



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 4, 2023

Re: **Public Hearing** - Application of A1 Roofing & Construction, LLC for Development Plan Review for renovation of an existing commercial building including exterior changes and requests for waivers from certain provisions of the commercial development design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 1133 West Main Rd., Tax Assessors Plat 106, Lot 111.

The applicant is proposing to renovate an existing commercial building at the above referenced address. The property is located in the General Business, Traffic Sensitive (GBA) zoning district. The work is limited to the building with changes to the exterior façade including new window openings, exterior finishes, and signage. No site work is being proposed. Site plan and building elevations are attached for your review. These documents can also be viewed online at: <https://www.middletownri.com/504/Planning-Board-Meeting-Packets>

Request for comments and plans were provided to the DPW Director, Town Engineer, Building Official, Fire Department, and Roads & Utilities Committee. Comments will be provided to the Board as they become available. Since no zoning relief is being sought at this time, the Planning Board review will result in a final decision on the DPR application.

TRC Review:

The Technical Review Committee (TRC) met on September 27th to review this application. Building design 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 condition of approval.

Recommended condition of approval:

1. In accordance with Zoning Ordinance 306 (C), rooftop equipment must be screened from view from public streets. Prior to permitting, plans shall be revised to show proposed screenings subject to approval by the Town Planner, or a variance from this requirement must be sought and granted by the Zoning Board of Review.

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 521.2.B. 1 & 2** – Windows must make up 20% – 60% of each façade and be of true or simulated divided-light design. **The amount of window glazing meets requirements at West Main Road but not at Forest Avenue. Proposed windows not divided-light. This is an existing, non-conforming condition.**
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 proposes the use of non-traditional exterior materials, such as metal panels and stucco.**

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.

Please contact me with any questions regarding this matter.

CC: Applicant