



MIDDLETOWN
Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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

To: Paul A. Croce, Chairman
Planning Board members

From: Ron Wolanski, Town Planner

Date: October 3, 2022

Re: **Public Hearing** - Application of Aquidneck Group LLC for Development Plan Review for construction of a new commercial building and associated site alterations on an existing commercial property, and including request for waivers from certain design standards of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 99 East Main Rd., Tax Assessors Plat 107SE, Lot 106

This matter was continued to the October 12, 2022 Planning Board meeting in order for the Town's consulting engineer to review the revised site plan (attached). The revised landscape plan, which addressed prior comments, was also provided to the Middletown Tree Commission. Please refer to the prior Planning Board packet for additional documents.

The applicant is proposing construction of a new commercial building with drive-thru within an existing shopping center. The property is located in the general business, traffic sensitive (GBA) zoning district. The project requires special use permit(s) from the Zoning Board of Review for the proposed drive-thru and the expansion of the shopping center. Therefore, the Planning Board's review will result in a recommendation to the Zoning Board.

TRC Review:

The Technical Review Committee (TRC) reviewed the application during its meeting on July 27th. Site design, stormwater management, and other aspects of the plan were discussed. Following its review, the TRC voted to forward a positive recommendation to the Planning Board subject to recommended conditions of approval.

Consulting Engineer Review:

During the August 10th meeting, the Planning Board requested that the Town's consulting engineer, Crossman Engineering, review and comment on the proposed interior site traffic circulation. The results of that initial review were previously provided. The applicant provided a revised plan to address some concerns, including changes that eliminate the left-hand turn into the main driveway near the front of the property. Crossman has reviewed this latest plan, and the results of the review are included in the attached memo, dated September 26th. While Crossman indicates that the latest design will provide for safe traffic movement within the shopping center, they continue to support possible modification to the Starbucks and Citizen's Bank drive-thru lanes. The Board should consider whether such modification is necessary.

Recommended conditions of approval:

1. Prior to permitting, the applicant shall confirm that an adequate loading zone is provided on the plans for the proposed new building.
2. Prior to permitting, the applicant shall revise the landscape plan to address any additional comments of the Middletown Tree Commission.
3. Following excavation for utilities connections on Commercial Blvd., the street shall be repaved in accordance with Town requirements prior to certificate of occupancy, subject to the approval of the DPW Director.
4. The sanitary sewer main within the shopping center shall be a minimum of 8-inch diameter, with services to each building a minimum of 6-inch diameter. Construction plans shall be revised as necessary prior to permitting.
5. Prior to permitting, the owner shall provide written confirmation that required maintenance in conformance with the O&M plan for the existing stormwater management system for the shopping center is being performed, subject to the approval of the Town Engineer.

Requested waivers:

Based on the latest plan set it appears that the applicant will require the following waivers from the commercial development design standards of section 521 of the Regulations, or must provide confirmation that the project is in compliance. Per section 908 of the Regulations the *“Planning Board shall have the power to grant such waivers and/or modifications from the requirements for land development and subdivision approval, as may be reasonable, and within the general purposes and intents of the provisions for local regulations. The only grounds for such waivers and/or modifications shall be where the literal enforcement of one (1) or more provisions of the regulations is impracticable and will exact undue hardship, because of the peculiar conditions pertaining to the land in question, or where such waiver and/or modification is in the best interest of good planning practice and/or design, as evidenced by consistency with the municipality’s comprehensive plan and Zoning Ordinance.”*

1. **Section 521.2.B. 1 & 2** – Windows must make up 20% – 60% of each façade and be of true or simulated divided-light design. **The applicant has provided calculations indicating that the north and east facing facades will provide the required amount of windows, while the west façade, also visible from the public street will not. Proposed windows not divided light.**
2. **Section 521.2.C** – Building exteriors and roofs must be constructed of traditional materials such as wooden clapboards, shingles, patterned shingles, brick or stone. **The applicant has indicated that Hardie Plank or similar product is proposed for the building siding.**
3. **Section 521.3.C** – Landscape screening elements along property lines. **Not provided.**
4. **Section 521.3.D.1-** Landscape buffer, 10’ wide along all property lines. **Not provided.**
5. **Section 521.3.D.3** - Landscape buffer, 10’ wide between the building and parking/driveways. **Not provided.**
6. **Section 521.3.F. 1 & 2** – Street trees and parking lot trees. **Additional trees proposed to be provided in the shopping center to improve the existing conditions, but does not meet all planting requirement for the project area.**

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.



REVIEW MEMORANDUM #2

To: Ronald M. Wolanski, AICP
Director of Planning & Economic Development

From: Steven Cabral
Crossman Engineering

Date: September 26, 2022

Re: Starbucks Layout Review
Aquidneck Centre
Middletown, RI

As requested, we reviewed the revised Site Layout Plan (Rev. 9-13-22), 99 East Main Road, Middletown, RI and offer the following observations:

1. The proposed traffic patterns on the revised Plan are an improvement over the original Site Layout by reducing traffic movements near the main intersection at East Main Road. We do not object to the layout but we prefer the traffic pattern identified on the “Croce Sketch”. This option has the Starbucks drive-through lane turn right as they leave the drive-in window. This option reduces traffic flow through parking areas, reduces conflict points and would allow the bank’s drive-in pattern to remain as it is today. We recommend that this option be considered.
2. We also recommend that the vehicle size for Starbucks’ deliveries be confirmed. There does not appear to be space for truck loading/unloading and maneuvering.