



**MIDDLETOWN**  
Rhode Island

## PLANNING DEPARTMENT

**TOWN OF MIDDLETOWN**

350 East Main Road, Middletown, RI 02842  
(401) 849-4027 | MiddletownRI.com

To: Planning Board members

From: Ron Wolanski, Town Planner

Date: June 1, 2022

Re: Request of Thomas Welch for Final Plan approval of a 2-lot minor subdivision. Property located at 536 Mitchell's Lane, and also fronting on Fayal Lane, Assessor's Plat 124, Lot 19.

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The applicant for the above referenced subdivision is requesting Final Subdivision plan approval for a 2-lot minor subdivision of land fronting on Mitchell's Lane and Fayal Lane. The 2.4-acre property is located in the R-40 zoning district. The proposed lots would meet the dimensional requirements of the Middletown Zoning Ordinance, including the minimum lot area of 40,000 sq.ft., and minimum frontage of 150 feet. The lots would be served by private well and onsite wastewater treatment system (OWTS). Please see the attached plan. Because the majority of the proposed new building lot, Lot 2, is located in Zone 1 of the Watershed Protection District due to the presence of Stissing soils, a special use permit to allow for residential development is required. Following the Planning Board's approval of the Preliminary Plan, the applicant sought and was granted the required special use permit by the Zoning Board of Review (ZBR decision attached). This was one of two conditions of Preliminary Plan approval. The second condition of approval, which required that an easement be added to the plan for the existing subdrain that extends onto abutting lot 101 has been satisfied.

### **Required findings** (Subdivision rules and regulations section 403)

The following is a list of the required findings the Board must make in approving a subdivision. The Board should make its own conclusions as to the consistency of the plan with these findings.

1. The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
2. The proposed development is in compliance with the standards and provisions of the Town Zoning Ordinance;
3. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions of approval;
4. The subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with such physical constraints to development may be created only if identified

as permanent open space or permanently reserved for a public purpose on the approved, recorded plans;

5. All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.

Please contact me with any questions regarding this matter.

Cc: Applicant