



To: Paul A. Croce, Chairman
Planning Board members

From: Ron Wolanski, Town Planner

Date: November 1, 2022

Re: **Public Hearing** - Application for Development Plan Review by GR Middletown Land LLC for a proposed carwash commercial development 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 991 and 995 West Main Road, Assessor's Plat 106, Lots 115 and 116.

The applicant is proposing construction of a new commercial building containing a tunnel car wash on West Main Road located in the General Business zoning district. Access to the site will be gained by two revised curb cuts. The southern curb cut will be located on adjacent parcel via an access easement. Applicable permits from the RIDEM and RIDOT have been filed. The applicant has previously received Zoning Board of Review approval of a Special Use Permit for a car wash use in Zone 2 of the Watershed Protection District.

Site plans, 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. Tree Commission comments are attached. Comments from others will be provided as they become available.

TRC Review:

The Technical Review Committee (TRC) reviewed the application during its meetings on October 26th and October 31st. Site design, utilities, 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 the recommended conditions of approval listed below.

TRC Recommended conditions of approval:

1. Prior to permitting, the applicant shall merge Plat 106 Lot 115 and Lot 116 together through an administrative subdivision.
2. Prior to permitting, Crossman Engineering will conduct a peer review of the stormwater drainage calculations and the applicant shall address their comments.
3. Prior to permitting, the lighting plan shall demonstrate compliance with the requirements of Zoning Ordinance Article 27B – Outdoor Lighting.

4. Prior to permitting, the applicant shall demonstrate that the ground-mounted transformer will be screened from public view by landscaping.
5. Prior to permitting, the landscape plan shall be revised to ensure that the size of the street trees meets the requirements of Section 521 of the Subdivision and Land Development Regulations.
6. Prior to permitting, the applicant shall provide the calculation demonstrating compliance with the requirement that windows make up 20% - 60% of each façade visible from the public street.

Additional Recommended Condition

7. Prior to permitting, the applicant shall address the comments from the Tree Commission, received on November 1, 2022 (attached).

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 521.1.A** - Buildings should be located so as to create a safe, pleasant walking environment and efficient pedestrian circulation pattern. Building placement, orientation and massing should be planned to promote more active pedestrian-scaled commercial design, with ample opportunities for walking and bicycling, as well as private motor vehicles and to promote the use of public transportation; and **Section 521.1.B.3** - Circulation shall be designed to provide safe and efficient access for pedestrians, automobiles, and emergency vehicles into and throughout the site, including designated pedestrian walkways and crosswalks. Pedestrian access to the site from the public way and neighboring properties shall be provided. **Pedestrian access from street sidewalk to interior of site, including sidewalks and crosswalks, is not provided.**
2. **Section 521.1.B.4** - Provisions for vehicular and pedestrian connections to adjacent developments shall be provided, whenever possible. **Pedestrian access from neighboring residential multifamily use not provided.**
3. **Section 521.1.B.1** – Parking to be located to side or rear of buildings. **Proposed parking does not comply.**
4. **Section 521.1.E.4** – Bicycle racks shall be provided, minimum 1 bicycle space per 4 automobile parking spaces. **Bicycle racks not provided.**
5. **Section 521.2.A.2** – No unbroken plane of a wall exceeds forty feet without a break of at least 48” in plane. **Proposed design does not comply.**

6. **Section 521.2.B.2** – Windows are of true or simulated divided-light design. **Proposed design does not comply.**
7. **Section 521.2.C** – Building exteriors and roofs shall be constructed of, or resemble, traditional materials such as wooden clapboards, shingles, patterned shingles, brick, or stone. **Building exteriors using fiber cement paneling and a metal roof are proposed.**
8. **Section 521.2.D** – Roof is a traditional form such as hip, gambrel, or gable OR a flat roof incorporating decorative details and/or designed to incorporate a sloped design for the portion of the roof visible from the public way, which is designed so that any mechanical equipment installed on the roof is not visible from the public way and abutting properties. **Proposed design does not comply.**
9. **Section 521.3.C** – Screening element provided along all property lines. **Not provided for northerly property line.**
10. **Section 521.3.D.1** – A landscaped buffer at least 10' is provide along all property lines. **Not provided for northerly property line.**
11. **Section 521.3.D.3** – A landscaped buffer of at least ten (10) feet wide shall be provided between buildings and parking lots/driveways. The buffer shall be defined by curbing, and may include sidewalks, but must include a minimum five (5) foot planting strip. **A minimum 5-foot planting strip between building and parking lot is not provided.**

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.

Middletown Tree Commission comments received Nov. 1, 2022

Thoughts on the Washville Project

- We do not support using weed barrier in beds.
- Base soil applications on actual soil testing.
- Thornless cockspur hawthorne is a lovely tree but prone to insect and disease.
 - **Any other suggestions??**
- Rhododendron maximum is good choice but we would suggest they be nursery stock and not collected plants to avoid root issues. The plants should be at least 4 feet.
- Goldstar potentilla is not a particularly long lived plant
 - **Perhaps spirea? Any other suggestions???**
- Blue Flag Iris and Little blue stem prairie blue tend to flop and the iris doesn't flower very long.
 - **Any other suggestions??**
- Is there a plan to plant under the October glory red maples along West Main Road?
 - We would think understory planting will bring additional green space and softness to the West Main Road corridor.