
Development Impact Statement

“Aquidneck Commerce Center”
Proposed Multifamily Structure
Assessor’s Map 114, Lots 129 & 504
809, 811, 819 Aquidneck Avenue
Middletown, RI

Prepared For

CCB Capital and Real Estate
543 Thames Street
Newport, RI 02840

March 22, 2022



**Northeast Engineers
& Consultants, Inc.**
"A Knowledge Corporation"®

TABLE OF CONTENTS

| | | |
|-------------|---------------------------------------------------------------------------|-----------|
| 1.0 | INTRODUCTION | 1 |
| 1.1 | <i>SITE DESCRIPTION</i> | <i>1</i> |
| 1.2 | <i>ZONING.....</i> | <i>1</i> |
| 1.3 | <i>REGULATIONS AND GUIDELINES.....</i> | <i>2</i> |
| 2.0 | SITE IMPROVEMENTS..... | 3 |
| 2.1 | <i>DISTRICT REGULATIONS (MIDDLETOWN ZONING ORDINANCE ARTICLE 6)</i> | <i>3</i> |
| 2.2 | <i>SUPPLEMENTARY REGULATIONS (ARTICLE 7).....</i> | <i>3</i> |
| 2.3 | <i>MIXED USE DEVELOPMENTS (ARTICLE 27A)</i> | <i>3</i> |
| 3.0 | TRAFFIC CONDITIONS..... | 4 |
| 3.1 | <i>PROPOSED DEVELOPMENT TRAFFIC CONDITIONS</i> | <i>4</i> |
| 3.2 | <i>PARKING (MIDDLETOWN ZONING ORDINANCE ARTICLE 13)</i> | <i>5</i> |
| 4.0 | WATER SUPPLY - DOMESTIC | 5 |
| 5.0 | SEWAGE DISPOSAL..... | 6 |
| 6.0 | STORMWATER | 7 |
| 7.0 | ELECTRIC SERVICE | 7 |
| 8.0 | GAS SERVICE | 7 |
| 9.0 | POLICE..... | 7 |
| 10.0 | FIRE PROTECTION | 7 |
| 11.0 | SCHOOLS | 8 |
| 12.0 | EMERGENCY SERVICES | 8 |
| 13.0 | PHYSICAL AND ECOLOGICAL CHARACTERISTICS | 8 |
| 13.1 | <i>SURROUNDING LANDS</i> | <i>8</i> |
| 13.2 | <i>WETLANDS</i> | <i>8</i> |
| 13.3 | <i>FLOOD PLAIN & SOILS</i> | <i>8</i> |
| 13.4 | <i>VEGETATION.....</i> | <i>8</i> |
| 13.5 | <i>WILDLIFE HABITAT.....</i> | <i>8</i> |
| 13.6 | <i>ENVIRONMENTAL.....</i> | <i>9</i> |
| 14.0 | CHARACTER OF THE COMMUNITY..... | 9 |
| 14.1 | <i>SCENIC</i> | <i>9</i> |
| 14.2 | <i>ARCHAEOLOGICAL CONDITIONS</i> | <i>9</i> |
| 14.3 | <i>SCALE.....</i> | <i>9</i> |
| 14.4 | <i>PLACEMENT.....</i> | <i>9</i> |
| 14.5 | <i>LIGHTING</i> | <i>9</i> |
| 14.6 | <i>ABUTTING PROPERTIES AND PROPERTY VALUE.....</i> | <i>9</i> |
| 15.0 | CONCLUSION | 10 |

1.0 INTRODUCTION

This Development Impact Statement is required under Section 310 – Development Impact Review of the Town of Middletown Zoning Ordinance, October 2006.

1.1 Site Description

The 1.95 acre ± “Site” is identified as Assessor’s Plat 114 Lots 129 & 504. The Site is located on the east side of Aquidneck Avenue between Green End Avenue and East Main Road. The southern lot is a commercial center consisting of two freestanding office structures. A paved parking lot fronts on Aquidneck Avenue while a larger paved lot is present along the rear property line. The northern lot contains a single-family residence / office building with one small accessory structure. The commercial property is accessed from a single, wide, two-way curb cut while the residential property is accessed via two narrow curb cuts. Each of these curb cuts crosses over the RIDOT drainage swale which runs along the edge of the roadway with a culvert. Both properties are supplied by municipal water and sewer via mains in Aquidneck Avenue. A National Grid gas main is also present in this roadway. Overhead electrical and communication services are available on the east side of the roadway. The Site is surrounded by other commercial and small residential properties to the sides and to the rear. Stormwater controls are limited to several catch basins in the commercial property parking lots. There are no stormwater quality devices located on either property.

There are no features protected by the state located on either lot. The properties are located in the town of Middletown Watershed Protection District Zone 2. The ultimate receiving waterbody for the property is Bailey’s Brook (WB ID RI0007035R-01). This waterway has been assessed with a TMDL for bacteria (enterococcus).

1.2 Zoning

The existing subject properties and the adjacent commercial properties along Aquidneck Avenue are zoned Limited Business, Traffic Sensitive (LBA). This district was established to provide areas for day-to-day localized shopping needs, convenience shopping services to neighborhood areas, and to provide limited specialized business uses in certain parts of town. Within the LB District, mixed-use development projects are allowed as an option to provide for village-style development of a mix of uses, including multi-family residential, small-scale retail, office, and public uses, while preserving open space, and to limit commercial sprawl.

Residential properties located to the rear of the Site are zoned Medium Density Residential (R20).

1.3 Regulations and Guidelines

Regulations and Ordinances that helped to shape the development of the project Site were the following:

1. Town of Middletown Comprehensive Amendment Zoning Ordinance.
2. Town of Middletown Rules and Regulations Regarding the Subdivision and Development of Land.
3. State of Rhode Island Stormwater Design and Installation Standards Manual.
4. Urban Hydrology for Small Watersheds. (TR-55 Manual)
5. Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction.
6. Rhode Island Department of Transportation Standard Details.
7. Soil Erosion and Sediment Control Handbook.

2.0 SITE IMPROVEMENTS

The owner intends to demolish the existing single-family residential/office structure and all other associated improvements. The properties are to be combined under the town's mixed-use ordinance, and a new multi-family residential structure is to be constructed in the newly vacated area of the Site. The northernmost curb cut is to be revised to provide a one-way entrance. This entrance will provide access to a new paved driveway along the northern property line leading to an expanded paved parking lot at the rear of the site. Traffic will leave the site via the existing two-way entrance on the former commercial lot. Aside from minor grading and repaving in the existing rear parking lot necessary to meet the intended grades, no other revisions to the commercial portion of the property are proposed. The total lot coverage is within the maximum 35% lot coverage allowable by the zoning ordinance.

2.1 District Regulations (Middletown Zoning Ordinance Article 6)

The project as proposed does not require any dimensional variances from the Zoning Ordinance (Article 6).

2.2 Supplementary Regulations (Article 7)

The following information details the project's conformance with the Supplementary Regulations (Article 7) of the Zoning Ordinance:

- The front, side and rear yards shall be unoccupied and unobstructed by buildings or structures
- No accessory structures are proposed within ten (10) feet of a proposed property line
- All proposed structures shall not exceed the District Dimensional Regulations.
- Any fencing shall not exceed 6 feet in height
- There will be no storage or parking of major recreation equipment, mobile homes or unserviceable vehicles
- All proposed residential units shall meet or exceed the minimum residential floor areas listed in Section 711 of the Middletown Zoning Ordinance
- All yard requirements shall comply with Section 716 of the Middletown Zoning Ordinance.
- There will be no farm activity on the project site.
- Any landscaping shall conform to Section 723 of the Middletown Zoning Ordinance.

2.3 Mixed Use Developments (Article 27A)

The following information details the conformance with the Mixed-Use Development Project Regulations (Article 27A) of the Zoning Ordinance:

- The proposal preserves community character by converting a single-family use into a multi-family mixed use appropriate for a Limited Business District.
- Integrates the new use appropriately into an existing business area.
- Promotes a pedestrian friendly environment to the extent feasible, which can easily be expanded upon pending the construction of RIDOT sidewalks on the east side of Aquidneck Avenue.
- Provides much needed residential units to meet the needs of the community.

- Existing commercial uses shall limit the hours of operation to 6:00 AM to 8:00 PM
- The development shall comply with the maximum permissible sound levels allowed in a residential zoning district.
- Dumpsters shall not be emptied between the hours of 10:00 PM and 7:00 AM.
- Overall, a minimum of 25% and maximum of 60% of the GLFA of the final development shall be dedicated to residential uses.
- Consistent with section 521.3 of the Regulations, at least 25% of the developable land area shall be dedicated to landscaped areas.
- The residential structure shall conform to the standards of Article 15 (Multifamily Dwellings)
- The proposed residential density is in accordance with section 27A05(B). Twelve (12) two-bedroom units are proposed. Each unit requires 7,000 square feet of land area, for a total requirement of 84,000 square feet. The total land area of the merged property shall be 84,902 square feet.

The project requires the following waivers from Section 27A07, Mixed Use Design Standards. All other design standards presented in this section are met.

1. The proposed residential structure is located less than 100 feet from an abutting residential use.

3.0 TRAFFIC CONDITIONS

A trip generation calculation was performed defining both existing and proposed conditions at the Site. Presently, the building (#819 Aquidneck) is used for both residential and commercial office use. The proposal is to remove this structure and to redevelop the site to include 12 residential units. The existing use of the property results in a total of 4 AM and 5 PM trips while the proposed use results in a total of 5 AM and 6 PM trips. As the difference is only one (1) trip during each of the AM and PM peak hour conditions, will be no adverse impact to the local street system of Aquidneck Avenue and specifically at the proposed site driveway as a result of this development.

3.1 Proposed Development Traffic Conditions

The proposed multi-family residential structure within the mixed-use development will be accessed from a new curb cut on Aquidneck Avenue, a state-maintained right-of-way. The two existing curb cuts will be closed. The new curb cut will meet the edge clearance requirements of the RIDOT where the existing curb cut does not. Aquidneck Avenue serves as a major arterial roadway between Green End Avenue and East Main Road (RI RT 138), and serves a large number of commercial and residential properties. The new entrance into the Site will be indicated as "Entrance Only". The existing entrance to the commercial portion of the property shall remain as "Two-Way".

The proposed intersection of the driveway with Aquidneck Avenue will be reasonably sloped with the excellent visibility up the access and towards the front of the units. This intersection will be at approximately a ninety (90) degree angle to the roadway. The existing access location to remain has no significant existing trees or proposed vegetation near the intersection thereby providing acceptable visibility.

The proposed entrance one-way driveway has been designed with a 15-foot-wide clearance. The aisle of the parking area is provided with a 24-foot-wide clearance. A sidewalk will be provided along the parking area and across the front of the residential structure. RIDOT has indicated that the sidewalk is not to enter the right-of-way.

3.2 Parking (Middletown Zoning Ordinance Article 13)

The proposed development meets the parking requirements of Middletown. The new parking lot located at the rear of the property will provide the majority of the new parking required. This lot will be integrated into the existing parking lot to create shared parking with the existing use. A total of 69 parking spaces are required for the new residential use and the existing office uses. A total of 74 spaces shall be provided in the proposed conditions scenario. No public parking is required by the proposed use.

4.0 WATER SUPPLY - DOMESTIC

The project will be served by municipal water (Newport Water).

Water Quantity Methodology

The Rhode Island Department of Environmental Management, Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems provided the estimated sewer flow from the residential structure. The Civil Engineering Reference Manual was used to calculate the Max Daily Flow and Max Peak Hourly Flow.

References

1. The Rhode Island Department of Environmental Management, Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems, dated November 2018.
2. Civil Engineering Reference Manual, Ninth Edition, 2003
3. International Building Code

Water Quantity Demand Calculations

The following chart illustrates the estimated water usage:

| Number of Units | Bedrooms | Occupants Per Bedroom | Water Usage Rate (gpd) | Water Usage from Calculated Occupancy (gpd) |
|-----------------|----------|-----------------------|------------------------|---------------------------------------------|
| 12 | 2 | 2 | 115 | 2,760 |

Based on the demand table above, the Average Daily Flow for the new structure is estimated at 2,760 gallons per day. This is based on the RIDEM expected flows, which is considered to be a conservative estimate as it is unlikely that all bedrooms will have two occupants. Based on the average water consumption of 2,760 gallons per day, we will calculate the maximum daily flow and maximum peak hourly flow on the following formulas:

Max Daily Flow = Average Daily Flow x Max Daily Multiplier

Max Daily Flow = 2,760 gpd x 1.50

Max Daily Flow = 4,140 gpd = 173 gph

Max Peak Hourly Flow = Average Daily Flow x Max Peak Hourly Flow Multiplier

Max Peak Hourly Flow = 2,760 gpd x 2.5

Max Peak Hourly Flow = 6,900 gpd = 288 gph = 0.0107 cfs

5.0 SEWAGE DISPOSAL

The Town of Middletown provides public sewer disposal along Aquidneck Avenue. It is anticipated that this project will require a new 6" diameter service connection to the existing main. All sewer work will be performed in accordance with the Town of Middletown Public Works standards.

6.0 STORMWATER

Stormwater control for this development will be provided by an infiltration basin located at the front of the property. Due to site space constraints, the berm for this basin will be a concrete retaining wall. Discharge from this device to the RIDOT swale during low flow events will be from five (5) 6-inch orifices evenly spaced along the frontage of the site. High flow from this device will be over a wide weir running along the entire wall frontage. Based on the modeling shown in this report, this weir will only be used during a 100-year storm event. Pretreatment from this device will be provided by a sediment forebay located at the rear of the structure and by two deep sump catch basins in the new forebay paved access drive. The remainder of the site will drain via surface flow towards Aquidneck Avenue, as in the existing conditions.

The proposed drainage system will be designed to maintain or reduce the peak runoff rate to equal or less than that of the existing conditions during the Type III, 24-hour design storms for the 1,2, 10, 25 and 100-year storm events. The proposed drainage system will also be designed to provide water quality treatment in conformance with current RIDEM recommendations.

For detailed description and calculations please refer to the project Drainage Report.

7.0 ELECTRIC SERVICE

National Grid provides overhead electrical services along Aquidneck Avenue. The project proposes to tie into the overhead service and run underground conduit to the proposed structure. National Grid is expected to have the capacity and willingness to service the project; however, they have not yet reviewed the proposed connection. All construction and design will be in accordance with the National Grid Rules and Regulations.

8.0 GAS SERVICE

National Grid Gas has an active main along Aquidneck Avenue. The project proposes to tie into this main and run a service to the proposed structure. National Grid Gas is expected to have the capacity and willingness to service the project; however, they have not yet reviewed the proposed connection. All construction and design will be in accordance with the National Grid Gas Rules and Regulations.

9.0 POLICE

Police enforcement shall be provided by the Middletown Police Department. Since the project is surrounded by similar use developments and does not contain any special or unusual features, the project should receive similar protection.

10.0 FIRE PROTECTION

Fire protection shall be provided by the Middletown Fire Department. A fire hydrant is located on Aquidneck Avenue, directly across from the proposed structure. The roadway access shall be approved by the Fire Department. The building shall be provided with sprinkler fire protection.

11.0 SCHOOLS

The project involves the delineation of 12 new residential units. Based on information provided by the National Center for Educational Statistics it can be determined that approximately 0.32 students are enrolled in the Middletown public school system per occupied housing unit. This average multiplied by the 12 new residences equates to approximately 4 new public-school students. This project therefore will likely represent only a small increase to the load on the town public school system.

12.0 EMERGENCY SERVICES

Since the project is surrounded by similar use developments and does not contain any special or unusual features, the project should have similar access to emergency services.

13.0 PHYSICAL AND ECOLOGICAL CHARACTERISTICS

13.1 Surrounding Lands

Surrounding land use consists primarily of small-scale commercial uses including retail, office space, and outdoor materials storage. Some single family uses still remain along Aquidneck Avenue and to the rear of the Site. Further to the north along Aquidneck, lies JH Gaudet Middle School.

13.2 Wetlands

There are no wetlands or other features protected by the state located on the Site.

13.3 Flood Plain & Soils

According to the Flood Insurance Rate Mapping for the Town of Middletown the site is located in Zone X. Zone X is within the area of minimal flooding for the 100-year flood.

The soil types on site are Ur (Urban land), Ud (Udorthents), and NeB (Newport Silt Loam) as designated by the USDA Natural Resource Conservation Service. The silt loams are a type C hydrologic soil common to this area of Aquidneck Island. Class IV soil evaluations performed on site within the Ur and Ud zones revealed **sandy loams** with water tables varying from 15 to 33 inches. According to historical aerial photography, this site has been substantially developed since the 1980s.

13.4 Vegetation

There is no significant vegetation in the area of the proposed structure aside from unmaintained grasses and perimeter vegetation.

13.5 Wildlife Habitat

Since the site and the surrounding properties are a developed urban area, the subject property is not considered a significant wildlife habitat. To the best of our knowledge, there are no endangered or threatened species living on the site.

13.6 Environmental

The applicant will meet all environmental requirements of the Rhode Island Department of Environmental Management and the Town of Middletown. Construction of this development will improve the environmental conditions of the site with sediment collection measures, a reduction in peak run-off, and an increase in water quality of the site stormwater discharge.

14.0 CHARACTER OF THE COMMUNITY

14.1 Scenic

An evaluation of the site surroundings reveals that the site is located in an area appropriate for a mixed-use development. The property is located in an area consisting of similar uses and will complement existing businesses. The property and its direct surroundings have the scenic value one might expect from a limited business district. The proposed mixed use is not expected to detract from this value.

14.2 Archaeological Conditions

There are no special or unique archaeological conditions on the site as it is an existing developed property. If any archaeological artifacts or remains are found during construction, work will stop immediately and a historic/archaeological expert will be consulted to determine the significance of the find. The archaeological remains, if they are found to be significant, will be preserved based on the Town and expert's recommendation and/or opinion.

14.3 Scale

The scale of the proposed residential building is expected to be similar to the surrounding abutting commercial structures.

14.4 Placement

The placement of all proposed residences shall meet all setback requirements of Middletown, aside from the 100-foot setback to residential uses as previously indicated. The waiver for this setback is required as there is an abutting single-family use in the limited business zone. More than 100 feet of separation is provided to all other structures on abutting residentially zoned properties. Screening and general appearance were considered during development so as to have the minimal impact to neighbors and traffic flow.

14.5 Lighting

All proposed lighting shall be consistent with Article 27B and shall be dark sky compliant.

14.6 Abutting Properties and Property Value

This development will have no detrimental effects on abutting property values since abutting properties are of primarily the same type of land use (limited business).

15.0 **CONCLUSION**

It is our opinion that this proposed development will have no negative environmental impacts on the Town of Middletown as a whole or to abutting property owners. The quality of the development and its intended purpose to provide desirable, centrally located, residential units, will be an asset to the town.