



## CITY OF WARWICK

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**FRANK J. PICOZZI, MAYOR**

March 9, 2023

Stephanie Simmering  
65 Cayman Isles Boulevard  
Englewood, FL 34223

David J. Splaine, JR. and Deborah J. Nelson  
1126 Buttonwoods Avenue  
Warwick, RI 02886

Subject: Assessor's Plat: 374, Assessor's Lot(s): 11 & 12

To Whom It May Concern:

The following is the decision on your application for a combined Preliminary-Final Approval of a Major Subdivision, located along 1126 Buttonwoods Avenue, Clarence Court, and Isabel Court; further identified as Assessor's Plat: 374; Assessor's Lots: 11 & 12, heard by the Warwick Planning Board at the regularly scheduled March 8, 2023, Planning Board meeting. The Applicant is seeking a combined Preliminary-Final Approval. The Applicant proposes to create (2) two lots: (1) one new 12,693 square foot lot with a single-family dwelling; and (1) one new 24,304 square foot lot for the development of a single-family dwelling in an A-40 Residential Zoning District.

After completion of the public hearing for which notice was served and a record kept, the Warwick Planning Board, taking into consideration its knowledge and expertise and after considering all of the representations and presentations made at the public informational meeting, makes the following finding, that the development, as proposed, is generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statement* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which supports the protection of established residential neighborhoods, and is generally consistent with the existing neighborhood within the 400' radius, which consists of varying lot sizes, in the A-40 Residential District.
  - Chapter 12 of the City of Warwick Comprehensive Plan, specifically, the section entitled "Future Land Use, Zoning and Urban Design: Goals and Policies," which promotes developments "that are safe, attractive, well-maintained and stable... ones designed to "protect... and support...existing residential neighborhoods;"
  - It further promotes... "Public and private development that meet high standards of design by ensuring that proposed new residential development is compatible with the character of the surrounding area;"

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**PLANNING DEPARTMENT • BRUCE KEISER, DIRECTOR**  
**3275 POST ROAD • WARWICK, RI 02886 • 401-738-2009**

2. That the proposed subdivision has received Zoning Board of Review Approval, Petition NO. 10725; therefore the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance.
3. That the proposed development, has received Coastal Resources Management Council (CRMC) Assent No. 2022-06-013; therefore there will be no significant negative environmental impacts from the proposed development.
4. That, the development, as proposed, 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.
5. That the proposed development fronts along Buttonwoods Avenue, Clarence Court and Isabel Court and possesses adequate access to a public street, as per the City of Warwick Zoning Ordinance, specifically, subsections 200.136, and 304.6, which reads as follows: *For the purpose of this subsection only, and no other purpose, the following named private streets shall be considered to be the equivalent of public streets as defined in subsection 200.136 in order to satisfy the frontage requirements of this subsection: Ivy Avenue, Hawthorn Avenue, Hemlock Avenue, Woodbine Avenue, Promenade Avenue, Janice Road, Laurel Avenue, Amore Road, Lorna Avenue, Claflin Road, Cooper Avenue, Eighth Avenue, Ninth Avenue, Tenth Avenue, Beach Park Avenue, 11th Avenue, 12th Avenue, 13th Avenue, 14th Avenue, 15th Avenue, "A" Avenue, Eddy Court, Adin Court, Ode Court, Clarence Court, Isabel Court, easterly side of Andrew Comstock Road, and Buttonwoods Avenue from Andrew Comstock Road in an easterly direction to its end. (emphasis added).*

**Should the Board seek favorable action, the Planning Department recommends the following stipulations:**

Based on the foregoing findings of fact, the Board voted to adopt the Planning Department Finding's and Recommendation's and to grant a combined Preliminary-Final Approval, with the following stipulations;

1. That existing trees, not directly impacted by the proposed single-family dwelling or other required infrastructure, shall be preserved and protected. Dripline tree protection shall be installed prior to issuance of a Building Permit.
2. That prior to the recording of the Record Plat, the Applicant shall dedicate "Funds-In-Lieu of Open Space" equal to (1) one lot to the City of Warwick for Recreational District 4.
3. That, prior to the recording of the Record Plat, the Applicant shall provide an improvement guarantee/bond for Landscaping and Monumentation.
4. That, as part of the recording documents, the Applicant shall provide deeds.

5. That, prior to the issuance of a Certificate of Occupancy, (1) one 2"-2.5" deciduous shade tree shall be installed for the proposed lot. If due to construction constraints the Applicant is unable to install all required Landscaping, the Applicant/Developer shall pay a "Fee-in-Lieu" of Landscaping, prior to the Recording of the Record Plat.
6. That, prior to the issuance of a Certificate of Occupancy, the Applicant shall install all Monumentation and Landscaping, as depicted on the Final Development Plan/Record Plat.

Sincerely,

Philip Slocum, Chairman  
Warwick Planning Board