



MEMORANDUM

Date: April 28, 2022

To: Shawn Brown, Town Administrator

From: Ron Wolanski, Town Planner/TRC Chairman

CC: Town Council
Town Solicitor
TRC Members
Planning Board members
Christian Belden, Executive Director, CCHC

Re: West House II, Affordable Housing Comprehensive Permit Application

In response to the attached letter from West House resident Nancy Newbury, dated April 25, 2022, which has been included on the May 2, 2022 Town Council meeting agenda for discussion, I offer the following information. First and foremost, contrary to statements made in the letter alleging inappropriate, unethical and illegal activity by me and other members of the Technical Review Committee (TRC), I can assure you that I am not aware of any such activity. The application review process was conducted in accordance with Town and State requirements, including all meetings of the TRC and Planning Board being properly posted and open to the public. The applicant was given no special treatment, and they provided all required documentation in support of the application.

In response to the substantive points raised in the letter I offer the following:

1. The TRC did not grant, and does not have the authority to grant any waivers to the applicant. In accordance with Zoning Ordinance Article 17 and Chapter 45-53 of the RI General Laws, the Middletown Planning Board has the authority to consider and grant any requested waivers from town development regulations and requested zoning relief. Action by the Planning Board to grant waivers and other relief occurred following a properly advertised public hearing.
2. Based on information provided by the applicant and their technical experts for review by the TRC and Planning Board, the Town is not aware of any regulated wetlands on or abutting the subject property. As noted in the attached email provided by the applicant's engineer, there is a stormwater detention basin located on an abutting lot which may hold water but is not considered a regulated wetland. Also noted is the applicant's

responsibility to seek RIDEM permits for the proposed development prior to being granted Town building permits. That process is underway.

3. The letter refers to a study from Connecticut conducted several years ago regarding the impact of mixing generations in affordable housing developments. Copies of the study provided by Ms. Newbury, as well as several letters she submitted expressing her concerns were provided to the Planning Board as part of the public hearing process. The Board did consider these concerns as part of its review. The applicant committed during the public hearing to enforce a restriction that all residents of the West House II development will be 55+ years old. And the Planning Board imposed as a condition of its Preliminary Plan approval that only residents 55 years and older are permitted.

Thank you for your consideration of this information. Please contact me with any questions.

April 25, 2022

The Honorable
Paul M. Rodriques, President
The Middletown Town Council
Middletown Town Hall
350 East Main Road
Middletown, RI 02842

VIA: Middletown Town Clerk Wendy J. W. Marshall

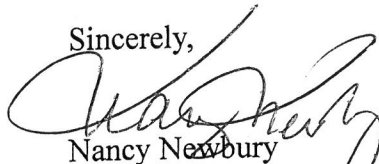
Dear President Rodriques and Members of the Middletown Town Council:

West House residents request the Middletown Town Council to convene a sub-committee for the purpose of holding a public hearing to consider the following three matters before any final town approval of Church Community Housing's Master Plan for the West House II project is granted:

- 1) Was there an unlawful quid pro quo practice in the town's planning department in the granting of waivers to Church Community Housing (CCH) in exchange for the local municipality's receipt of CCH's Master Plan application;
- 2) Was there any unlawful collusion between the planning board's Technical Review Committee (TRC) and Church Community Housing relating to an intentional skirting of Rhode Island's wetlands protection laws and regulations; and
- 3) Based upon the previously submitted CT Investigative Study, and under Paragraph 5 of the Planning Board's mandate to consider the safety of current residents in any housing proposal, what is the harm to the safety of current West House residents if the CCH proposal is allowed to proceed without modification?

West House residents Mark Hastings and Nancy Newbury will attend the Council's May 2nd meeting and would like to speak to this request for a full public hearing by a sub-committee of the Middletown Town Council. Thank you.

Sincerely,


Nancy Newbury
West House /

Copy:
Shawn Brown, Town Administrator

From: [Christian Belden](#)
To: [Ronald Wolanski](#)
Cc: girard@galvinlawri.com; [Robert Sabel](#)
Subject: FW: West House wetlands questions
Date: Wednesday, April 27, 2022 4:57:49 PM
Attachments: [DEM Wetlands.png](#)
[VHB plan existing watershed.pdf](#)

Hi Ron,

Please see email below from InSite engineering regarding wetland/vernal pool question. I will also follow up with the 242 page Phase 1 Environmental Site Assessment prepared by SAGE Environmental that also shows NO wetlands on or adjacent to West House.

Christian Belden, Executive Director
Church Community Housing Corporation
50 Washington Square, Newport, RI 02840
Phone: 401 846 5114 x115 Fax: 401 849 7930



From: Louis Gentile [mailto:lgentile@insiteengineers.com]
Sent: Wednesday, April 27, 2022 4:24 PM
To: Christian Belden <cbelden@cchcnewport.org>
Subject: RE: West House wetlands questions

Christian,

Please see the attached image, this is directly from RI DEM's environmental resources map. **It shows that the nearest wetlands are over 1,200 feet away.**

(Located here: <https://ridemgis.maps.arcgis.com/apps/webappviewer/index.html?id=87e104c8adb449eb9f905e5f18020de5>)

As you are aware this project has been submitted to DEM, There comments make no mention of this project being close to a wetland of vernal pool. A hard copy resubmission will be made to them tomorrow, and we should have our permit shortly after.

I imagine that this resident is referring to the infiltration basin that is to the west of our site when they claim that there is a wetlands or vernal pool nearby.

While there very well may be "frogs breeding and croaking happily" in this basin at times, this area was designed by VHB in 1985 as an infiltration area, as seen on the attached plan.

This infiltration basin is fitted with drainage catch basins to prevent water from remaining in the basin for an extended period of time.

It simply can not be a wetland or vernal pool even if there are wetland species that exist presently in

the area because it was specifically designed as a drainage area.

Id love to hear how this pans out,

Louis J. Gentile III, E.I.T.

Staff Engineer



InSite Engineering Services, LLC

1539 Fall River Ave, Suite 1

Seekonk, MA 02771

P: 508-336-4500

F: 508-336-4558

Website: insiteengineers.com

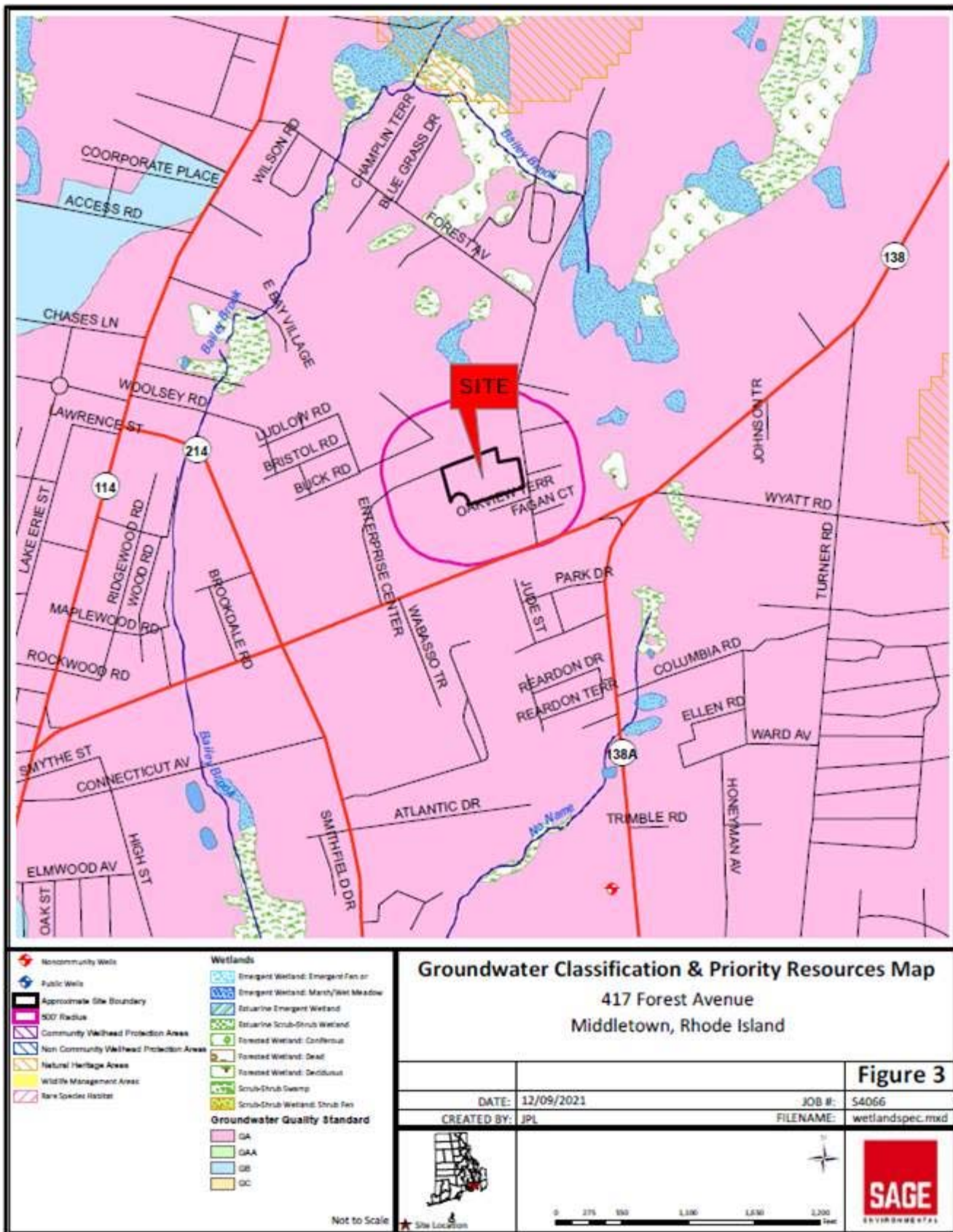
Ronald Wolanski

To: Ron Wolanski
Subject: FW: West House wetlands questions
Attachments: 2021-12-17 S4066 Phase I ESA_417 Forest Avenue Middletown RI_Final.pdf

From: Christian Belden <cbelden@cchcnewport.org>
Sent: Wednesday, April 27, 2022 5:09 PM
To: Ronald Wolanski <rwolanski@middletownri.com>
Cc: girard galvinlawri.com <girard@galvinlawri.com>
Subject: RE: West House wetlands questions

Hi Ron,

As promised, please see attached 242 page Phase I Environmental Site Assessment prepared by Sage Environmental. Page 28 (below) of the Assessment maps the area for wetlands and other environmentally sensitive features, and consistent with InSite Engineering's conclusion, shows no wetlands of any kind on, or near (within 1,200 feet) the West House site. I hope the combination of these two independent engineering companies consistent conclusions that there are NO wetlands or vernal pools on or near the property, adequately addresses the questions from Mrs. Newbury, to the satisfaction of the Council.



P.S. The purpose of a Phase I ESA is to identify any environmental issues that require further investigation. There were NO environmental issues, including wetlands, identified for further investigation by SAGE in the Phase I. From page 7:

CONCLUSION

SAGE has performed a Phase I ESA of the Site in general conformance with the scope and limitations of ASTM Practice E1527-13 and the EPA's AAI Rule and those exceptions identified in this report. Based on

the information made available during the course of this assessment, it is the opinion of SAGE that **no further environmental investigation is warranted for the Site at this time.**”

Christian Belden, Executive Director
Church Community Housing Corporation
50 Washington Square, Newport, RI 02840
Phone: 401 846 5114 x115 Fax: 401 849 7930

