



**MIDDLETOWN**  
Rhode Island

## PLANNING DEPARTMENT

**TOWN OF MIDDLETOWN**

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### Notice of Planning Board Decision

To: APPLICANT

From: Paul A. Croce, Chairman  
Middletown Planning Board

Date: April 19, 2023

Re: Application of Sisyphus Holdings LLC for Development Plan Review for construction of a warehouse/office with storage, including parking, utilities, and associated site work, and including requests for waivers from certain design requirements of Section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 165 Oliphant Lane, Tax Assessors Plat 111, Lot 61A.

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During its meeting of April 12, 2023, the Planning Board considered the above referenced application. Although Planning Board members felt the building was too close to the roadway, it was noted that the location of the building was in compliance with Town requirements. At the conclusion of the public hearing, the Board voted 6-0-0 to approve the application, including the requested waivers listed below. The plans subject to this review and decision include the following:

- Site plans prepared by Northeast Engineers & Consultants, Inc. dated December 6, 2023.
- Building elevations by: Herk Works Architecture, dated 11/11/2022
- Landscaping plan by Traverse Landscape Architects, dated 11/01/2022.

The approval is subject to the following conditions of approval:

1. Prior to permitting, the applicant shall address all comments contained in the review memo from Crossman Engineering dated January 18, 2023, subject to the satisfaction of the Town Engineer, with the exception of items 1.f. and 6.
2. The Town Engineer will consult with Crossman Engineering regarding comments 1.f. and 6 contained in the review memo from Crossman Engineering dated January 18, 2023. Prior to permitting, the applicant will address these comments as determined necessary by the Town Engineer.
3. Prior to permitting, the landscape plan shall be revised to include the existing stone wall along the front property line. The wall shall remain in place.
4. Prior to permitting, the landscape plan shall be revised as necessary to address comments from the Middletown Tree Commission contained in its email communication to the Planning Board dated January 28, 2023.

Waivers from the following commercial development design standards of Section 521 of the *Middletown Rules and Regulations Regarding the Subdivision and Development of Land* were granted:

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 the public right-of-way 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 include metal siding and other synthetic materials.**
3. **Section 521.2.D.2** – Gradient from level of any sloped roof at least 4:12. **Proposed design does not comply.**
4. **Section 521.3.B** – Planted landscaping occupies a minimum of 25% of the project area. **Applicant is proposing 21% of the project area be landscaped area.**
5. **Section 521.3.D.3** – A landscaped buffer at least 10' wide and a minimum 5' planting strip is provided between buildings and parking lots/driveways. **5' planting strip is not provided between building and parking lot. Buffer does not meet 10' wide requirement at westerly, southerly, and easterly building elevations.**
6. **Section 521.3.F.1** – Deciduous street trees, minimum 4" caliper required. **Proposed trees along the street frontage do not meet this requirement.**

Findings made:

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.

  
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Paul A. Croce, Chairman  
Middletown Planning Board

cc. Town Clerk  
Building/Zoning Official

RECORDED: Apr 25, 2023 10:14A  
DOC #: 00000620  
RECEIPT #: 66700  
WENDY J. W. MARSHALL, TOWN Clerk  
TOWN of MIDDLETOWN, RI