



## Town of Middletown Planning Department

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

### PLANNING BOARD MINUTES – SPECIAL MEETING August 24, 2017 Middletown Police Station, Community Room 123 Valley Rd., Middletown, RI

#### Board members present:

Paul Croce, Chairperson  
Betty Jane Owen  
Jim Williams  
Bill Nash  
Terri Flynn  
Matt Sullivan

Ron Wolanski, Planning Director  
Peter Regan, Town Solicitor  
Rita Lavoie, Principal Planner

#### Members absent:

Liz Drayton

*The meeting was called to order by Mr. Croce at 5:00pm.*

#### 1. Planning Board orientation and discussion with the Town Solicitor.

Mr. Regan led a discussion regarding the role of the Planning Board in making and implementing policy. Topics covered included the Town Charter; Rhode Island General Laws and enabling legislation; the Middletown Comprehensive Plan; and how the Planning Board's responsibilities relate to the Zoning Board and the Town Council.

The board raised questions about how to properly convey the reasoning behind a failed motion. Mr. Regan advised that each board member should articulate the reasons for their vote and cite facts supporting their conclusions in the "discussion" period of the vote.

Mr. Regan provided an explanation on how to evaluate evidence from a lay person and from an expert.

Members of the board asked about the board's right to hear from third-party experts and how to evaluate non-quantitative findings. It was determined that more time is needed to discuss how the board should address subjective findings and criteria.

**Motion** by Mr. Nash, seconded by Mr. Sullivan to continue the discussion to a future date.

**Vote 6-0-0**

#### 2. Review and discussion with Scott Millar, GrowSmart RI, regarding possible agricultural business overlay district to help maintain working farms in Middletown.

Mr. Nash excused himself from the remainder of the meeting.

Mr. Croce confirmed with the board that every member had a chance to review the agricultural overlay proposal and suggested going page by page through the draft to discuss any revisions. Mr. Wolanski clarified that the language in the draft pertains to accessory uses on farms only, not agricultural activities.

Ms. Flynn suggested that the board include scout camping under allowable uses.

Mr. Millar asked for clarification regarding the removal of language referencing a “farm retail sales building.” There was discussion about regulating the size of the accessory use, not regulating the size of a structure in this ordinance. Retail sales is the use to be regulated, and might take up only a portion of a building, such as a barn. Mr. Wolanski indicated that he will study language concerning the size of the retail use.

Ms. Flynn offered a list of suggested allowable uses by special use permit including festivals, outdoor movies, food festivals, extreme games, auto shows, machine storage, other agricultural uses, and more. The board agreed that many of the uses could be accommodated through the town Special Event permit process, or were not desired by the board, or were already covered because they were agricultural in nature. The board agreed to add language to allow yoga classes by special use permit.

Mr. Wolanski explained that the removal of language under the Development Plan Review (Section E) was to simplify the procedure and make it consistent with existing processes.

There was discussion regarding noise levels permitted in Section F.9. Mr. Regan and others advised that the measurement methodology indicated was too onerous on a police officer’s time. The board agreed to remove the noise section, recognizing that the Town’s existing noise ordinance would still apply.

Questions were raised regarding when an accessory use becomes a primary use. The solicitor indicated that the Zoning Officer makes the determination. Metric evaluations of primary and secondary use were discussed. Mr. Williams and Ms. Owen affirmed that the intent of the ordinance is to support farmers by allowing additional revenue sources on their farm land, thereby helping farms remain farms.

Ms. Flynn asked how many farms are in Middletown and what size they are. Mr. Wolanski distributed a list of farm sizes by parcel. It was indicated that additional research on the size and quantity of farms could be performed and distributed to the board.

There was a discussion on parking requirements.

**Motion** by Ms. Flynn seconded by Mr. Sullivan to prepare a final draft with edits as suggested and schedule a public workshop. **Vote:** 5-0-0

The board thanked Mr. Millar and GrowSmartRI for his efforts on this ordinance.

**Motion** by Mr. Sullivan to adjourn, seconded by Ms. Owen. **Vote** 5-0-0.

*The meeting adjourned at 7:00pm.*

Respectfully submitted

Rita Lavoie, Principal Planner