

PLANNING BOARD MINUTES

June 11, 2008

Board members present:

Art Weber, Chairman Ron Wolanski, Town Planner

Jan Eckhart, Vice Chairman Frank Holbrook, Town Solicitor

Audrey Rearick , Secretary

Richard Adams

Frank Forgue

Gladys Lavine

Betty Jane Owen

The meeting was called to order at 6:30 pm.

Minutes

Ms. Owen requested a change to the language of the motion for Item 1, Chapman on the May 14, 2008 minutes.

Motion by Mr. Adams, seconded by Mr. Forgue, to approve the minutes for the special meeting of May 7, 2008, and the regular meeting of May 14, 2008, with the change requested by Ms. Owen.

Vote: 7-0-0.

Old Business

1. Request of the Town Council for an advisory recommendation on a proposal to amend the Middletown Zoning Ordinance Section 603 regarding dimensional regulations in the Office Park (OP) zoning

district.

Mr. Weber described the status of the review of the proposed amendment.

Mr. Adams stated that he had attended the meeting of the Economic Development Advisory Committee earlier in the evening. He asked Mr. Wolanski to summarize the discussion at that meeting.

Mr. Wolanski stated that the Economic Development Advisory Committee heard concerns from residents abutting the Aquidneck Corporate Park who have proposed the amendment, and from business owners in the park. After some discussion the committee determined that it did not have enough information to make an informed recommendation regarding the potential economic impact of the proposed amendments. The committee requested that a study be done to determine the potential economic impact.

Mr. Wolanski stated that it might be helpful for the MEDAC and the Planning Board to proceed with the study in order to have more information on the impact of the proposed amendments.

Mr. Adams recommended that the Planning Board support the request of the MEDAC, and that a study be commissioned to help identify the impacts.

There was discussion of the scope of the study, and the possibility that the component could also consider a review of the feasibility of the implementation of a graduated height limit for the Aquidneck Corporate Park.

Attorney Gregory Fater, on behalf of the proponents of the amendment, stated that he agreed that such a study would be helpful.

He stated that his clients agreed to an extension of the 45-day time limit for a Planning Board recommendation to the Town Council on a zoning amendment request.

Attorney David Martland, representing Gene Goldstein and other property owners in the Aquidneck Corporate Park, stated that the proposed zoning ordinance amendments for the purpose of protecting views should be dismissed. The Board has heard enough evidence to allow it to conclude that maintaining the current 40 foot building height limit would be appropriate. He indicated that his clients would not be opposed to a study that would allow for further review.

There was additional discussion of the potential scope of the study.

Mr. Wolanski stated that the scope can be reviewed by interested parties prior to bidding the project. The question of the MEDAC was regarding economic impact. Consideration of a graduated height limit could also be included.

David Dittman, a resident of Oceanview Drive, stated that the impact on residential property values, and the resulting tax revenue implications should also be part of the review.

Mr. Weber suggested that the study should also advise the Board with regard to the findings it must make as part of a recommendation to the Town Council.

Mr. Holbrook stated that the required findings require that the Board consider many different issues.

Mr. Wolanski stated that the scope of the study should be somewhat limited to the key issue raised by the MEDAC regarding the economic

impact to the town of the amendments.

Mr. Weber asked that the Planning Board approve the scope of the study before it proceeds.

Motion by Mr. Adams, seconded by Ms. Owen, to proceed with a study of the economic impacts on the Town of the proposed zoning ordinance amendments. Vote: 7-0-0.

2. Request of Peter Gallipeau for consideration of proposed amendments to Article 7 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land relating to performance guarantees

The Town Solicitor, Mr. Holbrook, stated that he is continuing to review Mr. Gallipeau's concerns and he expects to have a recommendation to the Planning Board for consideration at its July meeting.

Motion by Ms. Rearick, seconded by Mr. Forgue, to continue this matter to the July 9, 2008 Planning Board meeting. Vote: 7-0-0.

3. Discuss process to develop zoning ordinance amendment relating to installation of wind turbines.

Mr. Wolanski stated the Tina Dolan is continuing efforts to organize a presentation to the Island planning boards on wind power.

Motion by Ms. Rearick, seconded by Ms. Owen, to continue this matter to the July 9, 2008 Planning Board meeting. Vote: 7-0-0

4. Discuss status of draft Inclusionary Housing ordinance

Mr. Wolanski stated that a subcommittee of the Planning Board met with Steve Ostiguy and Christian Belden of Church Community Housing Corp. on May 16, 2008. During that meeting some concerns

were raised regarding the mandatory provisions of the draft ordinance. He requested guidance from the Board on how it would like to proceed.

Mr. Eckhart stated that he is concerned about the confiscatory nature of the draft. He suggested that the ordinance could be made to be more incentive based. If the incentives are sufficient property owners would be more likely to participate in providing affordable units.

Ms. Rearick stated that she agreed that the ordinance should be based on voluntary participation.

Ms. Owen suggested that Coventry's ordinance be reviewed.

Ms. Lavine stated she preferred an incentive-based approach.

By consensus the Planning Board requested that Mr. Wolanski revise the draft ordinance to make it an incentive-based program, rather than mandatory.

5. Additional old business

Mr. Wolanski stated that he has received a request from Peter Gallipeau for a pre-application meeting to discuss a proposed major subdivision plan for his property on Bailey Ave.

By consensus, the meeting was scheduled for Tuesday July 1, 2008 at 9am.

New Business

6. Development Plan Review - Vimal Patel (Gateway Motel), West Main Rd., Plat 108SW, Lot 138, Request for approval of façade design for proposed alterations to building front and rear façade.

The applicant, Mr. Patel, was present.

Mr. Wolanski explain that the TRC had approved façade

improvements to the building as being consistent with the requirements of the Development Plan Review regulations. In reviewing the current application to extend the improvements to the rear of the building, it was determined that the work done by the applicant on the front façade was not consistent with the approved plans. At that point the TRC referred the matter to the Planning Board for consideration.

Mr. Weber stated that the work done to the building improves its appearance. He was in favor of approving the materials that have been installed to date, and recommended also approving the proposed improvements to the rear of the building.

Other Board members agreed.

Mr. Weber stated that the applicant should be careful to follow the approved plans in continuing the ongoing renovations to the motel building.

Motion by Ms. Owen, seconded by Ms. Rearick, to approved the change in materials used for the exterior façade improvements, and the request to extend the improvements to the rear of the building.

Vote: 7-0-0.

The applicant apologized, and thanked the Board for its consideration.

Motion by Ms. Rearick, seconded by Ms. Owen, to adjourn. Vote: 7-0-0

The meeting adjourned at 7:20pm