



**MIDDLETOWN**  
Rhode Island

## PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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To: Arthur S. Weber, Jr., Vice Chair  
Planning Board members

From: Ron Wolanski, Town Planner

Date: December 4, 2024

Re: **Public Hearing** – Application of Aquidneck Commerce Center, LLC for combined preliminary and final Development Plan Review for a 64' x 40' second-story addition of office space to an existing commercial building within an existing mixed-use development. The application includes 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 521.2.C for exterior building materials, and 521.2.D. for proposed flat roof. Property located at 811 Aquidneck Ave, Tax Assessors Plat 114, Lot 504.

The applicant is proposing to add a 2,460 sq.ft. second-floor addition to an existing commercial building at 811 Aquidneck Ave., which is located in the Limited Business, Traffic Sensitive (LBA). The plan results in no new impervious surfaces. No other site work is proposed. No relief from the provisions of the Middletown zoning ordinance are requested. Requested waivers from the Town's commercial development design standards are discussed below. State law requires action on a DPR application within 65 days of an application being certified complete. This application was certified complete on November 7, 2024; therefore, the Planning Board must take action on the application by January 11, 2025.

The site plan and building design drawings and other submitted items are attached. Application materials can also be viewed online at: <https://middletownri.com/504/Planning-Board-Meeting-Packets> Request for comments and plans were provided to the DPW Director, Town Engineer, Building/Zoning Official, Fire Department, and 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 November 27, 2024. Proposed project scope, zoning relief, and other aspects of the plan were discussed. Following its review, the TRC voted to forward a positive recommendation to the Planning Board subject to the following recommended conditions of approval:

1. The applicant shall revise the plan to eliminate the three proposed new parking spaces directly abutting the subject building, or provide confirmation from the zoning official that the plan complies with the required parking lot aisle width, and confirmation from the fire department that adequate emergency vehicle access is provided.

2. The applicant must provide confirmation that the building design complies with Section 521.2.B.1 regarding the amount of glazing on the a façade visible form the public way, or a waiver of that requirement must be sought.

**Requested Waivers:**

The applicant is requesting the following waivers from the Commercial Development Design Standards of Article 5 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land:

1. Section 521.2.C.1 – Materials: The applicant is requesting the use of non-traditional siding materials. The project does not meet the requirement for use of traditional materials such as wooden clapboards, shingles, patterned shingles, brick, or stone, but does propose to mimic these materials.
2. Section 521.2.D – Roof form: The applicant is proposing a flat roof rather than a pitched roof.

**Required findings for Development Plan Review approval:**

In accordance with section 309 of the Middletown Zoning Ordinance, prior to granting any development plan review approval, or issuing a recommendation in favor of approval to the Zoning Board of Review, the Planning Board shall find that:

- (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.