



Town of Middletown Planning Department

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

PLANNING BOARD MINUTES

APRIL 12, 2017

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

Board members present:

Paul Croce, Chairman
Bill Nash, Secretary
Liz Drayton
Terri Flynn
Betty Jane Owen
Jim Williams

Ron Wolanski, Planning Director
Peter Regan, Town Solicitor

Member absent:

Matt Sullivan, Vice Chair

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

1. Approval of the minutes of the March 16th, 21st, 24th & 29th, 2017 Planning Board meetings.

Motion by Ms. Owen, seconded by Mr. Nash to approve the minutes of the March 16, 2017 Planning Board meeting. **Vote:** 5-0-0. (Ms. Drayton had yet to arrive.)

Motion by Ms. Owen, seconded by Mr. Nash to approve the minutes of the March 21, 2017 Planning Board meeting. **Vote:** 4-0-1. Ms. Flynn abstained. (Ms. Drayton had yet to arrive.)

Motion by Ms. Owen, seconded by Mr. Nash to approve the minutes of the March 24, 2017 Planning Board meeting. **Vote:** 5-0-0. (Ms. Drayton had yet to arrive.)

Motion by Mr. Nash, seconded by Ms. Owen to continue consideration of the minutes of the March 29, 2017 Planning Board meeting to May 10, 2017. **Vote:** 5-0-0. (Ms. Drayton had yet to arrive.)

2. Public Informational Meeting - Request of Trademark Builders, LLC for Master Plan approval, including request for waivers from certain provisions of the subdivision and land development regulations, for a proposed 7-lot major subdivision of property fronting on Vaucluse Ave. The property is identified as 288 Vaucluse Ave, Assessor's Plat 129, Lot 21, and is located approximately 800 feet to the south of the intersection of Vaucluse Ave. and Peckham Ave.

Mr. Wolanski stated that the applicant is requesting a continuance because his engineer was unable to attend the meeting.

Motion by Mr. Nash, seconded by Ms. Flynn to continue the matter to the May 10, 2017 Planning Board meeting at 6pm. **Vote:** 5-0-0. (Ms. Drayton had yet to arrive.)

3. Correspondence

Memo communication of Karen Reese, dated March 24, 2017 regarding the application of Middletown Self-Storage, LLC.

Motion by Ms. Owen, seconded by Mr. Williams to receive the communication. **Vote:** 5-0-0. (Ms. Drayton had yet to arrive.)

4. 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.

Attorney David Martland represented the applicant. He asked about how to proceed with his presentation given that there are new members of the board. Mr. Croce suggested that a summary of the previous testimony would be appropriate.

Mr. Martland reviewed the history of the proposal and the changes that were made to the plan since the prior meeting to address Planning Board concerns. No waivers from the commercial development design standards are requested.

The applicant's engineer, Mike Russell, reviewed the proposed site plan. He noted changes to the footprint of the building and the addition of a landscaped buffer around the building as required by the regulations.

Ms. Owen asked if the Middletown Tree Commission had reviewed the landscaping plan. Mr. Wolanski stated that the latest plan had not been provided to the tree commission.

Ms. Flynn asked if the existing mature trees would be relocated. The applicant, Mr. Reed, stated that the trees would be replaced with smaller trees.

Ms. Drayton stated that at the prior meeting she had requested renderings showing the elevations of the buildings on the subject and abutting properties looking from Aquidneck Ave. The applicant confirmed that such renderings were not provided.

Ms. Drayton stated that the proposed building would be one of the tallest on Aquidneck Ave. She expressed concern over the size and visual impact of the building, and how the character of Aquidneck Ave. will change if similar buildings are allowed to be developed on other properties along the street.

Mr. Martland stated that the proposal meets all town zoning and commercial design requirements. To address concerns about what is allowed, the zoning ordinance or regulations would have to be amended.

Ms. Drayton stated that it is difficult to quantify the impact on neighborhood character.

Ms. Flynn asked about the amount of storage space in the applicant's buildings. Mr. Reed stated that there is a total of approximately 115,000 sq.ft. in the two existing buildings. Ms. Flynn asked about the ability of the market to support the use. Mr. Wolanski and Mr. Regan advised that market viability is outside the parameters of the development plan review. Ms. Flynn noted language in the comprehensive plan expressing concern over potential future vacant commercial space if large retail businesses cannot survive.

Ms. Flynn asked if equipment on the rooftop would be screened from view. Mr. Reed stated that it would be.

Ms. Flynn asked about the impact of excavation on stormwater runoff. Mr. Russell stated that there would be temporary stormwater controls in place during construction. The final stormwater treatment system would meet state and local requirements.

Ms. Flynn suggested that the applicant consider redesigning the addition to be on the north side of the existing building. She asked if the build would have fire sprinklers. Mr. Martland stated that it would.

Mr. Martland introduced real estate expert Nate Godfrey. Mr. Godfrey stated that he had reviewed the project and found it to be appropriate development for the location, given the zoning.

Mr. Nash asked if the project could meet the five required findings. Mr. Godfrey stated that it could. Regarding goals of the comprehensive plan, the project is infill development of an existing commercial property, rather than sprawl into undeveloped parcels.

Mr. Williams expressed concern for impact on abutting residents, and traffic impacts.

Mr. Godfrey stated that the project would use an existing curb cut on Aquidneck Ave. and the storage use is a low-traffic generator compared to other allowed uses.

Mr. Williams stated that he is concern about other properties being built out.

Mr. Martland stated the applicant is requesting no relief from town regulations. It is an allowed use.

Ms. Drayton asked about the rationale behind the special use permit process. Mr. Regan discussed the purpose of the special use permit, including providing additional oversight for more intense uses.

Mr. Croce invited public input on the application.

Kathleen Kroger of 215 Honeyman Ave. stated that she is opposed to the project. The town should stop this type of industrial development. It is adversely impacting the character of the town.

Caroline McNamara of 215 Honeyman Ave. stated that the proposed use doesn't belong in the limited business district, which is described as a district for providing for the daily needs of the local community. The development on the east side of town should remain less intense. She expressed concern for traffic impacts on Aquidneck Ave.

Mr. Wolanski stated that uses allowed and other requirements for development in the limited business district are prescribed in the zoning ordinance. Amendments would have to be proposed and adopted.

Karen Reese of 148 Honeyman Ave. stated that she had submitted written comments to the board. The project is too big and is out of scale with the surrounding development. The comprehensive plan calls for protection of community character. The project is similar in size to a Home Depot store.

Mr. Martland stated that the Middletown Home Depot store has a footprint of approximately 80,000 sq.ft. The proposed building would have a footprint of 16,000 sq.ft. The main Middletown Self-storage building has a footprint of approximately 48,000 sq.ft.

Zack Cobb of 28 Ocean View Dr. asked about the measurement of the height of the building, which the applicant addressed.

There being no other members of the public wishing to speak, **motion** by Ms. Owen, seconded by Ms. Flynn, to close the public hearing. **Vote:** 6-0-0.

Motion by Mr. Nash, seconded by Ms. Flynn, to make the required findings, and forward a positive recommendation to the Zoning Board of Review on the Development Plan Review application, subject to the conditions recommended by the Town Planner.

Mr. Nash stated that the applicant has satisfied the required findings.

Ms. Flynn stated that she is concerned that the proposal does not comply with the comprehensive plan, particularly regarding encroachment on the residential neighborhood. She referenced page IX-19 of the plan regarding infill development.

Mr. Martland asked to be heard.

Motion by Mr. Nash, seconded by Ms. Flynn to re-open the public hearing. **Vote:** 6-0-0.

Mr. Martland stated that the proposal complies with discussion on page IX-12 of the comprehensive plan regarding infill development.

Motion by Ms. Owen, seconded by Ms. Flynn, to close the public hearing. **Vote:** 6-0-0.

Ms. Flynn stated that she could not find that the proposal meets required finding #1 regarding impact on health, safety, and welfare; #2 regarding appropriate use in the district, and #4 regarding consistency with the comprehensive plan. She will not support the proposal.

Mr. Croce stated that he is concerned with the size of the building. It will dominate the area.

Ms. Owen stated that the proposed building addition is too big.

Ms. Drayton thanked the applicant for attempts to address the board's concerns, but the proposed building addition is out of scale with the area.

On the motion to forward a positive recommendation to the Zoning Board of Review, **Vote** 1-5-0, with Mr. Croce, Ms. Drayton, Ms. Flynn, Ms. Owen, and Mr. Williams voting in opposition.

5. Request of David Martland, Esq., on behalf of his client for concept review – Proposed major subdivision of land fronting on Oliphant Lane, Plat 118, Lot 5.

Mr. Martland, on behalf of his client, J.A.M. Inc, presented a proposed concept plan of potential development of the property for 18 residential lots. The density is based on R-20 zoning. The subject property is zoned R-30, but abutting property is zoned R-20. Mr. Martland noted that the board on a previous application had used its discretion in determining the number of units that should be allowed.

There was discussion that conventional development of the property, under R-30 zoning would yield 11-12 lots.

There was discussion from some board members that 18 lots would be too many. Some members suggested that a conventional plan, rather than a conservation plan might be supported.

Mr. Martland thanked the board for its input.

6. 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. Croce suggested, and by consensus the board agreed to hold the public hearing on the proposed amendments during its regular May 10, 2017 Planning Board meeting.

7. Review of the Town's proposed FY2018-2022 Capital Improvement Program (CIP) for consistency with the Middletown Comprehensive Community Plan.

Mr. Wolanski reviewed the purpose of the CIP and the role of the Planning Board to certify consistency with the Middletown Comprehensive Community Plan.

Motion by Ms. Flynn, seconded by Ms. Drayton, to find that the proposed FY18-FY22 CIP is consistent with the goals and policies of the comprehensive plan.

8. Updates

1. Agricultural overlay district

Mr. Wolanski stated that the RI Farm Bureau has raised concerns about a similar proposal in Exeter. He is reaching out to local farmers to identify any similar concerns, and to gauge the level of support for the current draft.

2. Mixed-Use Zoning

Mr. Croce stated that the board will be scheduling a public workshop meeting. He requested that all members complete the scheduling poll.

3. Residential bulk zoning

Mr. Croce stated that the subcommittee that had worked on the effort in the past will reconvene to continue discussion on April 17th.

4. Update on activities of the Aquidneck Island Planning Commission.

There was no update on activities of AIPC

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

Mr. Wolanski stated that the town is still anticipating transfer of the former Navy Lodge parcel in early summer 2017.

Committee reports

Ms. Owen stated that the Tree Commission has gone out to bid for planning of trees in the Middletown Valley park.

Other

Mr. Croce noted that board members had been provided a copy of the Atlantic Beach District Master Plan. He requested that members. Review and become familiar with the document.

Motion by Ms. Owen, seconded by Ms. Flynn to adjourn. Vote: 6-0-0.

Meeting adjourned at 8:25 pm.

Respectfully submitted:
Ronald Wolanski
Planning Director