



PLANNING BOARD MINUTES
June 8, 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
John Ciummo
Joe Pierik

Ron Wolanski, Town Planner
Michael Monti, Assistant Town Solicitor

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

1. Approval of minutes
 - a. May 11, 2022 regular Planning Board meeting, **Motion** by Mr. Nash seconded by Mr. Weber to approve. **Vote:** 7-0-0
 - b. May 3, 2022 special meeting, **Motion** by Mr. Weber, seconded by Mr. Nash, to approve. **Vote:** 7-0-0
 - c. May 5, 2022 special meeting, **Motion** by Mr. Nash, seconded by Mr. Weber, to approve. **Vote:** 7-0-0
 - d. May 12, 2022 special meeting, **Motion** by Mr. Nash, seconded by Mr. Weber, to approve. **Vote:** 7-0-0
2. Correspondence
 - a. Memo of the Town Planner dated May 23, 2022 Re: The West House Corporation, West House II Final Plan approval. **Motion** by Ms. Owen, seconded by Mr. Nash, to receive the correspondence. **Vote:** 7-0-0.
3. Continuances
 - a. None
4. **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.

- a. Mr. Wolanski stated that he had received a letter from the applicant's attorney requesting withdrawal of the application. No reason was given.
 - b. **Motion** by Mr. Nash, seconded by Ms. Owen, to approve withdrawal of the application without prejudice. **Vote:** 7-0-0.
5. Request of GERALYN SMALL, PE on behalf of the potential applicant for conceptual review of proposed development of a medical office building on property fronting on Valley Rd., AP 107NE, Lot 402B.
- a. Attorney David Martland represented the potential applicant, Brian Bucci. He is seeking comments on the proposed design, particularly regarding the potential request for waivers from limitations on front-yard parking and building design. Two rows of parking in front of the building are proposed.
 - b. Architect David Horton reviewed the building elevations. Synthetic materials and flat roof are proposed.
 - c. Board members indicated that the proposed front-yard parking is not a significant concern. The building design should incorporate more traditional New England-style architecture.
 - d. Mr. Horton indicated that the design will be reconsidered.
 - e. Engineer Lyn Small reviewed the site plan and the preliminary stormwater management design. She said the extra parking space in the front was for easy access by medical patients and to provide a wider area for the stormwater drainage.
 - f. Mr. Martland thanked the Board for its input.
6. **Public Hearing** – Proposed amendment to the Middletown Comprehensive Community Plan, Housing Element, to add discussion of recent and ongoing implementation activities.
- a. **Motion** by Mr. Weber to open the public hearing, seconded by Mr. Ciummo. **Vote:** 7-0-0.
 - b. Mr. Wolanski described the purpose of the proposed amendment.
 - c. Board members indicated that the proposed amendment is acceptable.
 - d. Mr. Croce opened the floor for public comment.
 - e. There being no members of the public wishing to speak, **motion** by Mr. Weber, seconded by Ms. Owen to close the public hearing. **Vote:** 7-0-0.
 - f. **Motion** by Ms. Owen, seconded by Mr. Ciummo, to approve the amendment and forward it to the Town Council for consideration. **Vote:** 7-0-0.
7. Request of Thomas Welch for Final Plan approval of a 2-lot minor subdivision. Property located at 536 Mitchell's Lane, and also fronting on Fayal Lane, Assessor's Plat 124, Lot 19
- a. The applicant was represented by Cheryl Welch and engineer Lyn Small. Ms. Small stated that the applicant had received the required special use permit from the Zoning Board of Review regarding development in Zone 1 of the Watershed Protection District. The other condition of the Preliminary Plan approval regarded providing an easement across abutting property for the existing subdrain has been addressed by showing the proposed easement on the plan, but it has yet to be recorded. She requested that the

recording of the easement be made a condition of Final Plan approval to be addressed prior to certificate of occupancy.

- b. Board members indicated that this approach was acceptable.
 - c. **Motion** by Mr. Weber, seconded by Ms. Owen to make the required findings and to grant Final Plan approval subject to the following condition:
 - i. Prior to certificate of occupancy for new construction on proposed Lot 2, the proposed 10-foot-wide drainage easement depicted on the approved plan and referenced in note 11 on the plan shall be recorded in the Middletown Land Evidence Records.
 - ii. **Vote:** 7-0-0.
8. **Public Hearing** - Request of Hart's Roofing & Construction on behalf of Beachside Holdings, LLC for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521 for proposed renovation of an existing commercial building located at 43 Aquidneck Ave., Assessor's Plat 116NW, Lot 29.
- a. **Motion** by Mr. Nash, seconded by Mr. Weber to open the public hearing. **Vote:** 7-0-0.
 - b. Rick Hart represented the applicant. He described the proposal to overlay the existing wood siding with vinyl siding and PVC trim.
 - c. Board members expressed concern with the use of vinyl siding. Other materials, such as Hardie-plank were suggested. Mr. Hart was asked if he would be willing to discuss options with the owner and return to the next meeting. He agreed.
 - d. **Motion** by Mr. Weber, seconded by Ms. Owen, to continue the matter, keeping the public hearing open, to the July 13, 2022 regular meeting. **Vote:** 7-0-0.
9. **Public Hearing** - Application by Aquidneck Commerce Center, LLC for Combined Preliminary and Final 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 one new and two existing buildings pursuant to Article 27A of the Middletown Zoning Ordinance and including request for waivers from certain design standards of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. The property is located at 809, 811, and 819 Aquidneck Ave., Assessor's Plat 114, Lots 129 and 504.
- a. The applicant was represented by attorney Matt Leys. He described actions taken since Master Plan approval. He distributed a revised lighting plan and revised landscape plan, which address some of the potential waiver requests and conditions of approval.
 - b. Engineer Lyn Small reviewed the revised site plan. She addressed questions from board members regarding various aspects of the plan, including utilities, preservation of a stone wall on the property, and stormwater management. There was confirmation that there are no affordable housing units proposed.
 - c. Mr. Croce opened the floor for public comment. There being no members of the public wishing to speak, **motion** by Ms. Owen, seconded by Mr. Nash to close the public hearing. **Vote:** 7-0-0.
 - d. Mr. Leys asked to provide additional testimony to the board.
 - e. **Motion** by Mr. Nash, seconded by Mr. Weber, to reopen the public hearing. **Vote:** 7-0-0.

- f. Mr. Leys discussed the requested waivers, noting that the required findings have been met.
 - g. **Motion** by Mr. Nash, seconded by Mr. Weber, to close the public hearing. **Vote:** 7-0-0.
 - h. **Motion** by Mr. Nash, seconded by Ms. Owen, to make the required findings and grant the requested waivers and grant combined Preliminary Plan and Final Plan approval subject to the following conditions of approval:
 - i. Prior to permitting, the applicant must provide confirmation from the Fire Department that the plan provides adequate turning radii for emergency vehicles; and
 - ii. Prior to permitting, the applicant must provide to the DPW Director for his approval information requested regarding the proposed connection to the public sewer system.
 - i. Waivers granted from requirements of section 521 of the Subdivision and Land Development Regulations:
 - i. 521.2.B – Windows must occupy between 20% and 60% of each façade visible from the public way. This requirement is not met.
 - ii. 521.2.C. - Use of synthetic exterior building materials is proposed.
 - iii. 521.2.D. – Flat roof for new building is proposed.
 - iv. 521.3.D.2 – Required 20-foot landscaped buffer not provided along northly property line (abutting residential use)
 - v. 521.3.F.1 & 2 – Required street trees not provided.
 - j. **Vote:** 7-0-0
10. Recommendation to the Town Council on proposed amendments to Middletown Zoning Ordinance, Article 13 – Off-street Parking and Loading.
- a. Mr. Croce stated that the draft ordinance amendments have been revised to address prior concerns.
 - b. The Board discussed and agreed to revise the draft regarding parking for self-storage facilities.
 - c. **Motion** by Mr. Nash, seconded by Ms. Owen to forward the draft as revised to the Town Council for consideration with a positive recommendation. **Vote:** 7-0-0.
11. Discussion of proposed historic preservation incentive program and possible recommendation to the Town Council.
- a. Mr. Wolanski provided background on the proposed ordinance that would provide tax incentives for preservation of historic structures. The proposal was tabled with the onset of the COVID-19 pandemic due to concern over financial impact.
 - b. Board members suggested delaying action to revive the discussion given current budgetary constraints. Ms. Owen suggested adding an additional member representing the Middletown Historical Society to the proposed committee.
 - c. Following additional discussion, by consensus the Planning Board agreed to table discussion on this matter until the January 2023 regular meeting.
12. Updates

- a. Status Report on Planning Board Action Items.
 - i. Mr. Croce referenced Mr. Wolanski's monthly update memo dated May 31, 2022. He referenced the item regarding affordable housing and the suggestion to revisit the discussion of inclusionary zoning. Given recent and ongoing activity on affordable housing in town, the Board by consensus agreed to take no action at this time. There were no other comments from Board members on the memo.
 - ii. Mr. Wolanski provided an update on the selection of someone to fill the Principal Planner position. An offer has been made and the Town is now awaiting a response.
- b. Committee reports
 - i. Use Table Subcommittee – Mr. Nash stated that the committee will resume meeting once the Principal Planner position has been filled.
 - ii. Tree Commission – Ms. Owen stated that the commission received a presentation from a vendor of porous pavement alternatives, with potential uses near trees. The commission also reviewed and provided comments on the plan for the Hyundai dealership.
 - iii. Open Space and Fields Committee – Mr. Fenton stated that the committee provided comments on the Middletown Center concept plan.
 - iv. Conservation Commission – Mr. Pierik stated that the commission is discussing options for providing better feedback on development applications. Mr. Wolanski stated that he and the commission chairman have discussed having Preliminary Plan applications, in addition to Master Plan, provided to the Conservation Commission for review and comments.
 - v. Affordable Housing Committees – Mr. Weber stated that there is a focus on senior housing and lack of understanding on the committee of the different types of affordable housing.
- c. Mr. Croce requested that in the future, Planning Board decision be posted online, rather than including them in the monthly paper packets. Board members agreed.
- d. Mr. Wolanski provided an update on the Town Council review of the Middletown Center project. A public workshop is scheduled for June 29th, 6pm.

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

Meeting adjourned at approximately 7:35pm.

Respectfully submitted,
Mike Fenton, Secretary