



**MIDDLETOWN**  
Rhode Island

## PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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

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### Notice of Planning Board Decision

To: APPLICANT

From: Paul A. Croce, Chairman  
Middletown Planning Board

Date: November 18, 2021

Re: Request of Mesolella Development Corp. for Master Plan approval for a comprehensive permit application submitted pursuant to Middletown Zoning Code, Article 17, *Low and Moderate Income Housing – Comprehensive Permit*, for construction of a new residential/commercial Mixed-use Development Project located at 1747 West Main Rd. Assessor's Plat 111, Lots 8 and 9, and including request for waivers from certain design standards of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land, Section 521, and variances from the Middletown Zoning Code sections 602, 603, 1304, 27A04, 27A05, 27A04E(1), 2704E(2), and 27A07E(3).

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During its meeting of November 2, 2021, the Planning Board voted 5-2-0, with Ms. Owen and Mr. Fenton voting in opposition, to grant Master Plan approval of the application referenced above. This approval applies to plans and other materials presented to the Board, including the following:

- Site plans by PARE Corporation, revised September 10, 2021
- Location plan by E. Greenwich Surveyors, LLC, dated 8/11/2021
- Building elevation drawings by Branch Architects, dated 9/1/2021
- Renderings by Branch Architects, dated 9/15/2021

As part of its approval the Board made the following positive findings regarding the application as conditioned:

1. The proposed development is consistent with local needs as identified in the local comprehensive community plan with particular emphasis on the community's affordable housing plan and/or has satisfactorily addressed the issues where there may be inconsistencies.
2. The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance and subdivision regulations, and/or where expressly varied or waived local concerns that have been affected by the relief granted do not outweigh the state and local need for low and moderate income housing.

3. All low and moderate income housing units proposed are integrated throughout the development; are similar in scale and architectural style to the market rate units within the project; and will be built and occupied prior to, or simultaneous with the construction and occupancy of any market rate units.
4. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.
5. There will be no significant negative impacts on the health and safety of current or future residents of the community, in areas including, but not limited to, safe circulation of pedestrian and vehicular traffic, provision of emergency services, sewerage disposal, availability of potable water, adequate surface water run-off, and the preservation of natural, historical or cultural features that contribute to the attractiveness of the community.
6. The proposed land development will have adequate and permanent physical access to a public street in accordance with the requirements of R.I. Gen. Laws § 45-23-60(5).
7. The proposed development will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, unless created only as permanent open space or permanently reserved for a public purpose on the approved recorded plans.

Conditions of approval:

1. Prior to Preliminary Plan approval adequate turning areas inside the development must be provided for Fire Department equipment.
2. Prior to Preliminary Plan approval fire hydrant locations must be reviewed and approved by the Fire Department.
3. Prior to Preliminary Plan approval Fire Department access to buildings shall be reviewed and approved by the Fire Department.
4. Prior to Preliminary Plan approval easements for existing sewer lines shall be finalized subject to the review and approval by the Town Solicitor and the Town Engineer.
5. Prior to Preliminary Plan approval the plan shall demonstrate vehicular access to the sewer line easement on lot 8, subject to any necessary RI DEM approvals.
6. Prior to Preliminary Plan approval the applicant shall investigate potential realignment of entrance to square with Marshall Lane, and provide a second access to the property from West Main Road, subject to RIDOT approval.
7. In addition to the 51 units of affordable housing included in Phase 1 of the project, Phase 2 shall include a minimum of 12 affordable units qualifying as "low or moderate income housing" as defined in Section 45-53-3 RIGL, regardless of the source of funding used to create the units, resulting in 44% of the 144 total units qualifying as affordable housing units.
8. As part of the Preliminary Plan submission, the applicant shall provide proposed measures to screen the existing storage building and make other accommodations to address the adverse impact of the appearance and use of the building on the proposed residential component of the project. Potential alternative vehicular access to the building as well as options for future use or demolition of the building at the end of the current lease shall also be investigated and addressed in the Preliminary Plan submission.
9. As part of the Preliminary Plan submission, the applicant shall provide building elevations and renderings demonstrating the use of varied design elements, exterior building materials, and/or colors to further enhance building appearance and limit the adverse impact of the long, nonarticulated façades.

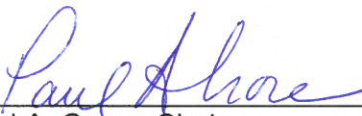
10. Planning Board consideration of the requested special use permit to allow development in Zone 1 of the Watershed Protection District to be addressed during review of the Preliminary Plan application.

Zoning relief and waivers granted:

1. Zoning Ordinance §602 Schedule of District Regulations and Uses: Mixed Use Development Projects not permitted in the Light Industrial zoning districts.
2. Zoning Ordinance §1304 Minimum and Maximum off-street parking requirements. **357 spaces required, 336 spaces provided. Note that per the Mixed Use Development Design Standards Section 27A07 parking may be reduced; up to 75% of the requirements for the predominate use may be waived by the Planning Board if the applicant can demonstrate that the peak demands for non-competing parking uses are offset.**
3. Zoning Ordinance §27A04 Mixed Use Development Permitted Uses- Prohibited uses include all uses under the manufacturing heading of section 602. **Existing boat storage/warehouse facility falls under *manufacturing: boat building and repair, including storage* category in section 602 and is therefore listed as prohibited in a mixed-use development.**
4. Zoning Ordinance §27A05 Mixed Use Development Density and Dimensional Standards: Maximum residential density requires 5,000 square feet of land for each 1-bedroom unit and 7,000 square feet of land for each 2+-bedroom unit. **Proposed 144 units require 19.92 acres of land where 10.77 acres of developable land is provided.**
5. Zoning Ordinance §27A07E1 Mixed Use Development Additional requirements: No new principal building shall be located within 100 feet of an existing residential building on abutter property or 50 feet of a residentially zoned lot. **Proposed structure is 92 feet from existing residential building on plat 111 lot 7.**
6. Zoning Ordinance §27A07E2 Mixed Use Development Additional requirements: The area within the required setbacks shall be devoted to a landscaped or natural buffer zone. **A portion of the northern most parking lot is located within the 50 foot required natural buffer zone.**
7. Zoning Ordinance §27A04E3 Maximum height of any building in a mixed-use project shall be 35 feet. **Proposed structures are 40-feet and 36-feet.**
8. Zoning Ordinance §1507A – Multifamily Dwellings Off street parking requirements: No off-street parking facility except driveways shall be located closer than 25 feet to any lot line in a multifamily dwelling project. **Parking area on northern boundary is 20 feet from the lot line.**
9. Zoning Ordinance §1507B – Multifamily Dwellings Off street parking requirements: No off-street parking areas shall be located within 25 feet of any wall of a principal building (except a garage) use for residential purposed along which is located an entrance or exit generally intended for use by residences thereof or along which are located windows serving habitable rooms less than ten fee above the ground. **Parking areas throughout project are closer than 25 feet to proposed residential buildings.**
10. Rules & Regulations Regarding Subdivision & Development of Land §521.1.B1 Parking lots located to the rear or side of building (not applicable in LI districts except on arterials) OR where site configuration does not allow for parking at rear or side, no more than one row of parking is located at the front, or two rows in the case of large-scale shopping centers and other situations where site conditions warrant; in either case, the number of parking spaces

does not exceed 50 spaces (additional landscaping & screening may be required). **Parking lot is located in the front of the building.**

11. Rules & Regulations Regarding Subdivision & Development of Land §521.2.A2 No unbroken plane of a wall exceeds forty feet without a break of at least 48" in plane. No unbroken plane of a wall exceeds forty feet without a break of at least 48" in plane. **Proposed exterior walls extend greater than 40 feet without a break in the plane of wall.**
12. Rules & Regulations Regarding Subdivision & Development of Land §521.2C - Building exteriors and roofs constructed of traditional materials such as wooden clapboards, shingles, patterned shingles, brick or stone (synthetic materials require Planning Board approval). **The applicant has indicated in their narrative that synthetic cement board and azek trim is proposed.**



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Paul A. Croce, Chair  
Middletown Planning Board

cc. Town Clerk  
Building/Zoning Official

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WENDY J. W. MARSHALL, TOWN Clerk  
TOWN of MIDDLETOWN, RI