

## **Middletown Zoning Board of Review Minutes**

**April 22, 2014**

**Administrative: Roll Call / Adoption of Minutes Present to vote: Chairman- Peter Van Steeden, Vice Chairman- Tom Silveira, Charles Vaillancourt, Nicholas Pasyanos, Olin Gambrell, Robert Novick.**

### **Continuances/Withdrawals:**

**Petition of: Philip John Rondina- 379 Third Beach Rd- Middletown, RI (owner)- by his attorney Robert M. Silva, Esq.- 1100 Aquidneck Ave- Middletown, RI- for a Variance from Section 603 & 701- to permit the construction of a single family residential structure with a side yard setback of 16.1' where 30' is required and with a rear yard setback of 55.3' where 60' is required. Said real estate located at Cordeiro Terr. and further identified as Lot 59 on Tax Assessor's Plat 126. Withdrawn without prejudice represented by Attorney Robert Silva**

**Petition of: Antonio G & Maria L Souto, Life Estate & Antonio G. Souto Trust- 1036 Wapping Road, Middletown, RI (owner)- Sergio Do Souto- c/o their attorney Robert M. Silva, Esq.- 1100 Aquidneck Ave, Middletown, RI - for a Variance from Section 603- to allow lot width/ frontage of 40 feet where a minimum of 150 feet is required. Said real estate located at 1036 Wapping Rd and further identified as Lot 19 on Tax Assessor's Plat 128. Continued to May 27, 2014.**

## **Full Hearings:**

**Petition of: Arthur Nelson- 17 Columbine Rd- Rehoboth, MA (owner) Marc Milici- 141 Bay View Ave- Portsmouth, RI (applicant)- for a Special Use Permit from Section 602- to allow a tattoo studio in a Limited Business Traffic Sensitive (LBA) zoning district. Said real estate located at 510 East Main Rd, unit 6 and further identified as Lot 15806 on Tax Assessor's Plat 113. Argument and testimony given by Marc Milici Motion to approve, Charlie Vaillancourt, Seconded Tom Silveira, The application was approved 5-0**

**Petition of: Michael & Susan Hayes- 21 Freeborn St- Middletown, RI (owners) Richard R. Long AIA- 80 Division St, Newport, RI (applicant)- for a Variance from Sections 603, 701 & 803G- to construct a 396 sq. ft. two story addition with a front yard setback of 7.5' where 25' is required. Said real estate located at 21 Freeborn Street and further identified as Lot 150 on Tax Assessor's Plat 108SW. Argument and testimony given by Richard Long Motion to approve Charlie Vaillancourt, seconded by Tom Silveira, The application was approved 5-0**

**Petition of: Michael & Susan Hayes- 21 Freeborn St- Middletown, RI (owners) Richard R. Long AIA- 80 Division St, Newport, RI (applicant)- for a Special Use Permit from Section 803A- to allow the expansion of a legal non-conforming use by constructing an addition to one of the**

**existing dwellings. Said real estate located at 21 Freeborn Street and further identified as Lot 150 on Tax Assessor's Plat 108SW. Argument and testimony given by Richard Long Motion to approve Charlie Vaillancourt, seconded by Tom Silveira, The application was approved 5-0**

**Petition of: Bessemer Trust Co. c/o Melissa Fairgrieve, Trustee- 575 Tuckerman Avenue #6, Middletown, RI (owner)- by their attorney Neil P. Galvin, Esq.- 31 America's Cup Ave- Newport, RI- for a Variance from Sections 603 & 701- to demolish the existing single family dwelling and detached garage and construct a 3,950 sq. ft. single family dwelling with attached garage with a left side yard setback of 14' where 20' is required. Said real estate located at 425 Tuckerman Avenue and further identified as Lot 132 on Tax Assessor's Plat 122. Argument and Testimony given by Gerard Galvin., Mr. Twombly, architect expert, and James Houle, Real Estate Appraiser. Motion to approve Charlie Vaillancourt, seconded by Nicholas Pasyanos. The application was approved 5-0.**

**Petition of: Seaview Inn, LLC (owner)- by their attorney David P. Martland, Esq- 1100 Aquidneck Ave- Middletown, RI- for a Special Use Permit from Sections 602 & 1400 et seq- to construct a hotel facility with 198 units and accessory uses pursuant to plans filed with said petition. Said real estate located at 240 Aquidneck Ave, John Clarke**

**Rd & Valley Rd and further identified as Lots 1X, 5, 53, 54 & 55 on Tax Assessor's Plat 115. Argument and testimony given by Attorney David Martland,. Submitted Exhibit A: Planning Board decision of Apr 15, 2014. Exhibit B: Development Plan review. Motion to approve: Charlie Vaillancourt, seconded by Nicholas Pasyanos. The application passed 5-0.**

**Petition of: Seaview Inn, LLC (owner)- by their attorney David P. Martland, Esq- 1100 Aquidneck Ave- Middletown, RI- for a Special Use Permit from Section 1106- for permission to construct portions of hotel facility and related infrastructure improvements in Zone 1 of the Watershed Protection District pursuant to plans filed with said petition. Said real estate located at 240 Aquidneck Ave, John Clarke Rd & Valley Rd and further identified as Lots 1X, 5, 53, 54 & 55 on Tax Assessor's Plat 115. Argument and testimony given by Attorney David Martland, Lynn Small, field engineer, George Gifford, landscape Architect, Nathan Godfrey, Newport Appraisal group, and Paul Banin, traffic engineer.**

**Exhibit C planning Board recommendations, Exhibit D: Conservation Commission case, Exhibit E: Resume of George Gifford, Exhibit F: updated landscape plan, Exhibit G: Newport Appraisal Group report. Motion to approve made by Charlie Vaillancourt, seconded by Nicholas Pasyanos.**

**The application was approved 5-0.**

**Meeting adjourned at 9:45 p.m.**