

PLANNING BOARD MINUTES

JUNE 12, 2013

Town Council Chambers

Board members present:

Gladys Lavine, Chair Alison Ring, Principal Planner

Betty Jane Owen Frank Holbrook, Assistant Town Solicitor

Audrey Rearick

Charlene Rose-Cirillo

Matthew Sullivan

Pete Marnane

John Ciummo

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

1. Approval of the minutes of the May 8, 2013 regular Planning Board meeting and the special Planning Board meeting on May 31, 2013.

Motion by Ms. Owen, seconded by Ms. Cirillo, to approve the May 8th regular meeting minutes. Vote: 6-0-1 with Mr. Ciummo abstaining.

Motion by Mr. Marnane, seconded by Ms. Rearick, to approve the May 31st Special Planning Board meeting minutes. Vote: 4-0-3 with Ms. Cirillo, Mr. Sullivan, and Ms. Lavine abstaining.

2. Public Hearing – Peter Gallipeau, Proposed 12 lot Major Subdivision, Bailey Ave. & Sachuest Drive, Plat 126, Lot 4, Request

for Preliminary Plan approval.

Assistant Solicitor Holbrook recused. David Martland represented the applicant in his request for a continuance due to a recent memo by the Middletown Public Works Director requesting changes to the plan. The applicant submitted a letter agreeing to the extension of the review period. Mr. Martland also requested that the board consider referring the matter to the Technical Review Committee. Vernon Gorton, representing the Paradise Valley Neighborhood Association did not object to the request for a continuance. Motion by Ms. Owen, seconded by Ms. Rearick, to continue the matter to the July 10, 2013 regular Planning Board meeting at 6:30pm and to refer the matter to the Technical Review Committee. Vote: 7-0-0.

3. Public Hearing - Seascape Holdings, LLC (Blakeley Bogart, property owner), Proposed 12-lot subdivision, 385 Green End Ave., Plat 114, Lot 106, Request for Preliminary Subdivision Plan approval. Ms. Lavine moved to open public hearing, Vote:7-0. David Martland represented the applicant and Tim Behan, engineer, presented to the board changes made to the plans since the last Planning Board meeting. The applicant met with the TRC twice since the May Planning Board meeting and held a site visit with the Tree Commission. Notes added to the plans include HOA must submit to Town annual report on drainage features, will work with town to select existing trees to remain along Green End Avenue and that planned landscaping in those areas must be located elsewhere on the

site, other changes to the plans included sewer line inspection, exterior joint wrap, geogrid road support system, and a flat area near entrance of new road for school children to wait for bus.

Ned Draper, abutting property owner, expressed his concern that some trees were removed that existing trees that remain could be more susceptible to causing property damage. The applicant agreed to put a note in the landscaping plan that abutting property owner would prefer trees near his property be removed and that new a new landscaping buffer be added.

Mr. Sullivan asked if the road grade had been discussed/addressed.

Mr. Behan stated that it had been brought up during a Technical Review Committee meeting and that members did not feel it would be an issue. Mr. Sullivan also mentioned that RIDOT will soon be installing sidewalks at the nearby Aquidneck Avenue intersection and asked that the applicant or if not the town consider extending them to the entrance of the proposed development. Ms. Owen asked if a traffic study had been done. Mr. Behan said that it was not deemed necessary due to the relatively small number of homes that were being proposed. Ms. Owen stated that the Planning Board would like the option of extending the road in the future to future development.

Motion by Mr. Marnane, seconded by Ms. Owen to close the public hearing. Motion by Mr. Marnane, seconded by Ms. Rearick, to grant preliminary plan approval with the following conditions:

1. All legal documents, including conservation easement, open space maintenance plan, and homeowners association documents must be reviewed and approved by the Town Solicitor and Planning Board

prior to final plan approval.

2. A storm water runoff treatment facilities maintenance easement, requiring maintenance of the system by the homeowners association with annual reporting to the Town Engineer and DPW Director, must be reviewed and approved by the Town Solicitor and Planning Board prior to final plan approval. The easement shall allow for Town access as necessary to complete maintenance and repairs to protect public health and safety, should the homeowners fail to do so. Subdivision homeowners will be responsible for all costs related to completing required maintenance and repairs.

3. All necessary state permits must be in place prior to final plan approval.

4. Development of the proposed new building lots would be subject to development impact fees. Prior to recording, the following note must be added to the plan: "The Town has implemented development impact fees which apply to any new commercial and residential development in town. Impact fees as specified in Town Code Chapter 150 will be assessed at the time of development of the subdivision lots."

5. At the time of development of each lot the developer will be required to comply with all applicable provisions of the town's construction site runoff and erosion control ordinance (Town Code chapter 151) and the storm water management ordinance (chapter 153), including compliance with the approved storm water management plan for the subdivision. A note to this effect must be added to the plan prior to recording

6. Make note on landscaping plan that abutter would prefer trees along his property line at risk of causing property damage to be removed;

and finds that the plan is consistent with the five required findings.

Vote: 7-0.

4. Linda Phelan, Proposed 2-lot minor subdivision, 272 Mitchell's Lane, Plat 123, Lot 13. Request for Final Plan approval.

The applicant was not present. Ms. Ring stated that we are awaiting a signed decision from the Zoning Board. At the May 28th Zoning Board meeting, Phelan was granted a zoning variance to allow for the creation of a lot with less than the minimum required developable lot area and a special use permit to allow for development in Zone 1 of the Watershed Protection District. Motion by Ms. Rearick, seconded by Ms. Cirillo, to continue the matter to the July 10, 2013 Planning Board meeting. Vote: 7-0-0.

5. Update on activities of the Aquidneck Island Planning Commission. Ms. Lavine stated that the AIPC received a grant to conduct leadership training for Town Councilors. A dinner will be held tomorrow night to discuss needs that AIPC could assist with. Ms. Lavine and Mr. Ciummo both plan to attend.

6. Update on BRAC Navy Surplus Land reuse planning process.

Ms. Ring stated that Matrix will be meeting with town officials next week and we should have an update on the project status in July.

7. Discussion of process to complete Comprehensive Plan update.

Ms. Ring summarized the current status of the draft plan and efforts to ensure the document meets the new state statute prior to submission to the state.

8. Henry J. Biastre, Application for 2-lot minor subdivision, request for combined preliminary and final review, 1692 Green End Ave., Plat 129, Lot 36.

Kamal Kingorany represented the applicant and presented the plan to the board. The subdivision does not require any zoning relief and would create one additional developable lot. Motion by Ms. Owen, seconded by Ms. Rearick with the following conditions:

1. Development of the proposed new building lot would be subject to development impact fees. Prior to recording, the following note must be added to the plan: “The Town has implemented development impact fees which apply to any new commercial and residential development in town. Impact fees as specified in Town Code Chapter 150 will be assessed at the time of development of the subdivision lot.”

2. At the time of development of each lot the developer will be required to comply with all applicable provisions of the town’s construction site runoff and erosion control ordinance (Town Code chapter 151) and the storm water management ordinance (chapter 153). A note to this effect must be added to the plan prior to recording.

and finds that the plan is consistent with the five required findings.

Vote: 7-0.

9. Recommendation to the Town Council on proposed amendments to Article 10 of the Zoning Ordinance, regarding Flood Hazard Areas.

Ms. Ring stated that the proposed flood hazard areas are required to remain in compliance with the National Flood Insurance Program.

Motion by Mr. Marnane, seconded by Ms. Owen, that the proposed zoning ordinance amendments are consistent with the Comprehensive Plan and Zoning and to send a positive recommendation to the Town Council, Vote: 7-0.

Motion to adjourn by Mr. Marnane, seconded by Ms. Owen, Vote: 7-0.

Meeting adjourned at 7:10pm.

Respectfully submitted:

Alison Ring

Principal Planner