



Town of Middletown Planning Department

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

PLANNING BOARD MINUTES

JANUARY 28, 2016

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
Paul Croce
John Ciummo

Ron Wolanski, Planning Director
Drew Pflaumer, Principal Planner
Peter Regan, Town Solicitor
Chris McNally, Assist. Town Solicitor

Member absent:

Jan Eckhart

The meeting was called to order by Ms. Cirillo at 4:00pm.

1. Consider recommendation to the Town Council on a proposed amendment to Middletown Zoning Ordinance Section 605 regarding maximum building footprint.

Mr. Wolanski stated that the board has been discussing options of further regulating development of large retail buildings, a desire also expressed by the Town Council in recent discussions regarding a moratorium on shopping center and "big box". The Town Solicitor has prepared a draft ordinance amendment that would accomplish this by removing the footnote in section 605 which allows for a building to exceed the 35,000 sq.ft. footprint limit in certain zoning districts by special use permit granted by the Zoning Board of Review. The proposed amendment is on the Town Council's February 1st docket to be ordered advertised for public hearing. If adopted, a variance would be required to exceed the building footprint limit of 35,000 sq.ft. in business districts.

Mr. Sullivan asked about the difference between a variance and special use permit. Mr. Wolanski and Mr. Regan explained the differing burdens of proof required to be met.

Mr. Croce asked about the impact on existing buildings that currently exceed the footprint limits. Mr. Regan explained that there would be no immediate impact on existing buildings. If an expansion of such a building were proposed, a zoning variance would be necessary in order to proceed.

Mr. Weber noted that section 605 addresses footprint size, not total building floor area. Floor area needs can also be met by providing a second or third floor.

Ms. Cirillo noted that large retail stores are in decline. She referenced the recently announced closure of area Sam's Club stores.

Motion by Mr. Croce, Seconded by Mr. Sullivan, to find the proposed amendment consistent with Middletown's comprehensive plan, and with the purposes of zoning, and to forward the proposed amendment to the Town Council with a positive recommendation. **Vote:** 6-0-0

2. Review and discuss draft documents related to proposed amendments to the Middletown Zoning Ordinance regarding mixed-use development in general business districts and building size limitations for residential districts.

Mr. Wolanski reviewed the highlights of the latest rough draft, dated January 25, 2016. Revisions include those discussed during the last special Planning Board meeting, and based on discussions since then with the solicitor's office.

Points of discussion included the following:

- General consensus that only projects with multiple proposed mixed-use buildings would be subject to the new regulations.
- Allowing mixed-use developments on the Limited Business district, and possibly Office Business should also be considered.
- Agreement to remove the application review process and criteria sections from the draft, as these issues are already addressed in the lands development regulations.
- Regarding prohibited uses, consider allowing drive-through for banks and/or pharmacies, if not restaurants. May be need to tighten the language on some items to avoid unintended impacts.
- Need to consider reduction in minimum open space requirements, and conservation easement requirement, given that mixed-use is optional and to be encouraged. Any public open space should be conserved.
- Consensus that there should be an appropriate maximum amount of retail development (perhaps 35%), and wide range for percentage of residential (perhaps 25-75%). The mix of other uses should be determined by the market rather than being prescribed by the town.
- General consensus that residential density limitations should allow more units/acre than the town's current multi-family regulations require.
- Agreement to remove the commercial, recreation and other density limits in the current draft. Current design requirements, such as landscaping, parking, drainage, building coverage limits will effectively limit the size of developments.
- Regarding potential incentives, need to be specific on what must be provided to get incentive, rather than leaving it to the discretion of the Planning Board.

By consensus it was decided that the Planning Board will next meet to discuss this matter on February 8, 2016 at 3:30pm.

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

Meeting adjourned at 5:30 pm.

Respectfully submitted:
Ronald Wolanski
Planning Director