



## CITY OF WARWICK

---

**FRANK J. PICOZZI, MAYOR**

March 9, 2023

Saba Khouri  
326 Strawberry Field Rd.  
Warwick, RI 02886

Barbara Berard  
33 Talcott Ave.  
Warwick, RI 02889

Subject: Assessor's Plat: 333, Assessor's Lot(s): 82 & 83

To Whom It May Concern:

The following is the decision on your application for a Conditional Master Plan Approval of a Major Subdivision, located along 112 (aka) 116 Vohlander Street and 33 Talcott Avenue; further identified as Assessor's Plat: 333; Assessor's Lots: 82 & 83; Record Lots: 42, 44, & 45, heard by the Warwick Planning Board at the regularly scheduled March 8, 2023, Planning Board meeting for Conditional Master Plan Approval. The Applicant is seeking a conditional Master Plan Approval of a Major Subdivision. The Applicant is requesting to subdivide (1) one parcel consisting of (3) three abutting non-conforming record lots, to create (2) two standalone parcels; (1) one 7,000 square foot lot, meeting the A-7 Zoning requirements, with a pre-existing, non-conforming single-family dwelling having less than required setbacks; and (1) one 5,000 square foot lot with less than required land area, frontage, and lot width, and a pre-existing, non-conforming, single-family dwelling and garage with less than required setbacks, in an A-7 Residential Zoning District.

After completion of the public informational 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:
  - 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;”*”
2. That the proposed subdivision is NOT in compliance with the standards and provisions of the City's Zoning Ordinance, therefore the proposal will require Zoning Board of Review Approval for (1) one 7,000 square foot lot with a pre-existing, non-conforming single-family dwelling having less than required setbacks; and (1) one 5,000 square foot lot with less than required land area, frontage, and lot width, and a pre-existing, non-conforming, single-family dwelling and garage with less than required setbacks, in an A-7 Residential Zoning District.
3. That the subdivision does not appear to be with within a wetland; and therefore there will be no significant negative environmental impacts from the proposed development.
4. That 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.
5. That the subdivision possesses adequate access along Vohlander Street and Talcott Avenue.
6. That the development, as proposed, will have access to Municipal Sewer and Water.

**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 conditional Master Plan Approval, with the following stipulations;

1. That the Applicant shall submit a Preliminary Development Plan and Record Plat that shall comply with the Rules and Regulations for Professional Land Surveyors, Effective November 25, 2015.
2. That the Applicant shall submit a Preliminary Plan and Record Plat that shall comply with Appendix C, Major Subdivision/Land Development 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:
  - Note monumentation along the newly created property line.

2. That the Subdivision, as proposed, is NOT consistent with the standards and provisions of the City's Zoning Ordinance; therefore the proposal will require Zoning Board of Review Approval (1) one 7,000 square foot lot with a pre-existing, non-conforming single-family dwelling having less than required setbacks; and (1) one 5,000 square foot lot with less than required land area, frontage, and lot width, and a pre-existing, non-conforming, single-family dwelling and garage with less than required setbacks, in an A-7 Residential Zoning District.
3. That, prior to submission for Preliminary Approval, 112 (aka) 116 Vohlander shall receive a Certificate of Occupancy as a single-family.
4. That the sunroom shall be removed prior to Final Approval.

Sincerely,

Philip Slocum, Chairman  
Warwick Planning Board