



PLANNING BOARD MINUTES
Regular Meeting
November 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
John Ciummo
Michael Fenton, Secretary
Art Weber
Joe Pierik

Also present:

Ron Wolanski, Town Planner
Michael Monti, Assistant Town Solicitor

Member absent:

B.J. Owen

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

1. Approval of the minutes of the October 12, 2022 regular Planning Board meeting, and the special meetings of October 11, 2022 and October 13, 2022.
 - a. **Motion** by Mr. Nash, seconded by Mr. Ciummo to approve the October 12, 2022 minutes. **Vote:** 6-0-0
 - b. **Motion** by Mr. Nash, seconded by Mr. Weber to approve the October 11, 2022 minutes. **Vote:** 6-0-0
 - c. **Motion** by Mr. Nash, seconded by Mr. Ciummo to approve the October 13, 2022 minutes. **Vote:** 6-0-0
2. Correspondence
 - a. Memo of the Town Planner dated October 20, 2022, re: Administrative Subdivision – Beverly Peirson, property located at 189 Paradise Ave., Plat 120, Lots 63 & 64
 - b. **Motion** by Mr. Nash, seconded by Mr. Weber, to receive the correspondence. **Vote:** 6-0-0.

3. Continuances
 - a. Request of the Town Council for review and recommendation on a request of Paul Thibeault, 34 Namquid Drive, Plat 105, Lot 175, for abandonment of a portion of Northam Lane, an unimproved right-of-way
 - i. Mr. Croce stated that the Roads & Utilities Advisory Committee is in the process of evaluating the request. He asked if a continuance would be in order.
 - ii. The petitioner, Mr. Thibeault stated that he was aware of the ongoing review and was amenable to a continuance.
 - iii. **Motion** by Mr. Weber, seconded by Mr. Ciummo, to continue the matter to the December 14, 2022 regular meeting. **Vote:** 6-0-0.
4. **Public Hearing** - Application of GRJ Middletown, LLC for Development Plan Review for a project that includes demolition of a portion of an existing mixed commercial building and associated site work, and including requests for waivers from certain provisions of the commercial development design standards contained in Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 425 East Main Road, Assessor's Plat 113, Lot 26.
 - a. The applicant was represented by attorney David Martland and contractor Jeff Lipshires.
 - b. **Motion** by Mr. Weber, seconded by Mr. Nash to open the public hearing. **Vote:** 6-0-0.
 - c. Mr. Martland provided an overview of the property and a summary of the project. Mr. Lipshires reviewed the plans, which call for demolition of a portion of the building currently used for offices and adding parking in the area of the demolition.
 - d. Some board members indicated their support for ongoing improvements to the building.
 - e. Mr. Martland reviewed the requested waivers from the commercial development design requirements of Section 521 of the Regulations. He noted that some waivers are due to the existing conditions on the property.
 - f. Mr. Lipshires addressed the request for use of vinyl siding. It will be used in the area of demolition to match the existing siding on that façade of the building. Mr. Croce said any changes to the façade would have to come before the Planning Board again.
 - g. There was discussion of potential future improvement to the building. Mr. Lipshires noted that previous plans for improvements were scaled back due to costs. In the future replacement of the existing windows with a more traditional design is anticipated.
 - h. Mr. Croce invited public comment.
 - i. Abutting property owner, Ben Jenkins of 2 ½ Park Dr. asked about exterior lighting. He is concerned about the impact on his property of any new lighting. Mr. Martland stated that no new light poles are proposed. Wall-mounted lighting will be used and will comply with Town requirements for exterior lighting. Mr. Martland agreed to meet offline with Mr. Jenkins to explain approach and make any changes necessary.
 - j. There were no other members of the public wishing to speak.
 - k. **Motion** by Mr. Weber, seconded by Mr. Ciummo to close the public hearing. **Vote:** 6-0-0
 - i. **Motion** by Mr. Nash, seconded by Mr. Weber to make the five required findings of fact, grant the requested waivers from the commercial development design requirements of Section 521 of the Middletown Rules and Regulations Regarding the

Subdivision and Development of Land, and approve the application subject to the following conditions of approval:

1. Prior to permitting the applicant shall confirm adequate access to the building for emergency vehicles, subject to the approval of the Fire Chief.
2. Prior to permitting, any comments from the Tree Commission resulting from its review of the landscape plan and the landscape maintenance plan shall be addressed.

Waivers granted:

1. **Section 521.1.B.1** – Parking to be located to side or rear of buildings. **Proposed parking does not comply. This is an existing site condition due to location of the existing building, which will be retained.**
2. **Section 521.1.B.2** – Parking to be separated into lots of not more than 50 spaces each, with lots separated by landscaped strip at least 10 feet wide. **Proposed modified parking does not comply.**
3. **Section 521.2.C** – Building exteriors and roofs must be constructed of traditional materials such as wooden clapboards, shingles, patterned shingles, brick or stone. **The applicant has indicated that the use of vinyl siding and brick veneer is proposed to match the existing building siding.**
4. **Section 521.3.F. 2** – Parking lot trees. **Proposed parking lot trees do not satisfy the number of trees required in the project area. 1 tree per 5 parking spaces required**

Mr. Nash stated that the application has addressed the required findings and the requested waivers are acceptable.

ii. **Vote:** 6-0-0.

5. Public Hearing - Application of GR Middletown Land, LLC for Development Plan Review for a proposed carwash commercial development including requests for waivers from certain provisions of the commercial development design standards contained in Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 991 and 995 West Main Rd., Assessor's Plat 106, Lots 115 and 116.

- a. **Motion** by Mr. Nash, seconded by Mr. Ciummo to open the public hearing. **Vote:** 6-0-0.
- b. The applicant was represented by attorney David Martland. He reviewed the history of the site, including the previous application for a carwash with other uses. The property has since been sold and the new owner is seeking development plan review approval for the carwash only. The previously approved special use permit to allow the use in Zone 2 of the Watershed Protection District remains valid due to an extension granted by the Zoning Board of Review.
- c. Mr. Martland introduced the applicant's engineer, Brady Carlucci of Sevan Design Solutions, who reviewed the site and architectural plans and addressed board member questions. There was discussion of the proposed grading plan and the design for a proposed retaining wall. It was requested that the applicant consider use of stone rather than cement block for the wall.
- d. Mr. Weber asked if attendants would be present during the car wash process. The applicant replied that an attendant would only be present at the end of the process. Mr.

Ciummo asked how much water would be reclaimed during the process. The applicant replied “about 70%”.

- e. There was discussion of comments from the Tree Commission, which the applicant agreed to address.
- f. There was discussion of the rights-of-way and easements on the abutting property. The easement area located to the southerly side of the property will be used to access the site. Mr. Nash requested confirmation that the applicant has the right to use this area. He indicated that it appears that the project is too large for the site. Mr. Martland confirmed that the applicant has the right to use the abutting land as proposed. In response to Mr. Nash’s question, Mr. Monti stated that he is not familiar with the easement, but if the language is as described by Mr. Martland, there should be no issues. Mr. Nash requested that the solicitor review the easement language.
- g. There was discussion of the requested waivers from the commercial development design requirements of the Regulations, including the need for a buffer and screening along the northly property line. The applicant was asked to consider options for meeting the requirement.
- h. Mr. Fenton questioned the proposed building design and how it didn’t fit in with the New England Coastal Village style desired by the board. Mr. Martland then presented a revised set of plans. Board members indicated that the revised design is an improvement over the prior submission, but concerns were expressed. Board members stated a desire for a sloped roof.
- i. Mr. Croce raised concerns over language in the traffic study and the development impact statement that needs to be revised and updated to reflect the current application. The development impact statement that was submitted for the prior application is not valid for this application.
- j. Mr. Croce suggested that due to the need to revise the plans and supporting documents, the matter should be continued to the next meeting. The applicant indicated that a continuance was acceptable.
- k. Mr. Croce opened the floor for public input.
- l. Yvonne Blackman, owner of Blue Wave Carwash, located at 1379 West Main Rd. read from a prepared statement. She expressed concern that the application is not being required to again seek special use permit approval by the Zoning Board of Review. This is a different project than the prior application. Environmental impacts should be considered, including impact on the sewer system and stormwater runoff. She noted that there are several carwashes nearby. The owner is a private equity firm and is not concerned with the best interests of the town.
- m. Mr. Martland stated that the Blue Wave Carwash is not an abutter to the subject property. He noted that in addition to the special use permit, required state permits are in place. Mr. Monti requested that the applicant provide copies of the ZBR approval to extend the special use permit and the building/zoning official’s determination that the special use permit is valid for the current revised project.
- n. **Motion** by Mr. Nash, seconded by Mr. Weber, to continue the matter, keeping the public hearing open, to the December 14, 2022 regular Planning Board meeting. **Vote:** 6-0-0.

6. Review subcommittee recommended revisions to the proposed amendments to zoning ordinances Article 13 – Off-street Parking and Loading. Provide recommendation to the Town Council.
 - a. Mr. Wolanski reviewed the subcommittee’s proposed revisions to the draft amendments to the off-street parking requirements of the zoning ordinance. The revisions address some of the questions raised during and after the Town Council’s hearing on the amendments.
 - b. The board discussed items flagged by the subcommittee for additional discussion.
 - c. **Motion** by Mr. Nash, seconded by Mr. Weber, to approve the proposed revisions and to forward the revised draft to the Town council with a positive recommendation. **Vote:** 6-0-0.
7. Consider establishment of a sustainability subcommittee.
 - a. The board discussed the need to address sustainability issues relative to climate change. The issue was brought to Mr. Croce’s attention by the chair of the Tree Commission.
 - b. Mr. Wolanski stated that the Town will need to address this discussion in its next comprehensive plan. He will be discussing the process for drafting the next plan with the Planning Board early next year.
 - c. By consensus the board decided to table the matter for discussion at a future date.
8. Updates
 - a. Status Report on Planning Board Action Items.
 - i. Mr. Croce requested that the quarterly report on progress on implementing the recommendations of the Full-build impact study be provided for the December meeting.
 - b. Committee reports
 - i. Use Table Subcommittee – No additional information beyond recent work on the proposed parking ordinance amendments.
 - ii. Tree Commission – Ms. Owen was not in attendance.
 - iii. Open Space and Fields Committee – Mr. Fenton shared that the committee received info from the Town that a revised quote was received from the contractor regarding the pickleball courts, and they are considering it.
 - iv. Conservation Commission – Mr. Pierik shared that there has not been a meeting.
 - v. Affordable Housing Committee – Mr. Weber shared that there has not been a meeting.
 - vi. Citizens Advisory Committee (Middletown Center) – Mr. Fenton stated that the committee is looking at options for site design and also potential use of abutting Navy land.
 - vii. Inclusionary Zoning subcommittee – Mr. Ciummo stated that the next meeting is scheduled for November 22nd.
 - c. Upcoming meetings:
 - i. November 29, 2022, 6pm – Special meeting – Airport Zoning.

ii. December 14, 2022, 6pm – Regular monthly Planning Board meeting.

Motion by Mr. Nash, seconded by Mr. Weber to adjourn. **Vote:** 6-0-0

Meeting adjourned at approximately 8:20pm.

Respectfully submitted,
Mike Fenton, Secretary

DRAFT