



MIDDLETOWN
Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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

To: William J. Nash, Chair
Planning Board members

From: Ron Wolanski, Town Planner

Date: November 6, 2024

Re: **Public Hearing** – Application of Centreville Bank on behalf of 160 East Main Road, LLC for combined Preliminary and Final Plan approval of a Minor Land Development Project for the construction of a 1,734 +/- sq. ft. bank with two drive-thru PTM lanes, parking, and other site improvements, and including requests for waivers from certain provisions of the commercial development design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, including sections 521.1.B.1, 521.2.C, 521.3.D.1, 521.3.D.3, and 521.5. The application includes requests for special use permits per Middletown Zoning Ordinance Section 717 to allow drive-up windows, Section 1106 to allow development in Zone 1 of the Watershed Protection District, and Section 1212(A) to allow three wall signs where one is permitted, with a total area of 65 sq.ft. where 60 sq.ft. is permitted. Property located at 160 East Main Road, Tax Assessors Plat 107SE, Lot 72.

The applicant is proposing to construct a new 1,734 +/- sq ft bank with two drive-up lanes, parking, landscaping, and stormwater management system. The application includes three special use permit requests: to allow drive-up windows, to allow development in Zone 1 of the Watershed Protection District, and to allow for additional signage beyond what is permitted. The property is in the General Business, Traffic Sensitive (GBA) zoning district. Under the regulations passed during the 2023 RI General Assembly Session, the Planning Board must review land development project applications and the requested zoning relief under unified development review. The Planning Board's review will result in a decision to approve or deny the application, including zoning relief. Any appeal of the Planning Board's decision would be made directly to Superior Court.

Site plans, landscape plan, building design drawings and other submitted items are attached. Application materials can also be viewed online at: <https://www.middletownri.gov/504/Planning-Board-Meeting-Packets>. Request for comments and plans were provided to the DPW director, Town Engineer, Building Official, Fire Department, Tree Commission, and the Roads & Utilities Committee. Any comments received will be provided as they become available.

TRC Review:

The Technical Review Committee (TRC) reviewed the application during its meeting on October 30th. Following review of the plans and discussion the committee voted unanimously to forward the application to the Planning Board with a positive recommendation, subject to Planning Board consideration of zoning relief and waiver requests. The TRC recommendation is subject to the following recommended condition of approval:

1. Prior to permitting, the applicant shall evaluate the placement of, and if necessary relocate the ATM closest to the building to ensure that there is adequate sight distance and to be sure that vehicles at the ATM do not impede traffic flow in the parking lot.

Requested waivers (Section 521 of the development regulations):

Based on the plan set it appears that the applicant will require the following waivers from the commercial development design standards of section 521 of the subdivision and land development regulations, or must provide confirmation that the project is in compliance. Per section 1011 of the Regulations.

1. **Section 521.1.B.1** – Parking lots located to the rear or side of building or where site configuration does not allow, no more than one row of parking is located at the front. **Proposed layout has parking at the front.**
2. **Section 521.2.C** – Building exteriors constructed of traditional materials such as wood, stone or brick. Substitute materials may include composite materials that resemble traditional materials with Planning Board or Administrative Officer approval. **The applicant proposes the use of substitute materials including hardie cement fiber clapboard, PVC trim, and stone veneer.**
3. **Section 521.3.D.1** – A landscaped buffer at least 10' is provided along all property lines. **Proposed landscaped buffer does not meet the full 10' wide requirement along the east and west property lines.**
4. **Section 521.3.D.3** – A landscaped buffer at least 5' wide, that is defined by curbing, shall be provided between buildings and parking lots/driveways. **The proposed buffer does not comply.**
5. **Section 521.5** – Signage shall meet requirements of Article 12 of the Zoning Ordinance. **The applicant is seeking a waiver from this section and a special use permit to allow for three wall signs where one is permitted, with a total area of 65 square feet where 60 square feet is permitted.**

Requested zoning relief:

The applicant is requesting the following relief from provisions of the Middletown Zoning Ordinance:

1. Per Zoning Ordinance §717, Special Use Permit to allow two drive-up windows.
2. §1106, Special Use Permit to allow development in Zone 1 of the Watershed Protection District.
3. §1212(A), Special Use Permit to allow for three wall signs where one is permitted, with a total area of 65 square feet where 60 square feet is permitted.

Required findings for granting a special use permit (Zoning Ordinance §902):

1. It will not result in a significant diminution of property values in the surrounding area of the district;
2. It will not create a nuisance in the neighborhood;
3. That the granting of such special use permit will not be detrimental to or substantially or permanently injure the appropriate use of property in the surrounding area or district;
4. That the granting of such special use permit will not result in hazardous conditions or conditions inimical to the public health, safety or welfare.

5. The use will comply with the following criteria subject to its use category:
 - No significant negative impacts to ground or surface water quality.
 - Will not cause significant negative traffic or parking impacts in the neighborhood.
 - Will comply with applicable requirements and standards of [Article 27](#).
 - Will comply with commercial development design standards of [App. A, Article 5](#).

Required findings for approving a land development project (Section 404 of the development regulations):

- A. The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- B. The proposed development is in compliance with the standards and provisions of the Town Zoning Ordinance;
- C. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
- D. The subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of buildable lot). Lots with such physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans; and
- E. All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.

Cc: Applicant