

The Middletown Zoning Board Minutes of August 28, 2012

The monthly meeting of the Middletown Zoning Board of Review was held on August 28, 2012 at 7:00 p.m. Present at this meeting were Chairman-Peter Van Steeden, Vice-Chair-Tom Silveira, Secretary-Lucy Levada- Voting members- Charles Vaillincourt, and Steve MacGilivray. Alternates-1st James Miller- 2nd Nick Pasyanos- 3rdOlin Gambrell- Town Solicitor Turner Scott and Building Official- Jack Kane. A motion was made by Charles Vaillincourt and second by Tom Silveira to accept the Secretary's minutes of July 24, 2012. Motion carried 5-0

CONTINUANCES/WITHDRAWALS

1. Petition of: Catherine M. Costakos-----September 25, 2012

2. Petition of: Melbro Inc.-----September 25, 2012

3. Petition of: John Erickson Jr.-----September 25, 2012

4. Petition of: Brandon Parker LLC-Variance-----September 25, 2012

5. Petition of: Brandon Parker LLC-Special Use-----September 25, 2012

6. Petition of: John Gullison & Bonnie Zimble-----October 23, 2012

WITHDRAWALS:

1. A motion was made by Charles Vaillincourt and second by Lucy Levada to withdraw without prejudice Benjamin Contessa Special Use and Variance petitions Motion granted 5-0

FULL HEARINGS:

1. Petition of: John R. Joven- 138 Esplanade-Middletown R.I. (owner)- for a variance from 603, 701 & 803G-to construct a 6'x13' one story addition with a front yard setback of 19.9' where 25' is required also construct a 13'x30' second floor addition with a front yard setback 19.9' on Tuckerman Ave. and 3.9' on Esplanade where 25' is required. Said real estate is located at 138 Esplanade and further identified as Lot 21 on Tax Assessor's Plat 116NE.

The petitioner stated that he is not adding to the foot print and will stay a single family dwelling.

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

2. Petition of: ACP Land, LLC c/o Goldstein Associates, LLC- 244 Gano St. -Providence, R.I. (owner)- by their Attorney Robert M. Silva Esq. -for a Special Use Permit of 602 & 725-to allow the installation of a ground -mounted solar photovoltaic facility . Said real estate is located at Jacome Way and further identified as Lot 672 on Tax Assessor's Plat 115.

Exhibit # A- Zoning Board code Chapter 152 sections pages 17,19,21,23,25,52,57,&168.

Exhibit # B-Pictures of the Solar Panels. Exhibit #C-Statement of

**qualifications of rTerra Renewable Energy Partners. Exhibit# D-
Technical Guidance for Evaluation**

**Solar references on Landfill Feasibility Study and Alan Benevides,
PE, LSP Senior Engineer.**

Exhibit # E Dartmouth.

**Letter dated August 10, 2012 from Planning Board with positive
recommendations that are attached. A letter dated August 1, 2012
from Town Planner Ron Wolanski to the Planning Board. A motion
was made by Charles Vaillincourt and second by Tom Silveira to
grant the special use permit with all conditions that were submitted
and recommend by the Planning Board. Petition granted 5-0**

**3. Petition of: ACP Land , LLC c/o Goldstein Associates, LLC 244
Gano ST. Providence, R.I.(owner)-by their Attorney Robert M. Silva
Esq.- for a Variance from section 305 of the Zoning Ordinance &
Sections 521.3C & 521.3D Rules and Regulations regarding the
Subdivision and Development of land as amended from the
provisions of Middletown's Commercial Design Standards and Land
Development Regulations as described in section 305 of the
ordinance ,including but not limited to those certain requirements as
set forth in Section 521.3C (landscaping screening) and Section
521.3D(landscaping buffers and screening. Said real estate located at
Jacome Way and further identified as Lot 672 on Tax Assessor's Plat
115.**

**A motion was made by Charles Vaillincourt and second by Steve
MacGillivray to grant the Variance with all conditions that were**

submitted by the Planning Board for this petition. Petition granted 5-0

Meeting Adjourned 9:35 p.m.

Respectfully Submitted

Lucy R. Levada

Secretary