

**TOWN OF WEST GREENWICH
TOWN COUNCIL
SPECIAL MEETING
OCTOBER 17, 2007**

A special meeting of the West Greenwich Town Council was held on October 17, 2007. Present were Thaylen Waltonen, Robert Butler, Mark Tourgee, Robert Andrews and Susan Woloohojian. Also present was Town Solicitor Michael Ursillo. Town Administrator Kevin Breene arrived at 7:27 p.m.

Waltonen called the meeting to order at 6:46 p.m.

Butler moved to dispense with the reading of the minutes of the previous meeting. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

PUBLIC HEARING

**REQUEST OF COMMERCE PARK REALTY, LLC FOR AMENDMENT TO
COMPREHENSIVE PLAN TEXT & ZONING ORDINANCE – ZONING USE MATRIX
USE CODE 551: MOTOR VEHICLE DEALERS, NEW & USED FROM “X” to “P” for
the EXIT 7 SMD DISTRICT
(CONTINUED FROM OCTOBER 10, 2007)**

Waltonen opened the following public hearing, which was continued from October 10, 2007. (Only Section 4 Zoning Ordinance Amendment was to be acted on this evening.)

**TOWN OF WEST GREENWICH
NOTICE OF PUBLIC HEARINGS**

The following Public Hearings are scheduled for **Wednesday, October 10, 2007**, starting at 7:30 p.m. in the Town Council Chambers, 280 Victory Highway, West Greenwich, Rhode Island, to be heard by the West Greenwich Town Council.

1) COMPREHENSIVE PLAN AMENDMENT

Notice is hereby given pursuant to Rhode Island General Laws (RIGL) 45-22.2-8, that a Public Hearing will be held on Wednesday, October 10, 2007, at 7:30 p.m. to consider an amendment to the Comprehensive Community Plan and Future Land Use Map of the Town of West Greenwich, submitted by **Commerce Park Associates 12, LLC**.

Proposed by the applicant is an amendment to the Land Use Element of the Comprehensive Plan to create a Village Special Management District (VSMD), and an associated amendment to the Future Land Use Map to designate a certain area as Village Special Management District. The applicant is proposing a high density, mixed-use area containing multi-family residential, retail sales, office, and other light commercial uses. The residential component proposes units which qualify under the Rhode Island Low-Moderate Income Housing Act.

2) ZONING ORDINANCE AMENDMENT

Notice is hereby given pursuant to RIGL 45-24-51, that a Public Hearing will be held immediately following the hearing for 1) above to consider an amendment to the Zoning Ordinance text and map, submitted by Commerce Park Associates 12, LLC as applicant and owner of those certain tracts of land located on New London Turnpike and Division Road in the Town of West Greenwich and described as Tax Assessor's Plat 1, Lots 10-1, 10-3, 13, & 15. The parcels are currently zoned Highway Business.

Proposed by the applicant is an amendment to Article II of the West Greenwich Zoning Ordinance to create a new zoning district called, "Village Special Management District (VSMD)," and an associated amendment to the Zoning Map to change Assessor's Plat 1, Lots 10-1, 10-3, 13, & 15 from Highway Business to the proposed Village Special Management District. This proposed Zoning Ordinance amendment is directly related to the proposed Comprehensive Plan amendment described in 1) above. The applicant is proposing a high density, mixed-use district containing age-restricted multi-family residential, retail sales, office, and other light commercial uses. The residential component also proposes units which qualify under the Rhode Island Low-Moderate Income Housing Act.

3) COMPREHENSIVE PLAN AMENDMENT

Notice is hereby given pursuant to RIGL 45-22.2-8, that a Public Hearing will be held immediately following the hearing in 2) above, to consider an amendment to the Comprehensive Community Plan of the Town of West Greenwich, submitted by Commerce Park Associates 12, LLC . Proposed by the applicant is an amendment to the Land Use Element of the Comprehensive Plan Section II F. 4. to no longer consider car dealerships as an incompatible use within the Exit 7 Special Management District (Exit 7 SMD).

4) ZONING ORDINANCE AMENDMENT

Notice is hereby given pursuant to RIGL 45-24-51, that a Public Hearing will be held immediately following the hearing for 3) above to consider an amendment to the Zoning Ordinance Use Matrix Use 551: Motor Vehicle Dealers, New & Used, to change this from a prohibited use (X) to a permitted use (P) for the Exit 7 Special Management District, as submitted by Commerce Park Associates 12, LLC.

Copies of the proposed text and maps for all proposed aforementioned amendments may be examined at the Town Clerk's Office between the hours of 9:00 a.m. to 4:00 p.m., Monday through Friday, and at the Louttit Library during Library hours. Copies of the proposed amendments can be obtained at the Town Clerk's Office.

The proposed amendments may be revised by the Town Council as a result of further study or because of the views expressed at the Public Hearings, without further advertising.

The Town of West Greenwich will provide interpreter services for the hearing impaired provided a request is received by the Town Clerk's office at 392-3800 three (3) business days prior to said hearing date.

Per order of the West Greenwich Town Council
Janet E. Olsson, CMC
Town Clerk

The following recommendation was received from the Planning Board:

October 17, 2007

To: The Honorable Town Council
Thaylen Waltonen, President

From: Jennifer Paquet
Town Planner

**Re: Application for Zone Change to Exit 7 SMD
and associated Amendment to Comprehensive Plan
Use of Car sales**

At their regular meeting on October 15, 2007, the Planning Board voted (3-0) on the following motions:

Motion to recommend to the Town Council to change the use matrix for the Exit 7 Special Management District zoning to allow the uses of 551 Motor Vehicle Dealers, New & Used and 552 Motor Vehicle, Used Only to Permitted Uses (P) from Prohibited Uses (X).

Motion to amend the West Greenwich Comprehensive Plan Land Use Element Section II F. 4 “Exit 7 Special Management District (SMD)” to strike the words “such as car dealerships,” when referring to incompatible commercial uses.

Mr. John Pagliarini, Esq. was present. He explained that a Fortune 500 automobile dealer was interested in purchasing 13 acres in the Centre of New England for a used car dealership. He noted that it was a well-established national chain. He noted that the proposal was for 45,000 sq. ft. building with all the incidental uses that a dealership would have such as sales, office space, service bays for reconditioning and detailing and oil changes, paint booth and gas pump.

Mr. Pagliarini noted that 60-70 units of age restricted affordable housing would be built on Centre of New Boulevard. He noted other businesses that were coming to the Centre of New England. He also noted that 2 restaurants and a fitness center were coming to the Centre of New England.

Andrews questioned if the car dealership would be licensed by the Town and was informed that the State licensed dealerships.

Butler questioned the cost of the proposed business. Mr. Pagliarini had a guesstimate in the 7-10 million dollar range.

Woloohojian questioned if it could become a garage. Mr. Pagliarini noted that it was to be a dealership and not a garage.

Town Solicitor Ursillo noted that if the car dealership did not come in within 6 months the Council could change it back.

Mr. Pagliarini noted that a minimum lot requirement could be put in place.

Mr. Adrian Knott expressed concern for elderly persons crossing the road with cars from the proposed dealership being road tested. He noted that when this was originally proposed the elderly housing was not in the area. He questioned which police dept. enforced the traffic in this area.

Mrs. Sandra Bockes questioned if any of the proposed traffic lights would have pedestrian crosswalk signals associated with them.

Tourgee noted that there were many more housing units on the Coventry side of the development which would overwhelm the development.

Mr. Paul Kaltschnee expressed concern for it becoming a garage and endorsed having a minimum acreage. He also questioned exactly who the company was that was seeking the zone change. Mr. Pagliarini noted that did not want to disclose that at this time.

Concern was expressed for a gasoline tank being put in.

Mr. David Berry of the Planning Board mentioned he had thought the Planning Board discussed a minimum acreage.

Mr. Bill Bryan of the Planning Board questioned whether this was to be a car rental agency.

Mr. Pagliarini noted it was a dealership. He noted that any auctions were to be held within the building. He noted that the offloading of the car carriers was to be configured so that the back up warning systems on the car carriers could be avoided.

Mr. Roger Martin of Carr Pond Road noted he felt the proposal was a poor use for such a valuable piece of land.

Mr. Pagliarini noted that two previous proposed businesses had backed out due to the slow economy.

Tourgee questioned if the car dealership didn't come in if there were an alternative tenant. Mr. Pagliarini noted there was no specific but one would be encouraged to the West Greenwich side to achieve build out.

Discussion was held on new vs. used vehicles.

Butler moved to amend the West Greenwich Comprehensive Plan Land Use Element Section II F. 4 "Exit 7 Special Management District (SMD)" to strike the words "such as car dealerships," when referring to incompatible commercial uses. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Butler moved based on the recommendation of Planning Board and consistency with the Comprehensive Plan to change the use matrix for the Exit 7 Special Management District zoning to allow the uses of 551 Motor Vehicle Dealers, New & Used (10 acre minimum) and 552 Motor Vehicle, Used Only (10 acre minimum) to Permitted Uses (P) from Prohibited Uses (X). Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Woloohojian moved to adjourn at 7:36 p.m. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Janet E. Olsson, CMC
Town Clerk