

The Middletown Zoning Board of Review Minutes May 25, 2010

The regular monthly meeting of the Middletown Zoning Board was held on May 25, 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, Steve MacGillvary, 1st Alternate Greg Schultz, 2nd Alternate-Michael Potter, 3rd Alternate- Frank Flanagan. Town Solicitor- Michael Miller and Zoning Officer- Jack Kane.

A motion was made by Peter Van Steeden and second by Tom Newman to accept the secretary's minutes of April 27, 2010. Motion carried 5-0

Continuances/Withdrawals:

1. **Petitions of: Peter Gallipeau**
(2)-----**June 22,2010**

2. **Petition of: City of Newport Water**
Department-----June 22, 2010

3. **Petition of: Joseph**
Ashness-----June 22, 2010

4. **Petition of: Kevin Christensen**
(2)-----**June 22,2010**

5. **Petition of: Barry & Barbara**
Dunn-----June 22, 2010

Summary Cases:

1. Petition of: Antonio Amaral- 780 Green End Ave. Middletown, R.I.(owner)- for a Variance from Sections 603, 701, & 803G- to construct a 10'x16' one story addition and a 6'x21' enclosed front porch with a front yard setback of 26.6' where 40' is required. Said real estate is located at 780 Green End Ave. And further identified as Lot 29A on Tax Assessor's Plat 120

Chairman Tom Silveira recused from voting on this petition. 1st alternate Greg Schultz will be voting on this petition.

A motion was made by Tom Newman and Second by Steve McGillvary to grant the petition. Petition Granted 5-0

Continued Cases:

1. Petition of: Jodie L. Marques- 163 Center Ave.- Middletown, R.I. (Owner)- for a Special Use Permit from Article 16 Section 902- to allow an Accessory family dwelling unit. Said real Estate is located at 163 Center Ave. and further identified as Lot 271 on Tax Assessor's Plat 115 SE.

Ms. Marques stated that is for her mother and there would be no changes outside.

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

2. Petition of: Despina Amarant (owner) Leonidis Amarant (Applicant) for a Special Use Permit from Section 602, & 902 to allow the construction of a 2 family dwelling. Said real estate is located at 25 & 39 Crescent Road and further identified as Lot 32 on Tax Assessor's Plat 116 nw.

Attorney - Chris Behan and real Estate expert Mr. Durgin is representing the Amarant's.

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Attorney- Vernon Gorton is representing the Abutter Mrs. O'Regan. Due to a conflict of interest with the Town Solicitor Michael Miller, Attorney Russell Jackson will preside on this petition.

Mr. Amarant was sworn in and testified that he is not looking for any variances just a Special Use. Permit and submitted - Exhibit # A-1-showing picture of the dwellings, Exhibit#A2-6 showing elevations, basement, 1st and 2nd floor plans. Exhibit #B- Land use of Lots abutting property and stated that his family will be occupying one of the houses as he has just recently married and has a baby. There will be no problem in parking, as the parking will be in the back of the houses Exhibit# C- Multi -Family Lots Abutting 25 & 39 Crescent Rd. Plat 116 NW.

Attorney Vernon Gorton representing the abutters submitted Exhibit #D a petition that was submitted to this Board, by the previous own

Mrs. Erfe asking also for a 2 family dwelling and was denied by this Board in 2006.

Exhibit# E- Real Estate Expert Mr. Durgin's credentials

Exhibit# F Dated May 24, 2010 from the Building/Zoning Department copies of Mrs. Erfe's petitions dated 2006 applying for the 2 family dwellings and a copy of the Zoning Board's decision stating on why the decision was denied.

A letter in opposition from Mr. Robert McKenna & Mr. Varnell was submitted to the Board and also Mrs. Darvey spoke to the Board stating their reasoning in opposition of Mr. Amarant's petition.

**A Motion was made by Peter Van Steeden and Second by Tom Newman to grant the petition as Mr. Amarant did not need any Variances he will be living in one of the dwellings, and has adequate parking in the rear of the dwellings and he is in compliance with the Zoning Ordinance and will not create a nuisance in the area
Petition Granted 5-0**

3. Petition of: City of Newport Water Department was read and Attorney Jackie Slaga Esq. is representing them. A Letter on file from the Planning Board Dated May 18, 2010. Radio Frequency Engineer Brad Gannon was hired by Metro PCS to fine places for their frequency. Question was asked by Board why not put 5 carries instead of 3.

A motion was made to continue this petition to the next regular meeting June 22, 2010

Meeting adjourned 9:50 p.m.

Respectfully Submitted

**Lucy R. Levada
Secretary**