



**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: May 3, 2023

Re: **Public Hearing** - Application of Jason Gold for Development Plan Review for construction of a retail/office building, including parking, utilities, and associated site work, and including requests for waivers from certain provisions of the commercial development design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 48 Valley Rd., Tax Assessors Plat 107SE, Lot 103B.

The applicant is proposing construction of a new 6,814 +/- sq.ft. commercial building with associated parking and landscaping at 48 Valley Rd., located in the Limited Business, Traffic Sensitive (LBA) zoning district. Site plans, building elevations and renderings, development impact statements and other documents are attached for your review. These documents can also be viewed online at: <https://middletownri.com/504/Planning-Board-Meeting-Packets>

Request for comments and plans were provided to the DPW director, Town Engineer, Building Official, Fire Department, Roads & Utilities Committee, and Tree Commission. Tree Commission comments are attached. Since the proposed use, a liquor store, requires the granting of Special Use Permit by the Zoning Board of Review, the Planning Board review will result in a recommendation to the Zoning Board of Review.

### **TRC Review:**

The Technical Review Committee (TRC) reviewed the application during its meeting on May 3<sup>rd</sup>. Site design, utilities, stormwater management, and other aspects of the plan were discussed. Following its review, the committee voted unanimously to forward a positive recommendation to the Planning Board subject to the following recommended conditions of approval.

### **Recommended conditions of approval:**

1. In order to provide for greater separation between the proposed driveway and driveways on abutting properties, prior to permitting, the plan shall be revised to move the proposed curb cut and driveway providing access from Valley Rd. to be to the north of the proposed front parking lot, subject to approval of the revised design by the Town Engineer and Fire Chief.
2. Prior to permitting, any outstanding items from the review comments submitted by Crossman Engineering in a memo dated April 24, 2023, shall addressed subject to the satisfaction of the Town Engineer.

**Requested waivers:**

Based on the latest plan set it appears that the applicant will require the following waivers from the commercial development design standards of section 521 of the subdivision and land development regulations, or must provide confirmation that the project is in compliance. 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. **Section 521.1.A** - Buildings should be located so as to create a safe, pleasant walking environment and efficient pedestrian circulation pattern. Building placement, orientation and massing should be planned to promote more active pedestrian-scaled commercial design, with ample opportunities for walking and bicycling, as well as private motor vehicles and to promote the use of public transportation; and **Section 521.1.B.3** - Circulation shall be designed to provide safe and efficient access for pedestrians, automobiles, and emergency vehicles into and throughout the site, including designated pedestrian walkways and crosswalks. Pedestrian access to the site from the public way and neighboring properties shall be provided. **Pedestrian access from street sidewalk to interior of site, including sidewalks and crosswalks, is not provided.**
2. **Section 521.2.C** – Building exteriors and roofs shall be constructed of, or resemble, traditional materials such as wooden clapboards, shingles, patterned shingles, brick, or stone. **Building exteriors using synthetic siding, PVC trim, partial standing seam metal roof, and other synthetic materials are proposed.**
3. **Section 521.3.D.3** – A landscaped buffer at least 10’ wide shall be provided between buildings and parking lots/driveways. The buffer shall defined by curbing, and may include sidewalks, but must include a minimum 5’ planting strip. **The proposed design does not meet requirements along all elevations.**

**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: Applicant



### REVIEW MEMORANDUM

To: Ronald M. Wolanski, AICP  
Director of Planning &  
Economic Development

From: Steven Cabral/Chris Cabral  
Crossman Engineering

Date: April 24, 2023

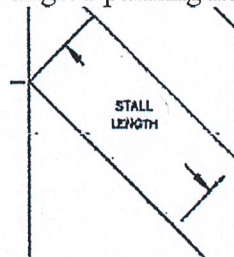
Re: Gold's Wine & Spirits  
Plat 107SE, Lot 103B  
Middletown, RI

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Upon review of the Site Plans and Stormwater Management Report for the proposed Gold's Wine & Spirits Facility at 48 Valley Road, we offer the initial following comments.

#### Sheet 3: Proposed Site Plan

1. Traffic circulation around the building is one way in a counterclockwise direction. Signage and pavement markings should be provided, especially at the one-way outlet into the parking area.
2. The drive aisle around the building is 16 feet wide. Typically, an NFPA fire lane is recommended to be 20 feet.
3. The length of the six (6) parking spaces at the rear of the building are only 14 feet long, as opposed to the required 18 feet. The angled parking needs to be measured as shown:



4. The 4,168 sf of building area used for the parking count does not match the 6,000+ sf of gross leasable area depicted on the building plans. Based upon the Zoning Code definition of GFA, the 21 spaces provided may not meet the parking requirements.
5. Turning templates for delivery trucks and the Town's fire trucks should be provided for the counterclockwise movement and exiting.

6. ADA parking signage and pavement markings were not evident on the site plan.
7. The location of all doors of the building should be shown and the location and slopes of all ADA sidewalk ramps should be shown.
8. The typical widths of all parking and loading spaces should be shown.
9. With sidewalks along Valley Road, a sidewalk from Valley Road to the building is recommended. If provided, the walkway needs to be ADA conforming.
10. The Town's Traffic Sensitive District Section of the Zoning Code mentions a goal to maximize driveway spacing. The proposed access is only 10 feet from an abutter's driveway. Was the option of placing the driveway on the opposite side evaluated and/or have traffic volumes/conflicts with the adjacent drive been addressed?
11. Guardrail or bollards are recommended between the rear parking spaces and building. There appears to be ~1-2 ft of separation between curb and the exterior building wall.
12. It is not clear what the "xCC" callouts are throughout the site.

#### **Sheet 4: Grading & Drainage Plan**

13. A swale is proposed at the rear of the lot and it appears to direct runoff towards the northern abutter.
14. The driveway is designed with a 10% downward slope ending at the State Highway Line and prevents an ADA accessible path.
15. There are two different callouts pointing to the underground infiltration system listing conflicting system information. The callout text in the middle of the proposed building identifies the system as Proposed Underground Storage System-1 (SC-310) with bottom of stone at 75.90 and bottom of chamber at 76.40. This is incorrect and should be deleted.
16. For clarity, we recommend that the drain pipe sizes be labeled, instead of only listing pipe sizes on the CB or MH call-out.
17. More elevation detail is needed in between Forebay 2, the infiltration pond and the outlet.
18. The RIDEM Permit refers to Plans dated December 15, 2022. The current Plans are dated March 20, 2023. Any changes since the December 15, 2022 Plans should be noted.
19. Recommend utilizing a paved waterway, rather than what appears to be riprap, from the northwestern parking lot corner into Forebay-1.
20. There appears to be a narrow retaining wall between Infiltration Basin-1 and the parking spaces, but no callouts identifying the wall were evident. We recommend adding callouts to the plan to clarify the limits of retaining wall with various top wall / bottom wall elevations. A detail of the wall should be provided. This comment applies to other locations where there appear to be retaining walls but is unclear (i.e. around dumpster, transformer, and mechanical areas)
21. The Precast Concrete Catch Basin Detail shows a Double Frame & Grate detail with CB3 & CB4 in parenthesis to indicate that those two structures will have double frame and grates.

There does not appear to be a CB4 on the plans and CB3 is depicted as a single grate structure in Plan view.

22. Along the rear (east) of the site, the designer grades two channel features which will direct stormwater runoff around the site. The channel grading terminates at the northeastern corner of the site, rather than continuing along the perimeter of the site to a particular point. The way the grading is currently presented, the northeastern channel would direct runoff to the northern abutter (which does not receive runoff from the site today).
23. In the design, the eastern end of the Watershed draining into the site is the eastern property line but GIS topo indicates that the abutting land to the east may drain into the site. Therefore, we need to confirm if any portion of the abutting lot drains into the site to ensure proper design.
24. The roof drain sizes should be shown on the plan. The plan depicts a ---D--- line around the building, with no labels or pipe data. DMH-4 identifies an 8" roof drain inlet but it is unclear if that is the size of the pipe segment from the roof drain tee to the structure or the proposed pipe size for all roof drains around the building.

#### **Sheet 6: Utility Plan**

25. The proposed fire and domestic water service connections are missing pipe sizes and typical construction callouts.
26. Size of proposed sewer service not evident.
27. The proposed electric lines should run to the transformer pad which is shown on the opposite side of the site.
28. The gas service should be relocated from beneath the 7-8 ft Columnar Junipers.

#### **Sheet 10: Construction Details:**

29. Timber guardrail is proposed behind or along the retaining wall between the westerly parking spaces and infiltration basin. The construction detail for "Typical Wood Beam Guardrail Detail" should reflect the proposed wall to show how it will fit.
30. Details for the curb weirs with riprap were not evident in the plans.

#### **Drainage Report:**

31. The predevelopment runoff uses a grass cover when determining the existing flow rates but the existing conditions needs to reflect the pre-development "woods" condition. The allowable discharge rate may alter.
32. Only the Water Quality Flow (1.2"), 10-year, 25-year, and 100-year design storm calculations were provided. Section 153.21(A)(1) of the Middletown Stormwater Ordinance requires the 2-year analysis, which was not provided in the drainage report.

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33. To ensure that runoff is captured by the proposed trench drain, more details of the proposed trench drain (width and grate type) are necessary.
34. The infiltration system is based upon a 10 ft deep seasonal high-water table. RIDEM GIS data suggests a water table depth near 2 ft, therefore we recommend that the soil evaluator confirm that his/her analysis included the visual inspection of the in situ soil strata.
35. Unless in a unique condition, it is common practice to use a drain pipe diameter no less than 12 inches exiting catch-basins to minimize potential for clogging. Some catch-basin drains on this project are only 8 inches in diameter.
36. A Typical Flow Splitter Detail is provided on Sheet 9. We recommend that a site specific detail for DMH 3 be provided.
37. The Soil Survey of RI identifies the soil on site to be Silt Loam with slow permeability in the lower layers and the Soil Evaluations on Plan Sheet 9 identify the limiting subsoils as silty, loamy sand. In the analysis of the infiltration pond, an infiltration rate of 1.02 in/hour was used, which is higher than a 0.27 inch/hour rate which is used for a silt loam. The presence of silt impacts infiltration rates but in support of the design, Sieve data was provided. Upon review of the samples, it was not readily apparent if the samples tested were a composite sample or one taken at a specific depth.
38. Section 7.2.2 of the RISDISM requires at least 1-foot of freeboard between the 100-year peak ponding elevation and the top of basin embankment crest. The design value is slightly less than the recommended 1 ft. It appears feasible that the recommended clearance can be provided.

**From:** [Karen Day](#)  
**To:** [Ronald Wolanski](#); [Paul Croce](#)  
**Subject:** 48 Valley Road (Gold's Liquor)  
**Date:** Friday, April 28, 2023 6:56:29 PM

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Ron,

The Middletown Tree Commission met on April 27, 2023 and reviewed the landscape plans for Gold's Liquor planned for 48 Valley Road. We have no concerns with the plan which was presented. A maintenance plan was also provided.

Feel free to contact me if you have any questions.

Karen Day