



Town of Middletown
Planning Department

350 East Main Rd., Middletown RI 02842 (401) 849-4027

PLANNING BOARD MINUTES
SPECIAL MEETING
August 6, 2012
Town Hall, 2nd Floor Conference Room

Board members present:

Jan Eckhart, Chairman
Richard Adams, Vice Chairman
Audrey Rearick
Gladys Lavine
Pete Marnane
Betty Jane Owen

Ron Wolanski, Planning Director
Alison Ring, Principal Planner
Michael Miller, Town Solicitor
Roland Chase, Assistant Town Solicitor

The meeting was called to order at 9:00am.

1. Discuss potential amendments to Article 3 of the Zoning Ordinance, and Article 10 of the Rules and Regulations Regarding the Subdivision and Development of Land relative to the Development Plan Review process.

Mr. Wolanski reviewed the need to consider revisions to the DPR process as currently practiced. The Town Solicitor as advised that state law requires that all DPR applications must be filed with the Zoning Board of Review, before being forwarded to the Planning Board to begin the review process. Any requests for waivers for the design requirements must also be filed as variance requests with the Zoning Board of Review. When granting waivers, the Board must consider the request in light of the standards contained in section 908(c) of the Regulations. Given the need to address these requirements, particularly the filing of applications with the ZBR, which adds a month to the review process just to allow referral to the Planning Board, limiting the types of projects that would require DPR should be considered.

Mr. Miller reiterated the need to revise the DPR process, and supported the idea of limiting the types of applications that would be subject to DPR.

Mr. Chase provided comments on some of the specific revisions proposed in a draft document prepared by Mr. Wolanski.

Mr. Wolanski reviewed proposed section 305(E), which would grant authority over waiver requests to the Planning Board. The Board would be required to hold a public hearing prior to the granting of a waiver in order to provide proper notice to abutters.

Mr. Miller indicated that the proposal for Planning Board consideration of waivers where no other zoning relief is sought might be acceptable. Consideration should be given to types of design standards that should require a variance.

Mr. Adams expressed concern over increasing the complexity of the process, given that the current process was previously reviewed and approved by legal counsel.

Mr. Miller stated that current process does not comply with the law.

Regarding the added time needed to allow for ZBR review of applications to the Planning Board, Mr. Wolanski suggested that the ZBR notice sent to abutters also include the date and time of the TRC meeting. This might allow the for the TRC review to proceed prior to formal referral by the ZBR.

Mr. Eckhart expressed concern over the requirement for a public hearing for minor applications.

Mr. Adams suggested that there be only one public hearing required when zoning relief is needed, rather than a hearing before the Planning Board for waiver requests and a hearing before the ZBR on zoning items.

Ms. Owen recommended that abutters be notified of public hearings by registered mail.

It was decided that the Town Planner would continue to work with the Town Solicitor to revised the draft amendments.

The meeting adjourned at 10:25 am

Respectfully submitted:
Ronald M. Wolanski
Town Planner