

City of Warwick Planning Board

Meeting Minutes

Wednesday, September 13, 2017

Members Present: Valerie Bataille

Benny Bergantino

Steve Catalano

James Desmarais

Vincent Gambardella

Cynthia Gerlach

Sue Stenhouse

Philip Slocum

Members Absent: Steve Horowitz

Also in Attendance: Patricia Reynolds, Assistant Principal Planner

Lidia Cruz-Abreu, Assistant Administrative Officer

Eric Hindinger, Engineering Project Manager

Diana Pearson, City Solicitor

Please note the meeting was moved to the City Council Chambers

Chairman Slocum called the meeting to order at 6:14 p.m.

Planning Staff informed the Board that there was a letter submitted requesting that the following application, be opened and continued

due to additional items required on the survey plan. Ms. Stenhouse, seconded by Mr. Catalano, made a motion to open the public hearing.

All in favor, none opposed. Ms. Stenhouse, seconded by Mr. Bergantino made a motion to continue the application to the October 11, 2017 Planning Board Hearing, without requirement for re-advertising and re-notice. All in favor, none opposed.

Public Hearing

**Request for a Recommendation for a
Comprehensive Plan Amendment/and
Zone Change**

Pleasure Marina – 7 Ottawa Avenue

Owner/Applicant: Joseph DiCenzo, III and Joanne DiCenzo

Location: 7 Ottawa Avenue, Pequot Avenue and Quonset Avenue

Assessor's Plat: 376

**Assessor's Lots: 542,543,544,557,559 (Comprehensive Plan
Amendment)**

Assessor's Los: 542, 543,544 (Zone Change)

**Existing Zoning: Waterfront Business, Residential A-7 and
Residential A-10**

Proposed Zoning Waterfront Business

Land Area: 118,800+/- sf

Surveyor: Jeffrey K. Balch, Frisella-Balch & Associates

Ward: 6

Background

The Applicant is requesting an amendment to the Future Land Use Map (FLUM) as contained in the City of Warwick Comprehensive Plan 2013-2033 “City of Livable Neighborhoods” (Comprehensive Plan) as the first stage in a zone change process to correctly reflect the existing marina and associated uses on the parcel.

Assessor’s Plat 376, Assessor’s Lots 542, 543, 544, and 557, 559. The FLUM depicts the intended use for these lots as “Medium Density Residential.” The Applicants are seeking to revise the intended use to “Commercial” to reflect the existing marina (Waterfront Business) use on site.

Public Hearing

Major Land Development/Zone Change

Stonebridge Crossing

Preliminary

Location: Major Potter Road

Assessor’s Plat: 228

Assessor’s Lots: 97 & 98

Applicant: M&M Land Company, LLC c/o Kevin Murphy

Zoned: A-40 (Planned District Residential-PDR)
Area: 20.65 Acres
Ward: 9
Engineer: DiPrete Engineering

Mr. K. Joseph Shekarchi, ESQ, Shekarchi Law Office represented the Applicant who was requesting Preliminary Approval of a Major Land Development Project. The Applicant proposed to merge (2) two lots totaling 20.65 acres to create (1) one lot for the development of (48) forty-eight dwelling units with waivers for parking within 15' of a residence, no direct access to a major street or highway, and less than required separation between buildings to allow for the development of single level living dwelling units with attached two car garages, in an A-40 Planned District Residential (PDR) Zone.

Mr. Shekarchi indicated that the application had received Master Plan Approval and a City Council Zone Change. Mr. Shekarchi indicated that the area would be sewerred via a shared agreement between the City of Warwick and West Warwick Sewer. Mr. Shekarchi noted that he reviewed and agreed with the Planning Department's Findings and Recommendations, and agreed with the additional screening request by Planning Staff.

Mr. Slocum noted the additional fire hydrant requested by the Fire Department. Mr. Shekarchi indicated that the final plan would note the additional fire hydrant, as requested.

Mr. Bataille asked if the Association would be responsible for the Operations and Maintenance Systems and if there were wetlands on-site. Mr. Shekarchi and Mr. Dave Russo, PE, DiPrete Engineering, noted that the Project received RIDEM approvals.

Ms. Stenhouse asked if the Applicant would be providing additional screening. Mr. Shekarchi indicated that the Applicant would provide additional vegetation to both accommodate the abutters and the Development. Additionally, Mr. Shekarchi noted that as part of the sewer line extension several abutters along Major Potter road would have the potential to connect to sewers and that the Applicant and the City had reached an agreement and that portions of Major Potter Road would be improved and that construction was likely to begin in 2018.

Ms. Stenhouse, seconded by Mr. Desmarais, made a motion to open the public hearing.

Mr. Thomas Mitchell, 973 Major Potter Road, had concerns regarding roadway run-off that would be created by the widening of the roadway. Mr. Shekarchi noted that roadway run-off would not be increased, it would remain the same or better. Mr. Mitchell also noted his continued concern regarding the car dealerships in close proximity to the residential neighborhood, noting that Major Potter Road being used to test drive vehicles. Mr. Shekarchi indicated that

the former dealership had complied with requirements and that his concern was an enforcement issue.

There was information provided by the City's Engineering Division relative to the roadway improvements.

Mr. Robert Nordstrom, 917 Major Potter Road, noted concerns regarding the blasting that would take place for the development, he specified that during the development of Spencer Woods there was damage to abutting properties. Additionally, he questioned if there would be sewer assessments.

There was discussion that was not discernable during this period.

Mr. Slocum indicated that there would be licensed trained professionals that would be blasting. Mr. Slocum stated that if there were any new damages to the property he should notify the company right away. Additionally, he noted that he believed that there may be a sewer assessment, he advised that Mr. Nordstrom contact the City's Sewer Authority.

Mr. Shekarchi noted that there was a pre-blasting survey required by the State.

There was discussion that was not discernable during this period.

Mr. Slocum read a portion of the Sewer Authority's comments. Mr.

Nordstrom had additional concerns regarding his existing sewer system and his well. Mr. Shekarchi noted that the project would not change the current water flow.

There was discussion that was not discernable during this period.

Being no further testimony, Ms. Stenhouse, seconded by Mr. Bergantino and Ms. Bataille made a motion to close the public hearing.

Being no questions, the Planning Board waived the reading of the Planning Department Findings and Planning Staff read the Planning Department Recommendations into the record.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1, “Purposes and General Statements” of the City’s Development Review Regulations, and further finds:

1. That the proposed development is generally consistent with the Comprehensive Community Plan criterion that it be consistent with the surrounding area. The proximate land use found in the immediate vicinity is multifamily. Within a 400’ radius of the subject property there are two multi-unit complexes, Spencer Woods and Eagle Run,

which presents as a semi-detached layout similar to the scale and design proposed herein. To the immediate south and further west of the subject site there are two additional multifamily uses, which provide a more traditional apartment-style building layout. Briarwood Meadows is a large complex whose units are rented to tenants and West Gate condominiums is a converted apartment complex, whose units are owned by separate parties. Beyond the consistency with area land use we also find the proposed development to be consistent with:

- 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;”
- 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 and of the surrounding area;”
- The City Comprehensive Plan also states that; “The City Environmental and Open Space networks are (to be) respected by new development” and that “development options” should... “Enhance networks of Open Space and recreation.....” This provision of the Comprehensive Plan is accomplished not only with land use consistency but also with the act that this proposal proposes preservation of 6.58 acres of Open Space.

• Chapter 7 of the City of Warwick Comprehensive Plan addresses Housing and Neighborhoods, specifically within its “Recommendations” section lists as Goal 1, the City should work to provide; “a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle, by supporting the addition of compact housing types such as townhouses, lofts, apartments, cottage developments...in suitable locations;”

Particularly relevant is “Strategy C” within this section, which supports consideration for “single-level, aging-in-place house options as a way to diversify housing types for seniors...” This type of housing is exactly what is being presented here tonight.

2. That the subject property is located along Major Potter Road; and is identified as Assessor’s Plat: 228; Assessor’s Lots: 97 & 98. The subject property is zoned A-40 Planning District Residential (PDR) and consists of (2) two Tax Assessor’s lots totaling 20.65 acres; the parcel is bisected by a wetland system which creates approximately 11 acres of land accessible to Major Potter Road, with the remaining upland located on the northeast side of the wetland system having limited accessibility.

3. That, based on the Planning Department’s request, the Applicant held a community outreach meeting at City Hall on July 27, 2015 to present the plan, as well as, to gain feedback from the community. Several issues were raised including traffic, aesthetics, buffering,

road condition, development density, blasting and construction schedule.

4. That the Applicant received Master Plan Approval from the City of Warwick Planning Board on September 9, 2015 and a City Council Zone Change, PCO NO. 34-15, Amended, January 21, 2016 w/waivers.

5. That the Project, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance, having received City Council Zone Change, PCO NO. 34-15, Amended, January 21, 2016 w/waivers for parking within 15' of a residence, no direct access to a major street or highway, and less than required separation between buildings.

6. That the Applicant received RIDEM, Wetland Permit No. 16-0155 and RIPDES Permit No. RIR 101427, therefore, there are no significant negative environmental impacts from the proposed development.

7. That the Applicant received Historic District Commission Approval w/stipulation at its July 2017 regularly scheduled meeting.

8. That City of Warwick Zoning Regulation, specifically, 308.2 (H) Screening, require fences, wall, and/or vegetative screening.....screening shall be designed to control existing or potential adverse views from existing or potential first floor windows.

9. That as per City of Warwick regulations, the Project Engineer, modified the plan submission to include an additional required hydrant for life safety purposes.

10. That the Applicant is proposing to merger (2) two lots to create (1) one 20.65 acre parcel for the development of 48-residential units; therefore, the development will not result in the creation of individual lots with such physical constraints to development that the building on those lots according to pertinent regulations and building standards would be impracticable.

11. That the development, as proposed, will have access to Municipal Sewer and Kent County Water.

12. That the parcel is surrounded by and traversed by field stone walls, which are a tangible link to the City's colonial agrarian past and, as such, hold a unique historic significance for the City.

13. That stone walls are continuously threatened by both private and public development and need to be protected.

14. That the proposed development is providing a 24' wide private roadway access to the interior of the condominium development as depicted as Road A and Road B, on the Stonebridge Crossing Master Plan, dated May 10, 2017, and that this private roadway will be accessed from Major Potter Road, therefore, the development has

adequate and permanent physical access to a public street.

Planning Department Recommendation

Presented with these facts and findings, the Planning Department recommends granting Preliminary Approval with Final Approval through the Planning Board, upon compliance with the following stipulations:

- 1. That the Applicant shall submit a Final Development Plan that shall comply with the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994; Amended November 25, 2015.**

- 2. That the Applicant shall submit a Final Development Plan 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.**

- 3. That, as per the City of Warwick Historic District Commission Approval, the Applicant shall comply with the following stipulations and receive final sign-off relative to the HDC Approval, prior to submission to the Planning Board for Final Approval:**

- a) No fieldstones in the existing walls shall be removed from site or buried;**
- b) The stones of the existing walls that have to be removed from their locations will be used to enhance the remaining remnants of stone walls on the west property line, to the extent that existing stone is available to do so;**
- c) The existing stone walls on the eastern property line shall remain more or less intact and be upgraded in their existing location;**
- d) Stone walls within the development area that are not required to be removed because of building placement or drainage shall remain;**
- e) The assemblage of the fieldstone walls using relocated stones shall be configured in a way to replicate those kinds of demarcation walls that would have been built for the agricultural purposes that the land was once used for;**
- f) Those walls shall be drywalls with no mortar;**
- g) The northern portion, totaling 6.58 +/- acres (the future open space area), and portions east of the wetlands, shall have all existing walls remain intact, regardless of condition;**
- h) The developer shall present to the Warwick Historic District Commission, within two weeks of receiving Preliminary Plan approval from the Warwick Planning Board, a drawing showing the proposed development of stone walls in accord with the previous points for review of conformance with these written stipulations. This should be color coded, to depict the existing walls that are to be removed and rebuilt; the location where the field stones will be rebuilt; and an outline of the area where stone walls will not be removed. Three**

copies of the drawing should be submitted; two copies for the Historic District Commission, and one for the Planning Board.

4. The Final Plan shall note the following:

a. That the proposed roadway and drainage system is private and shall be maintained by the property owners or Condominium Association.

b. That Major Potter Road must be restored full-width for the entire length of the proposed disturbance (from the intersection of spencer woods Drive to 25' east of the proposed access roadway for the development). The Applicant/Developer shall be responsible for the cost of installation of utilities and associated temporary restoration. The final restoration of Major Potter Road, which shall consist of reclaiming the roadway to a minimum depth of 8-inches, grading the base, installing a 2-inch binder course and a 1.5-inch wearing course, shall be overseen by the Department of Public Works. The Applicant/Developer shall reimburse the City for the cost of the 2-inch binder course. All other cost associated with the final restoration of Major Potter Road shall be borne by the City. The Applicant/Developer shall coordinate with installation of the utilities and the details of the final restoration with the respective utility providers.

5. That, as per City of Warwick Zoning Ordinance, specifically 308.2 (H) Screening, the Applicant's Landscape Architect shall add

additional plantings along the western property line, as noted on the Planting Plan, dated September 5, 2017, abutting the single family residential zone.

6. That prior to Final Submission, the Applicant's Attorney shall provide finalized Condominium Association Documents and Deeds, which shall include, but not be limited to, covenants regarding the maintenance and repair of the proposed drainage systems, open space and private roadways and shall provide a detailed, Trails Access and Management Plan, for the Open Space parcel, which shall include pathway materials details. The plan, at minimum, shall include locating and surfacing the walking trail with pervious material as well as detailing any ancillary structures being proposed. The open space delineated on the plan shall not be further developed for housing and is to be restricted in the association documents to remain passive recreation in perpetuity. The open space area shall be maintained by the Condominium Association. The Trails Access and Management Plan, covenants, restrictions and language shall be subject to approval by the Administrative Officer.

7. That prior to Final Plan Submission, the Applicant shall provide Final Plans with shall note the revised number of hydrants, as required per the City's Fire Chief and Fire Marshall; and as noted and modified on the Preliminary Plan.

8. That the Applicant shall coordinate with the State Fire Marshall's

Office and shall adhere to all RI General Laws relative to Fire Safety and Blasting. As a courtesy, it is encouraged that the Applicant/Developer work with the neighboring property owners on notification of said blasting outside the minimum statutory requirement.

Being no further questions, Mr. Stenhouse, seconded by Mr. Bergantino and Mr. Gambardella, made a motion to adopt the Planning Department's Findings and Recommendation and to grant Preliminary Approval with Final Approval to be by the Planning Board. All in favor, none opposed.

Public Informational Meeting

Major Land Development

Master Plan/Subdivision

1160 Post Road

Pond Plaza

Owner: Cenicor, LLC

Applicant: PRW Holdings, LLC

Location: 1160 Post Road

Assessor's Plat: 298

Assessor's Lot: 18

Zoning District: General Business (GB), abuts Residential A-7

Zoning Relief: Special Use Permit for self-storage, Use Code 807.

Ministorage and mini-warehouse facility, and Section 304.5 More

than one nonresidential use or building on a lot, and dimensional relief, Section 701.7 Off-street parking space requirements, for less than required parking spaces.

Land Area: 4.19 acres

Engineer: DiPrete Engineering

Ward: 3

Noting a conflict Ms. Gerlach recused herself from the following application.

Mr. K. Joseph Shekarchi, ESQ, Shekarchi Law Offices, represented the Applicant who was requesting Master Plan Approval of a Major Land Development Project/Subdivision. The Applicant was proposing to redevelop a parcel with an existing building (a portion of which will remain), to construct a three (3) story addition to the building to be used as a self-storage facility, and to reconfigure the parking area. The total building footprint is proposed to be 46,038 sf - 33,388sf of storage use, and 12,650sf of retail use. The front portion of the existing building will remain and be renovated for the retail uses. The rear portion of the building is to be demolished to provide for the development of the self-storage facility. Additionally, the Applicant was also requesting a recommendation to the Zoning Board of Review for a Special Use Permit for Use Code 807. Ministorage and mini-warehouse facility and Section 304.5 More than one nonresidential use or building on a lot, and dimensional relief, Section 701.7 Off-street parking space requirements for less than required parking spaces.

The Development team was introduced, Mr. David Russo, PE, DiPrete Engineering; Mr. Paul Bannon, Transportation Engineer, RAB; Joe Lombardo, Planning Consultant; Mr. John Carter, Landscape Architect; Mr. Chris Mazzier, Architect, 401 Architecture.

Mr. K. Joseph Shekarchi indicated the current site consisted of several uses, the proposed Project consisted of redeveloping the plaza, which would consist or retail in the front portion of the building and storage in the rear. Mr. Shekarchi indicated that the storage hours of operation would be 7:00 am to 9:00 pm. Additionally, Mr. Shekarchi indicated that the proposed structure would be approximately 30' high and would reduce approximately 20% of the paved area with additional landscaping and buffering. Mr. Shekarchi indicated that the Project was seeking Master Plan Approval and would require State approvals. Mr. Shekarchi noted that the existing development discharged heavily into the pond. Mr. Shekarchi indicated that the proposal would capture and treat the discharge before reentering the pond.

Mr. Shekarchi indicated that the Project would not add any additional children to the school district and that the proposed storage would have 24-hour security and would reduce the overall traffic. The proposal would include public open space and public access to the pond.

Mr. Dave Russo, PE, DiPrete Engineering indicated that there had been a Class 1 Survey performed on the property along with a soil evaluation to determine groundwater for drainage. The overall project would reduce stormwater run-off into the pond noting that URI and RIDEM regularly study the pond, specifically, the phosphorous resulting from stormwater and geese, currently six pipes discharge directly to the pond, the project would treat the stormwater before discharging into the pond, noting that the Project would require RIDEM approval.

Mr. Desmarais asked if the pond was currently contaminated. Mr. Russo indicating that it was not.

Ms. Bataille asked how the stormwater would be treated. Mr. Russo indicated that there were several different ways to treat the stormwater, which would be approved by RIDEM.

There was discussion that was not discernable during this period.

Mr. Shekarchi submitted a letter (exhibit 1) from Mr. Frank Neri, 1160 Post Road indicating that he had reviewed the plans stating that the Project would greatly improve the neighborhood and was in agreement with the development.

Mr. Lombardo presented his report (Exhibit 2) indicating that the Project was consistent with the City's Comprehensive Plan and that

the project was a net revenue gain, stating a significant demand for a temperature controlled storage. Mr. Lombardo discussed his report that included gross revenue and cost to the City, indicating that the development was a low intensity use to the City services.

Ms. Stenhouse asked if the development was being taxed as a standard business in the City. Mr. Lombardo indicated that the development would be taxed as a normal business.

Mr. Desmarais asked if the current businesses moved to another location in the City would the cost to the City would continue the same. Mr. Lombardo indicated that it would.

Mr. Mazzier indicated that there would be manned doors. He indicated that the storage would be accessed from the interior of the building. That there are two concepts that are being considered, the 1st is residential in character design with pitched roofs, clapboard siding. The 2nd design was contemporary in design which would reduce massing.

Mr. Bannon prepared a traffic report for the Project, which included accident information, trip generation, and traffic counts to complete the report. Mr. Bannon indicated that the retail component would remain along the front of the property. The site has many driveways that result in many access points. Post Road currently accommodates approximately 2,600 vehicles per hour with

approximately 120 vehicles entering daily. The weekend counts are approximately 2,100 vehicles per hour with approximately 80 vehicles at present volume. The proposal will be a low generator of traffic, estimate during peak 7-10 entering and existing per day, noting that there would not add detrimental impact to the plaza.

Mr. Slocum asked about the Level of Service (LOS) for the plaza. Mr. Bannon indicated that the current LOS was a B, right turn in and out, and a LOS F left turn out, due to wait times to exit the site. LOS would not be changed by the Project.

Ms. Stenhouse asked for if the new building would modify the LOS. Mr. Bannon indicated that it would not. Ms. Stenhouse asked if the entities would ever turn into 24 hour business. Mr. Shekarchi indicated that the Board could stipulate and restrict the project to prohibit a 24-hour storage facility. Ms. Stenhouse asked if they would be able to appear before the Board of Public Safety to modify the restriction and Mr. Shekarchi indicated that the restriction would need to be removed prior to appearing before the Board of Public Safety.

Mr. Carter indicated that there would be plantings that would reduce heat and stormwater run-off into the pond. Mr. Carter reviewed his Landscape Plan that showed detailed landscaping along Post Road, as well as, dense planting of evergreens. Mr. Carter noted that the

lighting would be dark sky compliant.

There was a discussion regarding the plans presented.

Ms. Bataille asked for a total number of storage units proposed. Mr. Shekarchi indicated approximately 630 storage units.

Mr. Desmarais asked about the typical height of the building in the vicinity. Planning Staff indicated that most of the existing buildings were two stories. There was a discussion regarding the typical height in the area.

Mr. Gambardella, seconded by Ms. Stenhouse, made a motion to open the public hearing.

Ms. Richardson, 133 Carrigan Drive, PE, RIDEM. Ms. Richardson was concerned with the very sensitive pond, indicating that self-storage was an unregulated use, which posed a threat to the pond and the neighbors. Additionally, Ms. Richardson indicated that the development was not consistent with the Comprehensive Plan and did not meet the vision of the neighbors. There was discussion that was not discernable during this period.

Mr. Tim Howe, Councilman Ward 3 received many calls from the neighbors with valid concerns regarding the development.

Ms. Emma, 30 Pearson Drive, stated that Little Tots has served over 100 Families in the last 6 years and was a valuable asset. Ms. Emma indicated that the proposed self-storage use does not contribute the neighborhood. There was discussion that was not discernable during this period.

30 Puritan Drive, family has attended Little Tots for the last 6 years, indicating that Little Tots was a good family business which is a valuable asset to the families that need child care. Little Tots provides bussing to over 10 schools. Little Tots also busses to schools in Cranston. There was discussion that was not discernable during this period.

1005 Sisson Rd. Coventry, grandson attends Little Tots daycare which has been in business for 25 years. She picks ups her grandson twice per week and uses the local restaurants in the City. There was discussion that was not discernable during this period.

Ron, 20 Rigby Cranston, daycare and summer camp are an asset to the community. Who is going to maintain the public access. There was discussion that was not discernable during this period.

Donna Benaduce, 33 Massasoit Dr. purchased her property 1991, loves her neighbors, has no issues with daycare, good solid business. Has reviewed police reports for other self-storage units in Oakland beach which showed alarms going off, kids walking through,

domestic calls and riffraff. Tangible tax would be more for the daycare than for the self-storage, the new building will visually impact her. Cannot be guaranteed that people would not place hazardous items in the individual units. Business of this type should not be in a residential area

Julie Dunn, 153 Puritan Drive, 600 units are too many for the area, also does not want the public access component, she is concerned that it will become an area for the homeless. Units should be in a commercial area. There was discussion that was not discernable during this period.

Philip Durcolle, the City should be concerned with protection Gorton Pond, Warwick Pond and Sand Pond; there should be no construction near the water, should be rejected due to the water quality.

Jane Alsworth, 212 Pawtuxet, presented 319 signatures for the record. Ms. Alsworth indicated that self-storage was not consistent with the City's Comprehensive Plan, noting that self-storage was not consistent with the existing area and was a very transient use, the area was for small businesses only. Additionally, the self-storage was registered as an LLC and did not list any personal names, if the neighbors have any questions with an existing businesses they can contact the owners, with an LLC, they do not know who to address. Also, Creative Minds had closed leaving parents scrambling without

daycare. There is not enough child care in the area for the needs; parents should not have to drive across the City for daycare.

Henry Alsworth, 6 Marion Drive concerned that the development would displace families. Mr. Alsworth spoke regarding the noise that would be created by alarms and flashing lights and fumes that would be created by the generators. There was discussion that was not discernable during this period.

Donna Rotundi, 159 Massasoit, stated that she lives in an idyllic place and that the structure would tower over the neighborhood and would change the small business climate in the area. She also had concerns with traffic. There was discussion that was not discernable during this period.

Chris Beneduce, Massasoit Drive, stated that he owned a pesticide business and that he was required to list the chemicals on-site of his business. The storage facility would not meet these requirements, also was concerned that the air-conditioners would create a nuisance noise at night.

Don Gengen, 173 Puritan Dr. indicated that he had sent a position paper to both the Planning Board Chairman and the Councilman. He indicated that he was an engineering that specialized in fire protection. Additionally, he stated that his property would face the backside of the proposed building. He stated that it would be very

difficult to regulate what would be stored on-site, noting that an explosion would be destructive to the pond, which is a very unique place where people fish, swim and kayak. Finds the project out of scale, out of character, and out of place for the area, indicating that there are no three story buildings in the area.

Bill Blakesley, 172 Centerville Rd, noted that URI Watershed Watch had tested the pond in 2007 and determined that the pond was in terrible condition and that the pond has improved greatly. Stating that many lakes have closed due to toxicity all over the State. He felt that two uses on one lot was prohibited and that it would require a Special-Use Permit. There was discussion that was not discernable during this period.

Lisa Morse, 396 Norwood Ave., There was discussion that was not discernable during this period. Ms. Morse was concerned with the nighttime lighting would impact the residential neighborhood, indicating that the “Cash for Gold” property and several other properties leave the lights on the entire night. Additionally, when parents are looking for a neighborhood, having available schools will impact the house sale.

Jacqueline Rustella, 55 Helms Rd. There was discussion that was not discernable during this period. Ms. Rustella noted that a number of businesses make noise all weekend and she feels that the Planning Board should be representing the constituents of the City. She didn't

feel that self-storage would bring businesses to the City and this type of use was better suited for an industrial area. She noted that it was difficult coming in and out of the plaza currently and the addition of 600 storage units would increase that traffic especially on weekends.

Vinny Castable, 110 Massasoit Dr. There was discussion that was not discernable during this period. Stated that his concern were his children and his family and how the development impacted his family.

He was concerned with the hours of operation. There was discussion that was not discernable during this period. He asked if the current businesses would remain, Mr. Slocum indicated that the Board had no purview of which tenants would remain. Mr. Castable asked if Lemongrass would remain. Mr. Slocum indicated that Lemongrass was not part of the application before the Planning Board. There was discussion that was not discernable during this period.

Mr. Shekarchi indicated that his client was the applicant before the board not the owner of the property. There was discussion that was not discernable during this period. Mr. Shekarchi noted that the daycare was given the opportunity to purchase the property. There was discussion that was not discernable during this period. Additionally, he indicated that there was current litigation, (unable to discern with whom) and that the Board could suspend the hearing if necessary.

Conrad Johnson, 291 Spring Green, indicated that he chose Warwick because it was a great community. There was discussion that was not discernable during this period. There were better sites for the proposed use than abutting a residential neighborhood. The proposed development would destroy the community.

Stacia Nyler, Cowesett, concerned about a family-owned 25-year business would be closed for the proposed use. Additionally, the Planning Board members were Mayor appointed; there was discussion that was not discernable during this period. She was surprised that as a State Representative, Mr. Shekarchi, would displace a small business. She stated that the Planning Board's job was orderly growth, and the needs of the tax payers. She was concerned with the continued school enrollment decline. Wanted to know what the tax revenue between the two uses would be to the City of Warwick. Mr. Slocum indicated prior testimony had indicated a \$134,000 revenue increase with the proposed use. There was discussion that was not discernable during this period. She indicated that parts of the City were blighted, noting that she drove by the former location of the Ocean State Theater Company, which was a more appropriate site for the proposed use. She asked if the Planning Board members had visited and toured the daycare facility. Mr. Slocum indicated that he visited the site, as he visited all site before the Planning Board not an individual use. Ms. Nyler asked how many other Planning Board members visited the site. Several responded affirmatively. There was discussion that was not

discernable during this period.

Keith 22 Silver Lake, stated that as part of his work he picks up clients at the Airport and there are many empty lots in the area of the Airport. He is concerned with the long-term vision for the City of Warwick. Indicating that he feels there are more appropriate locations for a storage facility use.

Mr. Shekarchi introduced Mr. Steven Izzi, ESQ, Moses and Afonso, noted that Mr. Little is in the process of purchasing another property for his business. Mr. Izzi indicated that Mr. Little had the option to purchase the property and declined. There were questions regarding the litigation, there was discussion that was not discernable during this period.

Julie Dunn, noted that she understood that the purpose of the meeting was not to discuss the Little Tots daycare because it appeared that the daycare would be moving. She stated that the Planning Board needed to determine what the best use for the property would be, indicating that that there should not be a 600-unit storage facility abutting a residential neighborhood.

Mr. Little, Little Tots Daycare, indicated that he had not purchased a building or a lot in another location to move his business. He indicated that he had a brief discussion with the property owner regarding the sale/purchase of the existing building over a year ago

and that he never heard from the property owner with finalized details. There was discussion that was not discernable during this period.

There was discussion that was not discernable during this period.

Madeline White, 223 Betsey Williams Dr., was in attendance in support of Sand Pond. There was discussion that was not discernable during this period.

Matthew Schoeninger, 124 Second Point Road, stated that his hope was that the neighbors' concerns would be heard.

There was discussion that was not discernable during this period.

Maureen Pothier, 34 Sand Pond Road, noted that this was not just about the Little Tots daycare but that this was about everyday life, that the neighborhood was a great community with people that worked very hard for their properties and that the Planning Board should consider the human element.

Being no further testimony, Ms. Stenhouse, seconded by Mr. Bergantino, made a motion to close the public hearing. All in favor, none opposed.

Mr. Shekarchi indicated that the building would be sprinklered and

would meet all fire safety regulations. Mr. Shekarchi indicated that if the neighborhood and the Planning Board preferred for the public access to be removed that the Applicant would remove that component of the Application. Additionally, Mr. Shekarchi indicated that for the record he wanted to note that the Project was before the Planning Board for Master Plan only and that elements of hardship would be addressed by the Zoning Board of Review.

Ms. Stenhouse, thanked all the attendees for their presences. She wanted those in attendance to know that the Planning Board appointment was very important to the Planning Board members and that they took their jobs very seriously. She informed those present that she would not be voting favorably for the project.

Based on the foregoing findings, a motion was made by Ms. Stenhouse to reject the Master Plan as presented, and seconded by Mr. Desmarais. A vote was taken on the motion, which proceeded as follows: Ms. Stenhouse voted in favor of the rejection, citing inconsistency with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, Section 1.1.1 Purposes, letters d., e., and f; Mr. Desmarais voted in favor of the rejection, stating that this proposal is out of scale with the other structures on the commercial corridor, Post Road, as well as being inconsistent with the abutting neighborhood. He also stated that there are other areas of the City that are more suitable for storage use; Ms. Bataille voted in favor of the rejection citing inconsistency with the

neighborhood, and stating concern with the proximity of such a large structure to Sand Pond and the impact the development will make on the ecosystem; Mr. Gambardella voted in favor of the rejection citing inconsistency with the neighborhood, and stating that there are more suitable places in the City for the storage use; Mr. Bergantino voted in favor of the rejection, stating that the proposal is inconsistent with the Comprehensive Plan, detrimental to the natural resources of Sand Pond, detrimental to a private enterprise, detrimental to a joint community partnership, and that the proposal is out of scale, out of character and out of place. The motion to reject the proposed Master Plan was approved unanimously, with Ms. Gerlach recusing due to a conflict of interest.

The Planning Board waived the reading the finding and recommendations.

On a motion of Mr. Gambardella and Ms. Stenhouse, seconded by Mr. Bergantino, the meeting was adjourned at 10:00 p.m. All in favor; none opposed.