



MIDDLETOWN
Rhode Island

**PLANNING
DEPARTMENT**

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842
(401) 849-4027 | MiddletownRI.com

PLANNING BOARD MINUTES
March 9, 2022, 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
B.J. Owen (via Zoom)
John Ciummo

Ron Wolanski, Town Planner
Peter Regan, Town Solicitor

Member absent:

Joe Pierik

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

1. Approval of minutes

February 9, 2022 regular Planning Board meeting, **Motion** by Mr. Nash seconded by Mr. Ciummo to approve. **Vote:** 6-0-0

February 23, 2022 special meeting, **Motion** by Mr. Nash, seconded by Mr. Weber, to approve. **Vote:** 6-0-0

2. Correspondence

- a. Letter to the Planning Board dated February 1, 2022 from Nancy Newbury and other West House residents re: Proposed West House II New Construction Project
- b. Copy of a letter to Christian Belden, Executive Director, Church Community Housing, dated February 20, 2022 from Nancy Newbury of 417 Forest Ave., Apt. 220 re: Church Community Housing's Proposed West House II
- c. **Motion** by Mr. Nash, seconded by Mr. Ciummo, to receive both correspondence. **Vote:** 6-0-0.

3. Continuances - none

4. New Business

- a. Public Hearing – Request of People’s Credit Union for Development Plan Review of proposed modifications to the front façade of an existing commercial building, and request for waivers from certain provisions of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 858 West Main Road, Assessor’s Plat 107NE, Lots 4, 5, 6, 7, 8.
 - i. **Motion** by Mr. Weber, seconded by Ms. Owen, to open the public hearing. **Vote:** 6-0-0.
 - ii. The applicant was represented by its architect, Kevin Poirot of P.W. Campbell, who reviewed the proposed building modifications.
 - iii. Board members requested that the applicant consider design options to better match the intent of the Town’s commercial design standards.
 - iv. Sean Daly, CEO of People’s Credit Union, stated that design options are limited, but they will consider alternatives. He agreed to continue the matter to the April meeting.
 - v. **Motion** by Mr. Nash, seconded by Mr. Weber, to continue the matter to the April 13, 2022 Planning Board meeting, with the public hearing remaining open. **Vote:** 6-0-0.

- b. **Public Hearing** – Request of The West House Corporation for Preliminary Plan approval for an affordable housing comprehensive permit application submitted pursuant to Middletown Zoning Code, Article 17 *Low and Moderate Income Housing- Comprehensive Permit*, for expansion of an existing multifamily dwelling structure by adding 54 dwelling units, and including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, Section 521. Property located at 417 Forest Avenue, Assessor’s Plat 113 Lot 6.
 - i. **Motion** by Mr. Weber, seconded by Mr. Nash, to open the public hearing. **Vote:** 6-0-0.
 - ii. The applicant was represented by attorney Girard Galvin who reviewed the Master Plan approval.
 - iii. Mr. Weber noted that stormwater management was an issue discussed during the Technical Review Committee meeting. Mr. Galvin stated that remaining issues will be addressed as a condition of approval.
 - iv. Mr. Galvin introduced real estate expert Jim Houle, who was accepted by the Board as an expert in his field. He stated that the project is consistent with the Middletown Comprehensive Community Plan and would have limited impact on the neighborhood.
 - v. Mr. Fenton asked about common areas within the proposed building. Mr. Galvin stated that the architect will address that during his presentation.
 - vi. Ms. Owen asked if a property line question raised during the Master Plan review had been resolved. Mr. Galvin stated that he had reached out to the abutter’s attorney but had not heard back. He will try to contact him again.
 - vii. Mr. Galvin introduced architect Paul Attemann of Union Studio, who was accepted as an expert in his field. The zoning relief and waivers from the

commercial design standards granted at Master Plan stage were reviewed. New waiver requests were reviewed.

- viii. Mr. Attemann reviewed the floorplan for the new building and the exterior design. Mr. Weber asked if solar panels would be installed on the roof. Mr. Attemann confirmed that panels would be installed and would be screened by a parapet. He said parking spaces were increased to 77 from 61 and a bike rack was added to the plans.
- ix. Ms. Owen asked about the Tree Commission's review of the landscape plan. Mr. Wolanski stated that the plan was provided to the Tree Commission. The Tree Commission chair indicated a need for more information, but Mr. Wolanski stated that the plan provided by the applicant was complete.
- x. Mr. Galvin introduced the engineers for the project, Mr. Gentilly and Mr. Carlson of Insight engineering. Both were accepted by the Board as experts in their field. Mr. Gentilly reviewed the plans and revisions made since the Master Plan stage. Concerns raised during the TRC meeting regarding an increase in rate of runoff for the 100-year storm and grade of some parking have been addressed with revisions to the plans. The results of the stormwater study must be presented to the Town Engineer for review. Adequate access and turn-around area for emergency vehicles is provided and approved at the TRC by the Fire Chief. He confirmed that all safety concerns have been addressed.
- xi. Representing the applicant, Christian Belden, Executive Director of Church Community Housing Corp., addressed concerns raised by some tenants of the current West House building, including adding more parking and storage space for the new building. He noted meetings held with the tenants. He discussed the need for senior affordable housing. All units in the new building will be restricted for those 55-years and older.
- xii. The meeting was opened to public comment.
- xiii. Mark Hastings, a resident of West House expressed concern that younger tenants would be allowed in the new building and would have access to the existing building where residents are older. Due to safety concerns, accommodations should be made to not allow access to the existing building by residents of the new building. Members of the Board discussed imposing a condition on the application that would prohibit those under 55 from living in the new building.
- xiv. Susan Law, a resident of the abutting Bay Ridge development, attending via Zoom, asked about impacts on her neighborhood, including stormwater runoff. Mr. Galvin responded that the applicant's engineers and Town staff have reviewed the plans and no impacts were identified.
- xv. There being no other members of the public wishing to speak, **motion** by Mr. Nash, seconded by Mr. Weber, to close the public hearing. **Vote:** 6-0-0
- xvi. **Motion** by Mr. Nash, seconded by Mr. Weber, to grant approval of the Preliminary Plan subject to the following conditions of approval and waivers granted, and the required findings of fact. **Vote:** 6-0-0

1. **Wavers granted:**
 - a. Middletown Rules & Regulations Regarding the Subdivision & Development of Land §521.3.C – Screening elements required along all property lines not provided.
 - b. Middletown Rules & Regulations Regarding the Subdivision & Development of Land §521.3.D.1 – Landscaped buffer at least 10-feet wide required along all property lines – not provided in the area of proposed trash enclosure/emergency vehicle turn-around.
2. **Conditions of approval:**
 - a. Prior to permitting, the stormwater management plan shall be revised to ensure there is no increase in the rate of runoff from the site for the 100-year storm, subject to the approval of the Town Engineer.
 - b. Prior to Final Plan approval, the landscape plan shall be revised to include the required 6-foot-tall screening along the rear property line where there is an abutting residential use.
 - c. Prior to Final Plan approval the landscape maintenance plan shall be reviewed and approved by the Middletown Tree Warden.
 - d. Subject development shall be restricted to allowing only persons aged 55 or older to reside in units approved as part of this application.
- c. **Public Hearing** – Request of St. George's School for Development Plan Review and request for waivers from certain provisions of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land for construction of nine faculty housing units contained in three proposed dwelling structures on property located at 372 Purgatory Road, Tax Assessors Plat 121SW Lots 35A and 39.
 - i. **Motion** made by Mr. Weber, seconded by Mr. Nash to open the public hearing. **Vote:** 6-0-0.
 - ii. George Staples, facilities director for St. George's School, represented the applicant. He reviewed the project and the need for faculty housing.
 - iii. Mr. Staples introduced engineer Jon Stabach of VHB, who reviewed the site plans. He confirmed that the proposal was revised to now only include two buildings with three dwellings in each. The third building might be pursued in the future. Engineer Ashley Cuhna of VHB reviewed the grading and drainage plan, and utilities to serve the site. RIDEM approval has been received for the stormwater design.
 - iv. Architect Rob Douglas of Voith & Mactavish Architects reviewed the building elevations. A waiver is required for use of Azek trim.
 - v. Mr. Stabach reviewed the additional waiver requests.

- vi. There was discussion of the need to revise the plans to reflect the elimination of one of the three proposed buildings.
- vii. The meeting was opened for public input. No members of the public wished to speak. **Motion** by Mr. Weber, seconded by Mr. Ciummo, to close the public hearing. **Vote:** 6-0-0
- viii. **Motion** by Mr. Weber, seconded by Mr. Nash, to grant development plan approval subject to the following conditions of approval and waivers granted, and the required findings of fact. **Vote:** 6-0-0
 - 1. Waivers granted:
 - a. 521.1.B.3 Pedestrian access to the site from the public way must be provided. **No pedestrian walkways are provided from Purgatory Rd.**
 - b. 521.1.E.3 Trash receptacles shall be appropriately sized and located. Trash receptacles shall have decorative designs compatible with the overall design theme for the development. **No trash receptacles proposed.**
 - c. 521.2C Building exteriors and roofs constructed of traditional materials such as wooden clapboards, shingles, patterned shingles, brick or stone (synthetic materials require Planning Board approval). **Synthetic Azek trim is proposed.**
 - 2. Conditions of approval:
 - a. Prior to permitting, the plans shall be revised to indicate the updated project scope to construct two, rather than three buildings and to eliminate the parking area previously proposed to be located on the east side of Lower Road.
 - b. Prior to permitting, the landscape management plan shall be provided to the Middletown Tree Warden for review and approval.
 - c. Prior to permitting, the proposed administrative subdivision that will result in the merger of several lots in the area of the project (AP 121SW, Lots 39, 35A, 28, 29, 30, 31) shall be recorded in the Middletown Land Evidence Records.

Ms. Owen left the meeting

- d. Request of David Bazarsky, Samuel's Realty Co. Inc., for concept review – Polo Center mixed-use development. Property located at 656 Aquidneck Ave., Assessor's Plat 114, Lots 108 & 109.
 - i. David Bazarsky addressed the Board with a concept for a mixed-use development involving property to the south of the Polo Center on Aquidneck Ave. He described the concept for 60 residential units and some additional commercial space. The new development would be connected to the existing Polo Center shopping center. He expressed a need for a waiver for Polo Center commercial properties requiring them to close by 8pm.

- ii. Board members asked questions and expressed concerns regarding potential traffic impacts, the mix and location of uses within the development, recreation space, and internal traffic circulation. The concept was viewed favorably by Board members subject to details being considered once a formal application is submitted for review.
 - e. Discuss proposed amendment to the Housing Element of the Middletown Comprehensive Community Plan. Consider scheduling a public hearing.
 - i. By consensus the Board asked Mr. Wolanski to schedule a public hearing during an upcoming regular meeting.
 - f. Discussion of subdivision/land development project & development plan review application abutter notification requirements regarding rental tenants.
 - i. Mr. Regan stated that the Board is bound by state law regarding notification requirements for applications. It can not impose additional requirements on applicants to provide notice to tenants of abutting properties.
- 5. Updates
 - a. Status Report on Planning Board Action Items – There were no comments or questions.
 - b. Committee reports
 - 1. Use Table/Parking Subcommittee -Mr. Nash reported that the subcommittee will continue its work on review of the use table once the Principal Planner position has been filled.
 - 2. Open Space & Fields Committee – Mr. Fenton stated that the committee is still reviewing a proposed “futsal” mini-soccer proposal recently presented to the OS&F committee.
 - 3. Affordable Housing Committee – Mr. Weber stated that there has not been a meeting since last month.

Motion by Mr. Nash, seconded by Mr. Ciummo to adjourn. Vote: 5-0-0

Meeting adjourned at approximately 9:00pm.

Respectfully submitted,

Mike Fenton, Secretary