



## Town of Middletown Planning Department

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

### PLANNING BOARD MINUTES

**SEPTEMBER 9, 2015**

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

#### **Board members present:**

Charlene Rose-Cirillo, Chair  
Art Weber, Vice Chair  
Betty Jane Owen, Secretary  
Matthew Sullivan  
Jan Eckhart  
Paul Croce

Ron Wolanski, Planning Director  
Christopher McNally, Assist. Town Solicitor

#### **Member absent:**

John Ciummo

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

#### **1. Approval of the minutes of the August 12, 2015 regular meeting, and the August 31, 2015 special meeting.**

**Motion** by Ms. Owen, seconded by Mr. Weber, to approve the minutes of the August 12, 2015 regular meeting and the August 31, 2015 special meeting. **Vote:** 6-0-0.

#### **2. Public Informational Meeting - Prospect Avenue Subdivision, Goldstein Associates, LLC., applicant. - Request for Master Plan approval for a proposed 5-lot major subdivision, including request for waivers, of property fronting on Prospect Ave. The property is identified as Assessor's Plat 121NW, Lot 66-A and is located approximately .3 miles to the east of the intersection of Prospect Ave. and Aquidneck Ave.**

Mr. Wolanski stated that he had received a letter from the applicant's attorney, David Martland, requesting that the matter be continued to the October 14, 2015 Planning Board meeting.

**Motion** by Ms. Owen, seconded by Mr. Eckhart, to continue the matter to the October 14, 2015, 6pm, Planning Board meeting. **Vote:** 6-0-0.

#### **3. Application of Gary Hooks for preliminary plan approval for a 2-lot minor subdivision of land. Property located at 1249 Wapping Rd., Assessor's Plat 128, Lot 9.**

Mr. Wolanski stated that he had received a letter from the applicant's attorney, David Martland, requesting that the matter be continued to the October 14, 2015 Planning Board meeting.

**Motion** by Mr. Weber, seconded by Mr. Sullivan, to continue the matter to the October 14, 2015 Planning Board meeting. **Vote:** 6-0-0.

**4. Application of John Warner for Master Plan approval of a proposed 3-lot major subdivision. Property fronting on Paradise Avenue and Serenity Drive, and located approximately 300 feet to the east of the intersection of Serenity Drive and Compton View Drive, Assessor's Plat 120, Lot 68**

The applicant was represented by attorney Robert M. Silva. He stated that since the last meeting, discussion with the Aquidneck Land Trust regarding the conservation of proposed Lot C has continued. The draft conservation easement is not yet available, but copies of the draft memorandum of agreement between the owner and the land trust, as well as copies of the baseline documentation report prepared by the land trust were provided to the Planning Board.

Mr. Silva introduced project engineer Kevin Demers of DiPrete Engineering who reviewed the plan.

Mr. Sullivan asked about storm runoff from the property and whether it would impact abutters. Mr. Demers stated that storm water control and treatment would be designed to meet town requirements, including maintaining the predevelopment rate of runoff.

Mr. Croce asked if proposed Lot C, even though it is proposed for conservation, would be addressed in the design of drainage control. Mr. Demers stated that the three proposed lots would be addressed as potential development lots.

Mr. Weber asked for an explanation and rationale for the waiver requests. Mr. Silva stated that the plan proposes to create the required frontage for two of the proposed development lots on an extension of Serenity Drive. The waiver from the construction is requested as the two lots are proposed to have access from driveways extending from the end of the existing improved portion of Serenity Dr. Construction of the road extension is not necessary. Similarly, a sidewalk on the extended portion of Serenity Drive is not needed.

There was discussion of the maintenance of the extension of Serenity Dr., which would remain as a public right of way but a paper street. Mr. Wolanski stated that if the waiver is granted the road would not be constructed to town standards, and the applicant would not request that the town accept it for town maintenance. The property owners would be responsible for maintaining their driveways.

Mr. Eckhart asked if property boundary markers would be required relative to the proposed conservation lot. Mr. Silva stated that markers in accordance with town requirements would be provided.

There was discussion of the need for an easement to access Lot C. Mr. Wolanski stated that there will be need for an easement on the plan to show access to Lot C from Maidford River Rd. as it is shown on the plan as a development lot. There was also discussion of need for the land trust to have access to the site for conservation purposes. Mr. Silva stated that an easement will be provided on the plan.

Ms. Cirillo invited members of the public to address the board with comments regarding the application. There was no one wishing to address the board.

**Motion** by Mr. Eckhart, seconded by Mr. Weber, to grant the requested waivers, and to grant master plan approval subject to the following conditions of approval and the five required findings of fact:

Waivers granted:

1. Proposal to not include sidewalks as part of the new roadway (§510, §616).
2. Proposal to not construct the roadway and cul-de-sac turnaround for the extension of Serenity Dr. in accordance with the town standards (§611).

Conditions of approval:

1. Required storm water drainage control plans and calculations must be addressed prior to consideration of the preliminary plan. Compliance with the state storm water design manual and town storm water management requirements must be confirmed prior to preliminary plan approval.
2. Documentation regarding the ability of the public sewer system to accommodate the proposed development must be provided as part of the preliminary plan submission.
3. New development lots will be subject to the Town's development impact fees ordinance, Town Code Chapter 150. A note to this effect must be provided on the preliminary subdivision plan prior to approval

**Vote:** 6-0-0.

**5. Public Hearing** - Proposed amendments to the Middletown Comprehensive Community Plan.

**Motion** by Ms. Owen, seconded by Mr. Weber to open the public hearing. **Vote** 6-0-0.

Mr. Wolanski described each of the proposed amendments to the recently adopted Middletown Comprehensive Community Plan as described in his memo to the board dated September 14, 2015. He noted that there was an error in the information that was posted publicly regarding proposed amendments to the Future Land Use Plan. He recommended that those amendments be tabled for consideration at a later date, following additional advertising. The remaining amendments are those proposed to address comments from Statewide Planning, and are changes needed to allow for state approval of the comprehensive plan. Statewide Planning staff have reviewed the proposed amendments and have indicated that the amendments are sufficient to allow for state approval of the plan.

Following Mr. Wolanski's presentation Ms. Cirillo invited public comment. She noted that there had been some confusion regarding one of the proposed revisions to language in the housing element regarding the town investigating opportunities to collaborate on potential conversion of mobile home parks to cooperatives as a strategy to have those units included in the town's affordable housing inventory. Contrary to some rumors being spread in the community, the town does not intend, nor does it have the ability to force the conversion of mobile home parks. The Board is also not aware of any plans on the part of any particular park owner to pursue conversion. The proposed language in the plan is intended to highlight this potential strategy and begin the conversation.

A resident of the Bay View Mobile Home Park asked if, as a result of the language in the comprehensive plan, she would be required to disclose the potential conversion of the park to potential buyers in the event that she were to list her unit for sale.

Mr. Weber stated that since there is no current or proposed effort to convert that particular park to a cooperative, in his opinion as a real estate agent, there is nothing to disclose.

There being no other members of the public wishing to speak, the public hearing was closed.

**Motion** by Mr. Weber, seconded by Mr. Ciummo, to approve the proposed amendments to the Middletown Comprehensive Community Plan, and to forward the proposed amendments to the Town Council for adoption. **Vote:** 6-0-0.

**6. Comprehensive Plan Implementation - Review of proposed Zoning Map amendments.**

Mr. Wolanski stated that the subcommittee of the Planning Board tasked with review of the zoning map amendments is proposing a course of action on each of the identified areas where current zoning is not consistent with the future land use plan of the Middletown Comprehensive Community Plan. He reviewed each of the areas and the subcommittee's recommendation as described in his memo to the board dated September 1, 2015.

Following discussion, the board agreed by consensus to proceed with review of the zoning amendments recommended by the subcommittee. The Board will host a public workshop to review the proposed amendments on October 8, 2015 at 6pm.

**7. Updates**

**Aquidneck Island Planning Commission.**

Mr. Wolanski stated that the commission has recently selecting a new executive director. Work on projects of interest to the local communities will likely resume shortly.

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

Mr. Wolanski stated that there was no news to report regarding the transfer process.

*Motion to adjourn by Ms. Cirillo, seconded by Mr. Weber. Vote: 6-0-0.*

*Meeting adjourned at 7:30 pm.*

Respectfully submitted:  
Ronald Wolanski  
Planning Director