



Town of Middletown Planning Department

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

PLANNING BOARD MINUTES

JUNE 8, 2016

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

Board members present:

Art Weber, Chair
John Ciummo, Vice Chair
Matthew Sullivan, Secretary
Paul Croce
Elizabeth Drayton
Jan Eckhart
Bill Nash

Ron Wolanski, Planning Director
Peter Regan, Town Solicitor

The meeting was called to order by Mr. Weber at 6:00pm.

1. Approval of the minutes of the May 11, 2016 regular Planning Board meeting.

Motion by Mr. Ciummo, seconded by Mr. Sullivan, to approve the minutes of the May 11, 2016 regular Planning Board meeting. **Vote:** 7-0-0.

2. Correspondence

- Memo to the Planning Board from the Town Planner dated May 9, 2016 regarding approval of an administrative subdivision – Kenko Builders, Inc., Trout Drive, Plat 120, Lots 903 & 904.

Motion by Mr. Croce, seconded by Mr. Sullivan, to receive the memo. **Vote:** 7-0-0.

3. Request of the Zoning Board of Review for an advisory recommendation on a petition of William & Elizabeth Gill & David Lawrence on an application for a special use permit to allow proposed development of a 37-unit Senior Independent Living Facility in Zone 1 of the Watershed Protection District pursuant to sections 1106 and 2202 of the Middletown Zoning Ordinance. Property Located at 1 Thelma Lane, Plat 111, Lots 14, 23, & 23B.

The applicant was not present.

Mr. Wolanski stated that he had talked with the applicant's attorney who requested that the matter be continued in order for the subject application to be heard during the same meeting as the anticipated development plan review application.

Motion by Mr. Ciummo, seconded by Mr. Sullivan, to continue the matter to the July 13, 2016 Planning Board meeting. **Vote:** 7-0-0.

- 4. 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 115SE, Lots 132, 133, 134.**

Motion by Mr. Sullivan, seconded by Mr. Croce, to open the public hearing. **Vote:** 7-0-0.

Attorney Robert Silva represented the applicant. A revised plan set, dated June 7, 2016, was submitted to the board. Mr. Silva described the project.

Following Mr. Silva's presentation Mr. Weber asked how long the project construction would take. The applicant's engineer, Patrick O'Leary of VHB stated that the project would take approximately six months to complete.

Mr. Sullivan requested clarification of an easement identified on the plan. Mr. Silva addressed the question.

Mr. Silva noted that the Middletown Conservation Commission had issued its recommendation in favor of the project on April 15, 2015. He provided a copy to the board members. He stated that the CRMC and RIDEM approvals have been received. He reviewed the zoning relief that is being requested of the Zoning Board of Review.

There was discussion with the board of the need to streamline the state and local development review processes.

The applicant's engineer, Mr. O'Leary, noted that some of the delay with permitting of this application was due to the ongoing environmental remediation on site, and not due to local or state processes. He provided revised renderings of the proposed building dated June 2016. He reviewed the site plan, including proposed storm water treatment. Currently storm water on the site receives no treatment. The proposal will result in treatment of all storm water on the site, except for roof runoff, which will be infiltrated but not otherwise treated.

There was discussion of the proposed storm water treatment. Mr. Wolanski stated that it is his understanding that the runoff from the site does not enter Easton's Pond, contrary to a statement made by the applicant's engineer.

Mr. Eckhart stated that the proposed drainage plan, including BMPs could be used as a good example for other developments.

There was discussion of the requested zoning variance from the minimum required number of parking spaces. Mr. Silva stated that 14 spaces are required. With the six spaces at the pumps and eight at the front of the store, his argument to the zoning board will be that the plan provides sufficient parking. Mr. O'Leary stated that there are also two employee parking spaces in front of the dumpster that are not identified as parking spaces on the plan, bringing the total of spaces to 16. He also stated the property will have an improved

circulation pattern compared to the existing situation. He described the grading and types of pavement to be used.

Mr. Silva reviewed the waivers requested from the town's commercial development design standards. Certain waiver requests will be eliminated due to revisions to the street side façade of the building. He also stated that mullions will be added to all proposed windows in order to comply with the requirement for true or simulated divided light windows.

Mr. Eckhart requested samples of the materials to be used on the exterior of the building. The applicant stated that samples will be provided for review.

Mr. Croce requested clarification on the report provided by WEB Engineering on the design of the fuel dispensing system. The size of certain tanks referenced in the report is inconsistent. William Baird of WEB Engineering provided a corrected report.

Mr. Croce noted that the building elevation plans indicate that the mechanical equipment to be located on the roof of the proposed building would be visible from the street. Mr. O'Leary indicated that he will review the plans with the architect to confirm the location of mechanical equipment.

There was discussion of the proposed landscaping on the west side of the lot. A white, vinyl-clad fence is proposed. Some board members expressed a desire to maintain the view of Easton's Pond. The applicant was asked to consider alternatives for the fence design.

Mr. Wolanski stated that it appears that the landscaping plan has been revised to address comments of the Middletown Tree Commission.

There was additional discussion of the fuel tank design. Mr. Baird described the safety and leak detection features of the proposed installation. Mr. Nash asked if a triple-wall tank would be superior to the proposed double-wall tanks. Mr. Baird stated that in his opinion the proposed double-walled tanks are the superior design.

The applicant's traffic engineer Maureen Chlebek of McMahon Associates reviewed the results of her analysis of the project. The project will not have an adverse impact on Aquidneck Ave. traffic compared to current conditions. On-site circulation will be improved. She provided a truck circulation overlay map indicating that fuel delivery and other large trucks, including fire apparatus, will have adequate access to the property. She stated that the number of proposed parking spaces appears adequate.

There was discussion of proposed improvements to the state road in the area. Mr. Wolanski stated that the project would not conflict with potential future road improvements.

Given the need to review proposed building materials and proposed revisions to the plans, it was suggested, and the applicant agreed to a continuance to the July Planning Board meeting.

Motion by Mr. Ciummo, seconded by Mr. Croce, to continue the matter to the July 13, 2016, 6pm, Planning Board meeting. **Vote:** 7-0-0.

5. Updates

- **Comprehensive Plan Implementation**

Mr. Wolanski stated that the Board has approved a list of potential members to the working group to work on the proposed agricultural overlay district. Mr. Regan advised that the creation of such a group would require Town Council authorization, and they might wish to advertise for potential members. By consensus the Planning Board decided that the board itself would serve as the working group, but would invite the previously identified individuals to attend meetings. Mr. Wolanski stated that he would contact GrowSmartRI to setup a kickoff meeting with the Planning Board.

Regarding mixed-use development, Mr. Regan and Mr. Wolanski stated that the RI legislature is considering a bill which would authorize towns to adopt a streamlined review process for applications that require both Planning Board review and zoning variance or special use permit. If that bill passes, it would allow Middletown to incorporate such provisions into the drafting of the mixed-use ordinance.

Regarding bulk zoning, the Planning Board subcommittee established to draft proposed zoning amendments will meet on June 15th.

- **Aquidneck Island Planning Commission.**

Mr. Wolanski stated that the AIPC has provide a draft strategic plan and is seeking comments from town boards and committees. Mr. Weber suggested, and the board agreed, to request that the AIPC focus on opportunities for regionalization of municipal services.

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

Mr. Wolanski stated that the town has been advised that additional environmental investigation will be conducted by the Navy on the land proposed for development of the shoreline park. That work will result in a delay in the transfer of that parcel. The former Navy Lodge parcel on West Main Rd. is on schedule for transfer later this year.

Motion to adjourn by Mr. Sullivan, seconded by Mr. Croce. Vote: 7-0-0.

Meeting adjourned at 8:30 pm.

Respectfully submitted:
Ronald Wolanski
Planning Director