



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: August 1, 2022

Re: Request of Hoppin House, LLC for Preliminary Plan approval of a 3-lot minor subdivision. Property located at 120 Miantonomi Ave. Assessor's Plat 108SE, Lot 57.

The applicant for the above referenced subdivision is requesting Preliminary Subdivision plan approval for a 3-lot minor subdivision of land fronting on Miantonomi Ave., Fenner Ave., and Collins Terrace. The parcel has an area of 59,475 sq.ft. located in the R-10 zoning district. It appears that the proposed lots would meet the minimum dimensional requirements of the Middletown Zoning Ordinance, including the minimum lot area of 10,000 sq.ft., and minimum frontage of 100 feet. The lots would be served by public water and public sanitary sewer.

The property contains an existing dwelling structure. Tax Assessor's records indicate that the building is used as an inn with eight lodging rooms, which is a nonconforming use. The Building/Zoning Official has reviewed the plan and has determined no zoning relief is necessary in order for the subdivision to proceed. A note on the plan states that there is no construction currently proposed for the two new building lots. Please see the attached plan.

TRC Review:

The plan was reviewed by the Technical Review Committee during its July 27th meeting. There was discussion of proposed modification to the driveways currently serving the property. No significant concerns regarding the subdivision plan were identified. Upon completing its review, the TRC voted to forward a positive recommendation to the planning Board, subject to the following recommended conditions of approval:

Recommended condition of approval:

1. When the new building lots are developed, the owner will be required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control (Chapter 151). The use of pervious paving and other methods to promote infiltration of storm runoff should be considered as means of meeting the requirements of Chapter 153. A note to this effect must be provided on the plan prior to recording.
2. New building lots will be subject to the Town's development impact fees ordinance, Town Code Chapter 150. A note to this effect must be provided on the plan prior to recording.

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. In *italics* are my comments based on my initial review of the plan. 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; *The proposed use is consistent with the Comprehensive Plan designation for the area – high-density residential.*
2. The proposed development is in compliance with the standards and provisions of the Town Zoning Ordinance; *. It appears that the proposed development lots would meet the standards of the Middletown 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; *The Board should ensure that, if approved, the appropriate conditions are in place, particularly with regard to compliance with stormwater management requirements.*
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; *Based on the information provided, it appears that the proposed development lots would contain sufficient buildable area, and have access to public sewer and water. No wetlands or other physical constraints to development were identified.*
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. *The lots would have frontage and access from public streets.*

The Preliminary Plan application was certified complete on June 24, 2022. The Planning Board must complete its review and render a decision within 65 days of certificate of completeness: August 28, 2022.

Pursuant to Section 406.H. of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, and RIGL § 45-23-38(h), the Planning Board may delegate the Final Plan review and approval to the Administrative Officer or Technical Review Committee.

Please contact me with any questions regarding this matter.

Cc: Applicant