



**MIDDLETOWN**  
Rhode Island

## PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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

To: Paul A. Croce, Chairman  
Planning Board members

From: Ron Wolanski, Town Planner

Date: January 18, 2022

Re: **Public Hearing** – Application of Newport National Real Estate, LLC for Development Plan Review for development of a 9-hole golf course and associated clubhouse, and request for waivers from certain commercial development design standards of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property fronts on Wyatt Road and Mitchell's Lane, Tax Assessors Plat 124 lot 29

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**This item was continued to the January 24<sup>th</sup> special Planning Board meeting. Following the January 12<sup>th</sup> TRC meeting revised materials have been provided by the applicant and are attached.**

**Note: After the TRC review was complete the Town Engineer provided the attached memo requesting installation of a fence around the proposed irrigation pond. I have added this to the list of recommended conditions for the Board's consideration.**

The applicant is proposing development of a 9-hole golf course (West Course) and a 9,400 square foot club house with function hall, restaurant, and retail sales across the street from the existing 9-hole East Course. Site plans show a water main extension on Wyatt Road, a sewer line connecting to Meadow Lane, an outdoor event area, a pervious driveway and parking lot, irrigation ponds, landscaping improvements to the Aquidneck Land Trust's Sakonnet Greenway Trail, golf cart connections to the existing golf course on the east side of Mitchell's Lane, and other site improvements.

On August 21, 2000, and January 18, 2005, the Middletown Town Council granted then amended a petition to re-zone the subject property from various residential districts to "Open Space", which would allow the construction of a golf course. Thirteen conditions were contained in the rezoning ordinance, including some conditions specific to the development plan review process. Conditions have been noted on the site plan sheet 2 with comments from the applicant.

There are golf cart and equipment easement over abutting lots to connect the existing driveway/parking lot on the east side of Mitchell's Lane to the proposed West Course. As per

Town Council re-zoning conditions numbers 5 and 12, the developer must install appropriate safety signage and address ditches on both sides of Mitchell's Lane.

A traffic study dated July 2019, conducted by BETA engineering group, outlines a number of conclusions and recommendation on page 17-18. It is recommended that the engineer's suggestions be incorporated into the development plan.

**Requested waivers:**

Per section 908 of the Regulations the "*Planning Board shall have the power to grant such waivers and/or modifications from the requirements for land development and subdivision approval, as may be reasonable, and within the general purposes and intents of the provisions for local regulations. The only grounds for such waivers and/or modifications shall be where the literal enforcement of one (1) or more provisions of the regulations is impracticable and will exact undue hardship, because of the peculiar conditions pertaining to the land in question, or where such waiver and/or modification is in the best interest of good planning practice and/or design, as evidenced by consistency with the municipality's comprehensive plan and Zoning Ordinance.*"

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 parking lot contains 242 parking spaces, not broken into smaller connected lots separated by landscaped strips.**
2. 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). **Trim materials include borol, a synthetic composite.**
3. 521.3C - Screening element such as plantings, stone walls, berms and/or fences (or a combination) provided along all property lines. **Required screening not provided along the Mitchell's Lane property boundary. The landscaping plan does not show entire property and therefore it is unclear if screening is provided along Wyatt Road, or the western property boundary.**
4. 521.3F.1 - Deciduous street trees: Planted along street side property boundary, private streets, and internal driveways. Planted in planter strips or tree wells located between the sidewalk and curb. Spaced no further apart than 30' on center. A minimum of 4' dbh at time of planting. **Street trees not provided on internal driveway. Unable to evaluate if trees are provided along Mitchell's Lane or Wyatt Road as the landscaping plan does not depict entire property.**

**On January 12, 2022 the Technical Review Committee voted to forward a positive recommendation to the planning board subject to the following conditions:**

1. Prior to permitting, the Town Engineer and Director of Public Works must review and approve the final stormwater design and Operations and Maintenance plan.
2. Prior to permitting, the Town Engineer and Director of Public Works must review and approve the final sewer system design and flow calculations.

3. Prior to permitting, there must be confirmation, subject to the approval of the Town Engineer, that the soil erosion & sediment control plan includes adequate measures for controlling dust during the construction process.

**Planning staff recommends the following additional conditions of approval:**

4. Prior to permitting, golf cart safety signage, crosswalks on Mitchell's Lane, and grading details along the public right-of-way should be submitted for review and approval to the Director of Public Works and the Town Engineer.
5. Prior to permitting the applicant must seek Town Council determination regarding the time in which the parking lot lighting must be extinguished, per re-zoning condition number 8.
6. Prior to permitting any legal documents must be reviewed and approved by the Town Solicitor.
7. 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. A note to this effect must be provided.
8. Prior to permitting, the traffic engineer's recommendations and conclusions from the July 2019 BETA engineering report be incorporated into the development plan:

**Mitchells Lane at Site Driveway Intersection:** Minor clearing of roadside vegetation for sight line enhancement.

**Mitchells Lane at Route 138 Intersection:**

1. Minor clearing of roadside vegetation for sight line enhancement.
2. Replacement of the Stop sign on Mitchells Lane.
3. Installation of appropriate Stop Ahead sign and/or pavement markings on Mitchells Lane to emphasize the primary traffic control device.
4. Relocation of the Mitchells Lane street name sign for improved visibility of the intersection for Route 138 southbound traffic.
5. Installation of intersection warning signs on Route 138 to alert Route 138 motorist of the approaching intersection.

**Mitchells Lane at Wyatt Road Intersection:** Replace Stop signs on each approach to the intersection.

**Mitchells Lane between Route 138 and Wyatt Road:** Installation of crosswalks and applicable warning signs at the golf cart crossing and the Sakonnet Greenway Trail crossing per the concept plans provided.

9. Prior to permitting, the plans shall be revised to include a fence around the proposed irrigation pond consistent with the requirements of Town Code section 153.27, subject to the approval of the Town Engineer.

**Required findings:**

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.

Cc: Town Solicitor  
Applicant



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Date: January 14, 2022

To: Ron Wolanski, Town Planner

From: Warren Hall, PE, PLS, Town Engineer

Re: Chapter 153.27, fence required @ Newport National Golf Course, west side Mitchell's Lane

A fence is not included as part of the Detention Basin, as required per section 153.27.

It is hereby recommended a fence be installed or variance requested to the planning board be included with the application.