



To: Paul A. Croce, Chair
Planning Board members

From: Ron Wolanski, Town Planner

Date: January 2, 2024

Re: Request of the Zoning Board of Review for an advisory recommendation regarding an application of Clive & Gail Youlten for a special use permit to allow an addition to an existing dwelling located within Zone 1 of the Watershed Protection District. Property located at 942 Green End Ave., Plat 120, Lot 72A.

The applicant has filed an application for a special use permit to allow for construction of a 234 square-foot two-story addition to an existing dwelling located in Watershed Protection District, Zone 1. The subject portion of the property contains hydric soils (Stissing). Please see the attached plans and other documents submitted with the petition.

In reviewing this application and providing an advisory opinion to the Zoning Board of Review, the Planning Board should consider the potential impacts of the proposed development on the watershed.

The following development design standards are required by Zoning Ordinance Section 1108:

1. Surface water runoff shall, to the degree feasible, be directed towards areas covered with vegetation for surface infiltration; and
2. Where the premises are partially outside of the WPD, site design shall, to the degree feasible, locate such potential pollution sources as Individual Sewage Disposal Systems outside of the District; and
3. Surface water runoff shall be directed, to the degree feasible, towards the lesser restricted district where the premises is located within two (2) or more districts.

Regarding these standards:

1. The applicant should be asked to describe how storm water on the property is being addressed. The owner is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control ordinance (Chapter 151).
2. The applicant should be asked to describe any potential sources of pollution existing or proposed on the property.
3. The applicant should be asked to describe how surface water will be directed away from Zone 1 if possible.

If the Board chooses to move forward with providing a positive recommendation to the Zoning Board of Review, based on my review of the application materials and the requirements of Article 11, the board should consider the following conditions:

1. The builder is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control (Chapter 151). The use of pervious paving and other methods to promote infiltration of storm runoff should be considered as means of mitigating the proposed increase in impervious area.
2. The use of lawn chemicals, fertilizers, and other chemicals with the potential to adversely impact ground and surface water quality shall be prohibited within Watershed Protection District, Zone 1.

Please contact me with any concerns.

CC: Applicant
Building/Zoning Official
Conservation Commission



Town of Middletown

350 EAST MAIN ROAD • MIDDLETOWN, RHODE ISLAND 02842

BUILDING INSPECTIONS AND ZONING

OFFICE: (401) 847-5769 • FAX: (401) 845-0414

Dec 11, 2023

Middletown Planning Board
Middletown Conservation Commission
Town Hall
Middletown RI 02842

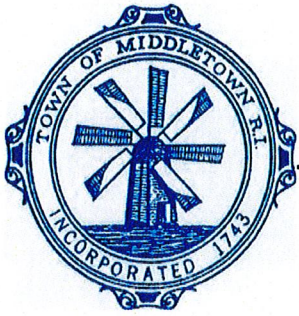
RE: Petition for Special Use
Clive & Gail Yoiltten
942 Green End Ave. Plat 120 Lot 72 A
Middletown RI, 02842

Pursuant to Article 11 Section 1106 Procedure of Special Use permits in Zone 1 or 2.
The following petition and plans are attached for the Conservation Commission for an advisory opinion to allow the following.
The file for Special Use Permit will be forwarded via E-mail for your departments review.

Petition of: Clive & Gail Youlten (owners) by their attorney David P. Martland, Esq. for special use from section 1106 to construct a 234 square foot two story addition located in Zone 1 of the Watershed Protection District. Said real estate is located at 942 Green End Ave and further identified as lot 120 on tax assessor's plat 72A

Thank you,

Chris Costa
Building/Zoning
Official



TOWN OF MIDDLETOWN
350 East Main Road – Middletown, Rhode Island 02842

Building Inspections and Zoning
Office: (401) 847-5769 – Fax: (401) 845-0414

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**Application to the Zoning Board of Review for VARIANCE / SPECIAL USE PERMIT
To the Honorable Zoning Board of Review of the Town of Middletown**

The subscriber, your petitioner, respectfully requests that they be granted relief from the terms of the Zoning Ordinance:

SPECIAL USE PERMITS SECTIONS: 1103 and 1106

VARIANCE SECTIONS: 603

For the property located at: 942 Green End Avenue

Tax assessor's Plat: 120 Lot: 72A

Zoning District: R40

Current use of the property: single family dwelling

Proposed use of the property: single family dwelling

PRINT ONLY

Signatures required on Page 2.

Applicant Name: CLIVE YOULTEN AND GAIL YOULTEN

Applicant Full Address: 942 Green End Avenue

Phone Number: 401-578-3311

Email Address: gailwyouten@gmail.com

Owner Name: Clive Youlten and Gail Youlten

Owner Full Address: 942 Green End Avenue

Phone Number: 401-578-3311

Email Address: gailwyouten@gmail.com

Attorney Representing the owner or applicant: David P Martland

Attorney Business Address: 1100 Aquidneck Avenue, Middletown, RI 02842

Phone Number: 401-849-6200

Email: dmartland@silvalawgroup.com

Received By
Building Inspectors Office
Date OCT 23 2023
By Angela



TOWN OF MIDDLETOWN
350 East Main Road – Middletown, Rhode Island 02842

Building Inspections and Zoning
Office: (401) 847-5769 – Fax: (401) 845-0414

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Reason for seeking relief:

Petitioners is seeking a special use permit to construct a 234 sq. ft. two-story addition onto their existing single family home located in Zone 1 of the Watershed Protection District. The Petitioners are also seeking a variance from section 603 to allow for a lot coverage of 15.8% where 15% is allowed in an R-40 Zone.

Addendum of facts: (use additional paper if needed)

The existing single-family home is located within the Zone 1 Watershed Protection District. The Petitioners are seeking to remove an existing deck to construct a two-story addition. The proposed addition is within the allowable building area however it will increase the lot coverage from 15.4% to 15.8% where 15% is allowed under the ordinance. Petitioners' property is a substandard lot as it only contains 24,000 sq.ft where 40,000sq.ft. is required.

Signatures:

Owner:

(Print):

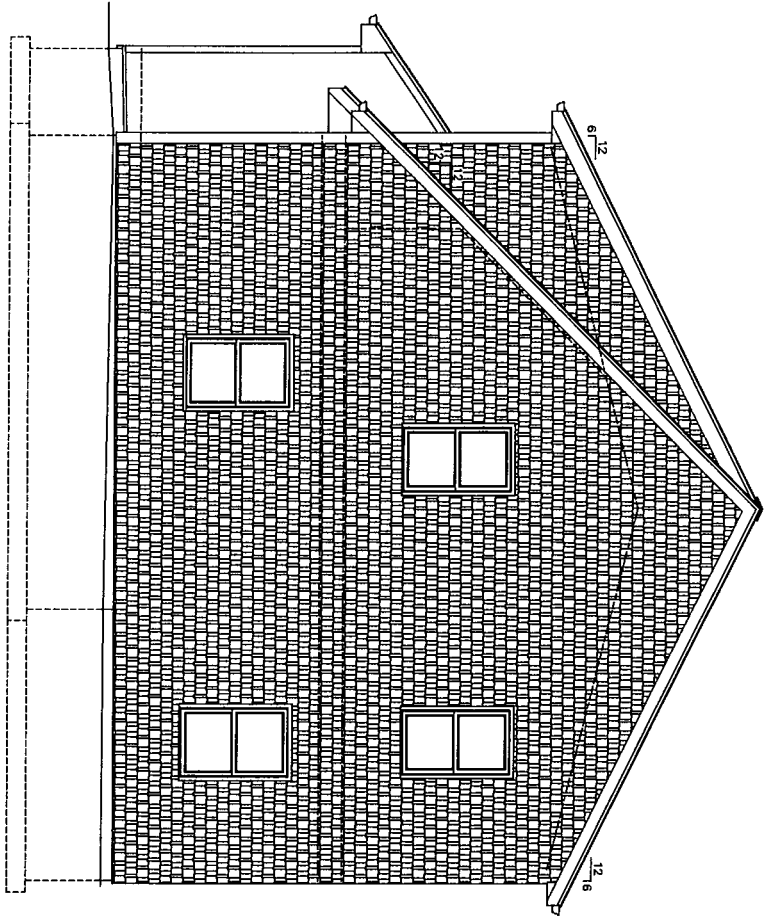
Applicant:

(Print):

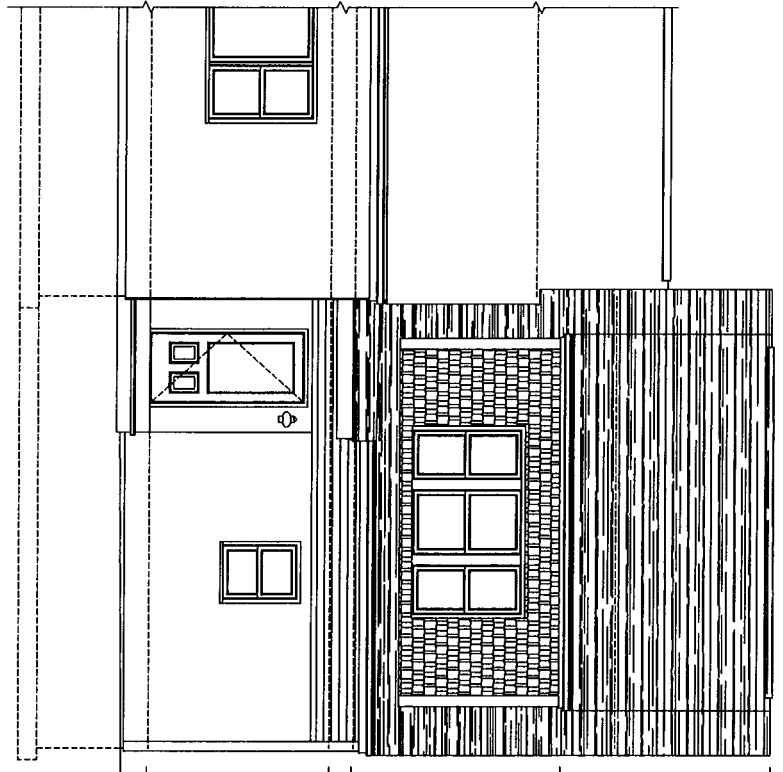
Attorney:

(Print):

Applications must be received by the fourth Monday of the month to be placed on the monthly agenda. They must be complete with all required information and signatures. The regular monthly meeting of the Middletown Zoning Board of Review is generally held on the fourth (4th) Tuesday of each month. Dates are posted. Agendas for the meetings are posted on the Rhode Island Secretary of State's website and the Town website 48 hours before the meeting.

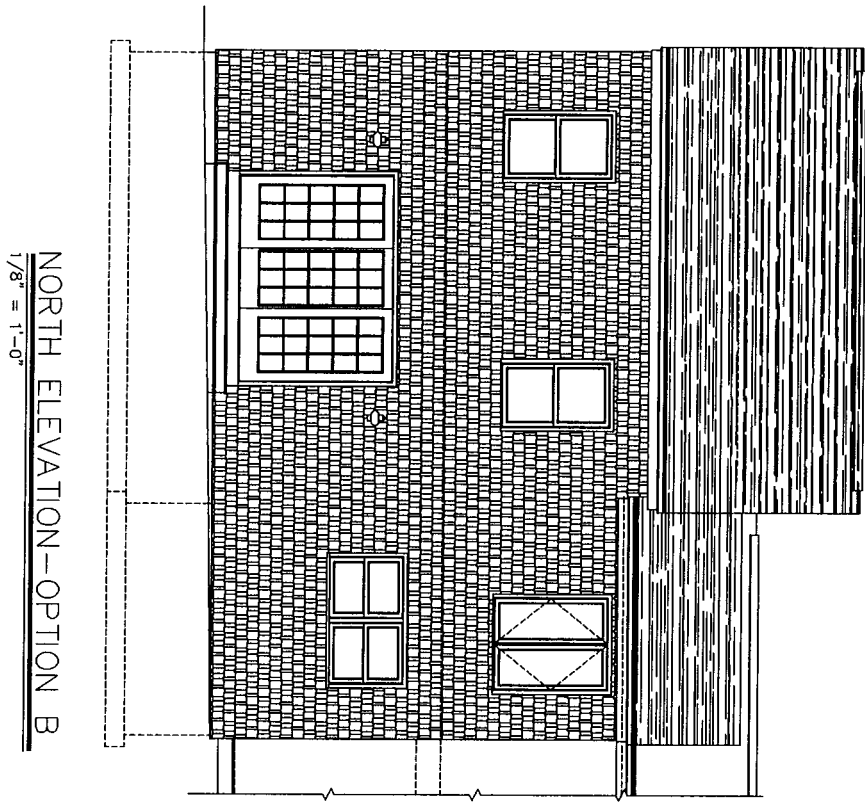
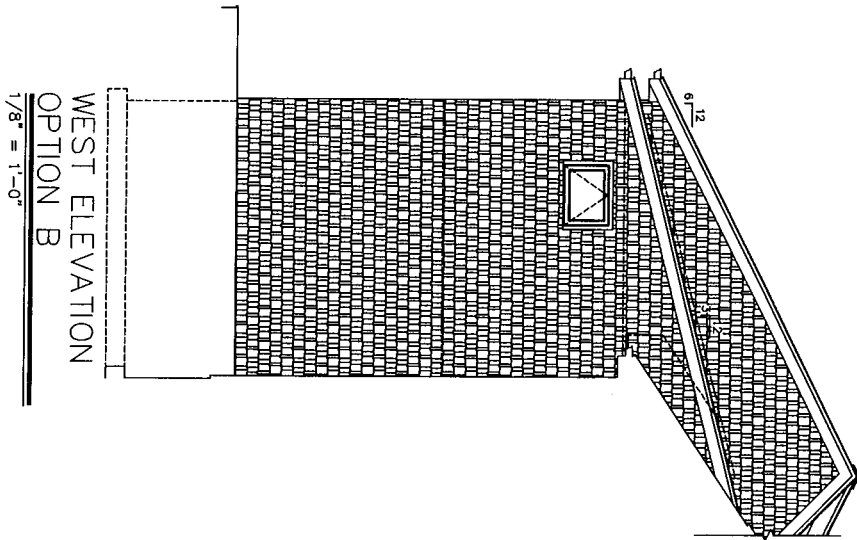


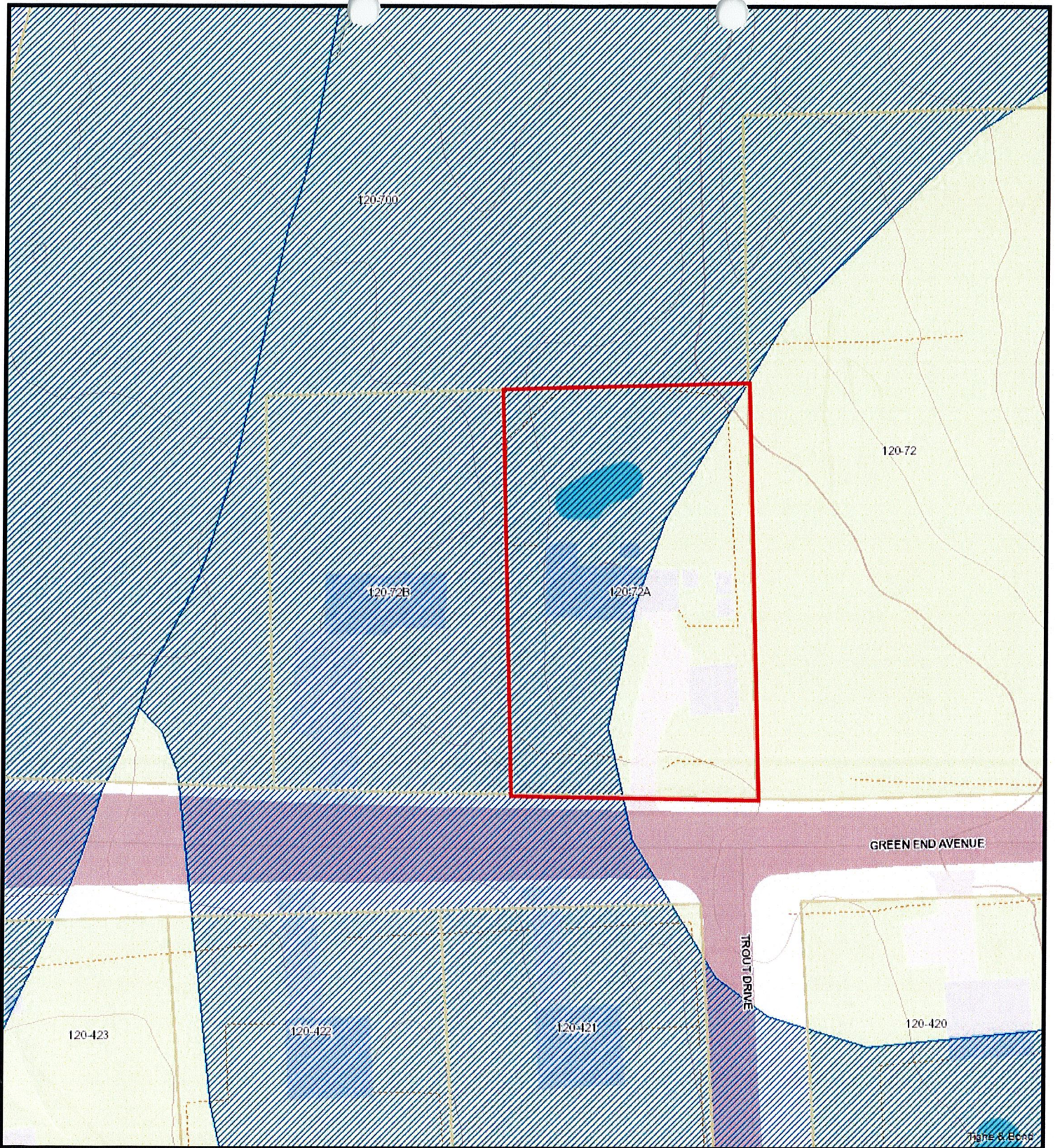
EAST ELEVATION - OPTION B
 $\frac{1}{8}'' = 1'-0''$



SOUTH ELEVATION - OPTION B
 $\frac{1}{8}'' = 1'-0''$

- TOP OF ROOF
EL. 127'-1 1/4"
- ROOF TRUSS BEARING
EL. 118'-0"
- SECOND FL. SUB-FLOOR
EL. 108'-10 3/4"
- FIRST FL. FINISH CEILING
EL. 107'-11 1/2"
- EXISTING FIRST FL. SUB-FLOOR
EL. 100'-0"





10/20/2023 1:12:19 PM

Scale: 1"=66'

Scale is approximate

The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

