DeLuise voted to approve, Walter Augustyn voted to approve, Lorraine Caruso Byrne voted to approve, and Constance Beck voted to approve)

Present this letter to the Building Department when applying for the necessary permits.

Very truly yours,

A handwritten signature in blue ink that reads "Robert DeGregorio" followed by a circled "ac" monogram.

Robert DeGregorio, Vice-Chairman
Warwick Zoning Board of Review

RD/ac

cc: K. Joseph Shekarchi, Esq.

RECORDED
Sep 14, 2023 11:28A
Lynn D'Abrosca
City Clerk
City of Warwick, RI