



PLANNING BOARD MINUTES

October 13, 2021, 6pm

Town Council Chambers – Town Hall
350 East Main Road
Middletown, RI 02842

Board members present:

Paul Croce, Chair
Bill Nash, Vice Chair
Michael Fenton, Secretary
Art Weber
Joe Pierik
B.J. Owen
John Ciummo

Ron Wolanski, Town Planner
Peter Regan, Town Solicitor
Rita Lavoie, Principal Planner

Mr. Croce called the meeting to order at 6:00pm

1. Approval of the minutes

A. September 8, 2021 regular Planning Board meeting

1. **Motion** by Mr. Nash seconded by Ms. Owen
2. **Vote:**7-0-0

B. Special meeting of September 7, 2021.

1. **Motion** by Ms. Owen, seconded by Mr. Weber
2. **Vote:** 7-0-0

2. Correspondence

- A. Email communication of Guillaume deRamel dated 9/10/2021 re Mesollella/ "Rosebrook Commons" Comprehensive Permit application.
- B. Email communication of Marc Tripari dated 9/10/2021 re Mesollella/ "Rosebrook Commons" Comprehensive Permit application
- C. Email communication Fran & Rocco DeFillippo dated 9/24/2021 re Chris Bicho – Aquidneck Ave. project.
- D. Letter from Patrey Hayes dated October 8, 2021 re: 819 aquidneck ave
 1. **Motion** to accept by Ms. Owen, seconded by Mr. Nash

2. **Vote:** 7-0-0

3. Continuances

- A. **Public Hearing** - Application of Jack Gullison 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 new commercial building, to include a 17-room hotel with a restaurant, and associated site work located on property identified as 59 Aquidneck Ave., Assessor's Plat 115SE, Lot 169.
- B. **Public Hearing** - Application of GD Middletown West Main I, LLC for Development Plan Review, including request for waiver from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521, and recommendation to the Zoning Board of Review regarding special use permit application for development in Zone 1 of the Watershed Protection District, to allow construction of a ground-mounted solar photovoltaic installation on a property located at 1747 West Main Road, Plat 111 Lot 9A.
- C. **Public Hearing** – Application of Juan Campos for Preliminary Plan approval of a 5-lot subdivision including extension of an existing town road. The property is located at the end of Serenity Drive, with frontage also on Maidford River Road, and is identified as Tax Assessor's Plat 120, Lots 68-A & 68-B.
- D. **Public Hearing** – Application of Newport National Real Estate, LLC for Development Plan Review for development of a 9-hole golf course and associated clubhouse, and request for waivers from certain commercial development design standards of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property fronts on Wyatt Road and Mitchell's Lane, Tax Assessors Plat 124 lot 29
 - 1. **Motion** to continue the preceding 4 items by Mr. Nash seconded by Ms. Owen to November 10, 2021 meeting
 - 2. Discussion: Requesting that Gullison application be voted on or withdrawn at next meeting, legal matter under consideration by applicant's attorney, zoning official determination on zoning relief necessary, planning board policy on continued items to be discussed later in the meeting
 - 3. **Vote:** 5-2-0 with Mr. Weber and Mr. Nash opposed
- E. **Public Informational Meeting** - Application of Horan Building Company for Master Plan approval of a 7-lot subdivision including a proposed new road. The property is located on the southwest corner of the intersection of Green End Ave. and Vaucluse Ave. and is identified as 208 Howland Avenue, Tax Assessor's Plat 129, Lot 53.
 - 1. **Motion** to continue to special meeting on October 19, 2021 by Mr. Nash, seconded by Ms. Owen
 - 2. **Vote:** 7-0-0

4. Business

- A. Application of Seascape Holdings, LLC, for Development Plan Review for renovation and addition to an existing commercial building. Property located at 985 Aquidneck Ave., Tax Assessors Plat 113 lot 208.
 - 1. Mr. Greg Coe, applicant, presented building renovation plans

2. Discussion by the board: abutting property's development plans, no waivers being requested
3. **Motion** to approve by Mr. Weber, seconded by Ms. Owen subject to the required findings
4. **Vote:** 7-0-0

B. Public Informational Meeting- Application by Aquidneck Commerce Center, LLC for Master Plan approval of a major land development project for a proposed mixed-use development including 12 new residential units and approximately 15,000 sq.ft. of office space contained in two existing buildings pursuant to Article 27A of the Middletown Zoning Ordinance and including request for variances from the Middletown Zoning Ordinance sections 27A07(E)(1) and 27A07(E)(2). The property is located at 809, 811, and 819 Aquidneck Ave., Assessor's Plat 114, Lots 129 and 504.

1. Mr. Patrick Hayes, attorney for the applicant, described the proposed development plans noting demolition of the existing house, 3 variances requested for setbacks and building height, 12-units, mixed-use development project
2. Discussion on the mixed-use development procedure, potential waiver requests, additional materials to be provided at preliminary plan stage
3. Ms. Lyn Small, engineer for the applicant, described existing conditions, merging of parcels, closing one curb cut, parking, traffic circulation, building height, state permitting necessary at preliminary plan, drainage features, utilities, as-built survey of sewer line
4. Discussion from the board: as built plans, increase in impervious area, existing interior stone wall proposed to remain on site plans, adding traffic flow to site plan
5. Mr. Jay Grover, architect for the applicant, described the proposed new building designed to match the existing flat roofed building, 35 foot height limit is exceeded due to site topography, HVAC equipment to be located in the basement
6. Questions by the board: existing building's height, no rooftop equipment, landscaping plans at preliminary plan stage
7. Mr. Chris Bicho, developer, explained that the current office building has rooftop equipment, he described a campus of mixed uses, design style, parking lot screening
8. Mr. Croce requested the equipment be screened on the existing building
9. Discussion on procedure: height variance not included in public notice, standards for a variance, drainage, regulations requiring variance request voted on prior to master plan approval
10. It was agreed that the matter should be continued to allow for proper public notice of the height variance
11. Members of the public were invited to speak
12. Mr. Angelo Botello of 833 Aquidneck Ave asked about drainage issues on his property, buffer area, rental units

13. **Motion** to continue to the November 10, 2021 meeting by Ms. Owen, seconded by Mr. Weber and re-advertise
 14. **Vote:** 7-0-0
- C. Town Council request that the Planning Board research adopting an ordinance requiring esplanade-style sidewalks. Consider recommending ordinance language to the Town Council.
1. Mr. Regan explained that the Planning Board will make the determination on if esplanade sidewalks will be required in areas where the fit is questionable, the language will be placed in title 9 of the Middletown Code. Final draft to be presented at next meeting.
 2. Discussion on maintenance of the grass
- D. Discuss policy for removing items that are repeatedly continued from the Planning Board agenda.
1. Mr. Regan suggested that the language be added to a set of basic procedural rules and will be provided to the board at the next meeting
 2. Will include policies and procedures of the planning board
- E. Appointment of a Planning Board member to serve on the Middletown Affordable Housing Committee.
1. **Motion** by Mr. Croce, seconded by Mr. Nash to appoint Mr. Weber
 2. **Vote:** 6-0-1 with Mr. Weber abstaining
- F. Consideration of revised recommendation to the Town Council on proposed amendments to the mixed-use development ordinance, Middletown Zoning Ordinance, Article 27A.
1. Mr. Wolanski reviewed the history of the amendments to the ordinance, Town Council opinion on changes,
 2. Pool halls, supermarkets, institution uses to remain prohibited
 3. No change to proposed hours of operations
 4. Motion to send forward revisions by Mr. Nash, seconded by Mr. Weber
 5. Vote: 7-0-0
- G. Consideration of suggestions for projects to submit to the Town Council in response to the solicitation for ideas for use of American Recovery Plan Act funding.
1. Mr. Croce requested that the planning board propose a project to extend public water to the east side of town for fire safety and other uses.
 2. Discussion on well water, fire cistern proposed in capital improvement plan, cost of the project, elderly housing, providing compensation to staff
 3. Timeline of project recommendation and suggestions, review for consistency with the town's comprehensive plan, supporting board members, FEMA grant programs, opening of Burma Road to relieve congestion, affordable housing committee, current zoning wouldn't change with water main extension

4. Motion to recommend to the Town Council requesting a consideration to extend public water to the east side of Town by Mr. Fenton, seconded by Mr. Weber
5. Vote: 7-0-0

5. Updates

A. Status Report on Planning Board action items.

1. Comments from the Planning Board: Marijuana ordinance approved but excludes testing and cultivation unless the state determines that the Town doesn't have the ability to prohibit
2. Light Pollution Nov 1
3. Ground mounted solar next week
4. Fee: finance director to provide information by next meeting

B. Committee reports

1. Use Table/Parking Subcommittee
 1. Mr. Nash: met yesterday, meet one more time to review draft
2. Tree Commission
 1. Ms. Owen: thanked the members for planting memorial trees
3. Open Space and Fields Committee
 1. Mr. Fenton: pickleball court location selected at Linden Park
4. Conservation Commission
 1. Mr. Pierik: no applicants, discussion on invasive species, public presentation

C. Upcoming meetings:

1. October 14, 2021, 6pm – Special Planning Board meeting – Mesolella/Rosebrook Commons Comprehensive Permit
2. October 19, 2021, 6pm - Special Planning Board meeting - Horan/Howland Subdivision
3. November 10, 2021, 6pm – Regular monthly Planning Board meeting.

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

Meeting adjourned at approximately 7:40pm

Respectfully submitted:

Mike Fenton, Secretary