



Town of Middletown Planning Department

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

PLANNING BOARD MINUTES March 26, 2018

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

Board members present:

Paul Croce, Chair

Bill Nash, Vice Chair

Terri Flynn, Secretary

Jim Williams

B.J. Owen

Art Weber

Liz Drayton- arrived ~4:15pm

Ron Wolanski, Planning Director

Rita Lavoie, Principal Planner

Christopher McNally, Assistant Town Solicitor

Meeting called to order ~4:00pm (recorded: <https://vimeo.com/262066650>)

- Request of the applicant for reconsideration of the March 14, 2018 vote regarding:** Application by Steven Shelton and Sandra Gowett for Preliminary Plan approval of a 2-lot minor subdivision of land located at 535 Tuckerman Ave., Plat 122, Lot 129.
 - Mr. Croce: prevailing voter must make motion
 - Mr. McNally: re-discussion options not on agenda, only Reconsider
 - Motion** to table until Ms. Drayton arrives by Mr. Nash, seconded by Mr. Weber
Vote: 6-0-0, Ms. Drayton yet to arrive.
- Public Workshop** - Review and discuss possible zoning amendments that would allow for additional agricultural businesses to help maintain working farms in Middletown.
 - Mr. Croce: intent to keep farmland, years of work already
 - Nancy Howard; Portsmouth-3/23/18 letter: some towns and state agencies oppose Farm Promotion Accessory Uses
 - Motion** to receive correspondence by Mr. Nash, seconded by Ms. Flynn
 - Mr. Weber: Portsmouth resident should not interfere; Ms. Owen agreed
 - Vote: 4-2-0 Mr. Weber and Ms. Owen, oppose; Ms. Drayton yet to arrive.**
 - Facilitator, Ms. Jennifer West of Narragansett Bay Estuarine Research Reserve: workshop process overview

Ms. Drayton arrived ~4:15pm

- Advisor, Mr. Scott Millar of GrowSmart RI: power point/proposed ordinance:
 - Involved since 2016
 - Showed Middletown's Comprehensive Plan consistency

- c) Past Middletown survey
 - o alternative farmland uses residents favor
 - o Overall, 94% polled favor alternative/"accessory" farmland uses
 - d) Farm definitions: State, Middletown Section 722
 - e) Currently secondary uses require Special Use Permits; proposed ordinance streamlines, allowing more secondary uses by right.
 - f) Reviewed proposed: uses by right, more intense uses by Special Use Permit
 - g) Implementing design criteria
 - o new structures must comply with current town standards: signage, parking, lighting, non-agricultural setback/screening
 - o temporary buildings must meet town standards, fire codes.
 - h) Right to Farm Act will not be superseded
- Public Questions:
 - a) Ms. Valarie Gelb-94 Shore Dr: Sweet Berry Farm café inquiry. Mr. Jan Eckhart, owner:
 - o His Special Use Permit experience a long process
 - o one objector can force the loss of a farm
 - o RI Dept. of Health licensing required Zoning Officer to sign-off zoning approved for food service
 - o Farm survival difficult with wholesale only/no retail
 - o supports uses done tastefully with common sense, that consider environment
 - o proposed ordinance good start, mayn't be total answer
 - b) Ms. Arleen Kaul-27 Willow Ave: design criteria restrictive; Sweet Berry there without ordinance.
 - o Mr. Weber: Sweet Berry and Vineyard had zoning relief, but difficult
 - o Ordinance streamlines: less intensive uses allowed, easier for farmers
 - o Ms. Owen: South Kingstown farm out of business, alternate use difficulties
 - o Mr. Wolanski: contiguous properties count together for "large farm" status, if desired
 - Ms. West: led discussion, electronic audience polling. Board to get results.
 - Mr. Wolanski clarifications for...:
 - a) ...Mr. Allen Perry-East Main Rd: no farm minimum lot size; 10-acres reasonable "large" farm definition for more intensive secondary uses; this number could be changed, since a draft
 - b) ...Ms. Arleen Kaul-27 Willow Ave: existing uses are legal/grandfathered
 - c) ...Board:
 - o can review/specify further agricultural/non-agricultural definitions
 - o separate ordinances for liquor licenses, marijuana

d) ...Ms. Sabina Silvia-Middletown property owner: State Farm Forest and Open Space tax exemptions are different from Middletown proposed ordinance defining farms, uses

- Mr. McNally for Ms. Kaul: farm sale with no use change, property still a farm, including any approvals granted previous owner
- Discussion: business taxation-farm land/buildings, between tax assessor and farmer; not part of proposed ordinance; farm state tax exemptions for land only
- Ms. West: poster activity inviting public feedback on proposed uses; results to Board 4/11/18
- **Motion** to table the discussion to the April 11, 2018 Planning Board meeting by Mr. Nash, seconded by Mr. Weber
Vote 7-0-0

Mr. Croce: Agenda Item #1: **Request of the applicant for reconsideration of the March 14, 2018 vote regarding:** Application by Steven Shelton and Sandra Gowett for Preliminary Plan approval of a 2-lot minor subdivision of land located at 535 Tuckerman Ave., Plat 122, Lot 129.

- **Motion** to reconsider by Ms. Drayton, seconded by Mr. Nash
 - a. Discussion: motion appropriate - additional testimony
 - b. **Vote 7-0-0**
- **Motion** to continue the application to the April 11, 2018 Planning Board Meeting by Mr. Nash, seconded by Mr. Weber.
Vote 7-0-0

Motion to adjourn by Ms. Owen, seconded by Mr. Weber
Vote 7-0-0

Meeting adjourned at ~5:30pm

Respectfully submitted:

Terri Flynn
Planning Board Secretary