



To: Paul A. Croce, Chairman  
Planning Board members

From: Ron Wolanski, Town Planner

Date: April 3, 2023

Re: **Public Hearing** – Application of Bank Newport for Development Plan Review for demolition of an existing building and 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 528 West Main Rd., Tax Assessors Plat 107SW, Lot 142.

The applicant is proposing demolition of an existing building and construction of a new 4,000 +/- sq.ft. commercial building with associated parking and landscaping on 528 West Main Road, located in the General Business, Traffic Sensitive (GBA) zoning district. No additional curb cuts are proposed. The new building will integrate into the existing parking and site circulation of the property.

Site plans, building elevations and renderings, 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. Tree Commission comments are attached. Since no zoning relief is needed, the Planning Board's review will result in a final decision on the DPR application.

**TRC Review:**

The Technical Review Committee (TRC) reviewed the application during its meeting on March 22nd. 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 applicant shall evaluate and address the condition of the existing sewer lateral, subject to the approval of the Public Works Director.
2. Prior to permitting the applicant shall revise plans to identify bike rack(s) meeting the required 10 bike spaces.

### **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 subdivision and land development 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.B.3** - Pedestrian access to the site from the public way and neighboring properties shall be provided. **No pedestrian access provided to Yarnell and Hart Street.**
2. **Section 521.2.B.1** – Windows occupy between 20% - 60% of façade visible from the public way. **Proposed windows on west façade (Yarnell Street) is less than 20% glazing.**
3. **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. **The use of cellular PVD simulated wood products for the trim, molding, and siding, and other synthetic materials are proposed.**
4. **Section 521.3.C** – Screening element provided along all property lines. **Not provided for easterly property line. This is an existing condition.**
5. **Section 521.3.D.1** – A landscaped buffer at least 10’ is provided along all property lines. **Existing buffers are less than 10’. This is an existing condition.**
6. **Section 521.3.D.2** - Along lot lines abutting residential properties or uses, a landscaped buffer at least 20’ with screening at least 6’ high is required. **Existing buffers along residential Yarnell Street, Hart Street, and Maple Ave do not comply. This is an existing condition.**
7. **Section 521.3.F.1** – Deciduous street trees. **Number and spacing of existing street trees along West Main Road do not comply. This is an existing condition.**

### **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

**From:** [Karen Day](#)  
**To:** [Ronald Wolanski](#); [Paul Croce](#)  
**Cc:** [Karen Day](#); [Bill Di Marco](#); [Bob Johnson](#); [Alan Kirby](#); [Karen Barbera.](#); [BJ Northup-Owen](#); [Chuck DiTucci](#); [Robert A. Hanley](#)  
**Subject:** Plans Reviewed by the Tree Commission  
**Date:** Friday, March 24, 2023 12:46:13 PM

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Good morning Ron and Paul,

The Tree Commission reviewed 4 sets of plans at the March 23, 2023 meeting. 2 of the plans were revisions to previously viewed plans and 2 were new plans to the Commission.

- Hyundai Dealership: We reviewed the revised landscape plans which reflected changes in the previously approved plans. We appreciate very much the additional plantings included in the new plan and feel it will add a softer appearance in that area of West Main Road which is sorely needed. We understand the owner did not have to adjust his plan and we are delighted he has chosen to support our efforts to make that area of Town a bit greener.
- Washville Carwash: We reviewed the 4th revision of the landscape plans for the carwash planned at 991-995 West Main Road. We feel these plans address our concerns presented in the 3rd revision in which trees were removed and the planting pattern was not addressed. This plan has added tree plantings and has a more natural planting pattern and we can support this revision.
- BankNewport: We discussed the landscape plans for the planned renovation of the BankNewport location on West Main Road. We have no concerns and feel it will add green space to another area of Middletown where it is needed.
- St. George's School: The landscape plans for the planned Arden-Diman Dormitory renovation were shared. We have no concerns about the plans. We are curious about 2 minor points and would be interested in hearing the thoughts of the landscape architect.
  - Is there any concern about *Quercus phellos* (willow oak) in this area which is part of its most northern range? We understand, with climate change, this may be in flux.
  - Which species of *Prunus laurocerasus* is planned, *ottoluyken* or *schipkaensis*?

Please let me know if you have any questions or concerns.

Karen Day