



## Town of Middletown Planning Department

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350 East Main Rd., Middletown RI 02842 (401) 849-4027

To: Paul A. Croce, Chairman  
Planning Board members

From: Ron Wolanski, Town Planner

Date: April 2, 2021

Re: **Public Hearing** - Request of James Paradise, owner of property at 170 Aquidneck Ave. Plat 115SE, Lots 145, 146, 147 for waiver of Development Plan Review pursuant to Section 908 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land.

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This matter was continued to the April 14, 2021 Planning Board meeting at the request of the applicant. Please refer to plans and renderings previously provided.

The application involves the request of the subject property owner for a waiver of the requirement to undergo Development Plan Review (DPR) for conversion of an existing office building to multi-family residential. Such a project requires a Special Use Permit granted by the Zoning Board of Review as well as DPR by the Planning Board. Section 908 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land provides the Planning Board the option of waiving DPR where there is a proposed "change in use of occupancy and no extensive construction of improvements is sought." The applicant indicates that limited building and site alterations are proposed, and he is therefore requesting the waiver. Please refer to previously provided materials.

Prior to consideration of the request the Planning Board must hold a public hearing. Abutters have been notified. As with all waiver requests, the Board should consider whether one or both of the grounds for granting a waiver have been met, including:

1. 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
2. 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

Please contact me with any questions regarding this matter.

Cc: Applicant  
Building/Zoning Official  
Town Solicitor