



## Town of Middletown Planning Department

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

### PLANNING BOARD MINUTES

**JANUARY 13, 2016**

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

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

Charlene Rose-Cirillo, Chair  
Art Weber, Vice Chair  
Matthew Sullivan  
Jan Eckhart  
John Ciummo  
Paul Croce

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

#### **Members absent:**

Betty Jane Owen, Secretary

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

#### **1. Approval of the minutes of the December 9, 2015 regular Planning Board meeting and the special meetings of December 15, 2015 and January 7, 2016.**

**Motion** by Mr. Weber, seconded by Mr. Sullivan, to approve the minutes of the December 9, 2015 regular Planning Board meeting and the special meetings of December 15, 2015 and January 7, 2016. **Vote:** 6-0-0.

#### **2. Application of Samuel H. Howell & Anne M. Howell for combined Preliminary and Final Plan approval for a proposed 2-lot subdivision, 110 Sachuest Way, Plat 125, Lot 80.**

The applicant, Mr. Howell, described the purpose of the subdivision plan. His engineer, John Braga, reviewed the plan. He stated that the new lot would be served by public sewer and private well. There are no wetlands or hydric soils on the property.

Mr. Wolanski stated that the plan had been provided to the appropriate town departments for review. No concerns have been raised.

Mr. Sullivan asked if permanent boundary markers would be set. Mr. Braga stated that they would.

**Motion** by Mr. Weber, seconded by Mr. Ciummo, to make the five required findings of fact and grant combined Preliminary and Final Plan approval. **Vote:** 6-0-0.

3. **Public Hearing - Request of the Zoning Board of Review pursuant to Sections 306, 602 and Article 11 of the Middletown Zoning Ordinance for development plan review and an advisory recommendation on an application of VSH Realty Inc. & Cumberland Farms Inc. & John J. Moitoza Revocable Trust (owners) and First Hartford Realty Corporation (applicant) for a special use permit to allow renovation and expansion of an existing gasoline dispensing facility in Zone 1 of the Watershed Protection District. Waivers are requested from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, Section 521. Property located at 94 & 106 Aquidneck Ave. Assessor's Plat 115, Lots 132, 133, 134.**

Attorney Robert Silva represented the applicant. He stated that the applicant continues to work to secure CRMC approval for the proposed project. He requested that the matter be continued to the February Planning Board meeting.

**Motion** by Mr. Weber, seconded by Mr. Ciummo, to continue the matter to the Planning Board meeting scheduled for February 10, 2016 at 6pm. **Vote:** 6-0-0.

4. **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.**

Attorney Robert Silva stated that the applicant's representative, David Martland, was not able to be in attendance. He requested that the matter be continued to the February Planning Board meeting.

**Motion** by Mr. Weber, seconded by Mr. Sullivan, to continue the matter to the Planning Board meeting scheduled for February 10, 2016 at 6pm. **Vote:** 6-0-0.

5. **Public Hearing - Application of John Warner for combined Preliminary and Final Plan approval of a proposed 3-lot major subdivision. Property fronting on Paradise Avenue, Serenity Drive, and Maidford River Road, and located approximately 300 feet to the east of the intersection of Serenity Drive and Compton View Drive, Assessor's Plat 120, Lot 68.**

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

Mr. Silva described the process that has led to the Board's consideration of the plan for preliminary and final approval.

The applicant's engineer, Kevin Demers of DiPrete engineering, reviewed the plans, including modifications made since the master plan review as a result of Technical Review Committee review. He noted that proposed lot C had increased to 5 acres in order for the owner to take advantage of farm, forest, and open space property tax provisions.

Mr. Sullivan asked if any changes were made to the proposed topography or drainage patterns on the revised plans. Mr. Demers stated that there were no significant changes, and that the RIDEM had approved the plans.

Mr. Eckhart asked if the proposed conservation easement had changed. Mr. Silva stated that it had not. The proposal to convey a conservation easement over Lot C remains in place.

Ms. Cirillo opened the floor for public input.

Maria Patricio of 12 Maidford River Rd. stated that she was concerned about the statement that the plans have been revised since the master plan approval, including the proposed extension of Maidford River Rd. She asked for confirmation that Maidford River Rd. would not be extended to connect to Serenity Dr. She also stated that she is concern about storm water runoff, given past impacts from drainage ponds currently located upslope from her property.

Mr. Silva described the proposed changes to the plan since the master plan. He confirmed that the plan will not result in connection of Maidford River Rd. and Serenity Dr. Mr. Demers described the proposed extension of Maidford River Rd. shown on the plans but stated that the extension will not be built, given the plan to conserve lot C. The only work in Maidford River Rd. will be to provide for the proposed sewer connection to serve lots A & B.

There being no one else wishing to speak, **motion** by Mr. Weber, seconded by Mr. Ciummo, to close the public hearing. **Vote:** 6-0-0.

Mr. Wolanski reviewed the recommended conditions of approval contained in his memo to the board dated January 6, 2016. He recommended an additional condition regarding the need for the solicitor to review and approved draft access and utilities easement documents.

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

1. Prior to recording the final plan required performance security in an amount approved by the Town Engineer, and in a form acceptable to the Finance Director, must be posted.
2. Prior to recording the Town Engineer must complete review and approve the storm water management plan and calculations.
3. Prior to recording the final plan, revisions to the plan requested by the Technical Review Committee shall be completed. These include: extension of the full current pavement width of both Serenity Dr. and Maidford River Rd. to 10' beyond proposed driveway entrance for each lot; proposed private sewer line shall be a minimum 6" diameter and include manhole structures at transition points; and the plan shall be revised to indicate the removal of the property line at the location of the proposed extension of Serenity Dr.
4. Prior to recording the plan the applicant shall provide draft easement documents for all proposed access and utilities easements for review and approval by the Town Solicitor

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

## 6. Updates

- **Aquidneck Island Planning Commission.**

Mr. Wolanski stated that he had no updates on AIPC activities.

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

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

## 7. Consideration of proposed zoning map amendments and recommendation to the Town Council.

Ms. Cirillo stated that the board had held two public hearings on the proposed amendments to the zoning map and must now determine how to proceed.

Mr. Wolanski noted that the board had received a letter dated January 13, 2016 from attorney David Martland on behalf of his client, Middletown Self-Storage, owner of property subject to one of the proposed amendments, Plat 114, Lot 757.

Mr. Sullivan stated that he supports the amendments proposed for properties on West Main Rd. (R-20 to R-10), East Main/Mitchells (residential to Open Space), Forest Ave. (Office Business to R-20), and Two-Mile Corner (OB to GB). He stated that he would not support moving forward with the proposal for property fronting on Honeyman Ave., changing the zoning from R-20 to Limited Business due to the concerns raised by residents in the neighborhood. He stated that his preference would be to rezone properties along Paradise Ave. from R-30 to R-40, rather than rezoning some to R-60. This is consistent with the Comprehensive Plan and treats all subject properties the same.

Mr. Weber stated that he agreed with the suggestion to rezone properties along Paradise Ave. to R-40, rather than R-60. He also expressed concern about the proposal to change the zoning of the parcel on Honeyman Ave.

Attorney Robert Silva, speaking on behalf of Middletown Self-Storage, referenced the letter from Mr. Martland and reiterated his client's willingness to accept conditions on the rezoning which would prohibit any access to the property from Honeyman Ave.

Mr. Weber stated that he would like to have more information on the scope and design of the proposed development on the subject parcel before considering the zone change. He suggested that the board not make a recommendation on this item at this time.

1. Regarding the proposed change in zoning for parcels designated in the comp plan for high-density residential use in an area along the east side of West Main Rd. north of Oliphant Lane from R-20 to R-10, identified on submap #1, **motion** by Mr. Weber, seconded by Mr. Ciummo, to find the change consistent with the Middletown Comprehensive Community Plan and the purposes of zoning identified in §45-24-30 RIGL, and to forward a positive recommendation to the Town Council. **Vote:** 6-0-0.
2. Regarding the proposed change in zoning from residential (R-30 & R-40) to open space (OS) for the town-owned former Boulevard and Tibbett's Farm properties, identified on submap #2, **motion** by Mr. Weber, seconded by Mr. Sullivan, to find the change consistent with the Middletown Comprehensive Community Plan and the purposes of zoning identified in §45-24-30 RIGL, and to forward a positive recommendation to the Town Council. **Vote:** 6-0-0.
3. Regarding the proposed change in the zoning of certain properties near the southern end of Forest Ave. from office business (OB) to R-20, identified on submap #3, **motion** by Mr. Weber, seconded by Mr. Ciummo, to find the change consistent with the Middletown Comprehensive Community Plan and the purposes of zoning identified in §45-24-30 RIGL, and to forward a positive recommendation to the Town Council. **Vote:** 6-0-0.
4. Regarding the proposed change in the zoning of the Bank Newport property at Two-mile Corner from office business (OB) to general business (GB), identified on submap #4, **motion** by Mr. Weber, seconded by Mr. Croce, to find the change consistent with the Middletown Comprehensive Community Plan and the purposes of zoning identified in §45-24-30 RIGL, and to forward a positive recommendation to the Town Council. **Vote:** 6-0-0.
5. Regarding the proposed change in the zoning of a parcel fronting Honeyman Ave. and abutting the Middletown Self-Storage facility on Aquidneck Ave. from R-20 to limited business (LB), identified on submap #5, **motion** by Mr. Eckhart, seconded by Mr. Sullivan, to table the matter for future consideration. **Vote:** 6-0-0.

6. Regarding the proposed change in zoning of properties along Paradise Ave. from R-30 to either R-40 or R-60, identified on submap #6, **motion** by Mr. Ciummo, seconded by Mr. Weber, to find the change consistent with the Middletown Comprehensive Community Plan and the purposes of zoning identified in §45-24-30 RIGL, and to forward a positive recommendation to the Town Council to rezone the subject properties from R-30 to R-40. **Vote:** 6-0-0.

**8. Comprehensive Plan Implementation – Consideration of proposed Zoning Map amendments, and other implementation items.**

Mr. Wolanski stated that the Board has a special meeting scheduled for January 28, 2016 at 4pm to continue discussion of the draft mixed-use zoning ordinance.

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

*Meeting adjourned at 6:50 pm.*

Respectfully submitted:  
Ronald Wolanski  
Planning Director