

PLANNING BOARD MINUTES

July 13, 2011

Town Council Chambers

Board members present:

Jan Eckhart, Chairman Ron Wolanski, Town Planner

**Richard Adams, Vice Chairman Frank Holbrook, Assistant Town
Solicitor**

Audrey Rearick, Secretary

Betty Jane Owen

Gladys Lavine

Charlene Rose-Cirillo

Member not present:

Pete Marnane

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

• Approval of the minutes of the June 8, 2011 regular meeting, and the special meetings of February 10, 2011, March 10, 2011, April 7, 2011, and June 1, 2011.–

Motion by Ms. Rearick, seconded by Ms. Owen, to approve the minutes of the June 8, 2011 regular meeting, and the special meetings of February 10, 2011, March 10, 2011, April 7, 2011, and June 1, 2011.

Vote: 6-0-0.

• Correspondence

o Letter to Planning Board Chairman Jan Eckhart dated June 27, 2011

from attorney Evan S. Leviss regarding appeal to the Zoning Board of Review of the issuance of a sign permit by the building inspector for a sign on property located at 50 Underwood Lane.

o RI Coastal Resources Management Council Public Notice dated June 3, 2011 regarding application of the Town of Middletown for Esplanade storm water drainage improvements.

Motion to receive the correspondence, duly seconded. Vote: 6-0-0.

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 extension of the time period for the Planning Board to make a decision to August 10, 2011.

Motion by Mr. Adams, seconded by Ms. Rearick, to continue the matter to the August 10, 2011 regular Planning Board meeting. Vote: 6-0-0.

2. Request of the Zoning Board of Review for an advisory recommendation on a Special Use Permit application to allow expansion of a single family residential structure in Zone 1 of the Watershed Protection District - Luise Von Mayrhauser Strauss, 485 Paradise Ave., Plat 121, Lot 17.

Attorney David Martland represented the applicant. He review the proposed plan. Mr. Martland stated that the Conservation

Commission has conducted a site visit and is recommending approval.

Mr. Martland introduced land surveyor Mike Darveau who discussed technical aspects of the proposal, including the proposed storm water drainage improvements, and the proposed 230 gallon sewer pump station. The existing septic system for the house will be abandoned. He stated that the system will be water tight to address concerns about potential flooding of the Maidford River. There will be a generator to provide back-up power to the station in the event of a power failure. There was discussion of the need to insulate the sewer line where it crosses the river, attached to the existing bridge.

Mr. Eckhart stated that he and another Planning Board member had attended the Conservation Commission site visit. He stated that his concerns have been addressed by the proposed design and redundancy in the sewer system.

Motion by Ms. Owen, seconded by Ms. Cirillo, to forward a positive recommendation on the special use permit application to the zoning board of review, subject to the following conditions:

1. The builder is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control (Chapter 151). The use of pervious paving and other methods to promote infiltration of storm runoff should be considered as means of meeting the requirements of Chapter 153.

2. The use of lawn chemicals and other chemicals with the potential to adversely impact ground and surface water quality shall be limited

Vote 6-0-0.

3. Consideration of potential Zoning Ordinance amendments for recommendation to the Town Council, including amendments to sections 1209, 1210, 1211, 605, 1102, 1304 & 603

Mr. Wolanski stated that he had developed proposed zoning ordinance amendment language based on the recent Planning Board discussions of proposed amendments. He recommended, if the Board is comfortable with the proposed language, that the amendments be forwarded to the Town Solicitor for review. He also recommended that the amendment regarding the watershed protection district be forwarded to the Conservation Commission for review and comment.

Motion by Mr. Adams, seconded by Ms. Owen, to forward the draft amendments to the Town Solicitor for review, and to forward the proposed amendment regarding the watershed protection district to the Conservation Commission for review and comment. Vote: 6-0-0

4. Discussion of public comments received regarding draft West Main/Coddington Development Center Master Plan.

Mr. Wolanski described the status of the project and the public input process. The draft plan was presented to the Town Council on June 20th, and the public was invited to provide input until July 13th. As of this date two emails with comments have been received and provided to the Board. The plan will be finalized subject to any additional changes requested by the Planning Board.

Mr. Eckhart asked if there was anyone in the audience wishing to comment on the project. He noted that the proposed roundabouts at

the Coddington and East Main Rd. intersections with West Main is a separate project, which will be discussed later in the meeting.

Mike Murphy, a resident of the Wood Rd. neighborhood, stated that several projects, including development of a proposed hotel to the south of the development center on West Main Rd., the proposed development center, and construction of the intersection improvements should all be coordinated.

Mr. Wolanski stated that the applicant for the hotel has submitted a formal development application which must be reviewed in compliance with the current regulations, and cannot be delayed. While planning and design work is underway for the intersection improvements and future development in the West Main/Coddington development center, actual development might not occur for two years or more.

There were no other members of the public wishing to speak on this matter.

5. Update on Comprehensive Community Plan 5-year update process.

Mr. Adams described the ongoing progress on the update of the Comprehensive Plan.

6. Update on activities of the Aquidneck Island Planning Commission.

Mr. Adams update the Board on the status of the AIPC transportation study and the traffic incident study, which will be presented to the public on July 20th.

7. Update on activities of the Aquidneck Island Reuse Planning

Authority

Mr. Adams updated the Board on the AIRPA reuse planning work. The Town Council has voted to endorse the proposed reuse plan and conveyance mechanisms. The public hearing on the final reuse plan will be on July 14th at 6pm.

8. Khent Doon Trust, Proposed 5-lot minor subdivision of property located at 535-591 Indian Ave., Plat 129, Lots 73 & 300. Request for preliminary plan approval

Ms. Lavine recused herself from discussion of this matter as she is a party to the application.

Mr. Wolanski stated that he had received a phone call from the applicant's representative, Mr. Bozyan, requesting that the matter be continued to the next Planning Board meeting.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to continue the matter to the August 10, 2011 Planning Board meeting. Vote: 5-0-0.

9. Request of the Town Council for Planning Board review and recommendation on proposed RIDOT improvement options for the West Main Road intersections with East Main Rd. and Coddington Highway.

Mr. Eckhart stated that the Town Council has requested a Planning Board recommendation regarding the two options presented by RIDOT for improvements to the intersections of West Main Road with East Main Rd. and Coddington Highway. The options include improved signalized intersections with turn lanes, or installation of roundabouts at both intersections. The options were presented in a public forum host by the Planning Board and RIDOT on June 22nd.

Mr. Eckhart invited audience members to address the Board.

Mike Murphy, a resident of the Wood Road neighborhood, stated that he has concerns with the roundabouts proposal. He stated concerns with data presented by RIDOT during the workshop, particularly anticipated traffic delay for each of the options. He expressed concern about traffic seeking to avoid the roundabouts, and cutting through neighborhoods. There is no precedent for two roundabouts placed in such close proximity. They would not be able to maintain traffic flow. The proposal would be bad for Middletown and Aquidneck Island.

Manny Mello, a resident of Beacon Street, stated that the roundabouts option would not be safe, particularly for pedestrians, and they won't work.

Bill Demarco, a resident of Bartlett Rd, and member of the Roads & Utilities Advisory Committee, stated that he lived in Europe for several years. His experience with roundabouts there indicates that they work well. They are much safer than signals or stop signs. Recognizing the benefits, federally funded project are required to consider roundabouts as an option.

Tom France, a resident of Swan Drive, stated that he is in favor of roundabouts. He expressed concern about how improved traffic flow at the subject intersections would impact other intersections in the area.

There being no others wishing to speak, Mr. Eckhart requested input from Board members.

Mr. Adams summarized the information he and planning staff had

collected, including from the Federal Highway Administration, the Insurance Institute for Highway Safety, and other sources. These printed materials were provided to the Planning Board in their meeting packets. He also referenced the June 22nd public workshop. Available information indicates significant reductions in the number and severity in crashes where roundabouts have been installed. There are safety benefits for pedestrians. As presented by RIDOT, there would be improved intersection level of service with the roundabouts option. He referenced statements in the documents that indicate that polling shows improved public acceptance of roundabouts following their installation.

Ms. Owen stated that she is in favor of the roundabouts option, but had some concern regarding pedestrian safety.

Ms. Rearick and Ms. Lavine, also indicated their desire that pedestrian safety be considered in the design.

Ms. Cirillo asked if a pedestrian underpass could be considered.

Motion by Ms. Lavine, seconded by Ms. Rearick, to recommend to the Town Council that the roundabouts option be selected as the preferred alternative for the proposed intersection improvements.

Vote: 6-0-0.

10. Development Plan Review – Mile One LLC. Proposed 92 room hotel building and site improvements on property at West Main Rd. & Race Street, Plat 108NW, Lots 163 & 168.

11. Request of the Zoning Board of Review for an advisory recommendation on an application for a special use permit to allow construction of a proposed 92 room hotel on property at West Main

Rd. & Race Street, Plat 108NW, Lots 163 & 168.

Items 10 and 11 were discussed simultaneously.

Attorney David Martland, representing the applicant, provided a summary description of the proposed project. He introduced engineer Matt Viana of Millstone Engineering.

Mr. Viana reviewed various aspects of the site plan. 30% of the site will be landscaped. Storm water drainage design is complete. Soils are conducive to infiltration. The Town Engineer is nearing completion of his review.

Mr. Adams asked for confirmation that storm runoff will be reduced compared to existing conditions.

Mr. Viana confirmed that runoff will be reduced. Discharge is to the state storm system, which requires a RIDOT permit. Runoff will not impact abutting properties.

Mr. Martland began discussion of the waivers that are requested. The parking lot would exceed the 50-space maximum.

Mr. Viana stated that to avoid impacting the required buffers along the property lines, and maintain the required number of spaces, the separation of the parking into two lots would not be possible.

Ms. Owen asked about a fence.

Mr. Viana stated that there would be a solid wood fence along the residential property line.

There was discussion of the requested waiver for the 20' vegetated buffer along the residential property line adjacent to the hotel building. Mr. Martland stated that the plan meets the zoning setback requirement, but not the commercial development design

requirement.

Mr. Adams requested clarification on the location of the loading zone. The applicant's landscape architect, Richard Bourbonnais, reviewed the elements of the landscaping plan. There is a request to waive the requirement of the 4" caliper trees. He stated that in his experience, though such trees may be available in the numbers needed for this site, trees of that size do not perform well after transplanting due to damage to the root system. Smaller trees, which will perform better, will reach the required size within a few years. Secondly, due to the size of the root ball, a larger tree is much more difficult to plant, sometimes requiring that paving and other site work occur around the tree after planting, resulting in potential damage to the tree. He also discussed street trees along Race St., which were selected following discussion with the Fire Department about access to the building for the ladder truck. A more columnar tree was selected to maintain separation of the tree canopies.

The applicant, James Karam discussed the building design. The intent is to complement the recently developed Hampton Inn and Marriot across West Main Rd. from the site. The proposed design requires no variances. A waiver for the proposed use of Hardiplank is requested. An exterior materials board was presented along with perspective drawings of the proposed building. A flat roof is proposed. A cornice is provided, and no HVAC equipment will be installed on the roof.

There was discussion of the requested waiver regarding the 40' façade wall without a break in plane.

Motion by Ms. Lavine, seconded by Mr. Adams, to grant the requested waivers and approve the development plan and provide a positive recommendation the Zoning Board of Review subject to the following conditions:

1. Prior to issuance of the special use permit, the Town Engineer shall complete review and approve the storm water drainage plan and calculations.

2. Prior to issuance of the special use permit, the landscaping plan must be provided to the Middletown Tree Commission for review and comment.

3. Any HVAC and other equipment to be located on the roof of the proposed building must be screened from public view.

4. Certification from the City of Newport that public water is available to serve the proposed development must be provided.

Vote: 6-0-0.

The following waivers were granted:

 Section 521.1.B.2 – Parking lot exceeding 50 spaces.

 Section 521.2.A.2 – Unbroken plane of wall exceeding 40 feet.

 Section 521.2.C. – Materials not consistent with the requirement for traditional exterior building materials.

 Section 521.2.D – Traditional roof form (hip, gambrel, gable) not provided.

 Section 521.3.D.2 – Landscaped buffer 20' wide along residential property line not provided.

 Section 521.3.F. – Required trees do not meet 4" caliper

minimum.

Motion by Ms. Cirillo, seconded by Ms. Owen, to provide a positive recommendation on the special use permit application for the proposed hotel, subject to the following conditions:

- 1. Prior to issuance of the special use permit, the Town Engineer shall complete review and approve the storm water drainage plan and calculations.**
- 2. Prior to issuance of the special use permit, the landscaping plan must be provided to the Middletown Tree Commission for review and comment.**
- 3. Any HVAC and other equipment to be located on the roof of the proposed building must be screened from public view.**
- 4. Certification from the City of Newport that public water is available to serve the proposed development must be provided.**

Vote: 6-0-0.

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

The meeting adjourned at 8:35 pm

Respectfully submitted:

Ronald M. Wolanski

Town Planner