



**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: January 5, 2022

Re: **Public Hearing** – Application for Development Plan Review including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521 by Endeavor Holdings, LLC for redevelopment of a commercial property and construction of a 2,107 square foot 2-story building located at 100 and 102 Valley Road, Tax Assessors Plat 113 Lot 19A.

The applicant is proposing expansion of an existing commercial building and parking and other site modification for a commercial property located in the Office Business- Traffic Sensitive (OBA) zoning district. Alterations include relocation of parking spaces and ADA ramp; changes to the landscaped area; the addition of 752 sq.ft. to the building footprint and addition of a second floor. The exterior of the exiting building will be completely renovated. The applicant will require zoning relief for expansion into the required side building setback. As such, the Planning Board review will result in a recommendation to the Zoning Board of Review. No changes to the existing curb cuts are proposed. The applicant has received the required physical alteration permit from RIDOT.

Note: It appears that paving activity occurred on the property in the 2019 timeframe. The Building/Zoning Official will review his files to confirm that stormwater management approvals (Town Code Ch. 153) were granted prior to the paving activity and that any necessary zoning approvals were granted.

### TRC Review

The Technical Review Committee met on January 5<sup>th</sup>. Upon completion of the review of the application the committee voted to forward a positive recommendation to the Planning Board subject to the following recommended condition of approval:

### Recommended condition of approval:

1. Prior to permitting, the stormwater management plan shall be revised to demonstrate that the rate of runoff from the site resulting from the 100-year storm will not increase over existing conditions, subject to review and approval by the Town Engineer.

### **Requested waivers:**

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. 521.1.C Development to be served by underground utilities. **As proposed, the project will be served by overhead utility lines.**
2. 521.1.E.1 Required screening of dumpsters and exterior mechanical equipment. **Location of dumpster not identified on plans.**
3. 521.2.A.2 No façade exceeding 40 feet in length without a break in plane of at least 48 inches. **South façade does not meet this requirement.**
4. 521.2.C Traditional exterior building materials required. **Proposed use of non-traditional materials.**
5. 521.3.B Planted landscaping occupies at least 25% of project area. **Calculation not provided.**
6. 521.3.C Landscape screening element required along property lines. **Screening elements not provided.**
7. 521.3.D.1 Landscaped buffer of at least ten feet along all property lines. **Required buffer not provided along northerly property line. Existing buffers were reduced by 2019 paving activity. It is unclear if required permits and zoning relief were sought or granted at the time of paving.**
8. 521.3.D3 A landscaped buffer at least 10' wide, which is defined by curbing and may include sidewalks but must include a minimum 5' planting strip, is provided between buildings and parking lots/driveways. **A 10-foot landscaped buffer is not provided between the building and parking lot on all sides.**
9. 521.3.F.2 Required parking lot trees, 1 per 5 space. **Parking lot trees 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.

Cc: Town Solicitor  
Applicant