



PLANNING BOARD MINUTES  
Regular Meeting  
October 25, 2023, 6pm  
Town Council Chambers – Town Hall  
350 East Main Road  
Middletown, RI 02842

**Board members present:**

Paul Croce, Chair  
Bill Nash, Vice Chair  
Art Weber  
B.J. Owen  
John Ciummo  
Leon Amarant

**Also present:**

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

**Member absent:**

Michael Fenton, Secretary

Mr. Croce called the meeting to order at 6:05pm

1. **Public Workshop** – Accept public input, discuss and provide recommendation to the Town Council on amendments to the zoning ordinance, Town Code Chapter 152, in response to legislation passed during the RI General Assembly's 2023 session, including Senate bills S1032A & S1035A. Proposed amendments to zoning ordinance sections: 400 - Definitions, 602 – Use Table, 805 – Nonconforming lots, 902 – Special Use Permits, 903 - Variances, and added new sections 906 – Modifications, and 728 – Adaptive Reuse.
  - a. Mr. Croce shared that State Representative Alex Finkelman will be attending the meeting to answer questions from the Planning Board.
  - b. Mr. Wolanski provided a presentation on the legislation passed during the 2023 RI General Assembly session and spoke about the two Senate Bills S1032A and S1035A (on special use permit criteria, substandard lots, modifications, variance standards, and adaptive reuse) and the related proposed amendments to the Town Ordinance being considered tonight.
  - c. There was discussion about the dimensional requirement calculation of nonconforming lots and modification permits.
  - d. Mr. Croce invited Mr. Finkelman to share comments and answer questions.

- e. Mr. Finkelman spoke about how the bills were passed to address the housing crisis and to generate more housing. There was discussion and comments on local control, abutter's notices, the removal of compliance with comprehensive plan for special use permits, appeals to Superior Court, affordable housing, and short-term rentals.
  - f. Mr. Nash asked for clarification on modification permits. Mr. Monti shared that the Zoning Enforcement Officer has discretion to deny modifications permits that are 16% to 25% modification of the dimensional requirements and anything more than 25% would be a variance request to the Zoning Board of Review. There was discussion about amending dimensional requirements.
  - g. Mr. Croce invited members of the public to speak.
  - h. Edward McPherson, Middletown spoke about how affordable housing is a huge issue. He encouraged the Town to get ahead of the issue and spoke in favor of ADUs. He shared how the changes would make it easier to build on nonconforming lots and suggested removing familial relationship from the ADU requirement.
  - i. Mr. Monti updated the Board that the Solicitor's Office is currently working through the ADU item.
  - j. Robert Silva, Middletown asked about the changes in the use table related to single-family dwellings permitted in the General Business zone. Mr. Wolanski shared the proposed changes were a result of the Planning Board's work and comments from the Solicitor's office. Mr. Silva spoke about housing in relation to economy and special use permit criteria.
  - k. Mr. Nash asked for clarification on applications requiring zoning relief which Mr. Wolanski stated that development plan review applications that also require zoning relief will go through a unified development review process with the Planning Board having purview.
  - l. No other members of the public wished to speak.
  - m. **Motion** by Mr. Weber, seconded by Mr. Nash to forward the proposed amendments to the Town Council for consideration. **Vote:** 6-0-0.
2. Discuss and provide recommendation to the Town Council on amendments to the zoning ordinance and the Rules and Regulations Regarding the Subdivision and Development of Land, and other action needed in response to legislation passed during the RI General Assembly's 2023 session, including Senate bills S1034A, S1037A, S1038A, and S1050A.
    - a. This item was continued to the November 8th Planning Board meeting.

Meeting adjourned by consensus at approximately 8:00pm.

Respectfully submitted,  
Anita Guo, Principal Planner