



MIDDLETOWN

Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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

Notice of Planning Board Recommendation

To: James Miller, Chairman
Middletown Zoning Board of Review

From: Paul A. Croce, Chairman
Middletown Planning Board

Date: July 12, 2023

Re: Application of Cardinal 159 LLC (IHOP) for Development Plan Review for 1,300+/- sq. ft. expansion of existing restaurant building, landscaping, 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 159 West Main Rd., Tax Assessor's Plat 108, Lot 45.

During its meeting of July 12, 2023, the Planning Board considered the above referenced application. At the conclusion of the public hearing, the Board voted 6-0-0 to forward a positive recommendation on the application, including requested waivers, to the Zoning Board of Review. The plans subject to this review and recommendation include the following:

- Site plans prepared by Millstone Engineering, P.C., dated 5/23/23.
- Building elevations by Mark Alan Blasch R.A., LLC, dated 1/27/23;

The positive recommendation is subject to the following recommended conditions of approval:

1. Prior to permitting, applicant shall provide a Stormwater System Operations and Maintenance Plan, subject to the approval of the Town Engineer.
2. Prior to permitting, applicant shall provide the design of the exterior trash receptacle(s).
3. Prior to permitting, the pedestrian walkway from West Main Road to the building shall be incorporated into the plans.
4. Prior to permitting, the plans shall be revised to include a fence on the westerly and southerly property lines, to provide an opaque visual barrier.

Waivers from the commercial development design standards of Section 521 of the *Middletown Rules and Regulations Regarding the Subdivision and Development of Land* that the Planning Board recommends be granted are as follows:

1. **Section 521.2.C** – Building exteriors and roofs constructed of traditional materials. **Applicant is proposing the use of a metal roof, fiber cement board, and other synthetic materials.**
2. **Section 521.3.B** - Planted landscape must occupy a minimum of 25% of project area. **Applicant is providing 18% of landscaping.**
3. **Section 521.3.D.1** – A landscaped buffer at least 10' wide provided along all property lines. **Not provided. This is an existing, non-conforming condition.**

4. **Section 521.3.D.2** – A landscape buffer at least 20' with screening at least 6' high shall be provided for lot lines abutting residential properties or uses. **Not provided. This is an existing, non-conforming condition.**
5. **Section 521.3.D.3** – A landscaped buffer at least 10' wide with a minimum 5' planting strip is provided between buildings and parking lots/driveways. **Not provided. This is an existing condition.**
6. **Section 521.3.F.1** – Street trees. **No street trees are provided along the property boundary. This is an existing condition.**
7. **Section 521.3.F.2** – Parking lot trees. Minimum of one tree is provided for every 5 parking spaces and trees must be at least 4" in caliper size and 7' tall at time of planting. **Applicant is providing three additional trees but the number and caliper size of trees do not meet requirements.**

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.



Paul A. Croce, Chairman
Middletown Planning Board

cc. Applicant
Town Clerk
Building/Zoning Official

RECORDED: Aug 01, 2023 09:12A
DOC #: 00001247
RECEIPT #: 67565
WENDY J. W. MARSHALL, TOWN Clerk
TOWN of MIDDLETOWN, RI