



PLANNING BOARD MINUTES
Regular Meeting
March 8, 2023, 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
Leon Amarant

Also present:

Ron Wolanski, Town Planner
Michael Monti, Assistant Town Solicitor
Anita Guo, Principal Planner

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

1. Election of Officers

- A. Ms. Owen nominated Mr. Croce as Chairman, Mr. Nash as Vice Chairman, and Mr. Fenton as Secretary.
- B. There were no further nominations.
- C. **Motion** by Ms. Owen, seconded by Mr. Weber to appoint Mr. Croce as Chairman, Mr. Nash as Vice Chairman, and Mr. Fenton as Secretary. **Vote:** 7-0-0.

2. Approval of the minutes

- A. January 11, 2023 regular Planning Board meeting
 - i. Mr. Croce requested line 4c.i. be changed to "...The second draft, provided by the Solicitor's office and also in conformance with state law, prohibits ADUs except in certain circumstances."
 - ii. **Motion** by Mr. Nash, seconded by Mr. Fenton to approve the minutes as amended. **Vote:** 7-0-0
- B. January 3, 2023 special Planning Board meeting

- i. **Motion** by Ms. Owen, seconded by Mr. Nash to approve the minutes. **Vote:** 7-0-0.
- C. February 2, 2023 special Planning Board meeting
 - i. Mr. Croce pointed out a typo and requested that Mr. Weber's name be removed the Members absent section.
 - ii. **Motion** by Mr. Nash, seconded by Ms. Owen to approve the minutes as amended. **Vote:** 7-0-0.
- D. February 21, 2023 joint meeting with the Town Council
 - i. Mr. Croce requested line 1b be changed to "...All other Council priorities have been referred to the Town Council."
 - ii. **Motion** by Mr. Nash, seconded by Ms. Owen to approve the minutes as amended. **Vote:** 7-0-0.

3. Correspondence

- A. Town Planner memo dated January 5, 2023 re: Campos 5-lot subdivision Final Plan approval.
- B. Town Planner memo dated January 9, 2023 re: Rosebrook Commons comprehensive permit for a major land development project Final Plan approval.
- C. Town Planner memo dated January 24, 2023 re: Town Council request for short-term rentals research.
- D. Email communication of Gregory Huet dated January 11, 2023 regarding proposed Valley Rd. medical building.
- E. Email communication of Robert J. Sylvia dated January 25, 2023 regarding request for continuance of public hearing on Valley Rd. self-storage application.
- F. Email communication of Walter Snider dated January 26, 2023 regarding proposed Johnnycake Rd. wholesale commercial building.
- G. Memo communication of Lynette and Trey Snider dated February 6, 2023 regarding proposed Johnnycake Rd. wholesale commercial building.
- H. Email communication of lizzie7045@aol.com dated March 6, 2023 regarding short term rentals research.
- I. Communication of attorney Jeremiah C. Lynch, III on behalf of abutter 12 Julia Court, LLC dated March 7, 2023, regarding proposed Johnnycake Rd. wholesale commercial building.
- J. **Motion** by Mr. Nash, seconded by Ms. Owen to receive all correspondence. **Vote:** 7-0-0.

4. Continuances

- A. **Public Hearing** – Application of Bucci Development Inc. for Development Plan Review for a proposed medical office building and associated site work, including requested waivers from certain design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located on Valley Rd. approximately ¼ mile north of the intersection of Valley Rd. and East Main Rd., Tax Assessor's Plat 107NE, Lot 402B (**This item is expected to be continued to the April 12, 2023 Planning Board meeting.**)

- i. **Motion** by Mr. Nash, seconded by Ms. Owen to continue the matter to the April 12, 2023 regular meeting. **Vote:** 7-0-0.
- B. **Public Hearing** - Review and recommendation to the Planning Board – Application of Sisyphus Holdings LLC for Development Plan Review for construction of a warehouse/office with storage, including parking, utilities, and associated site work, and including requests for waivers from certain design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 165 Oliphant Lane, Tax Assessors Plat 111, Lot 61A.
 - i. **Motion** by Mr. Nash, seconded by Ms. Owen to continue the matter to the April 12, 2023 regular meeting. **Vote:** 7-0-0.

5. Old Business

- A. Review subcommittee recommendations for proposed amendments to the zoning use table, Zoning Ordinance Section 602, and related amendments to sections 703, 722, and 728, and Article 13.
 - i. **Motion** by Mr. Nash, seconded by Mr. Weber to continue the matter to the April 12, 2023 regular meeting. **Vote:** 7-0-0.
- B. Review and discuss information compiled by Planning Dept. staff regarding examples of regulatory approaches for short-term rentals and impact of short-term rentals on housing stock for year-round residents.
 - i. **Motion** by Mr. Nash, seconded by Mr. Weber to continue the matter to the April 12, 2023 regular meeting. **Vote:** 7-0-0.

6. New Business

- A. **Public Hearing** – Application of GG Properties, LLC for Development Plan Review for construction of a 15,000 sq. ft. wholesale commercial use building, with associated parking, office space, landscaping, stormwater management, utilities, and associated site work, and including requests for waivers from certain design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located on 72 Johnnycake Hill Road, Assessor's Plat 114, Lot 601.
 - i. **Motion** by Mr. Nash, seconded by Ms. Owen to open the public hearing. **Vote:** 7-0-0.
 - ii. The applicant was represented by attorney Dave Martland, Matt Goldsmith of GG Properties, LLC, engineer Mike Russell, and architect Dan Herchenrother. Mr. Martland provided an introduction of the project and shared that the application received a positive recommendation from the TRC.
 - iii. Mr. Russell went over the existing conditions, paving, curbing, utilities, parking lot, stormwater management, and landscaping. Mr. Russell pointed out that they intend to make every effort to preserve the existing vegetation and the tree that an abutter called attention to.
 - iv. Mr. Nash asked about the height of the existing principal building which Mr. Goldsmith addressed.
 - v. Mr. Fenton expressed concern with the building size compared to the existing building. Mr. Martland stated that commercial zones allow additional buildings on the same lot.

- vi. Mr. Weber shared his concerns with entering and exiting the parking lot and with the nearby housing development. Mr. Martland recognized Mr. Weber's concerns but pointed out that the proposed use is low intensity and there is no activity towards the rear where the residential areas are.
- vii. Mr. Herchenrother reviewed the proposed building design and stated that the building materials were revised to an asphalt roof and board and batten siding. He clarified that they are still requesting a waiver for the synthetic materials. Mr. Fenton asked for clarification which Mr. Herchenrother confirmed there will not be any metal siding around building.
- viii. Mr. Amarant asked about changes to the roofline which Mr. Herchenrother stated it is a prefabricated structure.
- ix. Mr. Croce asked about preserving the tree near the retaining wall. There was discussion about the location of the nearby residential neighborhood in relation to the project site and about screening. Mr. Martland stated that the applicant agrees to maintain that tree and vegetation.
- x. Mr. Croce asked about the use of fountain grass which Mr. Martland stated that the applicant will address the Tree Commission's comments and amend the plans as needed.
- xi. Mr. Nash pointed out with the proposed changes, the view of the abutter would be an asphalt roof and siding that mimic traditional materials.
- xii. Mr. Fenton asked about zoning relief which Mr. Martland stated that the applicant needs approval from the Zoning Board of Review for the storage use. Mr. Nash asked about the process of a Planning Board recommendation to the Zoning Board of Review. Mr. Wolanski shared that when the Zoning Board of Review is the permitting authority, they will approve the development plan review with the conditions and waivers.
- xiii. Ms. Owen expressed her support for the building material changes.
- xiv. Mr. Martland reviewed the requested waivers and shared that the building would be used primarily for storage and does not expect much pedestrian activity, the building would not be visible from the street, and there are existing conditions which would require waivers.
- xv. Mr. Fenton expressed his concern with the number of requested waivers. He stated that the building seems large and suggested the roofline be broken up. Mr. Martland clarified that the waivers are for the street-facing façade of the building. Mr. Fenton expressed he cannot support the application with the design standards in mind.
- xvi. Members of the public were invited to speak.
- xvii. Attorney Jay Lynch represented an abutter, 12 Julia Court, LLC. Mr. Lynch shared that they appreciate the building material changes, but his client formally objects to the requested waivers and is requesting compliance with the design standards. Mr. Lynch suggested changes such as adding windows to the north side of the building and not disturbing the existing landscaping.
- xviii. Mr. Nash suggested the addition of false windows. Mr. Martland stated the applicant is amendable to the addition of false windows to the north elevation. Mr. Herchenrother clarified that the north elevation would be changed to include 20% of the area made up of false windows.
- xix. Mr. Goldsmith added that he is happy to maintain and add to the vegetation on the north side.
- xx. **Motion** by Mr. Fenton, seconded by Mr. Nash to close the public hearing.
Vote: 7-0-0

- xxi. **Motion** by Mr. Nash, seconded by Ms. Owen 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 forward a positive recommendation to the Zoning Board of Review, subject to the following conditions of approval:
- a. Recommended conditions:
 1. Prior to permitting, the utility plan shall be revised to show existing and proposed sewer service to the property, including a new manhole on the property to provide separate services to the two buildings, subject to the approval of the DPW director.
 2. Prior to permitting, the applicant shall address all comments contained in the review memo from Crossman Engineering dated January 23, 2023, subject to the satisfaction of the Town Engineer, with the exception of item 9.
 3. The Town Engineer will consult with Crossman Engineering regarding comment 9 contained in the review memo from Crossman Engineering dated January 23, 2023. Prior to permitting, the applicant will address comments regarding the O&M plan as determined necessary by the Town Engineer.
 4. Prior to permitting, the applicant shall revise the landscape plan as necessary to address comments contained in both the February 27, 2023 correspondence and the February 28, 2023 correspondence from the Middletown Tree Commission.
 5. The building will be constructed using exterior building and roofing materials as presented to the Planning Board on building elevations document dated March 7, 2023.
 6. Prior to permitting the north facade building elevation plan shall be revised to provide at least 20% of the façade area made-up of windows.
 - b. Waivers granted:
 1. **Section 521.1.A** - Buildings should be located so as to create a safe, pleasant walking environment and efficient pedestrian circulation pattern. Building placement, orientation and massing should be planned to promote more active pedestrian-scaled commercial design, with ample opportunities for walking and bicycling, as well as private motor vehicles and to promote the use of public transportation; and **Section 521.1.B.3** - Circulation shall be designed to provide safe and efficient access for pedestrians, automobiles, and emergency vehicles into and throughout the site, including designated pedestrian walkways and crosswalks. Pedestrian access to the site from the public way and neighboring properties shall be provided. **Pedestrian access from the public right-of-way to interior of site, including sidewalks and crosswalks, is not provided.**

2. **Section 521.2.A.2** – Street side façade does not consist of an unarticulated blank wall, does not consist of an unbroken series of garage doors, and no unbroken plane of a wall exceeds forty feet without a break of at least 48” in plane. **Proposed design of the street facing façade exceeds forty feet without a break in the plane.**
3. **Section 521.2.B.1** – Windows occupy between 20% and 60% of façade visible from the public way. **No windows are on the street-facing façade.**
4. **Section 521.2.B.2** – Where consistent with overall building design, windows are of true or simulated divided-light design (double-hung windows preferred). **Proposed design does not comply.**
5. **Section 521.2.C** – Building exteriors and roofs shall be constructed of, or resemble, traditional materials such as wooden clapboards, shingles, patterned shingles, brick, or stone. **Building exteriors include use of synthetic materials, including fiber cement board and batten siding.**
6. **Section 521.3.D.1** – Landscaped buffer at least 10’ is provided along all property lines. **Not provided for the westerly property line where there is existing parking. This is an existing situation.**
7. **Section 521.3.D.3** – A landscaped buffer at least 10’ wide and a minimum 5’ planting strip is provided between buildings and parking lots/driveways. **Landscaped buffer provided at southerly and westerly elevation does not meet 10’ wide minimum. 5’ planting strip is not fully provided at the westerly elevation.**
8. **Section 521.3.F.1** – Deciduous street trees. **Not provided. This is an existing situation. Development activity is proposed to the rear of the existing building.**
9. **Section 521.3.F.2** – Parking lot trees. **Not provided. This is an existing situation.**

c. **Vote:** 7-0-0.

- B. **Public Hearing** – Application of Reed Development Corp. for Development Plan Review for construction of a 4-story, 17,000 sq. ft. footprint self-storage facility, with associated parking, office space, landscaping, stormwater management, and utilities, and including requests for waivers from certain design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located on Valley Road approximately 0.2 miles south of the intersection with East Main Rd., Assessor’s Plat 107SE, Lot 403.
- i. **Motion** by Mr. Weber, seconded by Mr. Nash to open the public hearing, **Vote:** 7-0-0
 - ii. The applicant was represented by attorney Dave Martland, Bob Reed of Reed Development Corp., construction manager James Farrar, engineer

- Mike Russell, architect Spencer McCombe, and general appraiser James Houle.
- iii. Mr. Martland discussed the existing conditions, access on O'Neill Road, TRC recommended conditions, and requested waivers.
 - iv. Mr. Russell spoke about access on O'Neill Road, parking and loading spaces, firetruck access, utilities, stormwater management, and landscaping.
 - v. Ms. Owen asked about the use of arborvitae along property line and potential deer damage. Mr. Martland stated they agree to making it a condition of approval to satisfactorily address the Tree Commission's comments.
 - vi. Mr. Nash asked about access and gates which Mr. Martland addressed.
 - vii. Mr. Russell talked about the amount of landscaping and impervious surfaces and confirmed that the application conforms with requirements. Mr. Fenton asked about green space percentage which Mr. Martland addressed.
 - viii. Mr. Weber asked about notification to Middletown Police Department. Mr. Reed shared that he previously spoke with the Police Chief and shared his plans for the property.
 - ix. Ms. Owen expressed that the new design is an improvement from the previous concept plan design.
 - x. Mr. Croce asked about the impact on neighborhood character. Mr. Martland introduced Mr. Houle to address that question. Mr. Houle shared his findings and stated that he found the self-storage use is an acceptable use in the zone, it is an example of in-fill development, and it is in harmony with the comprehensive plan. Mr. Croce expressed his concern with the building size and questioned whether it is consistent in that area. Mr. Martland shared an example of the adjacent wholesale store building which is much larger than the proposed building.
 - xi. Mr. Fenton asked about lighting. Mr. Farrar stated that there will be wall packs at the entrances and lighting inside the building. Mr. Russell identified the location of the external lighting and confirmed that fixtures are all dark-sky compliance.
 - xii. Mr. Nash asked about the change in elevation and retaining wall which Mr. Russell addressed satisfactorily.
 - xiii. Mr. McCombe then spoke about the building design and materials. Mr. Nash expressed his support for the building design and asked about the windows which Mr. McCombe addressed. There was discussion about the building materials.
 - xiv. Members of the public were invited to speak.
 - xv. Abutter Robert Sylvia spoke about taxpayers' investment in Bailey's Brook and his concerns of the potential impact. He also expressed concern with the building size, effects on neighborhood character, noise, lighting, property value, and the Police Department's safety.
 - xvi. Ms. Owen spoke about people who are experiencing homelessness, living behind the property.
 - xvii. Mr. Croce asked about impacts of Bailey's Brook and whether the Police Department had any concerns. Mr. Martland stated that the property of the Police Department is town-owned and the Town received abutter's notice. There was discussion about involving the Police Chief. Mr. Nash stated that the applicant did their due diligence by sending abutter notices and

- conversing with the Police Chief. Mr. Martland added that the applicant's proposal is well-publicized.
- xviii. Mr. Martland and Mr. Russell shared that there are no wetlands on the property and it is outside of the RIDEM wetlands jurisdictional area. Mr. Nash stated that he does not see significant impacts on the Brook. Mr. Russell pointed out that the applicant is voluntarily treating its stormwater all onsite despite deeded rights to utilize the nearby detention basin.
- xix. Mr. Amarant asked about water drainage and treatment which Mr. Russell addressed satisfactorily. Mr. Amarant then asked about the dimensional requirements and zoning relief which Mr. Martland addressed that the proposal meets all dimensional requirements and is not seeking any variances but the applicant is seeking a special use permit for the self-storage use.
- xx. No other member of the public wished to speak.
- xxi. **Motion** by Mr. Weber, seconded by Mr. Nash to close the public hearing. **Vote:** 7-0-0.
- xxii. **Motion** by Mr. Nash, seconded by Mr. Ciummo 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 forward a positive recommendation to the Zoning Board of Review, subject to the following conditions of approval:
- a. Recommended conditions:
 - 1. Prior to permitting, the plans shall be revised to indicate placement of a sign at the easterly entrance to the site to direct large trucks to use the westerly entrance to access the property.
 - 2. Prior to permitting, the applicant shall address all comments contained in the review memo from Crossman Engineering dated January 23, 2023, subject to the satisfaction of the Town Engineer, with the exception of items 7, 8, and 14.
 - 3. The Town Engineer will consult with Crossman Engineering regarding comments 7, 8, and 14 contained in the review memo from Crossman Engineering dated January 23, 2023. Prior to permitting, the applicant will address those comments as determined necessary by the Town Engineer.
 - 4. Prior to permitting, the applicant shall revise the landscape plan as necessary to address comments contained in both the February 27, 2023 correspondence and the February 28, 2023 correspondence from the Middletown Tree Commission, including the replacement of proposed arborvitae vegetative screening with another species less susceptible to deer damage.
 - b. Waivers granted:
 - 1. **Section 521.1.A** - Buildings should be located so as to create a safe, pleasant walking environment and efficient pedestrian circulation pattern. Building placement, orientation and massing should be planned to promote more active pedestrian-scaled commercial design, with ample opportunities for walking and bicycling, as well as private motor vehicles and to promote the

use of public transportation; and **Section 521.1.B.3** - Circulation shall be designed to provide safe and efficient access for pedestrians, automobiles, and emergency vehicles into and throughout the site, including designated pedestrian walkways and crosswalks. Pedestrian access to the site from the public way and neighboring properties shall be provided. **Pedestrian access from the public right-of-way to interior of site, including sidewalks and crosswalks, is not provided.**

2. **Section 521.2.C** – Building exteriors and roofs shall be constructed of, or resemble, traditional materials such as wooden clapboards, shingles, patterned shingles, brick, or stone. **Building exteriors include fiber cement paneling and other synthetic materials.**
3. **Section 521.3.D.3** – A landscaped buffer at least 10' wide and a minimum 5' planting strip is provided between buildings and parking lots/driveways. **Buffer at the northerly, westerly, and southerly building elevations do not meet 10' wide landscaped buffer requirement. A 5' wide buffer is provided at these locations.**

c. **Vote:** 7-0-0.

C. **Public Hearing** – Application for Development Plan Review by GR Middletown Land LLC 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 Road, Assessor's Plat 106, Lots 115 and 116 and access driveways over a portion of property owned by Middletown Associates located at 969 West Main Road, Assessor's Plat 106, Lot 142 pursuant to deeded rights of access.

- i. **Motion** by Mr. Nash, seconded by Ms. Owen to open the public hearing. **Vote:** 7-0-0.
- ii. Attorney Dave Martland represented the applicant and shared background information on the site and access driveway easement. Mr. Martland shared how the application was heard in November 2022 and that the plans have been amended to address concerns from the access driveway's property owner (Middletown Associates). In addition, revisions were made to address comments from the Tree Commission and others.
- iii. Mr. Martland went over the changes that included moving the employee parking spaces to the back of the building, adding landscaping to the front of the building, northern, and eastern property line, removing the vacuum accessory structures, screening of transformer, and shifting of the building so no structures will be on the easement area.
- iv. Mr. Croce asked about the Tree Commission's comments which Mr. Martland addressed that plans were revised to address Middletown Associates' concerns.
- v. Mr. Weber asked about the TRC recommendations and public notice. Mr. Martland stated the public notice was revised and new abutter notices were sent out. Mr. Wolanski shared that there are several conditions that the TRC recommended that would need to be satisfied prior to permitting.

- vi. Mr. Nash asked how plans were amended. Mr. Martland shared the building is the same size but shifted over.
- vii. Architect Spencer McCombe shared that New England design elements were incorporated into the design including the roofline, shutters, and glazing. Mr. Croce asked about the colors which Mr. Wolanski stated that the Town does not regulate color unless the Board make it a condition to uphold the color scheme. Mr. Croce expressed that he is satisfied with the new design and color choices, compared to the concept plan design, which Mr. Martland stated the applicant is as well.
- viii. Mr. Fenton asked about the retaining wall near the northern property line. Mr. Martland shared that the retaining wall is removed from the plans with the addition of the landscaping buffer. Mr. Fenton asked about the hours of operation which Jim Waterman, Vice President of Washville Car Wash addressed.
- ix. Mr. Croce asked about processing time per vehicle which Mr. Waterman stated about 30 seconds.
- x. Mr. Fenton asked about the special use permit. Mr. Martland shared that the special use permit was approved a few years ago and that the application received permits from RIDEM and RIDOT. Mr. Nash asked for clarifications on the special use permit despite modifications to the plan. Mr. Martland stated the Zoning Official determined the approval was in place and the applicant does not need additional zoning approval. Mr. Weber asked about the expiration of the special use permit which Mr. Martland addressed that it was extended by the Zoning Board of Review.
- xi. Mr. Croce asked about the waiver for the landscape buffer on the southerly property line. Mr. Martland shared that there is partial landscaping along the southerly property line and there is landscaping along the southerly project line. There was discussion about the Tree Commission's concern with the monoculture and plants that are susceptible to deer damage. Mr. Martland stated they are receptive to adding additional plantings and changing the species to address these concerns.
- xii. There was discussion about the water reclamation system. Mr. Waterman shared details about the system and process and stated that the TRC reviewed it as well.
- xiii. Ms. Owen asked about ingress and egress. Mr. Martland stated the application received RIDOT approval for the two way out exit.
- xiv. Mr. Fenton asked about the southern retaining wall which Mr. Martland addressed satisfactorily.
- xv. Mr. Martland stated that the applicant intends to meet the minimum caliper tree size, thus will not be requesting the waivers for street and parking lot trees.
- xvi. There were no members of the public who wished to speak.
- xvii. **Motion** by Mr. Weber, seconded by Mr. Nash to close the public hearing.
Vote: 7-0-0
- xviii. **Motion** by Mr. Nash, seconded by Ms. Owen 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:
 - a. Conditions of approval:

1. Prior to permitting, the applicant shall merge Plat 106 Lot 115 and Lot 116 together through an administrative subdivision.
2. Prior to permitting, the applicant will satisfactorily address all comments from Crossman Engineering, dated December 1, 2022 subject to approval of the Town Engineer.
3. Prior to permitting, the lighting plan shall demonstrate compliance with the requirements of Zoning Ordinance Article 27B – Outdoor Lighting.
4. Prior to permitting, the applicant shall provide the calculation demonstrating compliance with the requirement that windows make up 20% - 60% of each façade visible from the public street.
5. Prior to permitting, the applicant shall address comments from the Tree Commission dated February 27, 2023 and February 28, 2023, including replacement of proposed arborvitae screening with a species less susceptible to deer damage, and introduction of additional plantings near the rear property line to avoid creating a landscape monoculture.
6. Prior to permitting, the landscape plan shall be revised to indicate the required parking lot trees and street trees shown on the plan will comply with the required minimum 4-inch caliper size.

b. Waivers granted:

1. **Section 521.1.B.1** – Parking to be located to side or rear of buildings. **Proposed parking does not comply.**
2. **Section 521.2.C** – Building exteriors and roofs shall be constructed of, or resemble, traditional materials such as wooden clapboards, shingles, patterned shingles, brick, or stone. **Building exteriors using fiber cement siding and other synthetic materials.**
3. **Section 521.3.D.1** – A landscaped buffer at least 10' is provide along all property lines. **Not provided for southerly property line.**
4. **Section 521.3.D.3** – A landscaped buffer of at least ten (10) feet wide shall be provided between buildings and parking lots/driveways. The buffer shall be defined by curbing, and may include sidewalks, but must include a minimum five (5) foot planting strip. **A minimum 5-foot planting strip between building and parking lot is not provided.**

c. **Vote:** 7-0-0.

D. Review and recommendation to the Town Council on proposed amendments to the Middletown Zoning Ordinance, Town Code Chapter 152, Section 727 – Marijuana Relate Uses.

- i. **Motion** by Mr. Nash, seconded by Mr. Weber to continue the matter to the April 12, 2023 regular meeting. **Vote:** 7-0-0.

7. Updates

- A. Status Report on Planning Board action items.
 - i. Mr. Croce asked about the update on airport overlay zoning. Mr. Wolanski shared that Ms. Guo has been in communication with RIAC and their consultant on obtaining the data regarding the Height Compliance Area and will provide an update once the analysis is complete.
 - ii. Mr. Croce asked about the status of the application fees. Mr. Wolanski shared that he has received the requested information from the Finance Department to calculate the revised fees. However, the fees need to be recalculated with staff salary and other cost items for the fiscal year 2023. Mr. Wolanski stated he will work on providing the board with a revised fee schedule to forward to the Town Council for consideration.
 - B. Committee reports
 - i. Appointment of Planning Board member to serve on the Conservation Commission
 - a. Mr. Croce appointed Mr. Amarant to serve on the Conservation Commission.
 - ii. Use Table Subcommittee – Mr. Croce noted that the use table will be discussed during the April 12, 2023 Planning Board meeting.
 - iii. Tree Commission – Ms. Owen spoke about the upcoming Earth Day Middletown event at the Paradise School.
 - iv. Open Space and Fields Committee – No reports.
 - v. Conservation Commission – No reports.
 - vi. Affordable Housing Committee – Mr. Weber stated a meeting is to be determined.
 - vii. Citizens Advisory Committee – Mr. Fenton shared the committee is working on a presentation to share their findings.
8. Upcoming meetings:
- A. March 14, 2023, 6pm – Special Public Workshop meeting regarding inclusionary zoning and accessory dwelling units.
 - B. April 12, 2023, 6pm – Regular monthly Planning Board meeting

Motion by Mr. Ciummo, seconded by Ms. Owen to adjourn. **Vote:** 6-0-0

Meeting adjourned at approximately 9:18pm.

Respectfully submitted,
Mike Fenton, Secretary