

PLANNING BOARD MINUTES

August 12, 2009

Board members present:

Art Weber, Chairman Ron Wolanski, Town Planner

Audrey Rearick Frank Holbrook, Assistant Solicitor

Richard Adams

Betty Jane Owen

Gladys Lavine

Members absent:

Jan Eckhart

Frank Forgue

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

Minutes:

Motion by Ms. Rearick, seconded by Ms. Owen, to approve the minutes of the July 8, 2009 regular Planning Board meeting, the special meetings of July 2 and July 9, 2009. Vote: 5-0-0.

Old Business

1. Request of the Town Council for Planning Board review and recommendation on latest draft proposed Zoning Ordinance amendments relating to wind energy conversion facilities and proposed revisions.

Mr. Weber stated that the Town Solicitor's office is working to develop a revised draft for the proposed ordinance amendment. The revised draft has yet to be provided.

By consensus the matter was continued to the September 9, 2009 regular Planning Board meeting.

2. Review of draft proposed Zoning Ordinance amendment creating a mixed-use/limited business overlay zoning district.

Mr. Wolanski reviewed comments received from the Town Solicitor's office in a memo from Roland Chase dated August 3, 2009 regarding the proposal. He stated that there appears no way through zoning amendment to address the concerns of both the proponents of the amendment and the Planning Board. One potential option to accomplish the provision of a roadway through property owned by the proponents would be for the to negotiate a purchase of the land needed for the road right-of-way.

Mr. Adams suggested that the Board consider sending a letter to the Town Council advising them of the discussion regarding a possible road connection between Bristol Rd. and Valley Rd.

Motion by Mr. Adams, seconded by Ms. Rearick, to table discussion of the poroposed zoning amendments indefinitely, and to forward a letter to the Town Council regarding the potential of a road connection. Vote: 5-0-0.

3. Request of the Town Council for Planning Board review and recommendation of draft proposed Zoning Ordinance amendments, Sections 600 & 703, regarding requirements for installation of tents

Mr. Wolanski stated that the Town Solicitor's office had reviewed the revisions to the draft ordinance proposed by the Planning Board. He referenced a memo from Assistant Solicitors Frank Holbrook and Roland Chase dated August 3, 2009, which indicated several revisions suggested by the Board would be acceptable.

There was discussion of the desire to reference the state statute in section 101.01 of the proposed draft.

Mr. Holbrook indicated that that change would be acceptable.

Motion by Mr. Adams, seconded by Ms. Rearick, to forward a positive recommendation on the proposed amendments to the Town Council subject to the revisions discussed and approved by the Town Solicitor. Vote: 5-0-0.

4. Update - Comprehensive Community Plan 5-year update

Mr. Weber stated that the Comprehensive Plan Update committee continues its work to review and update the plan. The next meeting of the committee is scheduled for August 19th, 5pm.

New Business

5. Request of Mark Horan, Horan Building Co., for final release of performance security for the Overlea Farm Subdivision, Gossets Turn Rd. Plat 105, Lot 18

Mr. Wolanski stated that the Town Engineer has yet to certify satisfactory completion of all required subdivision improvements. The developer has been advised of the deficiencies.

Motion by Ms. Owen, seconded by Ms. Rearick, to continue the matter to the September 9, 2009 regular Planning Board meeting. Vote: 5-0-0.

6. Request of Peter B. Regan, Esq. for Planning Board certification

regarding stormwater drainage improvements for the Enterprise Center subdivision.

Attorney Peter Regan explained the request relating to certification by the Planning Board of the past approval of storm water drainage plans for the subject development. The certification, once recorded, will address a remaining unresolved condition of the original subdivision approval.

Mr. Holbrook indicated that he had no concerns with the request.

Motion by Ms. Rearick, seconded by Ms. Owen to approve the request. Vote: 5-0-0.

7. Bancroft Partners, LLC, Request for 90-day extension of administrative subdivision approval, Plat 122, Lots 123 & 127.

Attorney Robert M. Silva represented the applicant. He requested that the Board consider granting a 90-day extension of the conditional plan approval in light of the ongoing review by the Zoning Board of Review.

Motion by Ms. Owen, seconded by Ms. Rearick, to grant a 90-day extension of the conditional plan approval. Vote: 5-0-0.

8. Request of the Zoning Board of Review for review and recommendation on an application by MetroPCS, LLC for a proposed disguised wireless telecommunications facility at 1 Corporate Place, Plat 106, Lot 170.

Attorney Jackie Slaga represented the applicant. She described the proposed rooftop disguised facility which would mimic an existing facility on the subject building.

There was discussion regarding the company's plans for three

additional facilities in Middletown.

Board members indicated that the proposed design is acceptable for the location.

Motion by Ms. Rearick, seconded by Ms. Owen to forward a positive recommendation to the Zoning Board of review. Vote: 5-0-0.

9. Request of the Zoning Board of Review for review and recommendation on an application by MetroPCS, LLC for a proposed disguised wireless telecommunications facility at 747 Aquidneck Ave., Plat 114, Lot 511.

Attorney Jackie Slaga described the proposal for a rooftop disguised facility at the subject location. It would consist of two faux vent pipes containing the proposed antennas, similar to those proposed at 1 Corporate Plans.

Ms. Levine expressed concern for the appearance of the facility given the building's design.

Mr. Adams suggested that the antennas be moved toward the center of the roof.

Ms. Slaga stated that the effectiveness of the antenna would diminish if moved from the edge of the roof.

The Board requested that Ms. Slaga consider alternative designs for the proposal.

Motion by Mr. Adams, seconded by Ms. Owen, to continue the matter to the September 9, 2009 regular Planning Board meeting. Vote: 5-0-0.

10. Request of the Zoning Board of Review for review and recommendation on an application by Cox TMI Wireless, LLC for a proposed disguised wireless telecommunications facility at 2

Corporate Place, Plat 106, Lot 171.

The applicant was not present.

Motion by Ms. Rearick, seconded by Mr. Adams, to continue the matter to the September 9, 2009 Planning Board meeting. Vote: 5-0-0.

11. Development Plan Review – Enterprise Center Properties, Inc. (AFS), request to alter and expand existing parking area and stormwater drainage facilities, 110 Enterprise Center, Plat 113, Lot 15.

Attorney Robert Silva described the proposal and the need to address the parking requirements of a local business. He discussed the waivers from the design requirements necessary to allow for the development. A variance is needed to allow for more the maximum number of parking spaces.

Mr. Adams asked if there is possibility of shared parking with an abutting property owner.

A representative of AFS stated that they were unsuccessful in their attempt to reach an agreement.

Mr. Wolanski stated that in addition the requested waivers, the board should also consider recommending conditions to ensure that the applicant installs acceptable exterior lighting, and that the town engineer review and approve final drainage plans prior to construction.

Motion by Mr. Adams, seconded by Ms. Rearick, grant the requested waivers and to forward a positive recommendation to the Zoning Board of Review subject to the following conditions:

1. Prior to the issuance of required permits the applicant shall provide

additional information on the proposed exterior lighting, including details of the proposed fixtures, to demonstrate that the lighting will not impact abutting properties.

2. Prior to the issuance of required permits, construction site runoff, and storm water management plans shall be reviewed and approved by the Building Official and Town Engineer as required in Town Code chapters 151 and 153.

Waivers were granted from the following design requirements (Article 5 – Rules & Regulations Regarding the Subdivision & Development of Land):

- Section 521.1.B.2 – Regarding parking lots with 50+ spaces.**
- Section 521.1.B.3 – Regarding pedestrian walkways and crosswalks within the subject property.**
- Section 521.3.D.3 – Regarding landscaped buffer of 10’ between the parking area and building.**

Vote: 5-0-0.

Additional new business

Mr. Wolanski stated that Principle Planner David dosReis had accepted a position with the City of Providence Planning Department.

The process to fill the position is underway.

Board members stated that David will be missed.

Motion by Ms. Owen, seconded by Ms. Rearick, to adjourn. Vote: 5-0-0

The meeting adjourned at 7:15pm