



Town of Middletown Planning Department

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

Notice of Planning Board Decision

To: APPLICANT
From: Paul A. Croce, Chairman
Middletown Planning Board
Date: September 10, 2021
Re: Application of MDR Realty II, LLC & MDR Enterprises, LLC for Development Plan Review, including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land Section 521, for construction of an addition to an existing commercial building to be used as an auto dealership and expansion to the existing parking lot. Property located at 1235 West Main Rd. Assessor's Plat 106, Lot 87 & Plat 112, Lot 14.

During its meeting of September 8, 2021, the Planning Board reviewed plans by Land Development Engineering and Consulting LLC, dated August 12, 2021, revised September 1, 2021. The Board voted 6-0-0, to grant approval for the above referenced application subject to the following conditions of approval:

1. Prior to permitting, the stormwater management system design must be reviewed and approved by the Town Engineer
2. Prior to permitting, the sewer connection must be submitted to the City of Newport Utilities Division. A letter must be provided to the Planning Department indicating review and approval under the industrial pre-treatment program.
3. Prior to permitting, a revised stormwater management agreement must be reviewed and approved by the Town Solicitor.

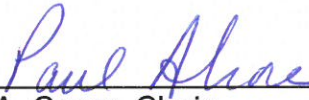
And including granting the following waivers from the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, section 521:

1. 521.1B.2 - For projects with more than 50 parking spaces: Parking broken up into lots of less than 50 spaces. Parking lots are directly connected to each other. Adjacent parking lots separated by a minimum 10' landscaped strip (may be used as walkway). **Proposed new parking lot contains more than 50 spaces.**
2. 521.1E.3 - Exterior litter receptacles shall be provided on all commercial, multi-family residential, and mixed-use properties. Receptacles shall be appropriately sized and located. The locations and design of receptacles must be identified on site plans. Receptacles shall have decorative designs compatible with the overall design theme for the development. Trash management control plan to prevent litter from entering abutting properties and streets. **No litter receptacles or trash management control plan are provided.**

3. 521.1.E.4 - Bicycle racks shall be provided, minimum 1 bicycle space per 5 automobile parking spaces or fraction thereof. **Bicycle racks not provided.**
4. 521.2.C- Building exteriors and roofs constructed of traditional materials such as wooden clapboards, shingles, patterned shingles, brick or stone (synthetic materials require Planning Board approval). **Synthetic EIFS siding is proposed on proposed addition.**
5. 521.2.D - Roof is a traditional form such as hip, gambrel, or gable OR a flat roof incorporating decorative details and/or designed to incorporate a sloped design for the portion of the roof visible from the public way, which is designed so that any mechanical equipment installed on the roof is not visible from the public way and abutting properties. Gradient from level of any sloped roof at least 4:12. **Proposed addition has a flat roof.**
6. 521.3.D.3 - A landscaped buffer at least 10' wide, which is defined by curbing and may include sidewalks but must include a minimum 5' planting strip, is provided between buildings and parking lots/driveways. **Landscaping between proposed addition and driveway not provided.**
7. 521.3.F.2 – Parking Lot Trees: Minimum of one tree provided for every 5 parking spaces. Trees at least 4' caliber dbh and 7' tall at time of planting. Surrounded by at least 25 ft² of permeable unpaved area. **Parking lot trees for proposed new lot not provided**

In rendering its decision, the Board made the following positive findings regarding the application:

- (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, Chair
Middletown Planning Board

cc. Town Clerk
Building Inspector
Town Engineer



August 18, 2021

LANDSCAPE MAINTENANCE PLAN

BMW of Newport – 1215 W Main Rd, Middletown, RI

The following maintenance plan is based on the planting plans provided by VDH dated August 16, 2021.

Spring Clean-up

Mechanically thatch all ornamental lawn areas, remove debris throughout the landscape, weed all garden beds, edge all previously edged garden beds, cutback remaining perennials, clear all hardscapes of debris, and prune any broken or winter damaged branches. All debris generated to be removed and disposed of offsite or a designated area on site.

Leaf Mulch Installation

Furnish and install a composted leaf mulch blend, or approved equal, to previously mulched garden beds.

Lawn Mowing

Weekly mowing and trimming of all ornamental lawn areas to a height of 2.5-4" during growing season. All hardscapes and garden beds blown free of debris. All debris generated to be removed and disposed of offsite. Weekly mowing typically would begin the end of April or beginning of May and extends to the middle or end of October. In dry weather, lawn mowing may be at a reduced level, however reduced mowing can increase presence of weed in the lawn and increase stress on the plant. Raising the cut during this period is suggested.

Weekly Horticultural maintenance of garden beds

Horticultural fertilization of perennials and/or small shrubs, dead heading flowers, light aesthetic pruning of shrubs to maintain shape, weed management, water management of landscaped areas, training of climbing or trailing plants, policing of landscaped areas to clean recently fallen debris, pest and disease monitoring, and fall cutbacks of perennials as necessary. Any plant losses of materials in the original design should be replaced unless there is an acceptable extenuating circumstance or unless the filling in of other existing plants in the plan make replacement unnecessary.

Horticultural maintenance generally begins in the end of April or the beginning of May and extend to the middle or end of October with an additional time spent in late fall for perennial cutbacks. Occurrence should be **twice per week** or as necessary to keep the beds properly maintained. At no point should landscape fabric be used as weed control in beds. Any chemical applications should be applied by a licensed applicator.

Seasonal Pruning

Pruning of shrubs and small ornamental trees at the appropriate time during the growing season. This will typically occur in June through August. Flowering shrubbery that needs pruning should be pruned within 2 weeks after blooming. Pruning of material will be completed based on normal growth habits of the plant unless previously discussed or requested. All debris generated to be removed and disposed of offsite, or a designated area on site.

Fall Cleanup

Removal of leaf debris within ornamental lawn areas and garden beds. Light leaf removal can be completed with each of the early fall mows. Full leaf cleanups generally occur every 2-3 weeks typically starting in early November and extend through mid-December.

Bio-retention Basin Maintenance

***Ilex verticillata* 'Berry Poppins'**

Little pruning is required and should be avoided, except for the removal of old branches in early spring if they no longer produce vigorous growth.

***Panicum virgatum* 'Shenandoah'**

Excess shade, fertilizers, and abundant water should be avoided to reduce promotion of weak sprawling stems. Cut or burn to the ground in late winter.

***Pennisetum* 'Hameln'**

Provide average, well-drained soil. Water deeply and regularly during first growing season to help establish an extensive root system. Cut back and apply general purpose fertilizer just before new shoots appear in late winter.

Sarcococca hookeriana* var. *humilis

Provide moist but well drained soil. Water deeply and regularly during first growing season to help establish an extensive root system. Apply general purpose fertilizer before new growth begins in spring. Prune annually to shape.

Plant Health Care Applications:

Insect Treatment

Spray, soil drench, or systemic bark applications completed in early spring and mid spring in order to help prevent potential damage to emerging foliage from winter moth, gypsy moth, shot hole leaf miner damage, magnolia scale, tulip scale, poplar scale, rhododendron scale, and/ or black vine weevil. Application method dependent on plant material. Recommended minimum of 2 applications per season.

Deer Repellent Application

Spray application to better control deer browsing on applicable plant material. 12 applications are recommended throughout applicable time periods of the growing and dormant season are necessary for acceptable control. Additional spray applications can be completed if needed.

Deep Root Fertilizer Application

Deep root fertilizer is a soil drench/root injection which is performed in late fall. This allows the tree to store up the nutrients before going dormant, which helps increase vigor and overall plant health the following spring. Primarily target ornamental and focal trees on the property.

Anti-Desiccant Application

Foliar application of anti-desiccant completed in late fall on broadleaf evergreen trees and shrubs in order to help prevent moisture loss and desiccation through harsh winter conditions.

Ornamental Turf Maintenance

Applications

6 applications of lawn treatments based on the following:

Early Spring - Application of balanced fertilizer with crabgrass pre-emergent and weed control

Grub Preventative - Environmentally responsible application performed in Spring. Application has no toxicity to birds and pollinators and prevents grubs that feed on grass roots later in the season.

Late Spring - Application of a controlled release fertilizer with iron and micro-nutrients

Mid-Summer - Application of a slow-release fertilizer with humates and micro-nutrients for soil health, post emergent weed and crabgrass control as necessary

Early Fall - Application of controlled release fertilizer with amendments for soil health to encourage fall seeding germination

Late Fall - A heavy application of a slow-release fertilizer rich in potassium to strengthen new grass roots in preparation for winter dormancy

***Lime** - Application of either calcitic or dolomitic limestone to manage soil pH and allow soil to process water and nutrients more efficiently. Application necessity and associated cost dependent on results as dictated by the results of a soil test.

All treatments should be applied by a licensed applicator and with utmost care to prevent chemical runoff from the specific application area and into public drains, water sources, and other non-site properties.

Aeration

Core aeration of all turf areas to reduce compaction and enable better root development for a denser lawn.

Irrigation Maintenance

Spring Start Up

Irrigation systems start up includes opening all water sources, testing back flow for any winter damage, testing and adjusting of all zones and water features if included, programming the controller for a spring schedule if necessary, and completing necessary repairs.

Repairs & Additions

Repairs, additions, or mechanical adjustments during the growing season as needed. Adjustments will be made to heads and run times to help optimize water to plant materials and lawns.

Winterization

Winterization of all irrigation components completed with compressed air. Irrigation controller will be deactivated and turned to the off position for the winter.

RECORDED: Sep 14, 2021 08:49A
DOC #: 00003104
RECEIPT #: 62182
WENDY J. W. MARSHALL, TOWN Clerk
TOWN of MIDDLETOWN, RI