



Town of Middletown Planning Department

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

PLANNING BOARD MINUTES- SPECIAL MEETING

Use Table Subcommittee Meeting

November 20, 2017 4:00pm

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

Subcommittee board members present:

Bill Nash, Subcommittee Chair

Terri Flynn

Jim Williams

Rita Lavoie, Principal Planner

1. Approval of the minutes of the November 6, 2017 subcommittee meeting.

- Ms. Lavoie distributed amended minutes dated 11/16/2017 and explained that the minutes were amended based on feedback received by Ms. Flynn.
- Mr. Nash indicated that he was satisfied with the original drafted minutes and would like time to review the amendments. He suggested continuing the approval of the minutes to the next meeting of the subcommittee, which has yet to be scheduled.
- Motion by Mr. Nash, seconded by Ms. Flynn to continue the approval of the minutes of the November 6th meeting to the next subcommittee meeting.
- Vote 3-0-0

2. Discussion of potential amendments to the use table of the Middletown Zoning Ordinance, Section 602.

- Ms. Lavoie reviewed maps and tables depicting the zoning districts of North Kingstown, RI and Bristol, RI. She explained that these materials are for reference only and that any decision on Middletown's zoning tables should be based on Middletown's needs.
- Mr. Nash reminded the subcommittee that they are reviewing the uses in the LB district starting where the subcommittee left off at the previous meeting: "single mobile home or transient trailer on a lot."
- The subcommittee reviewed 17 uses from "single mobile home or transient trailer on a lot" to "cleaning and dyeing plant."
- It was announced that changes that the subcommittee cannot come to a consensus on will be flagged for review by the whole planning board.
- Additionally, items that the subcommittee desires input on by the Zoning Officer will be flagged for further review by the Zoning Officer.

- It was recognized that any changes put forth by the subcommittee would apply to new uses. Any existing uses will be grandfathered.
- **“Single mobile home or transient trailer on a lot”** received no recommendation for a change.
- There was discussion regarding changing the **“Institutional dormitory as a principal or accessory use”** from Special Use Permit (S) to Not Permitted (N) in the Limited Business (LB) district, including:
 - i. how the 24 hours a day 7 day a week use will impact neighbors
 - ii. that there is a small likelihood of such a project in the LB district
 - iii. that such a development may be preferable to a hotel/motel due to the required oversight of such a facility
 - iv. that a Special Use Permit can be approved with conditions
 - v. what will happen to such a property during the summer months
 - vi. if it should be part of the conversation with the whole board regarding the similar hotel/motel use.
- Institutional Dormitory was flagged for review by the whole planning board.
- The entire **“Cluster Development”** row was recommended to be removed from the zoning use table because it is no longer relevant as it was replaced by the Conservation Development section in the Middletown Rules and Regulations Regarding the Subdivision and Development of Land.
- **“Family day care home”** received no recommendation for a change, as the Special Use Permit required allows for flexibility and is compatible with the LB district. It was determined that state law requires such a use to be allowed in all districts.
- **“Community residence”** requirements under state law were discussed. It was determined that state law requires such a use to be allowed in all districts. The subcommittee recognized that the language in the zoning code definition appears out of date and potentially offensive. It was suggested that staff work with the zoning officer and research if the language can be amended. This item was flagged for further review by the zoning officer and planning staff.
- **“Senior independent living facilities”** designation as a 55+ living area was questioned. The subcommittee did not recommend making any changes. Subcommittee members asked staff to research why the town uses 55 years-old as the age cut-off.
- **“Time share unit within a multifamily dwelling structure of project, except with a cluster development”** was changed from “S” to “N” because the subcommittee previously recommended not allowing any new multifamily dwellings in the LB district. There was discussion regarding if the “except with a cluster development” language should be removed. Staff indicated that they will look into removing the phrase and report back.
- **“Time share unit within a motel or hotel”** was flagged for review of the whole planning board. There was discussion regarding:
 - i. How timesharing works
 - ii. Who has responsibility for the units
 - iii. If timesharing results in a different experience for neighbors than the hotel/motel use
 - iv. That it allows the businesses revenue flexibility
- No change to **“Mixed residential and commercial uses”**, **“congregate housing”** or **“single-family”** (in conservation development) were proposed.

- **“Two-family”** and **“Multifamily project, including only townhouse style condominiums”** (in conservation development) were both recommended to change from “S” to “N” as the subcommittee previously recommended such changes to conventional development in the LB district since residential uses are not compatible with the intent of the business district.
- **“Earth removal, quarries, sand and gravel lots”** did not receive any recommendations for change.
- **“Construction general contractors, including storage of materials and equipment”** was flagged for review by the whole planning board. There was discussion regarding:
 - i. The amount of such uses in the LB district already
 - ii. If the category should be split into multiple smaller categories
 - iii. How office space including some storage of small equipment may be a good fit for LB, but larger or noisy equipment would not
 - iv. If indoor storage should be allowed
 - v. There was reference to the ongoing application for changes to the ordinance in the office park area
 - vi. Ms. Flynn noted that she felt the construction general contractor including storage or materials and equipment was detrimental to both residential neighbors and neighboring businesses trying to do business.
- **“Storage of bottled gas, oil or other liquid petroleum products”** and **“cleaning and dyeing plant”** did not receive any recommendations for changes.
- There was a motion to adjourn by Mr. Williams, seconded by Ms. Flynn.
- Vote 3-0-0

Meeting adjourned at 5:30 pm

Respectfully submitted:

Rita Lavoie
Principal Planner