



Town of Middletown
Planning Department

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

TECHNICAL REVIEW COMMITTEE MINUTES

May 23, 2018
9:00 AM

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 Officer

Also present:

Rita Lavoie, Principal Planner
Rob McCall, Fire Marshall
Peter Faerber, Fire Chief

Mr. Wolanski called the meeting to order and informed the public that the meeting is open to the public but no public comment will be received at this time. The public will have an opportunity to offer input on four items on the Technical Review Committee's (TRC) agenda during the Planning Board's public hearings.

- 1. Request for recommendation to the Planning Board - 24 Wolcott Ave Subdivision, Jerry Kirby, applicant –on an application for Preliminary Plan approval for a 2-lot subdivision of land located at 24 Wolcott Ave., Plat 121nw, Lot 4.**
 - a. The applicant was represented by Engineer Mr. Thomas Principe and Architect Ms. Madeline Melchert.
 - b. Mr. Kane noted that zoning relief would be necessary for frontage and a special use permit would be necessary for the proposed duplex.
 - c. There was discussion regarding easements and shared driveways.
 - d. There were no concerns raised by the Fire Department
 - e. Mr. Principe reviewed the updated plans dated May 10, 2018 he noted the changes to the drainage systems to accommodate a 1-year storm event with a diversion basin and overflow swale designed to handle a 25-year storm event.
 - f. Additional updates to the plans that were previously requested by the TRC were reviewed: 6-inch pipe, no overflow into the town's right-of-way, independent drainage sections for each development.
 - g. Mr. Hall offered that he could support the updated plans subject to final calculation review
 - h. Additional requirements were reviewed: easement documents must be reviewed and approved prior to final plan, necessary zoning must be granted, a noted must be added to the plan indicating the payment of necessary impact fees

- i. **Motion** to forward a positive recommendation to the Planning Board by Mr. O'Loughlin, seconded by Mr. Hall subject to the following conditions:
 - i. The applicant must be granted the necessary zoning relief from the Zoning Board of Review prior to Planning Board consideration for Final Plan approval. The decision of the Zoning Board of Review must be recorded in the land evidence records, with a copy provided to the Planning Board.
 - ii. Prior to Final Plan approval, the utility, access, and drainage easements must be reviewed and approved by the Town Solicitor.
 - iii. The new development lot (Lot 2) 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 subdivision plan prior to Final Plan consideration.
 - iv. Prior to final subdivision plan approval, final review and approval of the storm water management plan and calculations by the Town Engineer and the town's consulting engineer is required.
- j. **Vote:** 4-0-0

2. Request for recommendation to the Planning Board - Application by DOJO LLC for Development Plan Review, including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521, for construction of a hotel located at 38 Purgatory Road, Plat116NW, Lot 13.

- a. The applicant was represented by Engineer Lyn Small and Architect Spencer McCombe
- b. Ms. Small reviewed plans dated May 22, 2018 noting that two items were addressed after the last TRC meeting: the drainage and fire egress routes
- c. A boardwalk down the side of the drainage basin was added to provide adequate emergency egress on a maintainable surface. Mr. McCall noted that it meets Fire Department requirements
- d. The drainage system was updated to provide a reduction in peak runoff, subdrains were removed.
- e. Mr. O'Loughlin requested that public works review the final design of the impervious paver system
- f. There was discussion regarding: any waivers requested for stormwater design; ground water recharge; improvements to the site's drainage; ponding on site.
- g. Mr. Hall requested that the Town's consulting engineer review the final stormwater and drainage design plans and calculations
- h. Mr. O'Loughlin noted that the sanitary sewer permitting, industrial pre-treatment measures, and removal of old septic systems must still be addressed with the Department of Public Works and Newport Water Department.
- i. Mr. Kane asked about the need for a zoning variance for height, noting that a variance petition is on file and must be withdrawn if no variance is necessary.
- j. Mr. Wolanski reviewed the necessary waivers from the commercial design standards:
 - i. 521.1-D.1 - Exterior lighting does not appear to meet dark sky compliance
 - 1. Applicant indicated that dark sky compliances is met and necessary documentation will be provided to the Planning Board

- ii. 521.1 – Proposed transformer on concrete pad is not adequately screened on site. A waiver must be granted for screening to occur in off-site (in the Public Right-of-Way).
- iii. 521.2-C – Siding consists of non-traditional materials including hardie board, composite trim, and hardie shingles.
- iv. 521.2 -D – Roof form does not comply with requirement for hip or other sloped roof design. The board may approve a flat roof provided that it finds that adequate decorative detail is provided and/or portions of the roof include a sloped design. Any rooftop mechanical equipment must be screened.
 - 1. Applicant indicated that building design facing Wave Ave has been updated and new proposed elevations will be provided to the Planning Board
- k. **Motion** to send a positive recommendation to the Planning Board by Mr. O'Loughlin, seconded by Mr. Hall subject to the following conditions:
 - i. Prior to the issuance of building permits, the final storm water management plans and calculations must be reviewed and approved by the Town Engineer and the town's consulting engineer.
 - ii. Prior to the issuance of building permits the DPW director must review the final plans to confirm that storm water runoff will not discharge from the drainage system through the driveway porous pavement adjacent to Wave Ave.
- l. **Vote:** 4-0-0

3. Request for recommendation to the Planning Board - Application by Christopher Tunnah for Development Plan Review, including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521, for construction of a restaurant to be located on land owned by 47 Valley Road, LLC, at 47 Valley Rd., Plat 107SE, Lot 88.

- a. The applicant was represented by Engineer Ms. Lyn Small and Attorney Mr. Russel Jackson
- b. Ms. Small reviewed plans dated May 14, 2018 noting that the location of private wells on abutting properties were added to the plan. She confirmed that the infiltration basin is located more than 100 feet from any well.
- c. Additional changes included: moving the outlet out of the Town's Right-of-Way, adding a liner or barrier to the drainage system
- d. Mr. Kane asked about a variance for screening. Options for addressing screening included complying with the zoning code by adding a second row of arborvitaes or increasing fence height from 6 ft. to something higher to address abutter's concerns.
- e. Mr. Jackson noted that a Special Use Permit for serving alcohol in an LB district and an application for a variance from the screening requirements has been filed. Additional variances for signage may be necessary.
- f. It was also noted that the structure does not meet building code requirements and will need building code review.
- g. Mr. Hall requested final review and approval of the drainage calculations
- h. Mr. O'Loughlin noted that the plans require industrial pre-treatment subject to Newport Water Department's approval
- i. There were no concerns raised by the Fire Department

- j. Mr. Wolanski reviewed the necessary waivers from the commercial design standards:
 - i. 521.1-D.1 - Exterior lighting does not meet dark sky compliance.
 - ii. 521.2-C – Siding consists of non-traditional materials including metal.
 - iii. 521.2 -D – Roof form does not comply with requirement for hip or other sloped roof design. The board may approve a flat roof provided that it finds that adequate decorative detail is provided and/or portions of the roof include a sloped design. Any rooftop mechanical equipment must be screened.
 - iv. 521.3- D.3 – A minimum 5-foot planting strip between the buildings and parking lots/driveways is not provided on all sides of the building.
 - 1. The applicant indicated that the plans have been updated to provide the planting strip. Copies of the updated plans will be provided to the Planning Board
 - v. 521.3 – F.2. It is unclear from the landscaping plan if proposed parking lot trees will satisfy required 4” caliper dbh and 7’ height at time of planting.
 - 1. The applicant indicated that the landscape plan will be updated to note the size of the proposed trees and comply with the regulations.
- k. **Motion** by Mr. Kane, seconded by Mr. Hall to send a positive recommendation to the Planning Board subject to the following condition:
 - i. Prior to the issuance of building permits, the final storm water management plans and calculations must be reviewed and approved by the Town Engineer.
- l. **Vote:** 4-0-0

4. Application of Atlantic Beach Suites II, LLC, including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521, for construction of a 23-room hotel to be located at 42-44 & 56 Wave Ave., Plat 116NW, Lots 4,5 & 6.

- a. The applicant was represented by Attorney Mr. David Martland and Engineer Ms. Lyn Small.
- b. Ms. Small provided the committee with an overview noting the existing nonconformities on the site, the delineation of wetlands, and the CRMC jurisdiction.
- c. Mr. Kane asked about the existing powerlines and if any public utility easements are on record. Public utility easements must be identified and subtracted from the developable land area. Coordination with national grid was encouraged due to National Grid’s current projects in that area of town.
- d. Ms. Small described the CRMC preliminary determination letter, the required water quality improvements, the pervious pavers, sprinklers in building, and the entry-way width for vehicles.
- e. Mr. McCall noted that the narrowing of the driveways at the entry and exit points makes it difficult for the fire department apparatus to maneuver.
- f. There was discussion regarding parking lot configuration, changes to the lot subject to CRMC approval, location of trees and shrubs, fire department turning radii.

- g. It was proposed to update the landscaping design plan to move the plantings 2 feet off the edge of pavement and add reinforced turf in the landscaped area to allow for fire department turning at both the entry and exit turns
- h. Mr. Small noted that parking space and ADA requirement are met and the lobby will be located on the ground level with units above.
- i. There was discussion regarding the second stairwell and access from the stairwell to safety egresses offsite.
- j. Mr. Kane noted that the awnings shown on the building elevations are not shown on the layout plan. The awnings may encroach into the setbacks and must be shown on the layout plan.
- k. It was also noted that the awnings may interfere with fire department access.
- l. There was discussion regarding the final height of the building and any need for a zoning variance.
- m. Mr. Martland advised that he will confirm the average grade of the site and any need for a variance on height
- n. Mr. O'Loughlin noted that the sanitary sewers will require final review and approval by the Department of Public Works including capping of stubs and use of existing connections.
- o. It was noted that natural gas work is being performed on Wave Ave currently and the applicant should coordinate with national grid for service.
- p. Mr. O'Loughlin indicated that the pavement restoration permitting requires perpendicular restoration. The plan will need to accommodate.
- q. Mr. Hall requested that the drainage plans be referred to Crossman Engineering, the Town's Consulting Engineer for review.
- r. Mr. Wolanski reviewed the necessary waivers from the commercial design standards:
 - i. 521.2-C – Siding consists of non-traditional materials including hardie board, PVC, and Fypon synthetic materials.
 - ii. 521.2 -D – Roof form does not comply with requirement for hip or other sloped roof design. The board may approve a flat roof provided that it finds that adequate decorative detail is provided and/or portions of the roof include a sloped design. Any rooftop mechanical equipment must be screened.
 - iii. 521.3- D.1 – a landscaped buffer at least 10" is not provided within the property boundary along the front of the proposed structure. The proposed landscaping falls outside the property boundary and within the public right-of-way, a waiver would be necessary for the applicant to meet the landscaping requirement via off-site plantings.
 - iv. 521.3- D.3 – A minimum 5-foot planting strip between all sides of the building and parking lots/driveways is not provided.
 - v. 521.3 – F.1. It is unclear from the landscaping plan if proposed deciduous street trees will satisfy required 4" caliper dbh at time of planting.
 - vi. 521.3 – F.2. It is unclear from the landscaping plan if proposed parking lot trees will satisfy required 4" caliper dbh and 7' height at time of planting.
 - 1. Ms. Small indicated that the landscaping plan will be updated to reflect the size of the trees and comply with the regulations.

- vii. Exterior lighting on for the rear parking area is not shown. It is assumed that safety lighting will be provided, the fixtures must meet dark sky compliance and copies of the proposed fixtures must be provided to the planning board.
- s. The item was continued to allow for the Town's Consulting Engineer to review the drainage plans. Another meeting of the TRC will be scheduled prior to the Planning Board's July 11, 2018 meeting to continue the committee's review.

5. **Motion** by Mr. Kane, seconded by Mr. O'Loughlin to adjourn

6. **Vote:** 4-0-0

The meeting adjourned at approximately 10:30am

Respectfully Submitted,
Rita Lavoie, Principal Planner

DRAFT