



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: November 1, 2022

Re: **Public Hearing** - Application of GRJ Middletown, LLC for Development Plan Review for a project that includes demolition of a portion of an existing mixed commercial building and associated site work, and including requests for waivers from certain provisions of the commercial development design standards contained in Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 425 East Main Road, Assessor's Plat 113, Lot 26.

The applicant is proposing to demolish a portion of an existing mixed commercial building and modify the parking lot in the area of the demolition. The property is located in the office business, traffic sensitive (OBA) zoning district. It appears that the project requires no zoning relief from the Zoning Board of Review, therefore, the Planning Board's review will result in a final decision on the Development Plan Review application.

Site plans and building elevations and renderings are attached for your review. Request for comment and plans were provided to the DPW director, Town Engineer, Building Official, Fire Department, Roads & Utilities Committee, and Tree Commission. Comments will be provided as they become available.

TRC Review:

The Technical Review Committee (TRC) reviewed the application during its meeting on October 26th. Site and building design, 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 a recommended condition: Prior to permitting the applicant shall confirm adequate access to the building for emergency vehicles, subject to the approval of the Fire Chief.

Recommended conditions of approval:

1. Prior to permitting the applicant shall confirm adequate access to the building for emergency vehicles, subject to the approval of the Fire Chief.
2. Prior to permitting, any comments from the Tree Commission resulting from its review of the landscape plan and the landscape maintenance plan shall be addressed.

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*

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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 521.1.B.1** – Parking to be located to side or rear of buildings. **Proposed parking does not comply. This is an existing site condition due to location of the existing building, which will be retained.**
2. **Section 521.1.B.2** – Parking to be separated into lots of not more than 50 spaces each, with lots separated by landscaped strip at least 10 feet wide. **Proposed modified parking does not comply.**
3. **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 the use of vinyl siding and brick veneer is proposed to match the existing building siding.**
4. **Section 521.3.F. 2** – Parking lot trees. **Proposed parking lot trees do not satisfy the number of trees required in the project area. 1 tree per 5 parking spaces required.**

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.