

The Middletown Zoning Board Of Review Minutes of April 27,2010 Meeting

The Monthly Meeting of the Middletown Zoning Board was held on April 27,2010 at 7:00 p.m.

Present at this meeting were Chairman Tom Silveira, Vice Chairman Peter Van Steeden, Secretary Lucy Levada, Voting Board Members- Tom Newman , Steven McGillvary. Alternates- Frank Flanagan , Michael Potter and Greg Schultz. Town Solicitor Michael Miller Assistant Zoning Officer Celeste Logothets, and Zoning officer Jack Kane.

Zoning Board Election took place at this meeting. Elected to Chair officers were:

Chairman -----Tom Silveira-

Vice Chair-----Peter Van Steeden

Secretary-----Lucy Levada-

A Motion was made by Peter Van Steeden and second by Steve McGillvary to accept the secretary's minutes of March 23,2010

Continuances/withdrawals :

1. **Petition of (2) City of Newport R.I. Water Dept.-----May 25,2010**

2. **Petition of : Jodie L. Marques-----May 25,2010**

3. **Petition of: Leonidis Amarant-----May 25,2010**

Summary Cases.

1. **Petition of: Leonore L. Rizy-5 Circle Drive,-Middletown, R.I.- (owner) -Edward F. Rizy- 5 Circle Drive-Middletown R.I.(Applicant) for a variance from sections 603,& 701- to construct a 14'x16' one story sunroom addition with a left side yard setback of 15' where 20' is required. Said real estate is located at 5 Circle Dr. And further identified as Lot 19 on Tax Assessor's Plat 117.**

A motion was made by Lucy Levada and second by Steve McGillvary to grant the petition . Petition Granted 5-0

2. **Petition of: Stephan Regan-142 Berkeley Ave. Middletown, R.I.-(owner)- for a Variance from Sections 603,701,&803G- to construct an 18x26' one story addition with a roof deck with a side**

yard setback of 25' where 30' is required. Said real estate is located at 142 Berkley Ave. And further identified as Lot 34C on Tax Assessor's Plat 119.

A motion was made by Steve McGillvary and second by Lucy Levada to grant the petition- Petition granted 5-0

Page 2

3. Petition of : Leonidis Amarant (owner)- for a Special Use Permit from Section 602 to allow the construction of a 2 family dwelling. Said real estate is located at 25&39 Crescent Rd. And further identified as Lot 32 on Tax Assessor's Plat 116 NW.

Building inspector Jack Kane stated that there is a letter in file from an abutter against this petition and that a few abutters were not notified . The chair made a motion to continue this petition and to re-notify all the abutters again . Petition was granted 4-1 with Mrs. Levada voting in the negative.

4. Petition of Patrick D. Murphy: 7 Loring St. - Middletown, R.I. (Owner)-Middletown R.I.- for a Variance from Section 603,701, & 803G- to construct a 20' x 30' second floor addition with a front yard setback of 22' where 25' is required and a left and right setback of 10 ' where 15' is required. Said real estate is located at 7 Loring Street and further identified as Lot 51A on Tax Assessor's Plat 121 NW.

A motion was made by Peter Van Steeden and second by Tom

Newman to grant the Petition. Petition granted 5-0

5. Petition of: Christopher Costello- 19 Arruda Terr. Middletown, R.I.-(owner)- for a Variance from Sections 603,701, & 803G- to construct a 53' x 35'10" second floor addition with a right side yard setback of 13'4" where 20' is required. Said real estate is located at 19 Arruda Terrace and further identified as Lot 31 on Tax Assessor's Plat 111.

Attorney David Martland represented Mr. Costello and gave argument in favor of granting this Variance petition as the character of the lot creates a hardship and Mr. Costello .is doing away with his garage.

Exhibit A- 5. letters from abutters stating approval of this petition.

#Exhibit B- Picture showing view from his 2ND floor deck.

Attorney David J. Fox represented Mr. &Mrs. Cassesse , the abutters to Mr. Costello's property and spoke in opposition of this petition. Mr. Cassesse stated that he has had sewer problems and this addition would would take away his back yard privacy. Attorney Fox submitted as evidence-# Exhibit B -5 pictures showing North, South ,East & West sides of the property in question.

Motion was made by Steve McGillvary and second by Peter Van Steeden to grant the petition with the conditions that it remains a single family and no garage. Petition Granted 5-0

meeting adjourned 8:15

Respectfully submitted

Lucy Levada

Secretary