



## Town of Middletown Planning Department

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

### PLANNING BOARD MINUTES

**JANUARY 11, 2017**

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

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

Art Weber, Chair  
John Ciummo, Vice Chair  
Matthew Sullivan, Secretary  
Paul Croce  
Bill Nash  
Liz Drayton

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 December 14, 2016 regular Planning Board meeting and the special meetings of December 9, 2016 and December 14, 2016.**

**Motion** by Mr. Croce, seconded by Mr. Sullivan, to approve the minutes of the December 14, 2016 regular Planning Board meeting and the special meetings of December 9, 2016 and December 14, 2016. **Vote:** 5-0-0, Ms. Drayton had yet to arrive.

#### **2. Correspondence**

1. Memorandum of the Town Planner dated January 3, 2017 regarding Administrative Subdivision – Alan A. Perry, Anthony F. Perry, Jr., Benjamin G. Perry, Mary Rose Perry Trust, 767-809 East Main Rd., 12 Turner Rd., Plat 118, Lots 27, 27A, 27B
2. Memorandum of the Town Planner dated January 3, 2017 regarding Administrative Subdivision – Laurie Ruttenberg, 599 East Main Rd., Plat 113, Lots 176, 177, 178
3. Memorandum of the Town Planner dated January 3, 2017 regarding Administrative Subdivision – Carol A. Cummings, 738 Indian Ave., Plat 129, Lots 47, 154.

**Motion** by Mr. Croce, seconded by Mr. Sullivan, to receive the correspondence. **Vote:** 5-0-0, Ms. Drayton had yet to arrive.

#### **3. Public Hearing – Request of the Zoning Board of Review pursuant to section 308 of the Middletown Zoning Ordinance for Development Plan Review on a petition of Middletown Self-Storage, LLC for a special use permit to allow construction of a 68,000 sq.ft. addition to an existing commercial building to be used for self-storage, and associated site work on property located in the limited business traffic sensitive (LBA) district. Property located at 875 & 909 Aquidneck Ave., Plat 114, Lots 657 & 758.**

Mr. Weber stated that the Planning Board conducted a site visit, and that he is recommending that the revised plans be referred to the Technical Review Committee for review.

Attorney David Martland represented the applicant. He indicated that he was aware of the Planning Board's desire to refer the revised plans to the Technical Review Committee for review.

**Motion** by Mr. Ciummo, seconded by Mr. Nash to continue the matter to the February 8, 2017 Planning Board meeting at 6pm and to refer the revised plans to the Technical Review Committee for review. **Vote:** 5-0-0, Ms. Drayton had yet to arrive.

4. **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 36-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 at the request of the Planning Board the plans for the proposed project had been forwarded to the Town's consulting engineer for review. The review is not yet complete. He recommended that the matter be continued to the February Planning Board meeting.

**Motion** by Mr. Sullivan, seconded by Mr. Croce, to continue the matter to the February 8, 2017 Planning Board meeting at 6pm. **Vote:** 5-0-0, Ms. Drayton had yet to arrive.

5. **Public Hearing - Request of the Zoning Board of Review for an advisory recommendation on an application for Development Plan Review, KREG, LLC (William & Elizabeth Gill & David Lawrence, owners) for a special use permit to allow proposed development of a 36-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 at the request of the Planning Board the plans for the proposed project had been forwarded to the Town's consulting engineer for review. The review is not yet complete. He recommended that the matter be continued to the February Planning Board meeting.

**Motion** by Mr. Sullivan, seconded by Mr. Croce, to continue the matter to the February 8, 2017 Planning Board meeting at 6pm. **Vote:** 5-0-0, Ms. Drayton had yet to arrive.

6. **Request of the Town Council for an advisory recommendation on a petition of Samuel's Realty, Inc. requesting that property fronting on Aquidneck Ave., Plat 114, Lots 108 & 109 be re-zoned from medium density residential/traffic sensitive (R-20A) to limited business/traffic sensitive (LBA).**

Attorney Robert Silva represented the applicant. He discussed the prior petition to rezone the property, for which the Planning Board had issued a positive recommendation. He noted that the current petition is also consistent with the Middletown Comprehensive Plan in that the plan designates the subject parcels for limited & office business use and the petition specifies that the land could only be used for an expansion of the Polo Center as a condition of the zone change.

Mr. Sullivan asked about the anticipated use of the property. Mr. Silva stated that, consistent with the current Polo Center, it would be used for professional office and small-scale retail development.

Mr. Sullivan asked about the impact of the current legal challenge regarding the Town Council's denial of the prior petition. Mr. Regan stated that the court case has no bearing on the current petition.

Mr. Silva noted that prior to any development of the subject property, review of the development plan by the Planning Board would be required.

Mr. Croce asked if the applicant has considered the possibility of introducing residential use into the mixed-use concept, given the Planning Board's current work on a mixed use ordinance that, if adopted, will likely allow for a residential component. Ms. Silva stated that he had not discussed that possibility with his client.

Mr. Wolanski reviewed the findings that the Planning Board is required to make in providing its recommendation to the Town Council.

Mr. Weber offered an opportunity for public input. No members of the public wished to speak.

**Motion** by Mr. Ciummo, seconded by Mr. Sullivan, to make the following findings and to provide a positive recommendation on the petition to the Town Council:

1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and

(2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL.

**Vote:** 5-0-1, with Mr. Croce abstaining.

## **7. Discussion of potential amendments to the Zoning Ordinance and Rules and Regulations Regarding the Subdivision and Development of Land regarding density limitations for conservation development.**

Mr. Wolanski provided the board with drafts of proposed revisions to the zoning ordinance and subdivision regulations that would eliminate ambiguity regarding the determination of density in conservation developments.

By consensus the matter was continued to the February 8, 2017 Planning Board meeting, and the solicitor was asked to review and comment on the drafts.

## **8. Updates**

1. **Agricultural overlay district** – Mr. Wolanski stated that he and Mr. Millar from GrowSmartRI will revise the draft based on the most recent meeting. The revised draft will be presented to the Planning Board for consideration.
2. **Mixed-Use Zoning**- Mr. Regan stated that he will provide the revised draft to the Town Planner shortly.
3. **Residential bulk zoning**- Mr. Regan stated that he had completed research and found that there are examples of significantly complicated ordinances relative to tying

roof height limitations to roof pitch. He suggested that this might not be the best alternative for the town. Mr. Weber agreed, and stated that the Planning Board is not obligated to put forward any proposed amendments. The Comprehensive Plan calls for investigating the issue.

4. **Update on activities of the Aquidneck Island Planning Commission.** Mr. Wolanski stated that he had no update on activities of AIPC.
5. **Update on BRAC Navy Surplus Land reuse planning process.** Mr. Wolanski stated that the latest estimate of the timeframe for transfer of the former Navy Lodge parcel is approx. June 1, 2017.

**Committee reports** – There were no committee reports.

*Motion to adjourn by Mr. Nash, seconded by Mr. Croce. Vote: 6-0-0.*

*Meeting adjourned at 6:25 pm.*

Respectfully submitted:  
Ronald Wolanski  
Planning Director