

PLANNING BOARD MINUTES

MAY 8, 2013

Town Council Chambers

Board members present:

Gladys Lavine, Vice Chair Alison Ring, Principal Planner

Betty Jane Owen Frank Holbrook, Assistant Town Solicitor

Audrey Rearick

Charlene Rose-Cirillo

Matthew Sullivan

Pete Marnane

Member absent:

John Ciummo

The meeting was called to order at 6:32pm.

1. Approval of the minutes of the April 10, 2013 regular Planning Board meeting, and the special meetings of April 2 & April 10, 2013.

Motion by Ms. Owen, seconded by Ms. Cirillo, to approve the April 2nd public hearing minutes. Vote: 6-0-0. Motion by Ms. Cirillo,

seconded by Ms. Owen, to approve the April 10th regular Planning Board meeting minutes. Vote: 5-0-1 with Mr. Marnane abstaining.

Motion by Ms. Owen, seconded by Ms. Cirillo, to approve the April 10th Special Planning Board meeting minutes. Vote: 5-0-1 with Mr.

Marnane abstaining.

2. Correspondence - Letter to the planning director, with copy to the Planning Board chair, dated April 17, 2013, from Daniel Porter of the Rhode Island Airport Corporation, regarding the Rhode Island Airport Land Use Compatibility Handbook.

Ms. Lavine suggested we consider incorporating recommendations from this guidebook into the Comprehensive Plan. Motion by Ms. Rearick, seconded by Ms. Cirillo, to receive the communication. Vote: 6-0-0.

3. 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. Ms. Ring 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. Owen, to continue the matter to the June 12, 2013 Planning Board meeting at 6:30pm. Vote: 6-0-0.

4. John Peixinho & Jonna Chewning, Request for Administrative Subdivision approval, Third Beach Rd. Plat 125, Lots 72 & 73.

David Martland represented the applicant and provided a summary of the proposed subdivision. The lot line is being relocated to coincide with the existing stone wall. The applicant will require zoning relief

for a reduction in the frontage. Mr. Sullivan asked what the frontage reduction would be for Lot 73 and requested that it be added to the plan. Mr. Martland said that it was 10.38 feet and could be added to the plan. Mr. Sullivan also pointed out that there were two different scales identified on the plan.

Motion by Mr. Marnane, seconded by Ms. Rearick, to a conditional approval of the subdivision subject to receiving the necessary zoning relief and making the requested corrections to the plan including the scale and adding the dimension. Vote: 6-0-0.

5. 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 the matter should be continued as the applicant will be before the Zoning Board on May 28th seeking 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. Owen, to continue the matter to the June 12, 2013 Planning Board meeting. Vote: 6-0-0.

6. Update on activities of the Aquidneck Island Planning Commission. Ms. Lavine stated that the AIPC will be holding a strategic planning meeting on May 10th and she will provide an update on the results of that meeting at the next Planning Board meeting.

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

Ms. Ring stated that Matrix will be providing the Town will a final product by the end of May.

8. Discussion of process to complete Comprehensive Plan update.

Ms. Ring stated that the Town has final drafts completed of the elements and is working with Statewide Planning to ensure the document meets the new state statute prior to submission to the state for initial review.

9. 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.

Motion by Ms. Owen, seconded by Mr. Marnane, to continue the public hearing to the June 12, 2013 Planning Board meeting. Vote: 6-0-0. Mr. Martland and Mr. Behan represented the applicant. They provided a quick update to the board on the plans since Master Plan approval. The applicant indicated that an agreement for sewer access with abutting property owner David Bazarsky had been reached. This would allow the development to have gravity feed sewer instead of pumps. The paper street was shifted to accommodate sewer without the need for an easement. Mr. Sullivan expressed concern regarding the 4% pitch of the new road at entrance to Green End Avenue and with the lack of sidewalks concern for where school children could safely wait for the bus. Mr. Behan said that he would work with the Technical Review Committee to address those concerns. Mr. Behan explained that the landscape plan is currently designed to heavily plant around the drainage area

and to provide screening along Green End Avenue. Mr. Behan suggested that the applicant is willing to move trees based on Tree Commission recommendation. Mr. Martland stated that the applicant did receive a waiver for street trees but is willing to revisit that discussion and make adjustments to the landscaping plan. Mr. Lamond, representing the Tree Commission, expressed that the Tree Commission should be asked for input on landscaping plans prior to the Planning Board making decisions and that the Planning Board consider supporting the installation of street trees in the all future developments. Motion by Ms. Rearick, seconded by Ms. Owen to refer the matter to the Technical Review Committee and the landscaping plan to the Tree Commission for recommendation. Vote: 6-0-0.

10. Khent Doon Trust, 4-lot conservation subdivision, Indian Ave., Plat 129, Lots 73 & 700. Request for Preliminary Subdivision Plan approval.

Ms. Lavine recused. The applicant, Elizabeth Bozan, Trustee of the Khent Doon Trust presented the application. The plan will require a variance from the Zoning Board for frontage for one lot. Ms. Ring stated that the applicant needed to provide draft language for the conservation easement for the Solicitor's review and that all easements should be shown on the final subdivision plan including septic, water, and driveway. Motion by Mr. Marnane, seconded by Mr. Sullivan to grant conditional approval subject to Zoning Board approval of the frontage variance and adding necessary easements to

the plan and submission of conservation easement document. Vote: 5-0-0.

11. Request of the Zoning Board of Review for an advisory recommendation on an application by BJ's Wholesale Club, Inc., regarding property at 173 East Main Rd., Plat 107SE, Lot 107 for a special use permit pursuant to Zoning Ordinance Article 11, to allow outdoor storage of flammable or explosive material in Zone 2 of the Watershed Protection District for proposed propane tank filling station.

Steve Powers, civil engineer, represented the applicant. Mr. Powers provided an overview of the application to the Planning Board. Currently there is one tank being proposed, a second tank may be proposed in the future. The station was positioned as far away from the WPD Zone 1 as possible while still meeting zoning setbacks. The proposals would eliminate 10 parking spaces and result in less than the required amount of parking by zoning and therefore requires a zoning variance. Mr. Marnane asked about the number of emergency shutoffs. Mr. Powers explained that there were 2 options inside and outside the building and that BJs has never had any incidents and requires staff to participate in three trainings. Motion by Mr. Marnane, seconded by Mr. Sullivan to send a positive recommendation to the Zoning Board for approval of the special use permit. Vote: 6-0-0. Motion by Mr. Marnane, seconded by Ms. Owen to send a positive recommendation to the Zoning Board for the parking variance.

Vote: 6-0-0.

12. Request of David Bazarsky, owner of property at 656 Aquidneck Ave., Plat 114, Lots 108 & 109, for an informal discussion of potential development scenarios.

Mr. Bazarsky presented his potential development concepts to the Planning Board. The informal discussion indicated a general support by the Board for the Polo Center southern expansion with the extension of Johnny Cake Hill Rd to Aquidneck Avenue.

13. Public Hearing – Consideration of adoption of proposed amendments to Article 10 of the Middletown Rules and Regulations Regarding Subdivision and Development of Land regarding Development Plan Review procedures.

Motion by Ms. Cirillo, seconded by Ms. Owen to open the public hearing. No one was present for the public hearing. Motion by Ms. Rearick, seconded by Ms. Owen to close the public hearing. Motion by Ms. Rearick, seconded by Ms. Owen to adopt the proposed amendments to Article 10 of the Subdivision Regulations regarding Development Plan Review procedures. Vote: 6-0-0.

14. Recommendation to the Town Council on proposed amendments to the Zoning Ordinance, Section 304 regarding the Technical Review Committee, and Sections 305-310 regarding Development Plan Review procedures.

Motion by Ms. Cirillo, seconded by Ms. Rearick to send a positive recommendation to the Town Council regarding proposed amendments to the Zoning Ordinance Section 304 regarding the Technical Review Committee and Sections 305-310 regarding

Development Plan Review procedures. Vote: 6-0-0.

**Motion to adjourn Mr. Marnane, seconded by Ms. Rearick. Vote:
6-0-0.**

Meeting adjourned at 7:36pm.

Respectfully submitted:

Alison Ring

Principal Planner