

# **PLANNING BOARD MINUTES**

**January 19, 2011**

**Board members present:**

**Jan Eckhart, Vice Chairman    Ron Wolanski, Town Planner**

**Audrey Rearick, Secretary    Frank Holbrook, Assistant Town Solicitor**

**Richard Adams**

**Charlene Rose-Cirillo**

**Gladys Lavine**

**Pete Marnane**

**Member absent:**

**Betty Jane Owen**

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

**• Approval of the minutes of the December 8, 2010 regular Planning Board meeting - Motion by Ms. Rearick, seconded by Mr. Adams, to approve the December 8, 2010 regular Planning Board meeting minutes. Vote: 6-0-0.**

**• Mr. Eckhart recognized and welcomed new Planning Board member Pete Marnane.**

**Old Business**

**1. Public Hearing – Peter Gallipeau, Proposed 14 lot Major Subdivision, Bailey Ave. & Sachuest Drive, Plat 126, Lots 4, 217, 218, 219 Request for Preliminary Plan Approval.**

**Mr. Holbrook recused himself from the discussion of this matter.**

**The applicant was not present.**

**Mr. Eckhart stated that the applicant had submitted a letter agreeing to an additional continuance to February 9, 2011. The Zoning Board of Review is continuing to review special use permit applications to allow development in Zone 1 of the watershed protection district.**

**Motion by Mr. Adams, seconded by Ms. Rearick, to continue the matter to the February 9, 2011 regular Planning Board meeting. Vote: 6-0-0.**

**Additional Old Business:**

**1. Comprehensive Plan Update: Mr. Adams provided an update on the progress of the Comprehensive Plan Update Committee. The Committee is nearing completion of the review of the land use element.**

**2. AIPC Update: Mr. Adams provided a brief update of AIPC activities.**

**3. AIRPA Update Mr. Adams updated the Board on the activities of the Aquidneck Island Reuse Planning Authority.**

**New Business**

**1. Request of the Zoning Board of Review for an advisory recommendation on an application to allow development in Zone 1 of the Watershed Protection District, Robert Barlow, 48 James Francis Terrace, Plat 112, Lot 602.**

**Mr. Eckhart recused himself from discussion of this matter as a family member is the applicant's engineer. Mr. Adams served as chairman.**

**The applicant, Mr. Barlow, explained the purpose of the application, which is to provided an addition to the house located in Zone 1.**

**Mr. Wolanski stated, regarding one of the recommended conditions contained in his memo to the board, that the development would be exempt from the town's storm water management ordinance (Chapter 153) because it proposes an addition to an existing residential structure. The development would still have to comply with the erosion control requirements of Chapter 151.**

**Ms. Rearick stated that the Conservation Commission has reviewed and recommended approval of the application.**

**Motion by Ms. Lavine, seconded by Ms. Cirillo, to provide a positive recommendation to the Zoning Board of Review with the following recommended conditions:**

- 1. The builder is required to comply with the provisions of the town's construction site runoff and erosion control ordinance (Chapter 151).**
- 2. The use of lawn chemicals and other chemicals with the potential to adversely impact ground and surface water quality shall be limited.**

**Vote: 5-0-0.**

**2. Request of the Zoning Board of Review for an advisory recommendation on a special use permit application to construct a shopping center on property located at 1235 West Main Rd., Plat 106, lot 87, owner/applicant: WMR, LLC & Avenir Realty, LLC**

**3. Request of WMR, LLC & Avenir Realty, LLC for development plan review for a proposed shopping center development on property located at 1235 West Main Rd., Plat 106, lot 87.**

**The board considered both applications for WMR, LLC & Aviner Realty, LLC at the same time.**

**Mr. Eckhart recused himself from discussion of these items as his**

attorney is representing the applicant. Mr. Adams served as chairman for these items.

The applicant and his attorney, engineer, architect and real estate expert were all present.

Engineer Mike Russell described the proposed site plan, which includes the proposal to convert the use of the property to general retail, with an addition to the existing building and a new stand-alone building proposed to be used by a bank. The applicant is aware that some waivers will be required to allow for approval of the plan, including waivers from some of the landscaping requirements and the requirement to limit parking lots to 50 spaces.

Mr. Adams discussed to need to provide for adequate pedestrian circulation in the property. Left turning traffic into the site is also a concern.

Mr. Russell stated that he will review options to address these issues, including additional crosswalks and traffic control signage. It was noted that the three curbcuts are existing, and eliminated any one of them could result in a negative impact for traffic, including delivery trucks, entering the site. The configuration of the existing building limits alternatives.

There was additional discussion of the waivers that will be needed to allow for the plan to proceed. Board members indicated that the waivers would be considered at the next meeting, but there are no significant concerns at this time.

The applicant's architect, Spencer McCombe, described the building design. The proposed exterior renovations of the existing building

and the proposed building will incorporate limestone, clapboard and other traditional building materials.

Ms. Rearick and Ms. Cirillo stated that they are concerned with the modern building design.

Mr. McCombe explained the challenges involved with converting the existing building to a more traditional, colonial building design. Such a design would be possible for the proposed bank building, but then the two buildings would not be consistent in design.

Ms. Lavine suggested that the proposed tower to be added to the existing building could be a clock tower.

Other members also requested that the design be “softened” in order to make it more inviting.

Mr. McCombe stated that he will make some modifications to the proposed design for further Planning Board consideration.

Mr. Adams suggested that a site visit would be helpful for the Board.

By consensus the matter was continued to the February 9, 2011 regular Planning Board meeting. A site visit was scheduled for Tuesday, February 1st at 9am.

4. Request of Christopher C. Bicho, Prescott Point, LLC, for a conceptual review of a possible zoning amendment for property located off West Main Rd. abutting the Portsmouth town line, Plat 104, Lot 7.

Mr. Bicho, his business partner, and his attorney were present.

Mr. Bicho explained that he has purchased the former Freedom Bay development. He plans to continue with the development of the property as a condo development. Prior plans for a nursing home

facility on the property have been eliminated. In order to continued with the development of the multi-family use, he would like to request that the town consider rezoning the portion of the property that is in Middletown to residential multi-family (RM). The special use permit previously granted for the Freedom Bay development has expired. Rather than request zoning relief to allow for the proposed development in the R-20 district, he would prefer to seek the zone change. There would be no age restriction for the development, but the units would likely be limited to two bedrooms, which will limit the likelihood of large families.

Mr. Bicho stated that the proposed rezoning would be consistent with the town's comprehensive plan, which designates the land for high-density residential use. If rezoned, the development would meet the requirements of the RM district.

There was discussion of the access to the property, which is currently via a driveway to West Main Rd. in Portsmouth. Mr. Bicho also indicated that he would pursue an access point to Burma Road in the future.

Board members indicated that they had no significant concerns with the proposal at this time.

Mr. Bicho stated that he and his attorney will work to submit the formal rezoning petition to the Town Council.

Motion by Ms. Rearick, seconded by Mr. Adams to adjourn. Vote:  
6-0-0

**The meeting adjourned at 8:00 pm**

**Respectfully submitted:**

**Ronald M. Wolanski**

**Town Planner**