



**MIDDLETOWN**  
Rhode Island

## PLANNING DEPARTMENT

**TOWN OF MIDDLETOWN**

350 East Main Road, Middletown, RI 02842  
(401) 849-4027 | MiddletownRI.com

To: William J. Nash, Jr., Chairman  
Planning Board members

From: Ron Wolanski, Town Planner

Date: August 6, 2024

Re: Petition for proposed Comprehensive Plan amendment to change the future land use designation as depicted on Map L-4 of the Middletown Comprehensive Community Plan from medium density residential to institutional for town owned property located at 351 East Main Rd., Tax Assessor's Plat 113, Lot 22.

Petition for proposed amendment to the official Middletown zoning map referenced in Section 502 of Chapter 152 of the Middletown Code of Ordinances to change the zoning district designation of certain property from residential, traffic sensitive (R-20A) to public, traffic sensitive (PA) for town owned property located at 351 East Main Rd., Tax Assessor's Plat 113, Lot 22.

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During its August 5, 2024 meeting the Town Council voted to forward to the Planning Board the above referenced petitions submitted on behalf of the Town to amend the Middletown Comprehensive Community Plan and zoning map for town-owned property at 351 East Main Rd. The land was recently purchased by the Town, which intends to renovate the existing dwelling for use as office space for Town operations. The changes in the comprehensive plan and zoning designations of the parcel are necessary to allow for the proposed use.

Consistent with state law (RIGL § 45-22.2-8) the Planning Board must hold an advertised and posted public hearing prior to acting to amend the Comprehensive Plan. A public hearing will be advertised to be held by the Planning Board once a date is selected by the Board. The meeting notice must appear as a display ad in the Newport Daily News and be mailed by first class mail to all property owners within 200 feet of the subject lot referenced above. If approved by the Planning Board, the proposed Comprehensive Plan amendment would be forwarded to the Town Council, which must also hold a public hearing prior to final adoption of the amendment. If approved by both the Planning Board and the Town Council, the amendment would then be forwarded to the Statewide Planning Program for review and approval for consistency with the goals and policies of the State Guide Plan.

If following its public hearing the Planning Board votes in favor of amending the comprehensive plan, the Board should then consider issuing a recommendation in favor of the proposed change in zoning designation. That recommendation would then also be forwarded to the Town Council for consideration and public hearing.

Attached I am providing information submitted to the Town Council regarding the above referenced matter. In summary, the petitioner, which is the Town of Middletown, requests the following Comprehensive Plan and zoning amendments. The Board should first consider how it

will proceed with the Comprehensive Plan amendment request before providing a recommendation to the Town Council on the proposed zoning amendment:

- Amend the future land use plan, Map L-4, of the Land Use element of the Middletown Comprehensive Community Plan to re-designate the subject property from “medium-density residential” to “institutional”.
- Amend the Middletown Zoning Map to change the designation for the subject property from residential, traffic sensitive (R-20A) to public, traffic sensitive (PA).

Please note that in making a recommendation to the Town Council on the zoning map amendment, the board must consider the following findings in accordance with the requirements of Section 45-24-52 of the Rhode Island General Laws:

(1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and

(2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL.

Cc: Town Solicitor

**TO THE HONORABLE TOWN COUNCIL OF THE TOWN OF MIDDLETOWN**

**PETITION FOR ZONING AMENDMENT**  
**(Plat 113, Lot 22)**

WHEREAS, on or about June 27, 2024, the Town of Middletown (“Petitioner”), purchased approximately 78,408 square feet of real property located directly across from Middletown Town Hall at 351 East Main Road, Middletown, Rhode Island and identified as Lot 22 on Middletown Tax Assessor’s Plat 113 (“Lot 22”); and

WHEREAS, Petitioner previously purchased adjacent property identified as Lots 23 (“Lot 23”) and 23A (“Lot 23A”) on Middletown Tax Assessors Plat 113 for the purpose of developing an affordable housing complex thereon; and

WHEREAS, Petitioner intends to use a portion of Lot 22 for the purpose of increasing the size of said affordable housing development, and to use the remaining portion of Lot 22 for municipal offices; and

WHEREAS, on July 1, 2024, Petitioner recorded an administrative subdivision plan whereby an approximately 55,759 square feet portion of lot 22 was merged with Lot 23, as set forth on the plan attached hereto as Exhibit “A”; and

WHEREAS, Lot 22, as presently constituted following said administrative subdivision, is a 22,649 square foot parcel fronting on East Main Road, which Petitioner intends to utilize for municipal offices;

WHEREAS, Lot 22 is presently identified on the future land use map, Map L-4 of the Middletown Comprehensive Community Plan, for “medium density residential” development, and is located in the R-20 Zoning District, in which office use is prohibited; and

WHEREAS, Petitioner therefore requests that Map L-4 of the Middletown Comprehensive Community Plan be amended such that Lot 22, as presently constituted, be

identified for “institutional” use, and the Official Zoning Map referenced in § 502 of Appendix A of Chapter 152 of the Town of Middletown Code of Ordinances be amended such that Lot 22, as presently constituted, be rezoned and identified as “Public” rather than “R-20” on the Town of Middletown’s official zoning map.

NOW THEREFORE, Petitioner respectfully requests that this Honorable Town Council set a date for public hearings on the proposed amendments to the Comprehensive Community Plan and Zoning Code of the Town of Middletown; that the same be advertised for public hearing by newspaper publication; that prior written notice be given to all owners of property within two hundred (200') feet of the perimeter of the parcels hereinbefore described, certified mail, return receipt requested; and that notice be sent to the Associate Director of the Division of Planning of the Rhode Island Department of Administration and to the Director of Utilities for the City of Newport, in accordance with RIGL § 45-24- 53, as amended; and that at such public hearings, the proposed amendments set forth above be considered by this Honorable Town Council and adopted thereafter.

The Town of Middletown  
Through its Solicitor,

/s/ Peter Brent Regan  
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