

No. _____ Approved _____

Date _____

***ORDER ON THE ABANDONMENT OF A PORTION OF SOULE STREET
TMC CF NEW ENGLAND, LLC, PETITIONER***

In the matter of the abandonment of a portion of Soule Street described on Exhibit A attached hereto, it appearing that due notice by advertisement and as described below, has been made in accordance with the provisions of Chapter 6 of Title 24, General Laws 1956 and all amendments and additions thereto, and after giving opportunity to the owners of land abutting upon the hereinafter described portion of Soule Street to speak for or against such abandonment and as to the damage, if any, they shall sustain thereby, and after due consideration thereof, it is hereby

ORDERED

1. That the portion of Soule Street described on Exhibit A attached hereto be abandoned for the reason that said premises have ceased to be useful to the public as a highway or driftway.
2. That it is the judgment of the City Council of Warwick that no owner of land abutting on that portion of Soule Street has suffered any damage because of such abandonment, and for this reason the City Council awards no compensation to said abutting owners.
3. That signs shall be placed at each end of that portion of Soule Street having thereon the words "NOT A PUBLIC HIGHWAY".
4. That notice of this order shall be advertised in a newspaper of general circulation, printed in English, and further that personal notice of same shall be served upon every owner of land abutting upon that portion of Soule Street as herein described who is known to reside in this State.
5. That the City Clerk be and she is hereby authorized and directed to cause notice to be given in accordance with the provisions hereof, and the Highway Department is hereby authorized and directed to erect and place signs referred to herein.
6. The City of Warwick hereby reserves for itself, its successors and assigns, a perpetual easement over and under the abandoned portion of Soule Street for the purpose of constructing, installing, repairing and replacing of utilities, sewers, drains and for any other purposes.
7. Petitioner shall prepare an Administrative Subdivision meeting the standards as set forth in the "*Development Review Regulations Governing Subdivisions Land Development Projects Development Plan*" shall be completed by the Applicant and recorded, merging the abandoned

portion of Soule Street and Assessor's Plat 273, Assessor's Lots 379, 382, 383, 409 and 410, as part of the of Planning Board Final Approval. This plan shall include a Record Plat name and Record Lot. Any proposed improvements shall require all applicable local or state permits.

8. Pursuant to R.I.G.L. 24-6-1 and Sec. 1-13 of the Code of Ordinances, an appraisal of the fair market value of the abandoned roadway was conducted and based upon that appraisal the Petitioner shall pay \$45,000.00 to the City of Warwick.

Entered as an Order of the City Council this 21st day of November, 2016.

SPONSORED BY: COUNCILMAN GALLUCCI

COMMITTEE: LAND USE

No. _____ Approved _____

Date _____

**ORDER ON THE ABANDONMENT OF A PORTION OF SOULE STREET
TMC CF NEW ENGLAND, LLC, PETITIONER**

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Entered as an Order of the City Council this 21st day of November, 2016.

SPONSORED BY: COUNCILMAN GALLUCCI

COMMITTEE: LAND USE

EXHIBIT A

DEED DESCRIPTION FOR PROPOSED ABANDONMENT OF A PORTION OF SOULE STREET WARWICK, R.I.

That certain tract or parcel of land with all buildings and improvements thereon situated on the westerly side of Lambert Lind Highway and the northerly side of West Natick Road in the City of Warwick, County of Kent and State of Rhode Island is herein bounded and described;

Beginning at the most southerly corner of land now or formerly of APM Associates, LLC, A.P. 273 Lot 379, on the northerly line of Soule Street. Said point also being opposite station 118+5.11 left sixty nine and 04/100 (69.04') feet as shown on State Highway Plat 1589.

Thence proceeding north 51°28'52" east along the northwesterly line of said Soule Street a distance of two hundred eighty four and 71/100 (284.71') feet to the westerly line of Lambert Lind Highway on State Highway Plat No. 1150, bounded northwesterly by the southeasterly corner of land now of formerly of APM Associates, LLC, A.P. 273 Lot 383;

Thence proceeding south 40°34'22" east distance of seven and 61/100 (7.61') feet to a point opposite State Highway Plat 1150 station 34+57.00 right thirty two and 00/100 (32.00') feet;

Thence proceeding south 12°13'05" east a distance of thirty seven and 46/100 (37.46') feet to a point opposite State Highway Plat 1150 station 34+95.00 right forty two and 00/100 (42.00') feet;

Thence proceeding south 56°12'41" west a distance of twenty three and 09/100 (23.09') feet to a point opposite State Highway Plat 1150 station 34+97.00 right sixty five and 00/100 (65.00') feet;

Thence proceeding south 37°43'38" east a distance of zero and 72/100 (0.72') feet to the southeasterly line of said Soule Street and the most northerly corner of land now or formerly of APM Associates, LLC A.P. 273 Lot 410. The last four (4) courses running along said highway line as shown on State Highway Plat 1150;

Thence proceeding south 51°28'52" west along the southeasterly line of said Soule Street a distance of two hundred forty five and 36/100 (245.36') feet bounded southeasterly in part by land now or formerly APM Associates, A.P. 273 Lot 410 and in part by land now or formerly of Rebecca Brosco, A.P. 273 Lot 409. Said point also being opposite station 118+30.69 left thirty seven and 39/100 (38.39') feet as shown on State Highway Plat 1589.

Thence proceeding north 38°31'08" west a distance of forty and 00/100 (40.00') feet to the point and place of beginning on the northerly street line of said Soule Street at the most southerly corner of land now or formerly of APM Associates, A.P. 273 Lot 379;

Said parcel contains 11,115 square feet or 0.26 acres of land, more or less.

PETITION FOR ABANDONMENT

STATE OF RHODE ISLAND
KENT

CITY OF WARWICK

PETITION FOR ABANDONMENT OF A PORTION OF SOULE STREET

TO THE HONORABLE CITY COUNCIL OF THE CITY OF WARWICK

TMC CF New England, LLC, having a principal place of business in the City of Indianapolis, State of Indiana, brings this petition and respectfully represents as follows:

FIRST: Your petitioner is the authorized agent of land abutting upon the northerly and southerly lines of that portion of Soule Street in said City of Warwick which is outlined in red on the sketch hereto attached.

Legal description of a portion of Soule Street outlined in red on attached plan prepared by Garofalo & Associates, Inc.

That certain tract or parcel of land, with all buildings and improvements thereon, to be deeded for purposes of abandonment, being that portion of Soule Street situated westerly of Lambert Lind Highway and northerly of West Natick Road in the City of Warwick, County of Kent, State of Rhode Island, is bounded and described as follows:

Plat No. 273

Lots No. 379, 382, 383, 409, 410

Ward No. 8

That certain tract or parcel of land with all buildings and improvements thereon situated on the westerly side of Lambert Lind Highway and the northerly side of West Natick Road in the City of Warwick, County of Kent and State of Rhode Island is herein bounded and described;

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Said parcel contains 11,115 square feet or 0.26 acres of land, more or less.

SECOND: The Premises are of no use to the public as a highway or drift way.

WHEREFORE your petitioner files this petition and prays that this Honorable Council, Pursuant to authority vested in it by Chapter 24-6 of the General Laws of Rhode Island 1956, as amended, declare the Premises to have ceased to be useful to the public and enter an order abandoning the same as a public highway or drift way.

TMC CF New England, LLC



**DEED DESCRIPTION FOR
PROPOSED ABANDONMENT OF
A PORTION OF SOULE STREET
WARWICK, R.I.**

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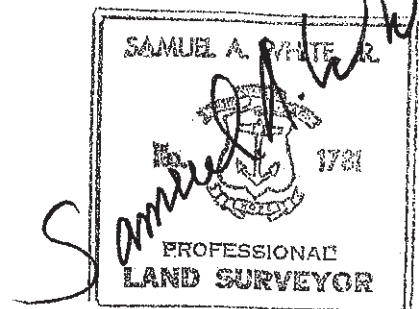
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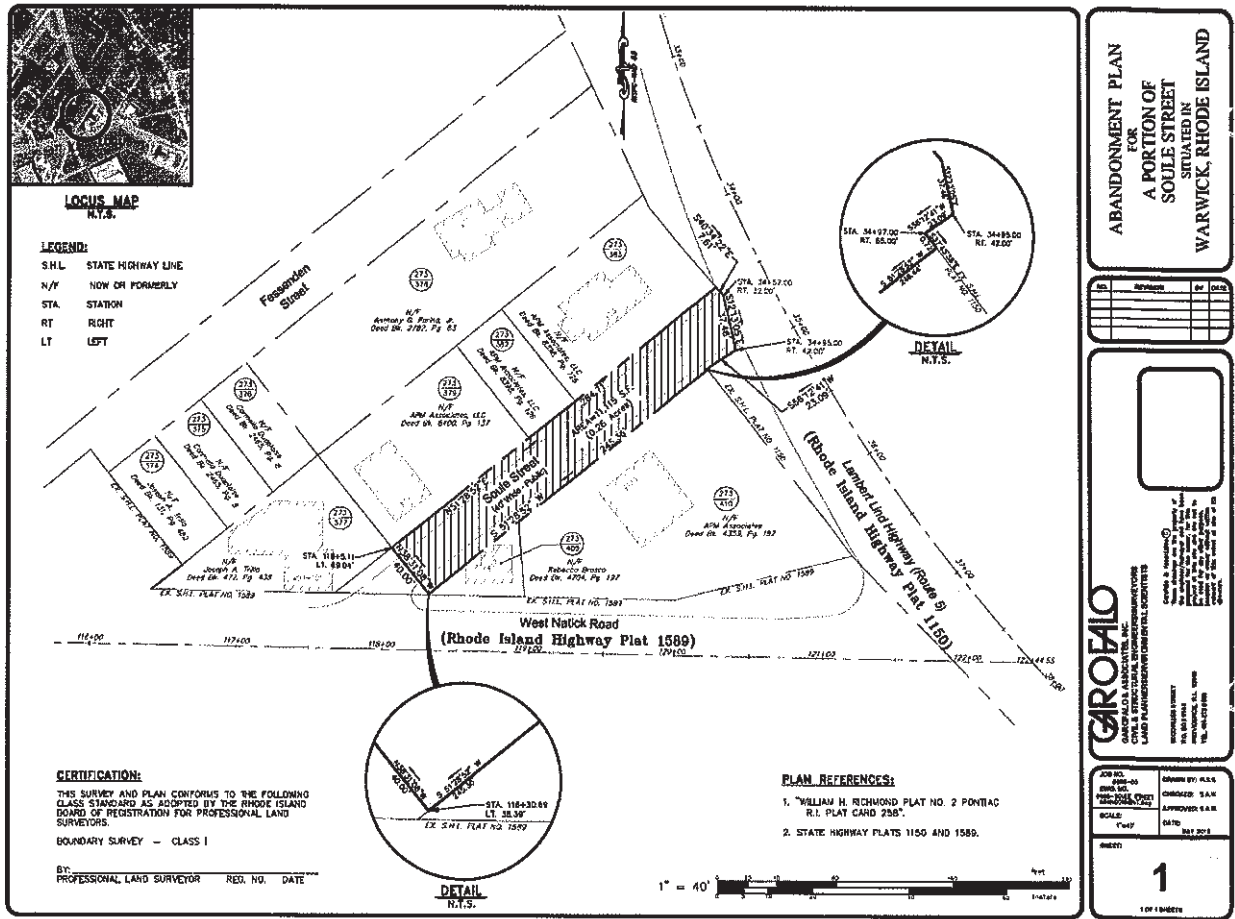


10-27-16

PROPOSED SOULE STREET ABANDONMENT NARRATIVE

July 7, 2016

The Applicant (TMC CF New England, LLC) proposes to abandon a portion of Soule Street between West Natick Road and Lambert Lind Highway (RI Route 5). Soule Street is a 40-foot wide City owned right-of-way, running approximately 300 feet between the aforementioned cross streets. The majority of the Soule Street subject portion is bounded by land zoned GB General Business District. A small portion of the roadway is bounded to the north by land zoned A-7 Residence District (a zone change application is included in this request for abandonment).



The applicant is the authorized agent for AP 273, Lots 379, 382, 383, located directly to the north of Soule Street and AP 273, Lots 409 and 410, located directly south of the proposed abandonment.

Because all surrounding properties are to be under common ownership, the proposed roadway abandonment would allow for the assemblage of Lots 379, 382, 383, 409, 410, and the portion of Soule Street into a larger common parcel for future development.

ABANDONMENT PLAN
FOR
A PORTION OF
SOUL STREET
SITUATED IN
WARWICK, RHODE ISLAND

| NO. | REVISION | BY | DATE |
|-----|----------|----|------|
| | | | |
| | | | |
| | | | |

GROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS/SURVEYORS
LAND AND PLANNING/ENVIRONMENTAL SCIENTISTS

18 CORLISS STREET
P.O. BOX 6148
PROVIDENCE, R.I. 02940
TEL: 401-473-6100

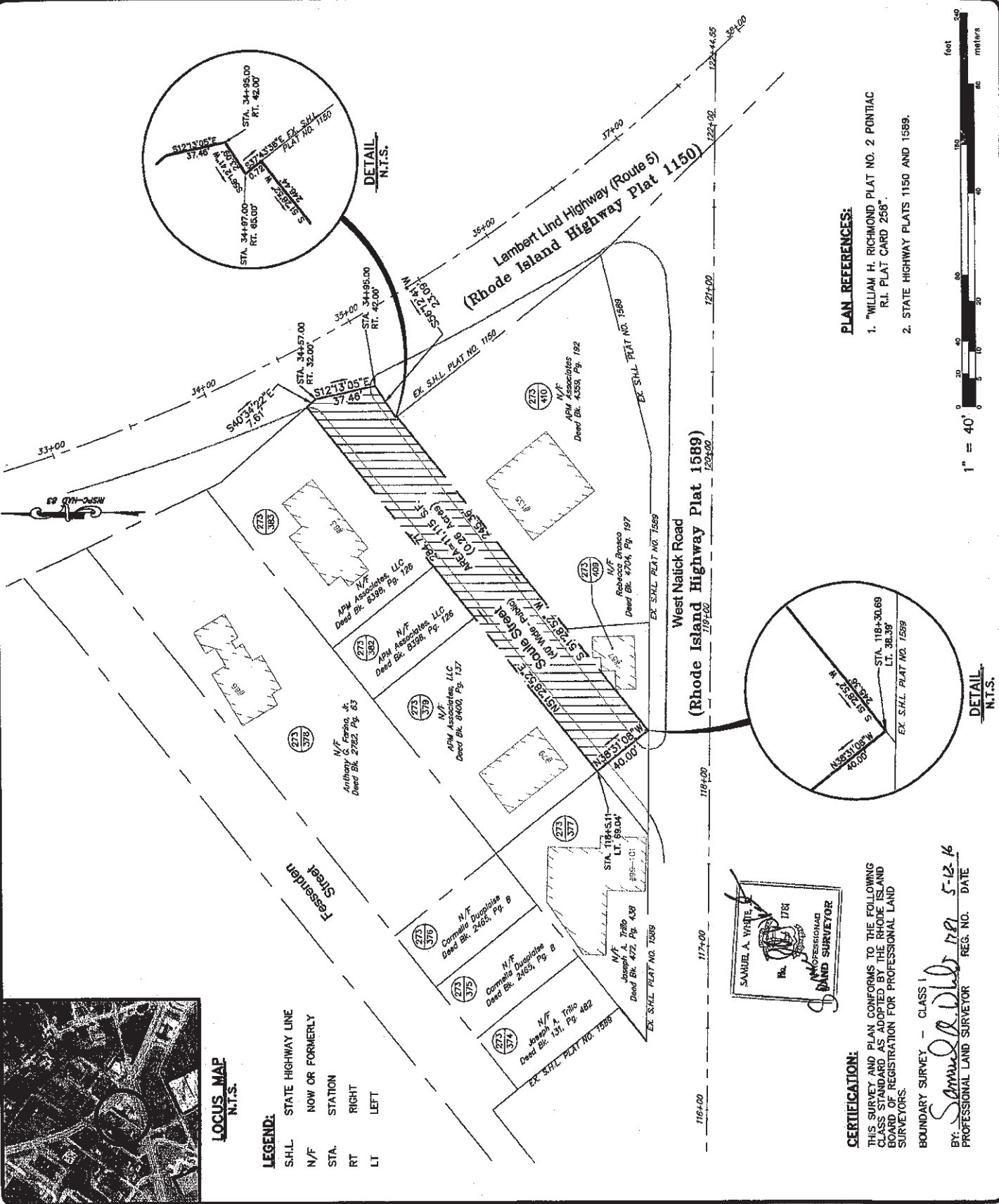
These drawings are the property of Garofalo & Associates, Inc. and are not to be used for any other purpose without the written consent of this owner or one of its directors.

JOB NO. 1188-511
DRAWING NO. 1188-511-1
PROJECT NAME: ABANDONMENT PLAN

DRAWN BY: R.S.E.
CHECKED: S.A.W.
APPROVED: S.A.W.

SCALE: 1"=40'
DATE: MAY 2016

SHEET: 1 OF 1 SHEETS

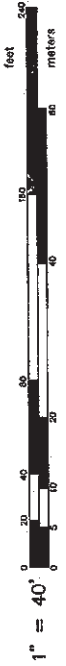


LOCUS MAP
N.T.S.

- LEGEND:**
- S.H.L. STATE HIGHWAY LINE
 - N/F NOW OR FORMERLY
 - STA. STATION
 - RT RIGHT
 - LT LEFT

PLAN REFERENCES:

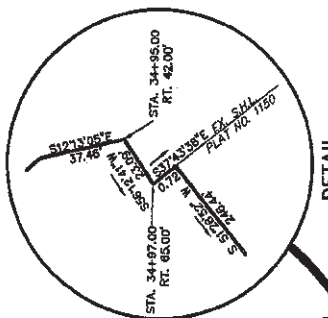
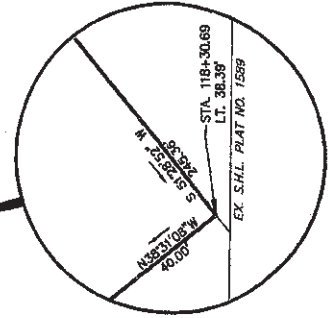
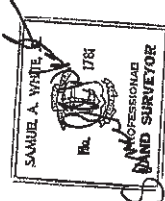
1. WILLIAM H. RICHMOND, PLAT NO. 2 PONTIAC R.I. PLAT CARD 256"
2. STATE HIGHWAY PLATS 1150 AND 1589.



CERTIFICATION:

THIS SURVEY AND PLAN CONFORMS TO THE FOLLOWING CLASS STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.

BOUNDARY SURVEY - CLASS 1
BY: *Samuel A. Yarbette* REG. NO. 1781 DATE 5-12-16
PROFESSIONAL LAND SURVEYOR



DIRECT ABUTTERS LIST

MAP 273, LOTS 379, 382, 383, 410-1
 APM ASSOCIATES LLC
 35 LANTERN RD
 LINCOLN, RI 02865

MAP 273, LOT 409
 REBECCA BROSCO
 450 PROVIDENCE ST
 UNIT #50
 WEST WARWICK, RI 02893

MAP 273, LOT 410
 APM ASSOCIATES LLC
 135 LAMBERT LIND HWY
 WARWICK, RI 02886

MAP 273, LOT 377
 JOSEPH A. TRILLO
 643 EAST AVE
 WARWICK, RI 02886

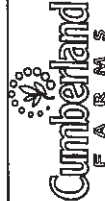


GAROFALO

GAROFALO & ASSOCIATES, INC.
 CIVIL & STRUCTURAL ENGINEERS, SURVEYORS
 LAND PLANNERS, ENVIRONMENTAL SCIENTISTS
 65 CORLISS STREET, P.O. BOX 6145
 PROVIDENCE, RHODE ISLAND 02840
 401-273-6000

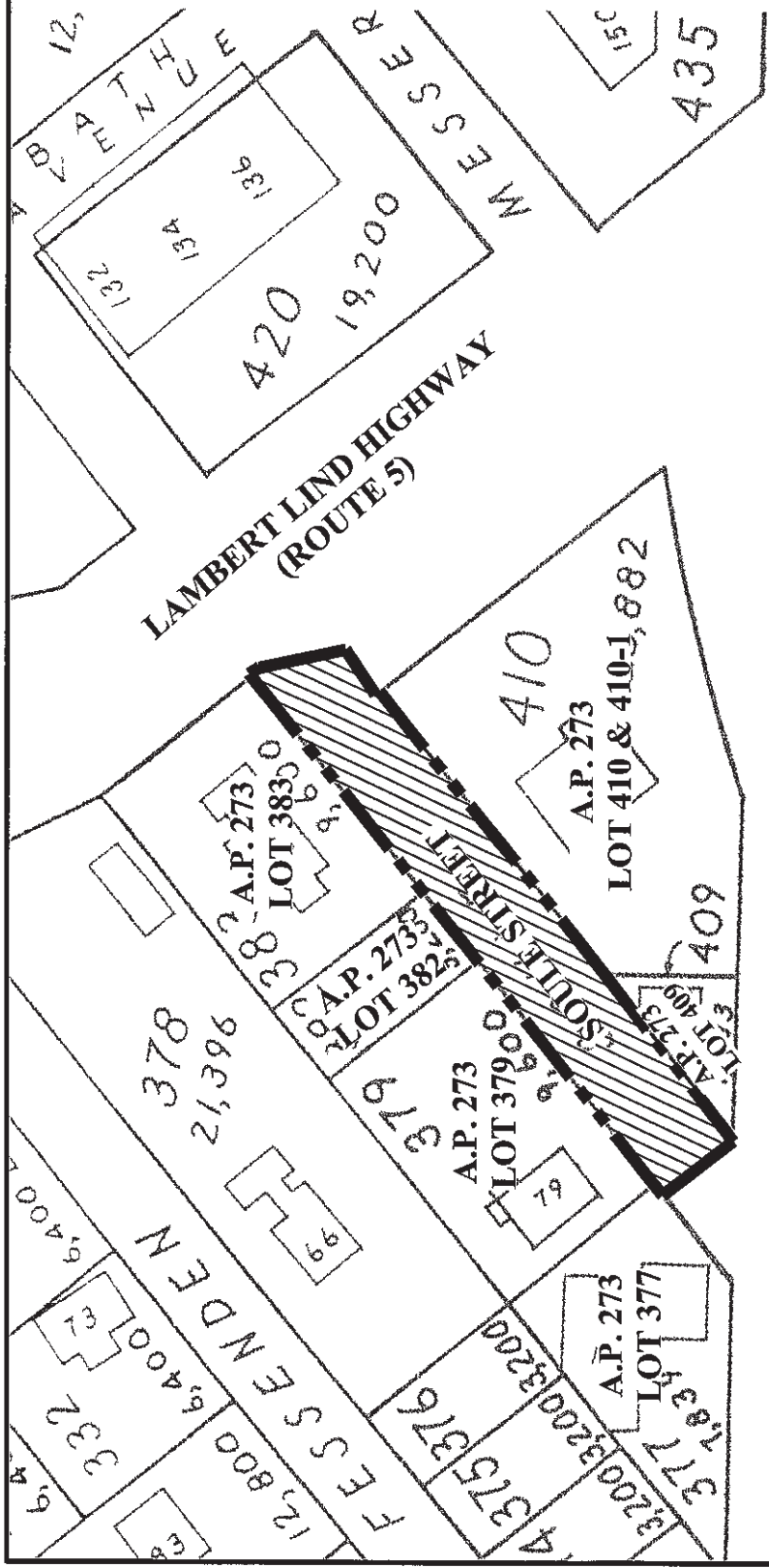
WEST NATICK ROAD & LAMBERT LIND HIGHWAY (ROUTE 5)
WARWICK, RHODE ISLAND

| | |
|-----------|--------------------|
| SCALE: | 1" = 50' |
| DATE: | APRIL 2016 |
| DWG: | 6906.01-RADIUS.dwg |
| DRAWN BY: | GAA |



CUMBERLAND FARMS, INC.
 101 Crossing Blvd
 Farmington, MA 01702

DIRECT ABUTTER MAP R1.0



**SOULE STREET ROADWAY ABANDONMENT
DIRECT ABUTTER LIST
APRIL 26, 2016**

MAP 273

LIST OF ABUTTERS

| | |
|---------|--|
| Lot 377 | Joseph A. Trillo 643 East Avenue Warwick, RI 02886 |
| Lot 379 | APM Associates LLC 35 Lantern Rd Lincoln, RI 02865 |
| Lot 382 | APM Associates LLC 35 Lantern Rd Lincoln, RI 02865 |
| Lot 383 | APM Associates LLC 35 Lantern Rd Lincoln, RI 02865 |
| Lot 409 | Rebecca Brosco 450 Providence Street, #50 West Warwick, RI 02893 |
| Lot 410 | APM Associates, LLC 135 Lambert Lind Highway Warwick, RI 02886 |

OWNER AUTHORIZATION

**Re: Cumberland Farms
135 Lambert Lind Highway
Plat 273; Lots 379, 382, 383, 410
Warwick, RI**

I, Adele Beck, as duly authorized agent of APM Associates, LLC, 35 Lantern Road, Lincoln, RI 02865, the owner (Owner) of the above referenced Property (parcel), hereby authorize TMC CF New England, LLC and Cumberland Farms, or their agents to submit any and all applications and supporting information for permits and approvals in connection with TMC's and CF's intended use and development of a project on the Property, including without limitation, applications and other submissions with the Planning Board, Zoning Board of Appeals, City Council, Building Department, RI Department of Transportation, RI Department of Environmental Management, as well as to any other local, state or federal boards or agencies in connection with CF's and TMC's pursuit, negotiation, and obtaining any special permit(s), variance(s), or other permits, approvals or consents necessary or desirable in connection with the use and development of the proposed project.

Date: 5-10-2016

Owner:

Adele Beck
duly authorized

OWNER AUTHORIZATION

**Re: Cumberland Farms
87 West Natick Road
Plat 273; Lot 409
Warwick, RI**

I, Rebecca Brosco, 450 Providence Street, Unit #50, West Warwick, RI 02893, the owner (Owner) of the above referenced Property (parcel), hereby authorize TMC CF New England, LLC and Cumberland Farms, or their agents to submit any and all applications and supporting information for permits and approvals in connection with TMC's and CF's intended use and development of a project on the Property, including without limitation, applications and other submissions with the Planning Board, Zoning Board of Appeals, City Council, Building Department, RI Department of Transportation, RI Department of Environmental Management, as well as to any other local, state or federal boards or agencies in connection with CF's and TMC's pursuit, negotiation, and obtaining any special permit(s), variance(s), or other permits, approvals or consents necessary or desirable in connection with the use and development of the proposed project.

Date: May 4, 2016

Owner:

Rebecca J Brosco

duly authorized

William DePasquale, Jr., AICP
Planning Director

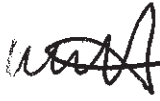


Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
Tel. (401) 738-2000 Ext. 6289
T.D.D. (401) 739-9150

MEMORANDUM
Street Abandonment
Soule Street

TO: Honorable Donna Travis, Council President
and Warwick City Council Members
Judy Wild, City Clerk

FROM: William DePasquale, Jr, AICP, Planning Director 

DATE: October 28, 2016

SUBJECT: Street Abandonment
Portion of Soule Street
Abutting Assessors Plat: 273, Assessor's Lots 379, 382, 383, 409 and 410

PETITIONER:

TMC CF of New England, LLC

Background

The Applicant, TMC CF of New England, LLC is requesting the abandonment of a portion Soule Street, as shown on the attached Abandonment Plan and Deed Description dated 10-27-16, prepared by Samuel A. White, PLS, to provide for the assemblage and redevelopment of the abutting lots. The abandonment will enable the Applicant to merge the five (5) abutting Lots to develop a convenience store, six (6) fueling pumps with a canopy, associated parking and landscaping. This proposal has been reviewed by the following City Departments, Planning, Public Works, Fire, Water, and the Sewer Authority, all finding that the abandonment of the requested portion of Soule Street does not preclude access to, or adversely impact, any lots within or outside of the development area.

Planning Board Recommendation

At October 12, 2016 regularly scheduled meeting of the Warwick Planning Board, this Major Land Development proposal received Master Plan Approval. Pursuant RIGL 45-23.1, the Planning Board, at this meeting, heard the Petition for abandonment prepared by TMC CF New England, as an integral element of the Major Land Development proposal. A copy of the Master Plan decision letter is attached as Exhibit A and includes the findings and stipulations made by the Planning Board.

After consideration of the proposal, and deliberation of the presentation and findings, the Planning Board, on a motion by Ms. Stenhouse, seconded by Mr. Bergantino, voted unanimously (six in favor, none opposed), to recommend in favor of the proposed abandonment of the requested portion of Soule Street, with the following stipulations:

1. That the City shall maintain the perpetual right to use any or all of the abandonment for the maintenance of any existing utilities or the installation of new utilities as needed in the future.
2. That, as per City council Ordinance, PCO-42-09, No. 0-01-2, the Applicant shall provide a summary appraisal of the fair market value of the highway or driftway sought to be abandoned, prior to submission to the City Clerk for the requested abandonment.
3. That an Administrative Subdivision meeting the standards as set forth in the "*Development Review Regulations Governing Subdivisions Land Development Projects Development Plan Review*" must be completed by the Applicant and recorded for City Assessor's Plat 273, Assessor's Lots 379, 382, 383, 409 and 410, if the abandonment is approved by the City Council, as part of the Planning Board Final Approval.
4. That any proposed improvements shall require all applicable local or state permits.

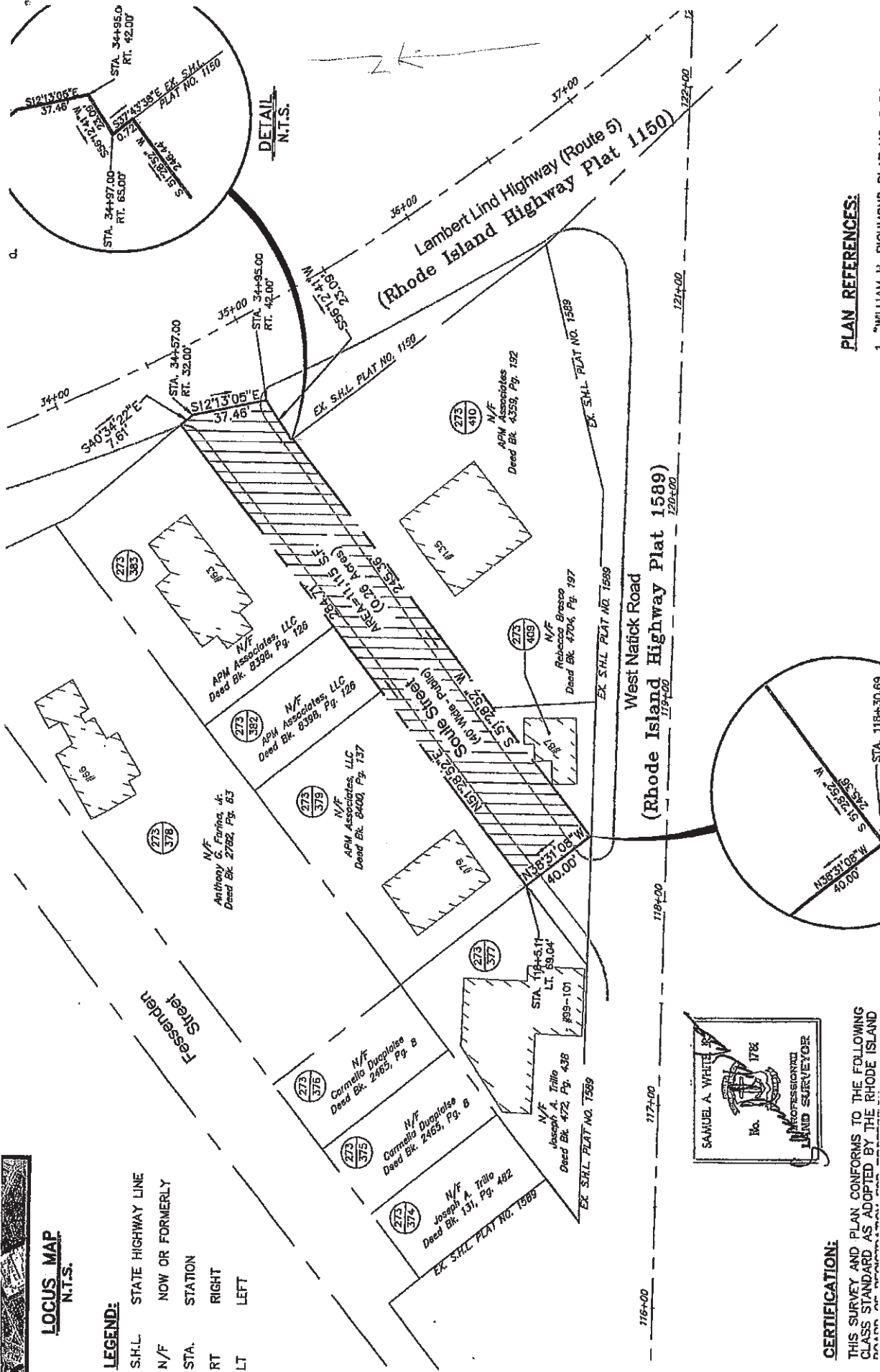
Attachments: Map
Description



LOCUS MAP
N.T.S.

LEGEND:

- S.H.L. STATE HIGHWAY LINE
- N/F NOW OR FORMERLY
- STA. STATION
- RT RIGHT
- LT LEFT



CERTIFICATION:

THIS SURVEY AND PLAN CONFORMS TO THE FOLLOWING CLASS STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF PROFESSIONAL LAND SURVEYORS.

PLAN REFERENCES:

1. "WILLIAM H. RICHMOND DEED NO. 2 BOURNAC

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Thence proceeding south $12^{\circ}13'05''$ east a distance of thirty seven and $46/100$ (37.46') feet to a point opposite State Highway Plat 1150 station 34+95.00 right forty two and $00/100$ (42.00') feet;

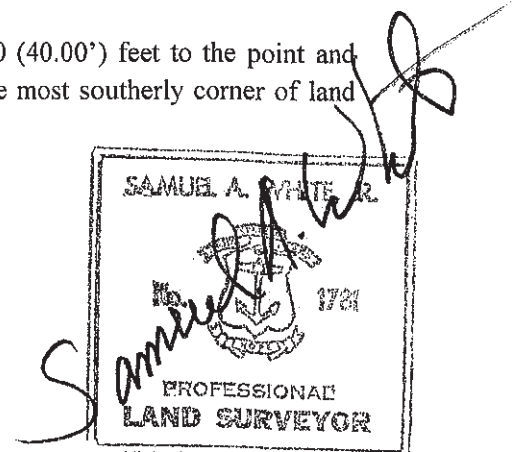
Thence proceeding south $56^{\circ}12'41''$ west a distance of twenty three and $09/100$ (23.09') feet to a point opposite State Highway Plat 1150 station 34+97.00 right sixty five and $00/100$ (65.00') feet;

Thence proceeding south $37^{\circ}43'38''$ east a distance of zero and $72/100$ (0.72') feet to the southeasterly line of said Soule Street and the most northerly corner of land now or formerly of APM Associates, LLC A.P. 273 Lot 410. The last four (4) courses running along said highway line as shown on State Highway Plat 1150;

Thence proceeding south $51^{\circ}28'52''$ west along the southeasterly line of said Soule Street a distance of two hundred forty five and $36/100$ (245.36') feet bounded southeasterly in part by land now or formerly APM Associates, A.P. 273 Lot 410 and in part by land now or formerly of Rebecca Brosco, A.P. 273 Lot 409. Said point also being opposite station 118+30.69 left thirty seven and $39/100$ (38.39') feet as shown on State Highway Plat 1589.

Thence proceeding north $38^{\circ}31'08''$ west a distance of forty and $00/100$ (40.00') feet to the point and place of beginning on the northerly street line of said Soule Street at the most southerly corner of land now or formerly of APM Associates, A.P. 273 Lot 379;

Said parcel contains 11,115 square feet or 0.26 acres of land, more or less.



10-27-16

William DePasquale, Jr., AICP
Planning Director



Scott Avedisian
Mayor

CITY OF WARWICK

Planning Department

3275 Post Road, Annex; Warwick, RI 02886

Tel. (401) 738-2000 Ext. 6289

T.D.D. (401) 739-9150

October 27, 2016

TMC CF New England LLC, Applicant
501 Pennsylvania Parkway, Suite 160
Indianapolis, IN 46280

Exhibit A

APM Associates, LLC
35 Lantern Road
Lincoln, RI 02865

Rebecca Brosco
450 Providence Street, Unit 50
West Warwick, RI 02893

RE: Lambert Lind Highway and West Natick Road
Assessor's Plat 273
Assessor's Lots 379, 382, 383, 409, 410

Dear Applicant:

The following is the decision on your application for Master Plan Approval of a Major Land Development Project/Subdivision, heard by the Warwick Planning Board at the regularly scheduled meeting held on October 12, 2016. The proposed development consists of the construction of a one story, 4,786sf convenience store and a 40' x 90' canopy with six (6) fueling pumps (12 total fueling positions), on the parcel located in the northwest corner of the intersection of Lambert Lind Highway and West Natick Road (Assessor's Plat 273, Assessor's Lots 379, 382, 383, 409, 410).

The proposed development is sited on five (5) Assessor's Lots and a portion of Soule Street, with a combined area of approximately 1.29 acres. The proposal is to merge the five (5) existing lots and the abandoned portion of Soule Street, to create one (1) lot for development. The site is located at the northwest corner of the signalized intersection of Lambert Lind Highway (Route 5) and West Natick Road. The project site currently includes four (4) vacant commercial properties with adjacent parking areas, and a majority of Soule Street. The parcel lies within two (2) zoning districts; lots 379, 409, and 410 are zoned General Business (GB), lot 383 is zoned a combination of GB and Residential A-7(A-7), and lot 382 is zoned A-7. The parcel abuts a residential zone (A-7) to the northwest.

After completion of the public informational meeting, for which a record was 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, found this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and made the following findings of fact:

1. That the proposal is generally consistent with the City of Warwick, Comprehensive Plan 2033, (Comprehensive Plan) which finds that land development in the future will increasingly involve redevelopment of previously used sites. Over 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is "very important" and when asked what kind of development they would like to see more of in the City, most respondents included neighborhood retail.
2. That Chapter 12 of the Comprehensive Plan, the Future Land Use, Zoning and Urban Design element, states as a Goal, that Warwick has sufficient diversity of land uses to support a strong and stable tax base, and to continue to balance land uses, particularly between regional retail and non-retail commercial uses.
3. That the Future Land Use Map (FLUM) as contained in the Comprehensive Plan 2033, shows this area as a combination of commercial and high density residential uses.
4. That the subject parcel fronts on Lambert Lind Highway (Route 5), West Natick Road and Soule Street, and is identified as Assessor's Plat: 273 Assessor's Lots: 379, 382, 383, 409, 410. The development area is primarily zoned General Business, with Lot 382 and a portion of Lot 383 zoned Residential A-7.
5. That the subject parcel is not in compliance with the standards and provisions of the City's Zoning Ordinance therefore requiring City Council approval for a zone change for a portion of the parcel, (Assessor's Lot 382 and a portion of Assessor's Lot 383) from Residential A-7, to General Business, with a Special Use permit for Use Code 421, and relief for less than required setback from an abutting residential zone.
6. That the four (4) existing commercial buildings on the site will be razed, and were formerly used as a hair salon, a restaurant, retail, and a vacant commercial building.
7. That there was a gasoline filling station on Assessor's Lot 410 from 1969 to 1982.
8. That the proposed development possesses access to two public streets, Lambert Lind Highway and West Natick Road, with one (1) full service driveway proposed on Lambert Lind Highway, one (1) full service driveway proposed on West Natick road, which will utilize an existing traffic signal.
9. That a traffic report, prepared by McMahon Associates, and dated July 2016, concludes that "*With the predominately pass-by nature of the proposed Cumberland Farms convenience store and gasoline station, the project will not result in a significant impact*

on the overall traffic operations of the study area roadways....due to the nature of the convenience market with gas station sites, patrons will seek out the most efficient routes for entering and exiting a site. Based on the analysis results presented in this report, the proposed development of Cumberland Farms is expected to have a minimal impact on the operations of the study area roadways and the site access modifications will improve overall access and safety."

10. That the properties north and south of the subject parcel, and fronting on Lambert Lind Highway are general business uses; there is an area of residentially zoned properties to the northwest.
11. That the development 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.
12. That there are no indications of significant negative environmental impacts from the proposed development.

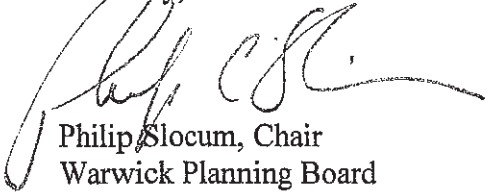
Based on the foregoing findings of fact, on a motion by Ms. Stenhouse, and seconded by Mr. Desmarais, the Planning Board voted six (6) in favor, with none opposed, to grant Master Plan approval, with the following stipulations:

1. That the Preliminary Plan shall comply with the Rules and Regulations for Professional Land Surveying in the State of Rhode Island, effective November 25, 2015.
2. That the parcel shall receive City Council approval for a Zone change for Lots 382 and a portion of Lot 383, and a waiver for a Special Use Permit for Use Code 421. Gas station (no repairs), with a convenience store, and dimensional relief for less than required setback from an abutting residential zone.
3. That prior to Preliminary approval, the Applicant shall receive approval from the Warwick City Council for the abandonment of the requested portion of Soule Street.
4. That prior to Final Approval, the Property Owner shall merge Assessor's Plat 273, Assessor's Lots 379, 382, 383, 409 and 410, and the abandoned portion of Soule Street, and record a subdivision as per The City of Warwick's Development Review Regulations. This plan shall include a Record Plat name and Record Lot designations.
5. That a Storm Water Management Plan shall be submitted in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, and designed to demonstrate a zero-net runoff from the proposed development.
6. That the project engineer shall meet with the City of Warwick DPW Engineering staff to review the proposed drainage system prior to submission to Rhode Island Department of Environmental Management (RI DEM) or Rhode Island Department of Transportation (RI DOT).

7. That the Operation and Maintenance Plan for the proposed stormwater collection system shall be included in the Preliminary submission.
8. That all necessary state permits, including but not limited to RI DEM, and RI DOT Physical Alteration Permit (PAP), shall be obtained prior to submission to the Planning Board for Preliminary Plan approval.
9. That the Project Engineer shall carefully review the access/egress points and internal traffic circulation to ensure the safety of vehicles and pedestrians. The project engineer shall install measures to discourage cut through traffic, including, but not limited to, raised pedestrian crosswalks and signage.
10. That the Preliminary submittal shall include a photometric site plan, indicating provisions to protect the neighboring residential properties from any light emissions from the proposed development. The lighting design shall be Dark Sky compliant, to the extent practicable.
11. That all signage shall conform to the standards of the Warwick Zoning Ordinance, Section 800. LED signage may be utilized for gas/fuel price information only. LED advertising message boards are prohibited.
12. That prior to the issuance of any permits for construction of buildings within the project, the Warwick Fire Department shall review the plans for compliance with all life safety codes and issues.
13. That the Applicant shall work with the Administrative Officer to the Planning Board regarding the exterior elevations of the building and canopy in order to design a project that is compatible with, and complimentary to, the abutting residential neighborhood and nearby Pontiac Village.
14. That the Preliminary submittal shall include a Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. The Landscape Architect shall contact the Planning Department prior to beginning the design process. Said plan shall be subject to approval by the Administrative Officer and provide, at a minimum, hardscape along Lambert Lind Highway and West Natick Road, and landscape screening for area residential properties.
15. That there is currently no sewer service available; the property owner/applicant shall extend sewer service to the site, and the parcel will be assessed in accordance with Warwick Sewer Authority (WSA) Regulation No. 60. All proposed work shall comply with WSA guidelines.
16. That water is available to the subject property through an existing distribution line on Soule Street. The Project Engineer shall provide further details.

17. That the existing water line on Soule Street crosses Lambert Lind Highway and provides water and fire protection to existing buildings on Lambert Lind Highway. Any cutting and capping at the existing waterline must provide for a new tie-in to the existing eight inch (8") water line on West Natick Road, approximately 150'; any costs associated with this requirement shall be paid by the Applicant prior to the water line being abandoned in the field.

Sincerely,



Philip Slocum, Chair
Warwick Planning Board

RECORDED
Oct 28, 2016 11:07A
Jude Wild, City Clerk
City of Warwick, RI

For Department
Directors and Boards
and Commission
Reviews see PCO-26-16