



Town of Middletown
Planning Department

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

To: Paul A. Croce, Chair
Planning Board members

From: Rita Lavoie, Principal Planner

Date: July 1, 2021

Re: Request of the Zoning Board of Review for a recommendation on an application of On the Pond, LLC for a Special Use Permit to allow construction of a deck(s) in Zone 1 of the Watershed Protection District. Property located at 116 Aquidneck Ave., Plat 115SE, Lots 135 & 136.

The applicant has filed an application for a special use permit to allow for reconstruction and expansion of a 324 sq.ft. covered second floor deck and addition of a 150sq.ft. third floor deck to the rear of the structure located in Watershed Protection District, Zone 1. The subject portion of the property is located within 200 feet of Easton's Pond, which is part of the public drinking water supply system. Please see the attached site plans and architectural plans.

In reviewing this application and providing an advisory opinion to the Zoning Board of Review, the Planning Board should consider the potential impacts of the proposed development on the watershed.

The following development design standards are required by Zoning Ordinance Section 1108:

1. Surface water runoff shall, to the degree feasible, be directed towards areas covered with vegetation for surface infiltration; and
2. Where the premises are partially outside of the WPD, site design shall, to the degree feasible, locate such potential pollution sources as Individual Sewage Disposal Systems outside of the District; and
3. Surface water runoff shall be directed, to the degree feasible, towards the lesser restricted district where the premises is located within two (2) or more districts.

Regarding these standards:

1. The applicant should be asked to describe how storm water on the property will be addressed. The owner is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control ordinance (Chapter 151).
2. The applicant should be asked to describe any potential sources of pollution existing or proposed on the property.
3. The applicant should be asked to describe how surface water will be directed away from Zone 1 if possible.

If the Board chooses to move forward with providing a positive recommendation to the Zoning Board of Review, based on my review of the application materials and the requirements of Article 11, the board should consider the following conditions:

1. 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). The use of pervious paving and other methods to promote infiltration of storm runoff should be considered as means of meeting the requirements of Chapter 153.
2. 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.

Please contact me with any concerns.

CC: Applicant
Building/Zoning Official
Conservation Commission