



Town of Middletown

TOWN HALL 350 EAST MAIN ROAD
MIDDLETOWN, RHODE ISLAND 02842

Minutes

Of the meeting of Thursday, February 23, 2006 Middletown, RI Conservation Commission

Present: Gary Paquette (Chairman), Bob Johnson, Stanley Grossman, Roger Wells (voluntary consultant)

Absent: Paul Barrow, Betty Owen, Audrey Rearick (Planning Board Liaison)

The meeting was called to order at 6:04 pm. It was noted that this meeting had been postponed twice from its original schedule of February 13 due to schedule conflicts among the members. The approval of the January meeting minutes was deferred as the minutes were not yet available.

A. Old Business: Case 2005-001. Kenneth Haslam, Special Use Permit for the construction of mixed, office, retail, and storage building in Zone 1 of the Watershed Protection District.

A verbal report was presented by the site visit subcommittee consisting of the Chairman and Bob Johnson. It was reported that additional details were learned regarding this proposal at the January 23rd site visit to this property.

1. The type of retail business proposed for this property is that of a seafood market.
2. Parking lot is expected to be constructed of asphalt and the applicant's attorney stated that he did not think that the applicant would entertain the possibility of utilizing some other, more pervious material.
3. Rainwater runoff from the flat roof is expected to be channeled to the parking lot by downspouts.
4. It is still not know at the time of the site visit, the nature of the material to be stored in the storage areas depicted on the site plan.
5. A copy of the stormwater runoff calculations was provided to the Commission by a member of the Planning Board present at the site visit.

Mr. Roger Wells, a friend of the Commission chairman and a registered professional engineer in the state of North Carolina, was kind enough to examine the applicant's stormwater management calculations. As a result of this examination, Mr. Wells expressed several concerns to the Commission including the following:

- The rainfall atlas to be used in RI for storm durations between 5 and 60 minutes is NOAA, Technical Memorandum NWS HYDRO-35, "Five to 60

Minute Precipitation Frequency for the Eastern and Central United States” (TM-35) by Ralph H. Frederick, et al. The applicant’s report uses 1.5 inches as the 25yr-1hr rainfall without reference. A reading of the TM-35 yields more like 2.09 inches for Aquidneck Island.

- The applicant’s report refers to analyses prepared for the 2, 10 and 25 year storms but only presents results for the 25 year case.
- The report states more than once that there will be no net increase in runoff. This is intuitively untrue due to the addition of impervious surfaces. Or is the use of the word “runoff” a casual contraction for “runoff rate”?
- The bottom half of the “Storm Water Drainage Calculation” sheet contains unexplained columns of numbers that appear to be a storm hydrograph calculation. If this is the case this technique provides a more rigorous picture of the before/after problem than does the Rational Method which is cited in the report and is apparently presented on the top half of the calculation sheet. If this is the case graphic presentation of the hyetograph & hydrograph would be valuable for all three cases.
- The report states that “The goal of this analysis is to achieve no net increase in peak runoff...” That should be the goal of the design of the storm water management system not the analysis of it. The analysis should validate the performance of the design.
- While graphical depictions of the proposed detention swales are included in the site plan, no quantitative specifics about the capacities of the system are discussed. This raises a question of the capability of the detention basin designed to handle peak flows from the site for the 2, 10, and 25-year storms.

The discussion continued regarding this proposal where it was noted that the Commission’s favorable decision on a previous proposal in 1999 for a somewhat larger development at this location was made with much trepidation and was predicated on that developer’s proposal to utilize an active grit and oil separator to remove sludge from the stormwater runoff from this property. No such system is proposed for this development. In addition, it was pointed out that the runoff from this property is proposed to flow into a detention swale located along the side of Aquidneck Avenue and subsequently into the wetland area south of the property where it will contribute to the Eastern Branch of Bailey’s Brook which feeds the Newport Water Department’s Easton’s Pond drinking water reservoir.

The opinion was voiced that in light of the sensitive area in which this proposal is located with its close proximity to the East Branch of Bailey’s Brook and its associated wetlands, that the applicant had not made a compelling argument that this project could not be relocated elsewhere outside of zone 1 of the WPD. The Commission as a whole is extremely concerned with the extent of development that already exists within the watershed and is loathe to further contribute to the problem.

There being no further discussion, a motion was made by Stan Grossman that a letter of recommendation be prepared and forwarded to the Zoning Board that this petition be denied. The motion was carried unanimously.

B. New Business:

- a. **Case 2006-001**, Matthew S. Gurl, Special Use Permit for the construction of a car wash facility in Zone 2 of the Watershed Protection District.
Report of site visit of January 25, 2006 (Robert Johnson)

The site plan for this project was reviewed by members of the commission and comments were made by Bob Johnson who attended the site visit that was held on January 25, 2006. This is basically a re-development of a property that has been 100% developed for many years. Earlier in 2005, the building that had stood on this property was razed and the developer is asking for a special use permit to construct an automated carwash facility on the property. The lot is currently covered with pavement with small patches of gravel. The lot is currently about 85% impervious materials and the post-development imperviousness will stand at approximately 72%. The applicant proposes to install a stormwater runoff swale system and the carwash itself is expected to maximize the re-use of carwash waste water. Wastewater from the carwash that is not re-utilized will be treated in an oil and grit removal system prior to being discharged into the town sewer system.

The Commission having no further discussion on this project, a motion was made by Stan Grossman that a letter of recommendation be prepared and forwarded to the Zoning Board that this petition be approved. The motion was carried unanimously.

- b. **Case 2006-002, Blue Wave Car Wash Expansion**, Yvonne Blackman, Special Use Permit for the expansion of an existing car wash facility in Zone 2 of the Watershed Protection District.

The site plan for this project was reviewed by the Commission. This case represents the re-application of an identical proposal that was brought before the Commission in 2003. As nothing in this application had changed from the original 2003 application, a motion was made by Stan Grossman that a letter of recommendation be prepared and forwarded to the Zoning Board that this petition be approved. The motion was carried unanimously.

There being no other business, a motion for adjournment was made by Stanley Grossman and seconded by Bob Johnson. The motion carried and the meeting was adjourned at 7:01 pm.

Submitted: 3/13/2006
Date

Gary D. Paquette
Signature