

PLANNING BOARD MINUTES

December 12, 2012

Town Council Chambers

Board members present:

Jan Eckhart, Chairman Ron Wolanski, Town Planner

Audrey Rearick Frank Holbrook, Assistant Town Solicitor

Gladys Lavine

Pete Marnane

Charlene Rose-Cirillo

Member absent:

Betty Jane Owen

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

1. Approval of the minutes of the November 14, 2012 regular Planning Board meeting and special meeting.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to approve the minutes of the November 14, 2012 regular Planning Board meeting.

Vote: 5-0-0.

Motion by Ms. Lavine, seconded by Ms. Cirillo, to approve the minutes of the November 14, 2012 special Planning Board meeting.

Vote: 5-0-0.

2. Election of Vice-chair

Ms. Rearick nominated Ms. Lavine to serve as vice-chair. Ms. Cirillo

seconded the nomination. There were no other nominations. Vote on the nomination of Ms. Lavine: 5-0-0.

Old Business

3. Public Hearing – Peter Gallipeau, Proposed 12 lot Major Subdivision, Bailey Ave. & Sachuest Drive, Plat 126, Lot 4, Request for Preliminary Plan Approval.

Mr. Holbrook recused himself from discussion of this item.

Mr. Eckhart stated that the applicant has requested a continuance and has submitted a letter agreeing to the extension of the review period.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to continue the matter to the January 9, 2013 Planning Board meeting at 6:30pm. Vote: 5-0-0.

4. Public Hearing (continued from November 14, 2012) - CVDDII, LLC, Petition to amend the Middletown Comprehensive Community Plan, to change the designation on the Future Land Use Plan, Figure 7, for property at 1747 West Main Rd., and identified as Plat 111, Lot 9A, from Industrial to High Density Residential.

Motion by Ms. Cirillo, seconded by Ms. Rearick, to re-open to public hearing. Vote: 5-0-0.

Mr. Eckhart offered the petitioner, Vincent Mesolella, the opportunity to address the Board. Mr. Mesolella declined.

Mr. Eckhart invited public input.

Bob King of 200 John Kesson Lane stated that he was concerned about traffic impacts in the abutting neighborhood if access to the subject property is from Laura Rd. If accessed directly from West

Main Rd. a new traffic signal would be required. He stated concern for the impact that residential development would have on town services and costs. The opportunity for industrial development should not be eliminated. He expressed concern for the impact of residential development on the Bailey Brook watershed. High-density residential development would reduce property values in abutting neighborhoods. He asked each board member if they would like to have high density residential development in their neighborhoods.

Manny Mello, a resident of Beacon Terrace, stated that the subject property is the only land available for industrial development in town. He expressed concern over potential traffic impacts on the abutting neighborhood to the north.

Erica Adams of 7 Debbie Road stated that there would be a negative financial impact on the town if the subject parcel was developed for residential use, particularly due to costs to educate school children. The property should retain its industrial designation to accommodate future development.

There being no one else wishing to speak, motion by Mr. Marnane, seconded by Ms. Cirillo, to close the public hearing. Vote: 5-0-0.

5. CVDDII, LLC, Town Council request for Planning Board recommendation on a petition to amend the Middletown Comprehensive Community Plan, to change the designation on the Future Land Use Plan, Figure 7, for property at 1747 West Main Rd., and identified as Plat 111, Lot 9A, from Industrial to High Density Residential.

Mr. Eckhart invited comments from board members.

Ms. Rearick stated that the designation of the property should remain industrial in order to accommodate potential future development that could address the needs of the Navy, NUWC, and green industries. The Town should not give up this economic development opportunity.

Mr. Marnane stated that he was curious to hear if abutters really desire industrial development on the subject property.

Mr. Eckhart noted that those who chose to speak during the public hearing had indicated their preference for industrial development of the property.

Mr. Eckhart stated that he was not in favor of the proposed amendment. Even though industrial development of the site might generate more traffic than residential development, it would not directly impact the abutting neighborhood. The town would benefit from the tax impacts of industrial development. The town should preserve the opportunity for future industrial development. There may be a possibility for a public/private partnership to facilitate development of the property in the future.

Motion by Mr. Marnane, seconded by Ms. Cirillo, to recommend that the Town Council deny the request to amend the Comprehensive Plan. Vote: 5-0-0.

6. CVDDII, LLC, Request of the Town Council for a recommendation on a petition to amend the Middletown Zoning Ordinance, to change the zoning designation for property at 1747 West Main Rd., and identified as Plat 111, Lot 9A, from light industrial, traffic sensitive (LIA) to Residential, R-10.

Mr. Eckhart, noting the Board's recommendation to not amend the Comprehensive Plan, indicated that the proposed zoning amendment, without the comprehensive plan amendment, would not be consistent with the comprehensive plan.

Mr. Mesoella requested the opportunity to address the board. He began to address comments made during the Planning Board's deliberations regarding the prior agenda item, the comprehensive plan amendment petition.

Mr. Wolanski advised the Board that such discussion was not the subject of the current agenda item.

Mr. Eckhart advised Mr. Mesoella to address the current item.

Mr. Mesoella stated that he was requesting the Board's support for the proposed change in zoning designation. There is no market for the industrial development of the parcel. The proposed tolls on the Sakonnet River Bridge would make such development less likely. Developing the property for industrial use in accordance with the town standards would be cost prohibitive. He stated that if the current request is denied he will investigate other residential development alternatives.

Motion by Mr. Marnane, seconded by Ms. Rearick, to recommend that the Town Council deny the request to amend the zoning designation for the subject property, based on the finding that the proposal is inconsistent with the comprehensive plan's industrial designation for the property. Vote: 5-0-0.

7. Discussion of proposed 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.

There was discussion that given that there will be new Planning Board members seated shortly, deliberation of the amendments should await the new board.

By consensus, this matter was continued to the January 9, 2013 Planning Board meeting.

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

Mr. Eckhart stated that the review of the land use element will continue during a meeting of the Comprehensive Plan Update Committee on December 19th.

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

Mr. Eckhart updated the Board on the activities of the AIPC.

10. Public Informational Meeting - Seascope Holdings, LLC (Blakeley Bogart, property owner), Proposed 12-lot subdivision, 385 Green End Ave., Plat 114, Lot 106, Request for Master Plan approval .

The applicant was represented by attorney David Martland. Mr. Martland provided a summary of the proposal. He introduced engineer Timothy Behan.

Mr. Behan reviewed the plans and described the design process that was used to develop the plans. He referred to the town's 10-step design process for conservation subdivisions. He presented two options for the layout of the proposed roadway. One would provide for future connection to abutting land to the south which is zoned for

residential development. The other option would be a cul-de-sac with no opportunity for connection to abutting property. In either case, the development would be served by public sewer and water. Individual sewer pump stations are proposed, which would pump to a single force main to be maintained by the homeowners association. The design has yet to be completed. The proposed lots meet the dimensional requirements of the Zoning Ordinance.

Mr. Behan discussed watershed concerns, including the TMDLs for phosphorous and bacteria in the Bailey Brook watershed. The proposed storm water runoff treatment system would meet town and state requirements. Requested waivers from some of the subdivision design requirements were discussed. Reduced pavement width, no sidewalks, and a “hammerhead” turnaround are requested, in part to limit storm water runoff. Street trees also are not proposed. In exchange additional landscaping would be provided along Green End Ave.

There was discussion of the soils on the property. Mr. Behan stated that there is an area of Stissing soils on the parcel, but that area is not proposed to be disturbed.

Mr. Eckhart asked about access to the open space for residents. Mr. Behan stated that access would be provided for all residents.

Mr. Eckhart asked if there would be a way to provide for potential future road connection to the abutting property while limited pavement and possibly removing the proposed cul-de-sac turnaround. Mr. Behan stated that maintaining the minimum required frontage for each lot limits the design options, but he will evaluate

alternatives.

Mr. Marnane asked about the request to waive the street tree requirement. Mr. Behan stated that instead of evenly spaced trees along the road, the applicant would like to provide groupings of trees as indicated on the landscaping plan.

Ms. Cirillo asked if the proposed road would be named Continental Drive, as an extension of the existing road. Mr. Behan stated that the road name would likely be different, subject to the approval of the Fire Department.

Mr. Martland requested that the Board provide some guidance as to its preference for the road configuration.

Mr. Wolanski suggested that the Board might want to refer the plans to TRC for review, and that such review would include the road design alternatives. The Board might also want to conduct a site visit to the property.

Mr. Eckhart invited public comment on the proposal.

Edward Draper of 343 Green End Ave. stated that he is a direct abutter. He stated that he understood that the final engineering design has not been completed. He requested that particular attention be paid to the storm water management plan as his property is in close proximity to the proposed storm water drainage pond. This includes concern for insect control and plantings.

June Terry of 356 Green End Ave stated that she was concerned with traffic impacts from the proposed development. There are already traffic issues in the area. She stated that she is generally not in favor of development of open land. She also recommended that in the

future the Board provide for the plans to be viewed by audience members during the hearing.

Manny Mello of Beacon Terrace stated that there needs to be emergency backup for the proposed sewer pump station in case it fails, resulting in an overflow. The town should not allow new pump stations.

Mr. Behan stated that the plan does not call for a traditional sewer pump station. Rather, each home would have an individual pump. The type of failure and overflow described by Mr. Mello would not be possible. If an individual pump fails, only that home would be impacted, resulting in a backup of the sewer into the home. There would not be a spill.

Motion by Ms. Cirillo, seconded by Ms. Rearick, to continue the matter to the January 9, 2013 Planning Board meeting and to refer the application to the TRC for review and comment. A site visit was scheduled for January 3, 2013 at 10am. Vote: 5-0-0.

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

The meeting adjourned at 8:00 pm

Respectfully submitted:

Ronald M. Wolanski

Town Planner