

Middletown Zoning Board of Review 25 March 2008

1900-2200

Middletown Town Hall

Meeting called by: Mr. Tom Silveria, Chairman

Note taker: Mr. Richard Cambra

Attendees: Mr. Edward Moy, Mr. Tom Newman, Mr. Peter Van Steeden, Mr. Richard Cambra, Mrs. Melissa Massey, and Mr. Stephen MacGillivray.

Minutes

Agenda item: Petition Of: Karmik, LLC- 265 Prospect Ave.- Middletown, RI- (owner)- by their attorney Joseph R. Palumbo, Jr., MBR- for an Appeal from Article 3 Section 319 and Article 9 Section 901 - To Appeal the condition imposed by the Planning Board that “the proposed building lots shall be accessed as depicted on sheet 3 of 4 of the approved subdivision plan set.” Said real estate located at Prospect Ave. & Aquidneck Ave. and further identified as Lot 46 on Tax Assessor’s Plat 120.

Discussion: Continuances/Withdrawals

Conclusions: Continued to 22 April 2008 regular meeting

Agenda item: Petition Of: Bancroft Partners, LLC- 1100 Aquidneck Ave.- Middletown, RI- (owner)- by their attorney Robert M. Silva, Esq.- for a Special Use Permit from Sections 803A- To allow the alteration of a non-conforming use (multi-family residential condominium structure) by the construction of a six unit ancillary storage structure, pursuant to plans filed herewith. Said real estate located at 575 Tuckerman Ave. and further identified as Lot 127 on Tax Assessor's Plat 122.

Discussion: Continuances/Withdrawals

Conclusions: Continued to 22 April 2008 regular meeting

Agenda item: Petition Of: 985 East Main Rd., LLC-c/o David P. Martland Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Variance from Sections 602, 702, 804, 1504, 1505 and all applicable provisions of the ordinance-to allow the demolition of an existing 36 unit hotel/multi-family dwelling use and the construction of a 36 unit multi-family dwelling project. (all 2 bedrooms units) (14 allowed) to be located in two buildings (1 allowed) in an R-30 zoning district, resulting in greater density and less open space than is required. Said real estate located at 985 East Main Rd. and further identified as Lot 20 on Tax Assessor's Plat 118.

Discussion: Continuances/Withdrawals

Conclusions: Continued to 10 April 2008 special meeting

Agenda item: Petition Of: 985 East Main Rd., LLC-c/o David P. Martland Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Special Use Permit-from Sections 802, 803 (A), 1500 et seq.-to permit the alteration, extension and enlargement of an existing non-conforming use; namely, a 36 unit hotel multi-family dwelling project by the demolition of the existing structures and the construction of a 36 unit multi-family project. Said real estate located at 985 East Main Rd. and further identified as Lot 20 on Tax Assessor's Plat 118.

Discussion: Continuances/Withdrawals

Conclusions: Continued to 10 April 2008 special meeting

Agenda item: Petition Of: Heather Wolfe- 25 Algonquin Dr.- Middletown, RI- (owner)- for a Variance from Sections 603 & 708B- to allow a 2 family dwelling with frontage of 105.04' where 120' is required. Said real estate located at 25 Algonquin Dr. and further identified as Lot 221 on Tax Assessor's Plat 105

Discussion: Continuances/Withdrawals

Conclusions: Withdrawn

Agenda item: Petition of: Kevin & Lise Moloney- 250 Prospect Ave.- Middletown, RI- (owners)- for a Variance from Sections 603, 701 & 803G- to construct a 19'-8" x 20'-7" 2nd floor addition over existing

garage with a side yard setback of 22' where 30' is required. Said real estate located at 250 Prospect Ave. and further identified as Lot 115 on Tax Assessor's Plat 121NW.

Discussion: Summary Case

Conclusions: Granted 5/0

Agenda item: Petition of: Eben Roy- 2 Champlin Terr.- Middletown, RI- (owner)- for a Variance from Sections 603, 701 & 803G- to construct an 18'x12' one story addition with a side yard setback of 13.25' where 20' is required. Said real estate located at 2 Champlin Terr. and further identified as Lot 67 on Tax Assessor's Plat 112.

Discussion: Summary Case

Conclusions: Granted 5/0

Agenda item: Petition Of: Jill Romanelli as Trustee under the Declaration of Trust of Jill Romanelli - 120 Wintergreen Dr.- Middletown, RI- (owner)- by their attorney Peter Brent Regan, Esq.- 130 Bellevue Ave.- Newport, RI- for a Variance from Sections 603 & 701- to construct a 10'x 23' L-shaped addition to be utilized as an accessory family dwelling unit with a side yard setback of 13' where 20' is required. Said real estate located at 120 Wintergreen Dr. and further identified as Lot 727 on Tax Assessor's Plat 114.

Discussion: General Questions

Conclusions: Granted 5/0

Agenda item: Petition Of: Jill Romanelli as Trustee under the Declaration of Trust of Jill Romanelli - 120 Wintergreen Dr.- Middletown, RI- (owner)- by their attorney Peter Brent Regan, Esq.- 130 Bellevue Ave.- Newport, RI- for a Special Use Permit from Article 16- to allow an Accessory Family Dwelling Unit. Said real estate located at 120 Wintergreen Dr. and further identified as Lot 727 on Tax Assessor's Plat 114.

Discussion: General Questions

Conclusions: Granted 5/0

Agenda item: Petition Of: Cameron Appleton- 1 Berkeley Terr.- Newport, RI- (owner)- Ralph Plumb- 855 Aquidneck Ave. Unit 1- Middletown, RI- (applicant)- for a Variance from Sections 603, 701 & 803G- to construct a 2 story addition and 1st floor porch & enclose breezeway. Maintaining the existing front yard setbacks of 12'-5" on Easton Ave and 17'-9" on Wolcott Ave. where 25' is required, south side setback of 5'-6" where 15' is required and an increase in lot coverage from 28% to 29.7% where 25% is allowed. Said real estate located at 395 Wolcott Ave. and further identified as Lot 188 on Tax Assessor's Plat 116NE.

Discussion: Heard Testimony from Ralph Plumb

Conclusions: Granted 5/0 with conditions as shown on plan

Agenda item: Petition of: Hildeberto Ventura- 810 Mitchell's Ln.- Middletown, RI- (owner)- for a Special Use Permit from Sections 602 (Table 6-1)- to allow the construction of 2 freestanding wind turbines.

Said real estate located at 810 Mitchell's Ln. and further identified as Lot 38B on Tax Assessor's Plat 124.

Discussion: Heard Testimony from Don Mosher, Traci and Robert Spooner, Norma Mosher, Reginald Potter, and Teresa Santos

Conclusions: Granted 5/0

Agenda item: Petition of: Hildeberto Ventura- 810 Mitchell's Ln.- Middletown, RI- (owner)- for a Variance from Sections 603- to allow the construction of 2 wind turbines with a height of 58'-6" where 30' is allowed. Said real estate located at 810 Mitchell's Ln. and further identified as Lot 38B on Tax Assessor's Plat 124.

Discussion: Heard Testimony from Don Mosher, Traci and Robert Spooner, Norma Mosher, Reginald Potter, and Teresa Santos

Conclusions: Granted 5/0

Agenda item: Petition of: Jonelle & Edward Draper- 343 Green End

Ave.- Middletown, RI- (owners)- for a Variance from Sections 603, 701 & 803G- to demolish existing 20'x 20' detached garage & construct a 26'x 26' detached accessory structure to house a Daycare Facility with a right side yard setback of 3' where 20' is required & a rear yard setback of 2' where 15' is required. Said real estate located at 343 Green End Ave. and further identified as Lot 105 on Tax Assessor's Plat 114.

Discussion: General Questions

Conclusions: Granted 5/0 with condition of 3' off property line

Agenda item: Petition of: Jonelle & Edward Draper- 343 Green End Ave.- Middletown, RI- (owners)- for a Special Use Permit from Sections 602 (Table 6-1)- to allow an at home Daycare Facility with 12 children in the proposed accessory structure. Said real estate located at 343 Green End Ave. and further identified as Lot 105 on Tax Assessor's Plat 114.

Discussion: General Questions

Conclusions: Granted 5/0 with condition of 3' off property line