



CITY OF WARWICK

FRANK J. PICOZZI, MAYOR

Date: March 2024

Safe Harbor Greenwich Bay, LLC
14785 Preston Road, Suite 975
Dallas, Texas 75254

RE: Assessor's Plat 359
Assessor's Lot(s) 389, 391, 392, 393, 394, 395, 396, 549 (to be merged); 292-303, 305,
306, 388, 555, 556 (to be merged), 547

Property Address: #'s 115, 125, 136, 138 Wharf Road

The following is the decision on your application for Conditional Master Plan Approval of a Major Land Development/Subdivision heard by the Warwick Planning Board at the regularly scheduled meeting held on November 8, 2023 and March 13, 2024.

The Applicant is proposing to construct a 15,000 square foot boat workshop. In addition, the applicant is seeking a recommendation to the Warwick City Council for a zone change (A7/A40 Residential to Waterfront Business-WB); a recommendation for the abandonment of Flora Street (unimproved street); and an amendment to the City of Warwick Comprehensive Plan to change the designation on the Future Land Use Map (12.1) for the lots proposed to be rezoned from residential to commercial. The Applicant also is seeking a merger of lots.

After completion of the Public Hearing, for which notice was served and 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 Meeting, found this proposal to be 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 Statements* 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 proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, or must satisfactorily address issues where there may be inconsistencies, as follows:
 - a. The proposal is consistent with *Chapter 1, Vision for the 21st Century Warwick* element which commits to a diversity in land use that promotes a strong, stable tax base.”
 - b. *Chapter 4, Natural Resources* section of the Comprehensive Plan states as a goal that Warwick's natural resource systems, sensitive water resources and natural habitats be preserved and protected for future generations, with a companion policy to “protect, preserve and enhance natural resource areas adjacent to developed or potentially developed areas.” The Applicant must incorporate appropriate measures to mitigate stormwater runoff, provide pretreatment and TSS removal, and other best management practices (BMP's) in order to maintain consistency with the Comprehensive Plan.

PLANNING DEPARTMENT • TOM KRAVITZ, DIRECTOR
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- c. Chapter 4, *Natural Resources* section of the Comprehensive Plan includes a policy to “protect and restore Warwick’s coastal wetlands and improve water quality,” and further states as an action item, “preserve remaining coastal and riparian vegetated buffers . . .and promote the establishment of new vegetated buffers at water edges on private lands” (4.21). To remain consistent with this element of the Comprehensive Plan, no clearing or storage of boats shall be in within the wetland areas and existing buffers shall be maintained and/or restored as determined by the Rhode Island Coastal Resources Management Council. Stormwater Best Management Practices shall be incorporated in to the design to reduce runoff and pollutants to Warwick Cove. To address these issues the Applicant has proposed two conservation easements to permanently protect approximately 3.85 acres of coastal wetland area.
- d. Chapter 5, *Parks, Open Space and Recreation* section of the Comprehensive Plan includes a recommended Goal (1) “A preserved and enhanced parks and open space system,” with a Policy to “Protect, preserve, mark, map, maintain, and expand Warwick’s coastal public access points” (5.17). The Chapter contains an additional Policy (F) “Protect, preserve, maintain, and expand Warwick’s coastal and fresh water public access points.” With the corresponding Action (F7) “Improve existing and create new access points for canoeing, kayaking, and boating on both rivers and ponds and in coves and the bay” (5.20). Finally, Chapter 6, *Transportation and Circulation* includes a Policy to “support initiatives that improve access to, and navigation in, Warwick’s marine environment,” with the corresponding Strategy (C) “Maintain and improve public access opportunities for the use and enjoyment of coastal and marine resources” (9.32). To maintain consistency with these elements of the Plan the Applicant will need to present measures to protect and improve public access to the site.
- e. A stated policy in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is to “ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area.” The proposed project area is primarily located in an appropriately zoned Waterfront Business (WB) district along the shore of Warwick Cove. Warwick Cove is home to approximately 11 marinas and the proposed location has been used to support marine related uses since at least the 1950s. To remain consistent with the Comprehensive Plan, the Applicant must maintain existing, mature vegetation along Glenco Road and areas directly abutting residential homes. Landscape screening shall also be enhanced as needed to properly screen the workshop from abutting residential homes.
- f. Chapter 11, *Sustainability and Resilience*, recognizes that “The marine trades are a significant economic and social asset to Warwick. Greenwich, Apponaug and Warwick Coves contain some of the densest marina and boating facilities in the state” (11.12) and a goal of the Plan is that the City has an “accessible, easily navigable marine transportation system (Chapter 9 Transportation and Circulation). In addition, Comprehensive Plan survey respondents (8.4) included “*support for improved waterfront businesses and facilities.*” Investment and improvement to marine infrastructure and facilities is necessary to maintain and support the robust maritime economy along Warwick’s working waterfront.

2. That the proposal is not in compliance with the standards and provisions of the City's Zoning Ordinance in consideration of the following:
 - a. A portion of the subject property is currently zoned residential, therefore the applicant must request a zone change from the Warwick City Council to Waterfront Business (WB).
3. That there will be no significant negative environmental impact from the proposed development provided the Applicant conforms to all conditions of approval.
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 in consideration of the following:
 - a. The proposed boat workshop development, will be contained on a single lot and the Applicant has sufficiently demonstrated that the lot can appropriately support development while remaining in conformance with pertinent regulations and building standards.
5. That the proposed development possesses adequate and permanent access to a public street in consideration of the following:
 - a. The proposed development has permanent access to approximately 424' of continuous frontage on Wharf Road.

In addition to the above findings, the Planning Board finds the proposed zoning amendment to be generally consistent with the Comprehensive Plan (as detailed above) of the City of Warwick and finds it also to be consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
 - A.) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick.
 - E.) The availability and capacity of existing and planned public and/or private services and facilities;
- 103.11 Promote the implementation of the Warwick Comprehensive Community Plan, as amended.

Based on the foregoing findings of fact, on a motion by XXX, seconded by XXX, the Warwick Planning Board voted X in favor to grant Conditional Master Plan approval. The Planning Board's approval included the following stipulations:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island", effective date November 25, 2015.

2. That the Applicant shall submit a Preliminary Land Development Plan that complies with Appendix C, Final Application, of the City's Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That a Storm Water Management Plan shall be submitted in accordance with the Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, that is designed to demonstrate zero-net rate of runoff from the proposed development. At a minimum, a Stormwater Mitigation System meeting the requirements of the Rhode Island Stormwater Design and Installation Standards Manual, December 2010 as amended must be designed for all new impervious areas. This project area is located within a sensitive environmental area; specifically, Warwick Cove. Prior to Preliminary Plan, the applicant shall include design of best management practices (BMPs) to reduce the runoff and pollutants into Warwick Cove.
4. The stormwater mitigation calculations must demonstrate a zero-net increase in the rate of runoff and the total volume of runoff leaving the site for all storm events required in the Rhode Island Stormwater Design and Installation Standards Manual, December 2010 as amended and the City of Warwick's Code of Ordinances.
5. That an Operation and Maintenance Plan for the proposed stormwater collection system be included with the Preliminary submission to the Planning Department.
6. That all Rhode Island Department of Environmental Management(RIDEM), Rhode Island Coastal Resources Management Council(RICRMC), and other state permits must be obtained prior to the Preliminary phase submission. Preliminary Plan submissions shall include the delineated wetland edge and buffer.
7. Prior to or concurrent with Final Plan Approval, the Applicant shall record conservation easements as approved by the Board. Maintenance of the conservation easement area shall be the sole responsibility of the Applicant, including the removal of debris and trash.
8. The City must be provided with an easement with the right to install utilities, including, but not limited to sewers and water, in perpetuity for the area of the street abandonment. The easement must be shown on all proposed plans in future submissions and shall be recorded at Final Plan approval.
9. That an adequate number of fire hydrants be provided throughout the development spaced 300 Ft. apart and providing a minimum of 1000 GPM. Sprinklered buildings require a hydrant within 100 Ft. of the Fire Department Connection (FDC). In addition, the Fire Department shall review all plans for compliance with all life safety codes and issues.
10. There shall be no architectural, landscaping or natural barriers to prevent easy access of fire apparatus.
11. All two-way travel lanes to have a minimum of 24 Ft. of unobstructed width and an unobstructed vertical clearance of 13'6" to allow for unimpeded access by fire apparatus.

12. Prior to the issuance of any permits for buildings within this project, the Warwick Fire Department will review all plans for compliance with all life safety codes and issues.
13. That the Applicant shall comply with all of applicable requirements of the Warwick Sewer Authority, including the Collection, Industrial/Commercial Pretreatment and Billing Departments. The sewer assessments for all lots that are merging shall be paid in full prior to recording of the merger.
14. The area is serviced by low pressure sewer lines, any additional sewer connections will require a grinder pump.
15. That the Preliminary phase submission include a landscape plan prepared by a registered RI landscape architect.
16. That the Preliminary Plan submittal include a photometric site plan, and specifications for all exterior lighting. Site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
17. That the Preliminary Plan submittal shall include a signage plan, for all proposed tenants at that time, to include all sign locations, sizes, and styles. All signage shall be subject to approval by the Administrative Officer to the Planning Board and conform to the standards of the Warwick Zoning Ordinance, Section 800.
18. That prior to Preliminary Plan application, the Applicant shall have received the requested zone change from the Warwick City Council and the abandonment of Flora Street.
19. That prior to Preliminary Plan approval the Applicant shall present measures to protect, improve and expand public access to the shore opportunities.

Zone Change

Based on the above-stated findings of fact, on a motion by XXX, seconded by XXX, the Warwick Planning Board voted X in favor to provide a positive recommendation to the Warwick City Council to change the zoning classification for Assessor's Plat 359 Assessor's Lots 294-303, 305, 306, 394-396, 547, 555 from A7/A40 Residential to Waterfront Business (WB).

Street Abandonment (Flora) – Advisory Recommendation

Based on the above-stated findings of fact, on a motion by XXX, seconded by XXX, the Warwick Planning Board voted X in favor to provide a positive recommendation to the Warwick City Council for the abandonment of Flora Street with the following stipulation:

1. The City shall retain the rights of conveyance for sewers and utilities.

Comprehensive Plan Amendment

Based on the above-stated findings of fact, on a motion by XXX, seconded by XXX, the Warwick Planning Board voted X in favor to provide a positive recommendation to the Warwick City Council

to amend the Comprehensive Plan Future Land Use Map 12.1 to reflect the proposed zone change from residential to commercial.

Sincerely,

Philip Slocum, Chair
Warwick Planning Board