



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: February 1, 2023

Re: **Public Hearing** - Application of GG Properties, LLC for Development Plan Review for construction of a 15,000 sq. ft. wholesale commercial use building, with associated parking, office space, landscaping, stormwater management, utilities, and associated site work, and including requests for waivers from certain design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located on 72 Johnnycake Hill Road, Assessor's Plat 114, Lot 601.

The applicant is proposing construction of a new 15,000+/- square foot wholesale commercial/office building at 72 Johnnycake Hill Road, located in the Office Park (OP) zoning district. The new building will be located to the rear of the existing building on the property. No new parking spaces are being proposed as the existing number of spaces meets the need and requirements.

Site plans, building elevations, development impact statements and other documents are attached for your review. These documents can also be viewed online at:
<https://middletownri.com/504/Planning-Board-Meeting-Packets>

Request for comments and plans were provided to the DPW director, Town Engineer, Building Official, Fire Department, Roads & Utilities Committee, and Tree Commission. If no zoning relief is needed, the Planning Board's review will result in a final decision on the DPR application. If it is determined by the building/zoning official that the proposed use requires a special use permit, the Planning Board's review will result in a recommendation to the Zoning Board of Review.

TRC Review:

The Technical Review Committee (TRC) reviewed the application during its meeting on January 25th. Site design, utilities, stormwater management, and other aspects of the plan were discussed. Following its review, the committee voted unanimously to forward a positive recommendation to the Planning Board subject to the following recommended conditions of approval.

Recommended conditions of approval:

1. Prior to permitting, the utility plan shall be revised to show existing and proposed sewer service to the property, including a new manhole on the property to provide separate services to the two buildings, subject to the approval of the DPW director.

2. Prior to permitting, the applicant shall address all comments contained in the review memo from Crossman Engineering dated January 23, 2023, subject to the satisfaction of the Town Engineer, with the exception of item 9.
3. The Town Engineer will consult with Crossman Engineering regarding comment 9 contained in the review memo from Crossman Engineering dated January 23, 2023. Prior to permitting, the applicant will address comments regarding the O&M plan as determined necessary by 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 521.1.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 the public right-of-way to interior of site, including sidewalks and crosswalks, is not provided.**
2. **Section 521.2.A.2** – Street side façade does not consist of an unarticulated blank wall, does not consist of an unbroken series of garage doors, and no unbroken plane of a wall exceeds forty feet without a break of at least 48” in plane. **Proposed design of the street facing façade exceeds forty feet without a break in the plane.**
3. **Section 521.2.B.1** – Windows occupy between 20% and 60% of façade visible from the public way. **No windows are on the street-facing façade.**
4. **Section 521.2.B.2** – Where consistent with overall building design, windows are of true or simulated divided-light design (double-hung windows preferred). **Proposed design does not comply.**
5. **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 include a metal roof, metal siding, and other synthetic materials.**
6. **Section 521.3.D.1** – Landscaped buffer at least 10’ is provided along all property lines. **Not provided for the westerly property line where there is existing parking. This is an existing situation.**

7. **Section 521.3.D.3** – A landscaped buffer at least 10' wide and a minimum 5' planting strip is provided between buildings and parking lots/driveways. **Landscaped buffer provided at southerly and westerly elevation does not meet 10' wide minimum. 5' planting strip is not fully provided at the westerly elevation.**
8. **Section 521.3.F.1** – Deciduous street trees. **Not provided. This is an existing situation. Development activity is proposed to the rear of the existing building.**
9. **Section 521.3.F.2** – Parking lot trees. **Not provided. This is an existing situation.**

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.

Cc: Applicant