

January 12, 2023

RGE Properties, LLC
41 Mulberry Drive
Wakefield, RI 02879

Subject: Assessor's Plat: 219, Assessor's Lot (s): 2

To Whom It May Concern:

The following is the decision on your application for Preliminary Approval of a Minor Subdivision, located along 291 Spencer Avenue and Division Road; further identified as Assessor's Plat: 219; Assessor's Lot: 2. The Applicant is seeking a Preliminary Approval of a Minor Subdivision. The Applicant is proposing to subdivide (1) one 37,429 square foot lot to create (2) two lots; (1) one 19,941 square foot conforming lot with an existing single-family dwelling and a pre-existing, non-conforming garage, having less than required setbacks; and (1) one new 17,988 square foot lot for the development of a single-family dwelling; in an A-15 Residential Zoning District.

After completion of the public meeting 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 200' radius, which consists of varying lot sizes, in the A-15 Residential District.
 - a. 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;"*"
 - b. 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;"*"
2. That the Subdivision, as proposed, is consistent with the standards and provisions of the City's Zoning Ordinance.

3. That, at the Preliminary Phase, there does not appear to be significant negative environmental impacts for the proposed subdivision. The Applicant has submitted for a Preliminary Determination to RIDEM-OWTS Application No. 2235-1301 and Kent County Water Authority, full approvals are required prior to Final Approval/Plat Recordation.
4. That, at the Preliminary Phase, the development, as proposed, does not appear to 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. The Applicant has submitted for a Preliminary Determination to RIDEM-OWTS Application No. 2235-1301 and Kent County Water Authority, full approvals are required prior to Final Approval/Plat Recordation.
5. That the subdivision possesses adequate access to a public street along Spencer Avenue and Division Street.
6. That the development, as proposed, will have access to RIDEM-OWTS and Kent County Water.

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

Based on the foregoing findings of fact, the Warwick Planning Board voted to grant Preliminary Approval with the following stipulations:

1. That the Applicant shall submit a Final Development Plan and Record Plat that shall comply with the Rules and Regulations for Professional Land Surveying in the State of RI; Effective November 25, 2015.
2. That the Applicant shall submit a Final Development Plan and Record Plat that shall comply with Appendix B, Major Subdivision Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001, which shall include, but not be limited to:
 - Add IR at center line
 - Note 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 the commencement of construction. 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.
3. That the City of Warwick Comprehensive Plan 2033, (Plan) Section 5, entitled “Parks, Open Space and Recreation” pgs. 5.13-5.16, Subsection, F, Recommendations Goal 2, calls to “preserve, maintain, and enhanced a broad range of neighborhood recreational facilities., in accordance with the aforementioned, the Applicant shall dedicate “Funds-

In-Lieu of Open Space” equal to (1) one lot to the City of Warwick for Recreational District 7, prior to the recording of the Final Record Plat.

4. That the existing and proposed lots have stone walls, as noted on the plan and confirmed in-place at the date of this decision, which are a tangible link to the City’s colonial agrarian past and, as such, holds a unique historic significance for the City. Any alteration, temporary or permanent shall receive prior approval/authorization, prior to the issuance of a Building Permit.
5. That, the Applicant’s Representative, shall provide easement and deed verbiage for review and approval. The Applicant shall record aforementioned easement/deeds as part of the recording of the Final Record Plat.
6. That, the Applicant shall provide an Improvement Guarantee, as a condition of the approval, equal to the value of landscaping and required monumentation, prior to the recording of the Record Plat.
7. 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