

I. Call to Order

The Chair called the meeting to order at 6:30 pm.

II. Roll Call & Determination of Quorum

The Secretary called the roll and determined a quorum of board members present.

Members Present:

Kim Salerno, Chair

Jeff Brooks, Secretary

Stephen Berlucchi

Richard Haggis

Paul Marshall

John Oliveira

Melissa Pattavina

Members Absent:

Liam Barry, Vice Chair

Elizabeth Fuerte

Staff Present:

Patricia Reynolds, Director of Planning and Economic Development

Peter Friedrichs, City Planner

Nancy Simoes Caron, Stenographer, Allied Court Reporters

Upon a motion by Ms. Pattavina, seconded by Mr. Oliveira, the Board voted unanimously to remove the November 18, 2019 minutes from the agenda and add two communications from the Middletown Planning Board for informational purposes.

III. Review, Discussion, and/or Action of Minutes of Preceding Meetings

A. [November 12, 2019](#)

The minutes were approved unanimously.

IV. Communications

A. Notice of Major Subdivision in Middletown

1. [Request of Eric and Melissa Kirton for Preliminary Plan approval of a 4-lot subdivision including a proposed new roads. Tax Assessor's Plat 129, Lot 210.](#)

2. [Request of Juan Campos for Master Plan approval of a 5-lot subdivision including extension of an existing town road and request for waivers from certain provisions of Article 5 and Article 6 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Tax Assessor's Plat 120, Lots 68-A and 68-B.](#)

Received.

V. Business

A. Demolition Public Hearing and Possible Action:

1. [Petition of Elizabeth Dougherty Hebb, applicant and owner, regarding demolition of a single-family home at 7 Faxon Green, Assessor's Plat 34 Lot 220.](#)
 - [Staff Report](#)

Mark Bovin, attorney for the applicant, presented the petition. He presented Mark Horan, builder, to talk about the demolition process. Mr. Horan advised that the structure would be sent to a recycling facility for sorting. There are no hazardous materials present on the property, per a report from East Side Safety. There is an oil tank in the basement that will be removed as part of the demolition. Soil erosion will be controlled. Dust will be minimal and water will be available if necessary. The asphalt driveway will remain for a time before being replaced during the construction of the new home. One tree will be relocated. Most other landscaping will remain.

The Board opened the hearing.

Harry Scott, 9 Faxon Green asked about the relocation of trees. Mr. Horan offered to meet on site with Mr. Scott to go over the landscaping.

The Board closed the hearing.

Mr. Berlucchi asked if the house could be moved to another property in order to reuse it. Mr. Horan did not think that prudent.

The Board voted unanimously to adopt the application and the staff's findings for informational purposes.

Ms. Pattavina expressed her pleasure for cooperation between the builder and the abutter.

The Board then reviewed the required findings.

Chair Salerno thought there no detriments to public health, safety, and welfare and the aesthetic changes being made that might affect the character and heritage of the community were minimal.

Secretary Brooks thought this project was a good example of neighborhood revitalization.

There was some discussion about landfill diversion. Mr. Horan offered that of the approximately 13 dumpsters filled during demolition, well over 50% of the material will be recycled.

Chair Salerno inquired if the house was being built on spec. Mr. Horan offered that it was for the owner.

Upon a motion by Secretary Brooks, seconded by Ms. Pattavina, the board voted unanimously to find the petition consistent with the required findings of approval.

Upon a motion by Ms. Pattavina, seconded by Mr. Oliveira, the Board voted unanimously to approve the petition, conditioned upon the soil and control measures and recycling as presented during the applicant's representatives' testimony.

11. Minor Subdivision combined Preliminary and Final Approval:

1. *(Continued from November 12, 2019. To be continued to the next regular Planning Board meeting)* [Petition of Schoolyard Properties, LLC, applicant and property owner, regarding subdivision of former school property at 90 Harrison Avenue, Assessor's Plat 41 Lot 14, into five \(5\) residential properties, ranging from 40,463 square feet to 82,685 square feet in size.](#)

Citing a possible conflict of interest (abutter), Ms. Pattavina recused herself from this item. Matt Leys, applicant for the attorney, explained that he is still working with staff to satisfy issues raised. He requests a continuance to the next regular meeting. Upon a motion by Mr. Oliveira, seconded by Secretary Brooks, the Board voted 6-0 to continue the matter to the January regular meeting.

12. Findings and Recommendation to the City Council regarding a Zoning Ordinance Amendment:

1. [Petition of ARC HTNEWRI001, LLC to rezone 2 Kay Street Assessors Plat 21 Lot 123 to change the zone of the property from R-10 Residential to General Business.](#)

Director Reynolds requested that a formal letter be foregone and the record be reflected in the minutes. Upon a motion by Ms. Pattavina, seconded by Mr. Marshall, the Board voted unanimously to request staff submit the minutes of the meeting to the Council as a record of their proceedings.

13. Consideration and Possible Action Regarding

1. Transportation Master Plan

Ms. Pattavina brought up the idea of a working group. Ms. Pattavina, Mr. Marshall, and Mr. Berlucchi were assigned to the working group.

2. [Demolition Approval Application Form](#)

Ms. Pattavina brought up the idea of asking how much of the material from a demolition will be reused and/or recycled. Rhode Island does not have this component of its building code, like say, California's Green Building Code. Ms. Pattavina suggested adding a question in the application form regarding this. Chair Salerno asked if the ordinance needed to be amended.

Mr. Friedrichs offered that it did not as long as the question was not required, and was simply informational to address the question of whether or not the Comprehensive Plan Goal CFS-2 of meeting the state's solid waste recycling rate of 35% is being met. Mr. Marshall thought the City could strive to achieve net zero demolition. Mr. Haggis thought only an experienced developer would be able to provide detailed information regarding waste disposal of demolitions. Mr. Oliveira thought impact on the environment should be limited, but the leadership should come from the state. Secretary Brooks agreed with Mr. Marshall in concept, but thought too many levels of constraint on demolition was too much. Mr. Berlucchi worried about enforcing requirements and increased costs with additional requirements. He noted his time running the Tiverton dump. He thought ideally, everything should be recycled. The world only has so many resources. Chair Salerno thought the disposal of the material should be documented as a starting point. Upon a motion by Ms. Pattavina, seconded by Secretary Brooks, the Board voted unanimously to add a question to the application form regarding the disposal of demolition material.

3. [Pell Bridge Approaches Draft Environmental Assessment](#)

Director Reynolds provided an overview of the format of the environmental assessment, noting that a copy is available for review at the Planning and Economic Development office and online at www.pellbridge-ea.com. Mr. Marshall noted the chart (ES-1) in the Executive Summary that provides a good overview of the environmental assessment. Chair Salerno noted the goal of reducing the queue on the bridge, creating developable land, and increasing connectivity to the North End. She thought the trades building cul-de-sac was a foreign device that would limit development. Mr. Marshall thought the design brings the queuing farther down, as opposed to removing it. Chair Salerno did not think the east-west connector did enough to mitigate queueing. Chair Salerno urged members to submit comments to staff for organization and submission to RIDOT/FHWA. Ms. Pattavina asked about an extension to the December 23 deadline. Director Reynolds noted she asked DOT several times about extending the deadline, but the response has not been receptive, due to funding constraints.

4. [2020 Meeting Schedule](#)

Secretary Brooks asked to move the July meeting date back a week due to the holiday weekend. The Board concurred.

VI. Presentation and Discussion of Reports

A. Chair's Report

1. North End Innovation

The Chair noted the working group is progressing through the North End zoning.

B. Liaison's Reports

1. Transportation

The Transportation Liaison was not present.

2. Resiliency

Mr. Marshall mentioned the FEMA Hazard Mitigation Plan and Flood Mitigation Assistance grants, applications for both of which are due December 18th. He shared that Sarah Atkins, the Community Resiliency Specialist, is also working on electric charging stations. The Working Cities Challenge is expiring in September and additional funding is needed. Director Reynolds mentioned Ms. Atkins is also working on a complete count grant to the Rhode Island Foundation for the 2020 Census.

3. Staff Report

There was no staff report.

VII. Adjournment

Upon a motion by Ms. Pattavina, seconded by Secretary Brooks, the Board voted unanimously to adjourn the meeting at 7:46 pm.