



Town of Middletown Planning Department

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

Notice of Planning Board Recommendation

To: James Miller, Chairman
Middletown Zoning Board of Review

From: Paul A. Croce, Chairman
Middletown Planning Board

Date: April 16, 2021

Re: Application for Development Plan Review by A-1 Roofing & Construction, LLC including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521, and including recommendation to the Zoning Board of Review for construction of two commercial buildings and associated site work in Zone 1 of the Watershed Protection District on property fronting on Aquidneck Avenue, Plat 114, Lot 507.

During its meeting of April 14, 2021, the Planning Board considered the above referenced application. At the conclusion of the public hearing a motion was made and duly seconded and voted unanimously to forward a positive recommendation to the Zoning Board of Review regarding the development plan review and the request for special use permit for development in Zone 1 of the Watershed Protection District. The plans subject to this review and recommendation include the following:

- Site plans prepared by Land Development Engineering & Consulting, Inc., dated February 17, 2021
- Building elevations by Herk Works Architecture, dated April 6, 2021
- Landscaping plan by Verde Design & Horticulture, date February 17, 2021.

The recommendation is subject to the following recommended conditions of approval:

1. Pedestrian access to site from the abutting Aquidneck Avenue shall be provided, with plans to be revised accordingly prior to permitting.
2. Exterior lighting shall comply with the standards of section 521.1.D of the land development regulations, commercial development design standards.
3. Required trash receptacle and bike rack per section 521.1.E 3 & 4 of the land development regulations, commercial development design standards shall be included on the revised site plan prior to recording.
4. Windows shall occupy not less than twenty (20) percent or more than sixty (60) percent of any façade visible from the public way. A calculation of the amount of window area on each façade visible from the public way must be provided to demonstrate compliance prior to permitting.
5. The required landscape plan and landscape maintenance plan shall be submitted for review and approval by the Middletown Tree Commission prior to permitting.

6. Prior to permitting the site plan shall be revised to indicate the relocation of the existing bins, containers and barriers currently located on the subject parcel.
7. All roof-top equipment on the proposed buildings shall be shield from public view.
8. 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).
9. Required maintenance of storm water treatment facilities shall be performed on an ongoing basis in accordance with the storm water management plan. Prior to issuance of building permits, a storm water maintenance easement, in a form acceptable to the Town Solicitor, shall be recorded in the Land Evidence Records. Said easement shall allow town access to the site to perform necessary maintenance of the storm drainage facilities should the owner fail to do so, with the owner being responsible for the cost of such work.
10. 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.

Waivers granted from the commercial development design standards:

1. **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. Building exterior elevations propose use of metal and synthetic materials.
2. **521.3.D.2** – Landscaped buffer of at least 20 feet in width required along all property lines abutting residential use. Not provided at the rear property line due to stormwater management feature.

Findings made:

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.



Paul A. Croce, Chairman
Middletown Planning Board

cc. Town Clerk

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WENDY J. W. MARSHALL, TOWN Clerk
TOWN of MIDDLETOWN, RI