



Town of Middletown
Planning Department

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

TECHNICAL REVIEW COMMITTEE MINUTES

August 2, 2017
1:00pm

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

Members present:

Ron Wolanski, Town Planner, Chair
Warren Hall, Town Engineer
Tom O'Loughlin, DPW Director
Jack Kane, Zoning Official

Also present:

Rita Lavoie, Principal Planner
Peter Medeiros, Assistant Building Official

1. Advisory recommendation to the Planning Board - Request of Mark Brennan for Master Plan approval, including request for waivers from certain provisions of the subdivision and land development regulations, for a proposed 11-lot major subdivision of property fronting on Mitchell's Lane. The property is identified as 430 Mitchell's Lane, Assessor's Plat 124, Lots 13, 14, 14a, 15, and is located approximately 1300 feet to the north of the intersection of Mitchell's Lane and Fayal Lane

The applicant Mark Brennan, was present with his engineer Chris Duhamel.

Mr. Wolanski explained that the Technical Review Committee (TRC) previously forwarded a positive recommendation on this item to the planning board. At the request of the Town Engineer, the Planning Board referred the item back to the TRC for closer review of the community septic system. Mr. Wolanski noted that the purpose of the meeting was to further discuss the septic system's conceptual design and that engineering, permits, and storm water calculations will be provided at the Preliminary Plan stage.

Mr. Duhamel provided an overview of the proposed community septic system. He indicated that the location of the septic was chosen to provide 150-200 feet of setback from neighboring wells and that the proposed homeowners association would provide for continued operation and maintenance of the community leach field.

Providing example images, Mr. Duhamel explained that the alternative - advanced individual septic systems - would occupy above-ground space in each lot and negatively impact the aesthetics of the area. The proposed below-ground community system would not impact the usability of the site for recreation or aesthetics, according to Mr. Duhamel.

Mr. Duhamel explained that the Rhode Island Department of Environmental Management (DEM) is the regulatory body for such systems. Reports on the septic system are required

quarterly by DEM, Mr. Duhamel suggested that those reports could also be made available to the Town. Mr. Duhamel noted that the permits for such systems are based on the maximum number of bedrooms served, which he is still in the process of calculating.

Mr. Wolanski suggested establishing a legal document formalizing that the community septic system is a private system and includes a maximum number of bedrooms.

Mr. Kane offered that a document could be recorded in the land evidence records and a note added to the subdivision plan establishing a maximum number of bedrooms. Or, he added, including a deed restriction on each lot's maximum number of bedrooms.

Mr. O'Loughlin suggested creating a private sewer authority for the septic. He also requested that the existing house's septic system be removed and disposed of offsite to reduce the potential of future contamination.

There was discussion regarding how the system would operate in the case of a power outage. It was recommended that a backup power source be implemented in the case of emergency.

There was discussion relating to the Town's stonewall ordinance and the existing encroachment of the Fraternal Order of Police's driveway on the subdivisions' site.

Motion by Mr. Kane, seconded by Mr. Hall to forward a positive recommendation to the Planning Board, based on review of plans dated June 30, 2017, and subject to the following conditions:

1. Lot coverage and storm water calculations be based on maximum allowable building structures.
2. Required storm water drainage control plans and calculations have yet to be provided, but must be addressed prior to consideration of the preliminary plan. Compliance with the state storm water design manual and town storm water management requirements must be confirmed prior to preliminary plan approval.
3. New lots will be subject to the Town's development impact fees ordinance, Town Code Chapter 150. A note to this effect must be provided on the preliminary subdivision plan prior to approval.
4. Prior to final approval, appropriate legal documents must be submitted to ensure that the homeowners are held responsible for upkeep and maintenance of the proposed community septic system, subject to approval by the Town Solicitor.
5. Following construction, quarterly reports on the maintenance and operation of the community septic system, prepared by a qualified professional, shall be submitted to town and made available for public review. A note to this effect must be added to the plan.
6. Following demolition of the existing house on the subject property, and prior to the issuance of permits for the new development, the septic system and leach field serving the existing house must be removed and properly disposed of. A note to this effect must be added to the plan.
7. Prior the Final Plan approval, an easement or other accommodation regarding the driveway serving the use on abutting parcel, Plat 124, Lot 12, must be provided on the plan.
8. Prior to Final Plan approval, the plan must demonstrate compliance with the town stone wall protection ordinance, Chapter 97.

9. Prior to Preliminary Plan approval, the applicant shall provide the complete design for the proposed community septic as approved by the RIDEM. A note shall be included on the plans indicating the design capacity of the system in terms of the maximum number of bedrooms permitted per building lot.

Vote: 4-0-0

2. Advisory recommendation to the Planning Board- Request of Maple Ave. Partners, LLC for a combined Preliminary and Final plan approval for a 16-unit townhouse-style conservation development pursuant to Zoning Ordinance Article 19. The property fronts on Maple Avenue approximately 200 feet to the west of the Maple Avenue intersection with Paquin Place, further identified as Plat 107SW, Lot 151.

The applicant, Matt Hadfield, was present with attorney Mike Miller, engineer Lyn Small, and developer Greg Coe.

Mr. Wolanski explained that this item was continued from a meeting one week ago, to address outstanding issues raised by the Town's engineering consultant.

Ms. Small outlined the changes made since the last meeting including shifting drainage away from abutters, obtaining a verbal agreement for a 1ft x 20ft easement, and redesigning the drainage structure at the rear of the lot.

Mr. O'Loughlin indicated that the updated plans did not meet the Department of Public Work's access requirements and would need to be updated to meet DPW's sewer easement vehicle access requirements. There was discussion regarding the specifics of grade and materials permissible in sewer easement access areas.

Mr. O'Loughlin also suggested that due to the age of the manhole at the rear of the property, it be inspected and replaced if necessary. Changes would also need to be reflected in an updated landscaping plan.

Ms. Small provided and reviewed calculations demonstrating the stability of the proposed berm, as requested by the Town's engineering consultant.

There was discussion regarding the numbering of units and the Town's desire to establish a numbering system that differentiates between the Newport and Middletown units.

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

1. The posting of unit numbers within the development must be done in a manner to allow first responders to quickly determine which town each unit is located in, subject to the approval of the Middletown Police and Fire Departments.
2. Prior to recording of the plan, the draft sewer and storm water easements, and other legal documents, must be reviewed and approved by the Town Solicitor.
3. Prior to recording of the plan, an easement across abutting property, Plat 103, Lot 2, to allow connection to the storm drainage line located on that property must be secured and recorded.
4. The storm drain manhole located on abutting lot 2 shall be inspected and replaced if necessary prior to connection of the drainage system for the development. A note to this effect shall be added to the plans prior to recording.

5. Vehicle access to the sewer easement shall be provide through the development, subject to the approval of the Middletown DPW Director. A note to this effect shall be added to the plans prior to recording.
6. The suitability of the existing fill on the property for purposes of accommodating the proposed development shall be confirmed prior to the issuance of building permits, subject to the approval of the Building Official and Town Engineer. A note to this effect shall be added to the plans prior to recording.
7. An updated landscaping plan to reflect recent changes to the site plan shall be provided prior to Final Plan approval.

Vote: 4-0-0

The meeting adjourned at 2:10pm

Respectfully submitted
Rita Lavoie, Principal Planner