

WARREN PLANNING BOARD

MINUTES

January 7, 2013

A special meeting of the Warren Planning Board began at 7:00 PM. Present were F. Massie, J. Piepowski, C. Thibaudeau, M. Heald, D. Kallfelz, R. Silva, and R. Mello. Absent was M. Rousseau. Also present were Town Building Official W. Nash, Town Solicitor T. DeSisto, Blount Attorney William Dennis, Marcia Blount, Julie Blount, Luther Blount, Blount Engineer Ronald Blanchard, Blount Engineer Richard Fitzgerald and Attorney (for John Moss and Enzo Lucciola) Joe H. Larson.

Due to the lack of a quorum at the Board's regularly scheduled December 17 meeting, that meeting was cancelled, and this special meeting was arranged to review two, time-sensitive requests for Board recommendations.

A quorum of Board members was present for this meeting.

A motion was made to open the meeting as a public hearing by J. Piepowski, seconded by D. Kallfelz and passed unanimously.

**Waterfront Overlay District Development Plan Review Public Hearing
Continued Item:**

Application # 12-33; Blount Realty Company & Water Street Dock Company, Inc., owners and Water Street Dock Company, Inc., applicant; 461/463 Water Street; Plat Map 6, Lots 11,110,111, 109, 25, 3, 98, 114 & 107; owner/applicant requests to construct a 8,250 sq ft. tent structure to be located within the Waterfront Overlay District. This request requires the Warren Planning Board to perform a

Development Plan Review and provide a recommendation to the Warren Zoning Board in accordance with section 32-149 of the Warren Zoning Ordinance

Blount Attorney William Dennis provided an overview of the Blount's request which was followed by testimony by Marcia Blount who reviewed a short history of the Blount Shipyard up to the present, providing the rationale behind the request for requested Development Plan Review and Board's recommendation regarding dimensional zoning variances for forwarding to the Warren Zoning Board. Providing supporting testimony for the Blount request were Ronald Blanchard, President of Site Engineering who discussed the aspects of the site under discussion and Richard Fitzgerald of Child Engineering who discussed specific aspects of the proposed structure.

A December 27, 2012, 7-page letter from Warren resident Jane MacDougall of 500 Water Street opposing the Blount request was provided to Board members in their meeting packets for review prior to the meeting. Relevant points of Ms. MacDougall's letter were taken into consideration by the Board in its deliberations. Warren resident Ida Hoffman of 492 Water Street noted concerns about the height of the proposed tent structure, the permanency of the structure and the impact of any decisions regarding flood insurance coverage for neighboring residences.

The dimensional variances requested are to allow for a rear yard setback of 0' (the required setback being 20'); to allow for building lot coverage of 34% (maximum lot coverage being 30%) and to allow for

a building height of 44' (maximum allowable height being 35').

After hearing thereon, and consideration thereof, the Board made the following findings of fact:

As to the special use permit application:

1. The proposed use, essentially the manufacture of boats in the proposed tent structure, is compatible with the existing use of the property as a boat yard. The board noted the long history of boat building in Warren, both in Waterfront District and the subject property in particular. Although the surrounding area is of a mixed use nature, the proposed use will not alter the existing compatibility scheme in the neighborhood.

2. Because of more recent regulations regarding the manufacture of boats, and the involvement of CRMC in the process, the proposed use will not create a nuisance or hazard in the neighborhood greater than the existing conditions.

3. The use is indeed compatible with Comprehensive Community Plan, especially those sections pertaining to economic development.

4. Given the state of the local economy, especially manufacturing in the area, the public convenience and welfare will be served by granting the application. The proposed project is based upon the current firm's needs regarding contracts for the manufacture of boats and will supports efforts to retain and increase local job opportunities.

5. The new structure creates an opportunity to install up-to-date practices in boat manufacture that best protect the environment; negative impacts on the natural environment are therefore alleviated,

and negative impacts are lessened. Given the current state of the property, the general appearance of the property will not be adversely impacted by the new structure.

Regarding the dimensional variances application:

1. The relief requested is clearly geared to the specific needs of the boats to be built at the site, and is therefore the least relief necessary.

2. The use of the boat yard will not change after the granting of the application; boats have been built at this site for many years, and the relief requested will allow for the continued manufacture of boats at the site. Therefore, the relief requested will not alter the general character of the surrounding property.

3. It was clear from the testimony that the proposed project is not to realize greater financial gain as to the value of the property; rather the structure will allow for the business on-site to continue, and although the structure meets the technical definition of a permanent structure, its steel-frame-fabric cover compartment design is clearly meant to allow for boat manufacture only and not as a fixed structure that will appreciate in value as time goes on.

4. The property is certainly unique as a boat manufacturing facility that has long been in use for that purpose. To overcome that hardship, the Applicant and Owners have proposed the current project of erecting a tent-like structure for boat manufacturing in today's world.

For the standards set forth in § 32-151 (b)(3):

1. The scale of the proposed tent structure is visually compatible with the site and surrounding buildings on the waterside of Water Street of

an industrial nature.

2. The façade fabric material is appropriate for this unique structure.

3. Likewise, the “site features” are also appropriate for boat manufacturing.

Based on this discussion, a motion was made by R. Silva, seconded by C. Thibaudeau and unanimously approved by the Planning Board to recommend that the Zoning Board of Review APPROVE the Applicant and Owners applications for a special use permit (Application No.: 12-26 as amended) and for dimensional relief (Application No.: 12-27 as amended).

Proposed Zoning Ordinance Amendment Public Hearing

Continued Item:

Proposed zoning ordinance amendment to 32-49 – Public and Semi-Public Uses. Proposal to allow “Day care center or pre-school, including one accessory to a business establishment” in a Commercial Industrial Zone (CI) as a permitted use with the granting of a Special Use Permit. Recommendation to the Warren Town Council.

Attorney Joe Lawson, representing lessee John Moss and owner Enzo Lucciola, presented the proposed zoning ordinance amendment and asked the Board for a favorable recommendation to the Warren Town Council.

Advised by Town Solicitor Tony DeSisto that the Planning Board's sole function in the consideration of a change to the zoning ordinance is to advise the Town Council as to whether the change conforms to the Comprehensive Plan. Unfortunately, this type of

change in the Commercial Industrial district is not directly addressed in the Plan or whether this type of use is appropriate for that district. However, the use in question is a permitted use in the manufacturing zone, and is permitted in all but 3 zones in Warren. After an extensive discussion, the Planning Board voted to forward no recommendation to the Town Council, due to the lack of Plan clarity on this specific issue. The Town Solicitor agreed this was the correct position to take based upon legal research. There was a lively discussion, however, as to the appropriateness of locating a daycare/preschool next to a freight terminal and other manufacturing uses. On one hand, there is a need for daycare services benefiting working Warrenites (especially those employed in the park), and the location is excellent for commuting parents. On the other hand, there is a question as to safety for the children in a concentrated commercial/industrial environment, and whether such a use could later on serve as an obstacle by objecting to a manufacturing business locating in the park as incompatible with a daycare center. Based on this discussion, a motion was made by J. Piepowski and seconded by R. Mello and passed unanimously. The Town Solicitor was asked to convey this decision to the Warren Town Council.

A motion was made by J. Piepowski and seconded by D. Kallfelz to close the meeting as a public hearing and passed unanimously.

The meeting was adjourned at 9:15 PM.

Respectfully submitted,

Catherine Gresh

Recording Secretary