

Town of Middletown

Planning Department



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

PLANNING BOARD MONTHLY MEETING MINUTES July 11, 2018

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

Board members present:

Paul Croce, Chair
Bill Nash, Vice Chair
Terri Flynn, Secretary
B.J. Owen
Art Weber
Liz Drayton
Jim Williams

Ron Wolanski, Town Planner
Peter Regan, Town Solicitor

Paul Croce called the meeting to order at 6:00pm (recording: <https://vimeo.com/279681345>)

1. Meeting Minutes

- A. Motion:** Approve 6/6/2018 regular meeting minutes by Mr. Nash, Ms. Owen-second. **Vote: 7-0-0**
- B. Motion:** Approve 6/25/2018 special meeting/Future Land Use Plan minutes by Mr. Nash, Ms. Owen-second. **Vote: 7-0-0**

2. Correspondence

- A. Town Planner-6/27/2018 memo: Administrative subdivision approval: 100 Boulevard**
Motion: receive correspondence by Mr. Nash, Mr. Weber-second **Vote: 7-0-0**

3. Continuances

I. Continuances/Old Business

Item 4A. 535 Tuckerman Ave – Reconsideration

- Mr. Robert Silva, applicant's attorney: request continuance, may purchase land/new plan

Motion: Continue to 8/8/2018 meeting by Mr. Weber, Mr. Nash-second. **Vote: 7-0-0**

Item 4B. Prospect Avenue Subdivision - Public Hearing/Preliminary, Final Plan approval

- Mr. David Martland, applicant's attorney: request continuance, DEM comments, to TRC

Motion: Continue to 8/8/2018 meeting by Mr. Weber, Mr. Nash-second. **Vote: 7-0-0**

Item 4D. Dining car restaurant; Valley Road – Development Plan Review

Motion: Continue to 8/8/2018 meeting by Mr. Nash, Ms. Owen-second. **Vote: 7-0-0**

Item 4E. Wave Ave/23-Room Hotel - Public Hearing

Motion: Continue to 8/8/2018 meeting by Mr. Nash, Mr. Weber-second. **Vote: 7-0-0**

Item 4F. Wave Ave/23-Room Hotel – Advisory Opinion/SUP

Motion: Continue to 8/8/2018 meeting by Mr. Weber, Mr. Nash-second. **Vote: 7-0-0**

4. Old Business

- C. Application of 2nd Street Construction, LLC for Final Plan approval of a proposed conservation development to consist of 6 dwelling units on land located at 308 Chases Lane, Plat 106, Lots 6A & 516.**

- 1) Mr. Robert Silva, applicant's attorney:
 - a) Application history; Preliminary Plan approval appeal denied, decision final
 - b) Comp Plan consistency: conservation subdivisions allow duplexes
 - c) Newport Appraisal Group, LLC, 7/3/2018 report: meets Land Use Goal #1

- 2) **Motion:** Favorable recommendation for Final Plan approval, subject to conditions and findings in Town Planner's 7/2/2018 memo by Mr. Nash, Mr. Weber-second
 - a) Board:
 - i. No: abutter notice, public hearing, DIR; missing information concern
 - ii. All development applications should require abutter notice
 - iii. Procedure-state law, min requirements
 - iv. Exhaust discussion from both sides before decisions
 - v. Formal request of Solicitor: research sending abutter notices for all applications
 - b) **Motion:** Table motion by Mr. Nash, Mr. Weber-second **Vote: 7-0-0**
- 3) **Motion:** Receive Newport Appraisal report by Mr. Nash, Mr. Weber-second **Vote: 7-0-0**
- 4) **Motion:** Bring motion to approve subdivision back to table by Mr. Weber, Ms. Drayton-second **Vote: 7-0-0**
- 5) **Motion:** Favorable recommendation for Final Plan approval, subject to conditions and findings in Town Planner's 7/2/2018 memo by Mr. Nash, Mr. Weber-second **Vote: 7-0-0**

5. New Business

- A. **Public Hearing** - Application of Turner Road Realty Trust, LLC for Final Plan approval including the creation of a new road and request for waivers from certain provisions of the subdivision and land development regulations, for a proposed 3-lot subdivision of land located at 305 Turner Rd., Plat 113, Lot 227.
 - 1) **Motion:** Open Public Hearing by Mr. Weber, Mr. Nash-second **Vote: 7-0-0**
 - 2) Mr. David Martland, applicant's attorney:
 - a) Parcel B steel building: partial, full removal before recording/no zoning relief
 - 3) Public input
 - a) Mr. Cliff McGregor; 25 Ward Ave:
 - i. Requests property line screening: fence, vegetative; road waiver impact
 - ii. Mr. Martland, client discuss screening; specifics agreed upon possible condition of approval
 - iii. Landscaping business terminating; once subdivided, business use in residential requires Zoning Board approval; solicitor recommend condition of approval: use eliminated before recorded
 - b) Ms. Stacey Yarrow; 3 Columbia Rd:
 - i. Tree removal-wildlife/rodent impact concerns: construction requirements include maintaining sanitary conditions
 - ii. Desires to retain mature trees near property line: new owners' option
 - 4) Board:
 - a) Above-ground fuel tank stays; existing garage removed
 - b) Existing house driveway: separate, shortened
 - c) Mr. Martland agreed to continuance
 - 5) **Motion:** Continue to 8/8/2018 meeting by Mr. Weber, Mr. Nash-second. **Vote: 7-0-0**
- B. **Public Hearing** - Request by McDonald's Real Estate Company for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, Section 521 for renovation of the existing McDonald's restaurant located at 1425 West Main Road, Plat 112 Lot 1.
 - 1) **Motion:** Open Public Hearing by Ms. Owen, Mr. Weber-second **Vote: 7-0-0**
 - 2) Mr. Jim Cranston, Bohler Engineering:
 - a) Mimicking E Main McDonalds' work: shingle roofing, mansard roof pitch
 - b) Reviewed requested waivers:
 - i. Materials: no corrugated metal; dryvit simulating brick, painted beige, matches building; brand-wall tile similar material used E Main location
 - ii. Flat roof: 19' parapet screens equipment
 - iii. Minor landscaping modifications: reducing pavement
 - 3) Mr. Charlie Roberts; 27 Oliphant Lane: Requested property line screening for bordering residential lots, trees removed recently; drive-thru now closer to property
 - 4) Board:
 - a) Should, can be, New England style
 - b) Tree Commission recommendation suggested
 - c) Landscaping zoning requirement, Building Official review possible violation

- d) Landscaping plans addressing neighbor needs appropriate, but beyond application scope unless applicant willing to hear concerns
- e) Applicant, neighbors: screening specifics agreed on possible condition of approval
- f) Drive-thru: lighting same, features different
- 5) **Motion:** Continue to 8/8/2018 meeting; applicant to provide Landscaping Plan addressing needs of neighbors, with Tree Commission comment and Building Official review made by Ms. Owen, Mr. Weber-second **Vote: 7-0-0.**
- C. Request of Peter Gallipeau, developer of the Saltwood Farm subdivision, Bailey Ave., Plat 126, Lot 4, to set the amount of performance security to ensure completion of items required as part of Phase 1 of the development.
 - 1) Mr. Wolanski: described request, Town Engineer recommendation
 - 2) **Motion:** Approve Town Engineer estimate, set total required security amount at \$138,909.75 by Mr. Weber, Mr. Nash-second **Vote: 7-0-0**

6. Updates

- A. Comprehensive Plan Implementation items
 - 1) Future Land Use Plan & Zoning Map consistency – Potential Comprehensive Plan, Future Land Use Plan amendments/Mr. Wolanski
 - a) Forwarded 6/25/2018 recommended amendments-Town Council
 - b) Group 3 proposed FLUP amendments Sep/Oct
 - 2) Rural Village District/Ms. Drayton, Chair
 - a) Purpose: residential parcels used commercially; explore by-right accommodation
 - b) Property owners' discussion: 7/18/2018, 4pm
 - 3) Historic Buildings Subcommittee/Ms. Owen, Chair
 - a) Purpose: identification/publication/preservation extent of town's historic buildings
 - b) Board: Comp Plan limited; Enabling historic legislation; other towns' ordinances
 - c) Meeting in August
- B. Update on BRAC Navy Surplus Land reuse planning process/Mr. Wolanski
 - 1) Green Lane Park/Fishing Pier: Land release expected October 2019
- C. Committee Reports
 - 1) Use Table Subcommittee/Mr. Nash, Chair: Limited Business 2/3rds complete
 - 2) Tree Commission/Ms. Owen, Liaison
 - a) Grants received for Valley Park 3rd tree planting
 - b) Wave Ave building – trees missing, inquiry passed onto Building Official
 - c) Peckham Lane - against waiver request for no street trees
 - 3) Open Space and Fields Committee/Mr. Nash, Liaison: no report
 - 4) Conservation Commission/Ms. Flynn, Liaison
 - a) May: Reviewed gas station/car wash, Aquidneck/E Main
 - b) June: No quorum
 - c) July: solar array approved with conditions, Green End Ave
- D. Upcoming meetings
 - 1) July 18, 2018, 4pm – Rural Village District Subcommittee
 - 2) July 25, 2018, 6pm – Special meeting/Peckham Lane Subdivision cancelled: Quorum concern; Mr. David Martland agreed to continuance
 - a) **Motion:** Continue to 8/8/18 meeting agenda where it will be continued per Doodle Poll by Mr. Weber, Mr. Nash-second. **Vote: 7-0-0**
 - 3) July 26, 2018, 4pm – Uses Table Subcommittee
 - 4) August 8, 2018, 6pm – Regular monthly Planning Board meeting
 - 5) August 27, 2018, 4pm – Supplementary Planning Board meeting: Conservation Development

- 7. **Motion** to adjourn by Mr. Weber, Ms. Flynn-second **Vote: 7-0-0**

Meeting adjourned at ~7:35pm

Respectfully submitted: Terri Flynn
Planning Board Secretary