



## Town of Middletown

### Planning Department

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350 East Main Rd., Middletown RI 02842 (401) 849-4027

To: Paul A. Croce, Chairman  
Planning Board members

From: Rita Lavoie, Principal Planner

Date: July 1, 2021

Re: **Public Hearing** - Application of Jack Gullison for Development Plan Review, including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521, for construction of a new commercial building, to include a 17-room hotel with a restaurant, and associated site work located on property identified as 59 Aquidneck Ave., Assessor's Plat 115SE, Lot 169.

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This matter was continued to the July 14, 2021, Planning Board meeting at the request of the applicant. **The Technical Review Committee (TRC) is set to review the updated application on July 13th, but it is unclear if the TRC will finalize its review prior to the Planning Board meeting on July 14th. Furthermore, the Planning Board may wish to discuss re-notification of abutters due to the extended timeline of the application. It is recommended that this item be continued to the August 11, 2021 Planning Board meeting with the applicant's consent.**

**Updated site plans, permits, a development impact statement, building elevations, and landscaping plan were submitted on June 16, 2021.** The applicant is seeking Development Plan Review for a 17-room hotel with restaurant to be constructed at 59 Aquidneck Ave. This is a reduction in the proposed number of rooms from the earlier request for 18 rooms.

The existing commercial building on the site would be demolished. Site modifications include grading to accommodate proposed parking and landscaping, addition of a sidewalk, and retaining walls. The proposed 6,135sq.ft. building is elevated to include parking at grade level. The proposed restaurant, event room, and lobby would be located on the second floor with hotel rooms on the third and fourth floors. The property is in the Limited Business, traffic sensitive (LBA) zoning district and partially located within the FEMA designated 100-year floodplain, but the location of the proposed building is not. The property is not in the town's Watershed Protection District, Zone 1. Rooftop equipment is being screened.

No litter receptacles, trash management control plans, bicycle racks, or landscaping management plan are proposed. However, no waiver is being requested for these items because the project is being evaluated under the regulations at the time it was certified complete (May 2019), and these requirements were adopted later.

The applicant received physical alteration permit approval from the Rhode Island Department of Transportations. A letter from Newport Water indicating availability of public water to serve the proposed development has also been provided.

**Requested waivers:**

**1. 521.1B.3 – Pedestrian walkways and crosswalks are provided.** Crosswalks across the parking lot to access main stairways are not provided.

**2. 521.2C – Building exteriors and roofs constructed of traditional materials such as wooden, clapboards, shingles, patterned shingles, brick or stone.** Synthetic fiber cement siding and PVC trim are proposed.

**3. 521.3.B – Planted landscaping occupies a minimum of 25% of the project area.** Proposed landscape area occupies 20% of the site.

**4. 521.3-D1 - A landscaped buffer at least 10' is provided along all property lines (may be reduced if stone wall used as screening element).** A 2-foot-wide landscaped buffer is provided on the North side.

**5. 521.3-D2- Along lot lines abutting residential properties or uses: For all uses, a landscaped buffer at least 20' that includes screening at least 6' high measured from finished grade at time of installation is provided.** A 2-foot-wide landscaped buffer is provided on the North side.

**6. 521.3-D3 - A landscaped buffer at least 10' wide, which is defined by curbing and may include sidewalks but must include a minimum 5' planting strip, is provided between buildings and parking lots/driveways.** No planting strip provided between parking lot and building.

**7. 521.3-F1 – Deciduous Street Trees: Planted along street side property boundary, private streets, and internal driveways.** Some trees proposed for Aquidneck Ave. are located offsite in the public right-of-way.

**TRC Review:**

The Technical Review Committee (TRC) is set to review the updated application on July 13th, but it is unclear if the TRC will finalize its review prior to the Planning Board meeting on July 14th. Comments will be provided to the Planning Board once complete.

**Required Findings:**

In accordance with section 309 of the Middletown Zoning Ordinance, prior to granting any development plan review approval, or issuing a recommendation in favor of approval to the Zoning Board of Review, the Planning Board shall find that:

- (1) The granting of approval will not result in conditions inimical to the public health, safety and welfare;
- (2) The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district;
- (3) The plans for such project comply with all the requirements of this chapter and the Regulations, or that necessary waivers from the requirements of the Regulations have been granted;
- (4) The plans for such project are consistent with the Comprehensive Plan; and
- (5) Any conditions or restrictions that are necessary to ensure that these guidelines have been met have been incorporated into the written approval or recommendation.

Please contact me with any questions regarding this matter.

Cc: Applicant  
Town Solicitor