

PLANNING BOARD MINUTES

MAY 14, 2014

Town Council Chambers, 350 East Main Rd., Middletown, RI

Board members present:

Gladys Lavine, Chair

Pete Marnane, Vice Chair Ron Wolanski, Planning Director

Betty Jane Owen, Secretary Frank Holbrook, Assistant Town Solicitor

Matthew Sullivan

John Ciummo

Arthur Weber

Charlene Rose-Cirillo

The meeting was called to order by Ms. Lavine at 6:00pm.

1. Approval of the minutes of the April 9, 2014 regular Planning Board meeting, and the special meetings of April 2, 2014, April 22, 2014, and April 24, 2014.

Motion by Ms. Owen, seconded by Ms. Cirillo, to approve the minutes of the April 9, 2014 regular Planning Board meeting, and the special meetings of April 2, 2014, April 22, 2014, and April 24, 2014. Vote: 7-0-0.

2. Correspondence

a. Letter to the Town Planner dated April 15, 2014 from Rhode Island

**Housing regarding the 2013 annual affordable housing inventory
Motion by Mr. Marnane, seconded by Ms. Owen, to accept the
correspondence. Vote: 7-0-0.**

**3. Public Hearing - George Warren, et. al., Request for combined
Master and Preliminary Plan approval for a proposed 2-lot major
subdivision of property located a 514 Paradise Ave., Plat 127, Lot 2.**

Mr. Holbrook recused himself from discussion of this item.

**Mr. Wolanski provided copies of a letter he received from Mr. Warren,
dated May 12, 2014, requesting that he be allowed to withdraw the
application without prejudice.**

The applicant was not present.

**Motion by Mr. Weber, seconded by Mr. Marnane, to approve the
withdrawal of the application without prejudice. Vote: 7-0-0.**

**4. Public Hearing - Arleen Kaul on behalf of Corey, Joseph E. U/W of
Nominees/Assigns - Request for combined Master, Preliminary, and
Final Plan approval for a proposed 2-lot major subdivision of property
fronting on Green End Ave. & an unnamed paper road, Plat 129, Lot
713.**

**5. Consideration of application - Arleen Kaul on behalf of Corey,
Joseph E. U/W of Nominees/Assigns - Request for combined Master,
Preliminary, and Final Plan approval for a proposed 2-lot major
subdivision of property fronting on Green End Ave. & an unnamed
paper road, Plat 129, Lot 713.**

Mr. Holbrook recused himself from discussion of this item.

**The applicant's attorney, Jeremiah Lynch, stated that due to some
unresolved issues regarding the plan that are currently under**

discussion his client requests that the matter be continued to the next Planning Board meeting.

Motion by Ms. Owen, seconded by Ms. Cirillo, to continue the matter, keeping the public hearing open, to the June 11, 2014, 6pm, Planning Board meeting. Vote: 7-0-0.

6. Sergio DoSouto, Request for preliminary subdivision plan approval for a proposed 2-lot subdivision of land located at 1036 Wapping Road, Assessor's Plat 128, Lot 19.

The applicant was represented by attorney David Martland. He stated that the applicant is seeking preliminary approval. Zoning relief is necessary to allow a lot with less than the required frontage.

Mr. Martland introduced engineer Todd Chaplin, who described the plan.

Mr. Weber stated that he is concerned with the request to create a lot with less than the required frontage. Zoning requirements should be met.

There was discussion of the possibility of creating a cul de sac on the property in order to create the required frontage.

Mr. Martland and Mr. Chaplin stated that including a cul de sac just to meet the frontage requirement would result in increased impervious surface, and would provide no benefit to the applicant or the town.

Mr. Martland stated that the plan results in only one addition dwelling on a large parcel, with no negative impacts.

Mr. Weber reiterated that the town must be consistent in upholding the zoning requirements.

Mr. Sullivan asked if the frontage of the subject lot could be increased

somewhat.

Mr. Chaplin stated that it could, but there would be no benefit since it is not possible to meet the zoning requirement, and relief would still be needed.

Mr. Martland stated that there is both the frontage and lot width issue that need to be addressed.

Ms. Lavine stated that there appears to be no harm in proceeding to grant preliminary approval.

Mr. Wolanski referred the board to the four recommended conditions of approval contained in his memo to the board dated May 6, 2014.

Ms. Lavine asked if the applicant had any concerns with the recommended conditions.

Mr. Martland stated that the conditions would be acceptable.

Motion by Ms. Cirillo, seconded by Mr. Sullivan, to grant preliminary subdivision plan approval, subject to the following conditions and findings:

1. Prior to final subdivision approval a copy of the recorded Zoning Board of Review decision approving the required zoning relief must be provided to the Planning Department.

2. A note must be added to the plan regarding storm water control as follows: “At the time of development of the new building lots, the owner is required to comply with the provisions of the town’s storm water management ordinance (Chapter 153), and construction site runoff and erosion control ordinance (Chapter 151).”

3. The following note must be added to the plan: “At the time of development of the new building lot impact fees consistent with the

Town's impact fee ordinance (Chapter 150) must be paid prior to the issuance of building permits."

4. The survey must be tied to the State Plane Coordinates System, with coordinates provided on the final plan.

Findings:

- The proposed subdivision is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.**
- The proposed subdivision is in compliance with the standards and provisions of the Town zoning ordinance, subject to the granting of the required zoning relief.**
- There will be no significant negative environmental impacts from the proposed development.**
- The subdivision will not create lots where physical constraints would make building on the lots impracticable.**
- All subdivision lots shall have adequate and permanent physical access to a public street.**

Vote: 5-2-0, with Mr. Weber and Mr. Marnane voting in opposition.

7. Update on activities of the Aquidneck Island Planning Commission. Mr. Ciummo provided an update on the activities of the Aquidneck Island Planning Commission. There was an open house for potential new members host by AIPC recently. He is awaiting a report from Tina Dolan on the level of interest.

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

Mr. Wolanski stated that the Town of Middletown will continue to work with the Navy to reach agreement on a negotiated sale for the

former Navy Lodge parcel. The process is currently on hold due to Navy consideration of a request submitted by the Bureau of Indian affairs on behalf of the Narragansett Indian Tribe to have the surplus lands transfer to the tribe.

9. Update on process to complete Comprehensive Plan update.

Mr. Wolanski stated that more time is needed to allow for completion of review and comment on the draft plan by the Town Administrator and Town Solicitor. Those comments will be transmitted to the Planning Board as soon as possible.

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

Meeting adjourned at 6:30 pm.

Respectfully submitted:

Ronald Wolanski

Planning Director