

PLANNING BOARD MINUTES

February 8, 2012

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

Gladys Lavine

Charlene Rose-Cirillo

Pete Marnane

Betty Jane Owen

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

• Approval of the minutes of the January 8, 2012 regular meeting.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to approve the minutes of the January 8, 2012 regular meeting. Vote: 7-0-0.

1. Correspondence – There was no correspondence submitted.

2. Consideration of potential amendments to Zoning Ordinance, Article 11 – Watershed Protection District.

Mr. Wolanski stated that the draft provided to the board incorporates revisions recommended by the Town Solicitor. The change addresses concern about language that was inserted relative to wetlands setbacks. The revised amendment address that board's desire to

exempt single family dwelling development from the special use permit requirement in some circumstances. Installation of a septic system within 200 feet of a water course would require a special use permit.

Motion by Mr. Marnane, seconded Ms. Owen, to find that the proposed amendments are consistent with the Middletown Comprehensive Plan and the purposes for creation of zoning regulations, and to forward the amendments to the Town Council with a positive recommendation. Vote: 7-0-0.

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

Mr. Adams stated that work on the draft updates continues. The next meeting of the comprehensive plan update committee is scheduled for February 15th.

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

Mr. Adams updated the ongoing efforts for the AIPC, including the energy alliance and the discussion with the town/city managers regarding the potential for shared services.

5. Update on activities of the Aquidneck Island Reuse Planning Authority.

Mr. Adams stated that possibly the last meeting of AIRPA was held on February 7th. That group has completed its charge. The implementing LRA will be established to carry out the next phase of the process, including additional analysis of the parcels, preparation of the EDC applications, and negotiation with the Navy. An RFP has been issued for consultant assistance.

6. 985 East Main Rd., LLC, Development Plan Review for proposed building and site alterations. Property located at 985 East Main Rd. (Sandpiper Cottages), Plat 118, Lot 20.

The applicant, Eric Offenber, and his attorney David Martland were present. Mr. Martland described the permitting that is required to allow for the proposed improvements to the subject property, including development plan review and a special use permit to allow for the expansion of the nonconforming use. The project will maintain the existing number of motel units at thirty-six. The town's Technical Review Committee has completed its review.

Mr. Offenber reviewed the proposed site plan. Several units currently within the required side and rear setbacks will be removed. New units will be served by new utility connections. New landscaping will be provided, particularly along the front of the property. Most of the large trees on the property will be preserved. A swimming pool will be installed at the front of the property.

There was discussion of the proposed design for the new buildings. They will be 1 ½ story cottages with a larger floor area than the existing cottages. Mr. Martland stated that a waiver from the commercial development design standards is requested to allow for the use of synthetic materials which would mimic wood siding.

There was discussion of fire dept. access to the site. Mr. Offenber stated that the proposed plan does not meet all current standards, but would improve the access over the current situation. He is seeking a letter from the Middletown Fire Department indicating their approval.

Mr. Eckhart asked if there will be a fence installed around the pool. He suggested that screening from the road would be advisable.

Ms. Owen asked about the distance of the pool from East Main Road.

Mr. Offenbergs stated that the pool would be 40-50 feet from the road and surrounded by a decorative fence. The fence will meet code requirements.

Ms. Cirillo asked if utilities will be underground.

Mr. Offenbergs stated that the utilities serving each cottage would be installed underground. Work is expected to occur in phases.

Mr. Adams asked if a sidewalk along East Main Road is proposed.

Mr. Offenbergs stated that a walkway would be added to provide access to the site from the area of the crosswalk and bus stop on East Main Road. A sidewalk along the frontage of the property is not proposed.

There was discussion of the proposed color scheme. Mr. Offenbergs stated that natural wood or light colors with more colorful doors are proposed.

Mr. Marnane asked how the abutters to east of the site feel about the proposal.

Mr. Wolanski stated that the development plan review phase of the approval process did not require abutter notification. Abutters will be notified about the Zoning Board public hearing.

Mr. Adams asked about the existing vegetation along the easterly property line.

Mr. Offenbergs stated that the existing vegetation will be maintained to the extent possible. Some trees that are in poor condition would have

to be removed.

Mr. Eckhart asked if public comment should be accepted.

Mr. Wolanski stated that this was not the public hearing for the project, but the board typically has accepted public comment during development plan review process.

Mr. Eckhart opened to meeting for public comments.

Tim Sheely of 233 Meadow Lane stated that he is the president of the homeowners association. He stated that prior to hearing the explanation of the review process he was concerned about the lack of abutter notification. He requested clarification on the proposal to move buildings away from the property line, and the proposed vegetative screening.

Mr. Offenbergs reviewed the plan with Mr. Sheely.

Celine Rice of 113 Meadow Lane requested additional information on the proposed management of the property and ownership of the units.

Mr. Offenbergs stated that the operation would be managed as a motel.

Mr. Wolanski stated that the application before the town is for a special use permit to allow expansion of the existing motel use. More detailed discussion about property management and potential ownership options are not within the purview of the Planning Board's site plan review. Such questions could be addressed during the Zoning Board's public hearing in consideration of the special use permit.

Ms. Rice expressed concern over the impacts of the construction process and the length of time abutters would be subject to the impacts.

Mr. Offenberg discussed the phasing of construction. Work would proceed subject to funding availability. Units at the rear of the site, which are in the worst condition, may be the first to be replaced.

There was discussion of the request to waive the development impact report and third party review. Mr. Eckhart stated that given the nature of the project it appears that impact review would not be necessary.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to waive the development impact review requirement. Vote: 7-0-0.

Motion by Ms. Owen, seconded by Ms. Cirillo, to grant a waiver to allow the use of synthetic materials for building siding and to forward a positive recommendation to the Zoning Board of Review subject to the following condition:

o Prior to the issuance of permits, the applicant shall secure written confirmation as appropriate to demonstrate Fire Department approved access to the proposed buildings.

Vote: 7-0-0.

7. Request of the Town Council for a recommendation on a petition for Zoning Ordinance Amendment by 28 Jacome Way, LLC

Attorney Robert Silva represented the applicant. He described the request for the zoning amendment to allow for ground-mounted solar array as a principle use of property. He introduced Frank Epps of rTerra, the company that would develop solar arrays on a property in the Aquidneck Corporate Park.

Mr. Eckhart stated that the discussion of this proposal should also reference ongoing discussion of potential amendments to the town's wind turbine ordinance.

Mr. Wolanski stated that some questions have been raised by staff regarding possible implications of the proposed amendment. The Board might wish to schedule a special meeting to discuss the proposal with the Town Solicitor and Building/Zoning Official.

In response to questions from board members, Mr. Epps described his particular proposal, which would include approximately two acres of panels. There would be no moving parts and no foundations in the ground. Security fencing would be provided.

Motion by Ms. Owen, seconded by Mr. Marnane, to continue the matter to the March 14, 2012 Planning Board meeting, and to schedule a special meeting for March 8th at 10am. Vote: 7-0-0.

8. Request for extension of Development Plan Review approval for alterations, Lockwood/McKinnon, 641 West Main Rd. (Taco Bell) Plat 107SE, Lot 15

Attorney Robert Silva represented the applicant. He explained the need for the extension of the Development Plan approval. The applicant expects to complete the project this year.

Motion by Mr. Marnane, seconded by Ms. Rearick, to grant an extension of the development plan approval until October 5, 2012. Vote: 7-0-0.

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

The meeting adjourned at 7:50 pm

Respectfully submitted:

Ronald M. Wolanski

Town Planner