

## **Minutes**

### **Middletown Zoning Board**

**May 10, 2011**

**The monthly meeting of Middletown Zoning Board of Review was held on March 10, 2011 at 7:00pm. Roll Call: Present at the meeting were Chairman, Tom Silveira , Vice Chairman, Peter Van Steeden, Tom Newman, Stephen MacGillivray (acting secretary), Michael Potter (Alternate). Frank Flanigan, Gregory Schultz and Secretary Lucy Levada were absent.**

**Petition of: David Bazarsky- 678 Aquidneck Ave.- Middletown, RI (owner)- Anthony Gerardi- 116 Mirick Ave.- Cranston, RI (applicant)- for a Special Use from Section 1211B – to allow 4 building mounted awning signs where 1 sign is allowed. Said real estate located at 936 Aquidneck Ave. and further identified as Lot 90 on Tax Assessor's Plat 114. As requested by the Board, Mr. Bazarsky presented Exhibit A which demonstrated the size and styling of the wording on the awnings. After consideration of the testimony and the applicable ordinances, Mr. Van Steeden moved to approve the petition and Mr. MacGillivray seconded. The petition was approved 5-0.**

**Petition of: Peter Gallipeau - P. O. Box 4286 - Middletown, RI (owner) - for a Special Use Permit from Article 11 and Section 1103 - to allow the construction of a single family dwelling on proposed subdivision**

**lot #10 located in Zone 1 of the Watershed Protection District. Said real estate located at Bailey Avenue, Sachuest Drive, and Cross Country Lane and further identified as Lot 4 on Tax Assessor's Plat 126.**

**Petition of: Peter Gallipeau- PO Box 4286- Middletown, RI (owner)-for a Special Use Permit under Article 11 Section 1103 – to allow the construction of a single family dwelling on proposed subdivision lot 2 in Zone 1 of the Watershed Protection District. Said real estate located at Bailey Ave., Sachuest Dr. & Cross Country Ln. and further identified as Lot 4 on Tax Assessor's Plat 126. Testimony continued on the two petitions of Mr. Peter Gallipeau. The petitioner presented additional testimony from his engineer, appraiser Peter Scotti and the petitioner himself. Objectors, through their attorney, presented testimony from an engineer and a professional land planner. Both sides presented additional exhibits and were allowed to cross-examine the other's witnesses and present lengthy argument. Members of the public were given an opportunity to speak including Richard Neidich, Martha Koziara and Sam Howell. After consideration of all of the arguments, statements, exhibits, testimony from lay persons and experts, Mr. Van Steeden moved with respect to Lot 2 to approve the petition and Mr. MacGillivray seconded. After discussion, the vote on the petition was 0-5 and accordingly, the petition was denied.**

**Mr. Van Steeden then moved to approve the petition with respect to**

**Lot 10 and Mr. Newman seconded. After discussion, the vote on the petition was 0-5 and accordingly, the petition was denied.**

**The meeting was adjourned at 1:20 am on May 11, 2011.**