



Town of Middletown
Planning Department

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

TECHNICAL REVIEW COMMITTEE MINUTES

December 7, 2016

9:00am

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

Members present:

Ron Wolanski, Planning Director, Chairman
Warren Hall, Town Engineer
Tom O'Loughlin, Public Works Director
Jack Kane, Building/Zoning Official

Also present:

Chief Anthony Pesare, Police Dept.
Rob McCall, Fire Marshall

1. Request of Maple Ave. Partners, LLC for Master Plan approval of a conservation development pursuant to Zoning Ordinance Article 19, consisting of 17 townhouse-style dwelling units located on property located off Maple Ave. approximately 200 feet to the west of the Maple Ave./Paquin Place intersection, Plat 107SW, Lot 151

The applicant was represented by attorney Michael Miller and engineer Lyn Small of Northeast Engineers & Consultants.

Mr. Wolanski described the application review process.

Mr. Miller described the project and the zoning relief that is needed. Ms. Small described proposed storm water treatment and utilities. A RIPDES permit will be required.

Mr. McCall stated that proposed access and provision a fire hydrant appear adequate. Response to calls at the property will be coordinated with Newport Fire.

Mr. Pesare requested that the applicant consider providing a way for first responders to distinguish between the units located in Newport and those in Middletown, possible by using a different color scheme for numbering the units. The applicant stated that that could be addressed.

Mr. Wolanski noted that the applicant must provide an impact statement and the required review fee. The TRC will recommend that the town's consulting engineer assist with review of the preliminary plan submission due to the Town Engineer's work load.

Mr. O'Loughlin stated that he will provide a memo indicating approval of the proposed sewer connection.

Mr. Kane stated that the plan will require a zoning variance for building setbacks.

Motion by Mr. Hall, seconded by Mr. O'Loughlin, to forward a positive recommendation to the Planning Board subject to the condition that the applicant provide the required impact

statement and fee, and that the preliminary submission be provided to the Town's consulting engineer for review. **Vote:** 4-0-0.

2. Application of Prescott Point Investors, LLC for Development Plan Review for a proposed residential development including a 20-unit multifamily condominium project with a 2,500 sq.ft. clubhouse, and a 48-room residential care/assisted living facility. Property located off West Main Rd., Assessor's Plat 104, Lot 7.

The applicant, Chris Bicho, and his attorney, Jay Lynch, and engineer, Lyn Small of Northeast Engineers & Consultants were present.

Ms. Small reviewed the plans. Water will be provided by Newport Water. On-site sewage treatment is proposed.

There was discussion of concerns over the capacity of the under Freedom Trail Dr. Since it is the only access to the bulk of the proposed development, there must be confirmation that the road will not be overtopped during heavy storm events.

Ms. Small stated that an analysis of the culvert will be provided.

Mr. McCall stated that there will be coordination with Portsmouth Fire on response to calls.

Mr. Pesare requested that the applicant consider providing a way for first responders to distinguish between the units located in Newport and those in Middletown, possible by using a different color scheme for numbering the units. The applicant stated that that could be addressed.

Mr. Wolanski reviewed the waivers from the commercial design standards that would be considered by the Planning Board.

Motion by MR. O'Loughlin, seconded by Mr. Hall, to forward a positive recommendation to the Planning Board subject to the following conditions:

1. Prior to issuance of the special use permit documentation relative to the condition and capacity of the culvert which carries Freedom Trail Drive over an unnamed stream must be provided to demonstrate that the road will be overtopped during heavy storm events. This is the only proposed access to 80 single-family dwellings located in Middletown and Portsmouth, plus a 48 unit assisted living facility.
2. Prior to permitting the stormwater drainage plans and calculations must be reviewed and approved by the Town Engineer.
3. Prior to permitting the applicant must coordinate the design of unit numbering with the Middletown and Portsmouth Police Departments in order to allow first responders to identify the town in which each unit is located.

Vote: 4-0-0

3. Request of the Zoning Board of Review for an advisory recommendation on an application for Development Plan Review, KREG, LLC (William & Elizabeth Gill & David Lawrence, owners) for a special use permit to allow proposed development of a 37-unit Senior Independent Living Facility in Zone 1 of the Watershed Protection District pursuant to sections 1106 and 2202 of the Middletown Zoning Ordinance. Property located at 1 Thelma Lane, Plat 111, Lots 14, 23 & 23B.

The applicant was represented by attorney Jay Lynch and engineer Chris Duhamel of DiPrete Engineering.

Mr. Duhamel described the development, noting that the project will result in re-vegetation of the wetland buffer, which currently in agricultural use. RIDEM wetlands and RIPRES permits have been issued. An arborvitae buffer along the wetland buffer is required by RIDEM. RIDOT will also review the plan to determine if a physical alteration permit is required.

Mr. O'Loughlin noted that a detail for the emergency access road from Arruda Terrace must be provided.

Mr. Kane reviewed the zoning relief that will be requested relating to lack of community meeting space, street frontage, and a proposed off-premises sign.

Mr. McCall requested that adequate turning radius be confirmed for the access road.

Mr. Hall noted that lack of pedestrian circulation. He will need additional time to review the proposed storm water management plan.

Mr. Wolanski reviewed the waivers from the commercial design standards that would be considered by the Planning Board.

Rob Shultz of the Newport Water Department expressed concern over the design and maintenance of the storm water treatment system. A master water meter for the development will be required.

Motion by Mr. Hall, seconded by Mr. Kane to forward a positive recommendation to the Planning Board subject to the following conditions:

1. Prior to issuance of the special use permit the applicant must provide for approval by the DPW Director and Town Engineer a cross-section detail of the proposed emergency vehicle access road to the site from Arruda Terrace.
2. Prior to issuance of the special use permit the applicant must confirm access to public water and sewer.
3. Prior to the issuance of the special use permit the applicant must confirm adequate access to the site for emergency vehicles, including meeting minimum turning radii requirements.
4. Prior to issuance of the special use permit, the DPW director must confirm that the proposed sewer connection design is acceptable.
5. Prior to permitting the stormwater management plan and calculations must be reviewed and approved by the Town Engineer.
6. Prior to permitting, a copy of the RIDOT physical alteration permit, if required, must be provided.
7. Required maintenance of storm water treatment facilities, including the pervious pavement, and sewer and storm water lines/tanks shall be performed on an ongoing basis in accordance with the approved storm water management plan. A stormwater maintenance easement must be provided that identifies the homeowners as being responsible for maintaining the stormwater management systems and allow the town access to perform maintenance at the homeowners' expense should they fail to do so.

Vote: 4-0-0.

4. **Application for Development Plan Review by Estate of Nancy L. Miller for proposed development of a 7,000 sq.ft. commercial building and associated site work to serve a fuel oil distribution business (Devaney Energy). Property located at 985 Aquidneck Ave & 1 Trimble Rd., Plat 113, Lots 208 & 300.**

The applicant, Mr. Devaney, was present, as was his attorney, Joe Hall, and engineer Greg Driscoll.

Mr. Hall and Mr. Driscoll described the proposal.

Mr. Kane noted that no zoning relief is required. DPR review and approval by the Planning Board is required.

Mr. McCall stated that he had no concerns with the proposal.

Mr. O'Loughlin stated that City of Newport would have to approve industrial pre-treatment for the sewer. He requested that the contractor coordinate with DPW at the time of construction on the cutting of road pavement.

Mr. Wolanski reviewed the waivers from the commercial design standards that would be considered by the Planning Board.

There was discussion of the preference to have the proposed office space located at the western end of the proposed building. There was general agreement that the town and applicant would prefer that design if possible. Mr. Driscoll expressed doubt in being able to revise the site plan to accommodate such a design, but will review options.

Motion by Mr. Hall, seconded by Mr. O'Loughlin, to forward a positive recommendation to the Planning Board, subject to the following conditions:

1. Prior to permitting, the stormwater management plan and calculations must be reviewed and approved by the Town Engineer.
2. Prior to permitting, the applicant must coordinate the final details of the cutting of pavement along Trimble Road with the DPW director.
3. Prior to permitting the applicant must provide a copy of the RIDOT physical alteration permit, if applicable.

Vote: 4-0-0.

The meeting adjourned at 11:15am

Respectfully submitted
Ronald Wolanski, Planning Director, Chairman
Technical Review Committee