

October 28, 2014

Administrative: Roll Call: Present to vote: Chairman Peter Van Steeden, Vice Chairman Tom Silveira, Secretary Stephen MacGillivray, Charles Vaillancourt, Jim Miller, Nicholas Pasyanos, Robert Novick, Olin Gambrell.

Adoption of Minutes August 26, 2014 and September 23, 2014 are approved by unanimous vote.

Continuances/Withdrawals:

Petition of: Gary Hooks (owner)- by his attorney David P. Martland, Esq.- for a Variance from Section 603- to allow the creation of a lot with 36,320.53 sq. ft. where 40,000 sq. ft. is allowed. Said real estate located at 1249 Wapping Rd and further identified as Lot 9 on Tax Assessor's Plat 128. Continued to November 25, 2014 so applicant and objector can discuss.

Petition of: Timothy McGowan for a Special Use Permit from Article 11- to construct an addition to the existing dwelling located in Zone 1 of the Watershed Protection District (Stissing Soil). Said real estate located at 532 Aquidneck Ave and further identified as Lot 116B on Tax Assessor's Plat 114. Awaiting Planning Board and Conservation Commission;continued to November 25, 2104.

Full Hearings:

Petition of: Paul McKillop- 299 Third Beach Rd- Middletown, RI (owner)- for a Special Use Permit from Article 11- to allow an addition to a single family dwelling in zone 1 of the Watershed Protection District. Said real estate located at 299 Third Beach Rd and further identified as Lot 52 on Tax Assessor's Plat 126. Petitioner presents his case stating that there is no other location for the addition and that it is necessary to make improvements. Jim Miller moves to grant the petition and Thomas Silveira seconds. The board votes to approve 5-0 and, accordingly, the petition is granted.

Petition of: Paul McKillop- 299 Third Beach Rd- Middletown, RI (owner)- for a Variance from Sections 603, 701 & 803G- to construct a 10' X 20' one story addition and a deck with a covered porch with a left side yard setback of 14' where 30' is required . Said real estate located at 299 Third Beach Rd and further identified as Lot 52 on Tax Assessor's Plat 126. Thomas Silveira moves to grant the petition and Jim Miller seconds. The board votes to approve 5-0 and, accordingly, the petition is granted.

Petition of: KJ's Pub LLC- by their attorney Jeremiah C. Lynch 97 John Clarke Road Middletown, RI.- for a Special Use Permit from Section 602- to permit the expansion of the existing restaurant with alcohol service by the construction of an addition to the second floor

resulting in an increase in capacity of 16 persons. Said real estate located at 59 Aquidneck Ave. and further identified as Lot 169 on Tax Assessor's Plat 115SE. Jeremiah Lynch requests to withdraw the three petitions without prejudice. Stephen MacGillivray moves to approve the request, Tom Silveira seconds. The request is approved 5-0 and accordingly the petitions are withdrawn.

Petition of: KJ's Pub LLC- by their attorney Jeremiah C. Lynch 97 John Clarke Road Middletown, RI.- for a Special Use Permit from Section 602- to modify the conditions imposed on a Special Use Permit Granted May 7, 2013. Said real estate located at 59 Aquidneck Ave. and further identified as Lot 169 on Tax Assessor's Plat 115SE. Jeremiah Lynch requests to withdraw the three petitions without prejudice. Stephen MacGillivray moves to approve the request, Tom Silveira seconds. The request is approved 5-0 and accordingly the petitions are withdrawn.

Petition of: KJ's Pub LLC- by their attorney Jeremiah C. Lynch 97 John Clarke Road Middletown, RI.- for a Variance from Section 1304- to allow the expansion of the restaurant to accommodate 16 additional persons with less than the required number of parking spaces. Said real estate located at 59 Aquidneck Ave. and further identified as Lot 169 on Tax Assessor's Plat 115SE. Jeremiah Lynch requests to withdraw the three petitions without prejudice. Stephen MacGillivray moves to approve the request, Tom Silveira seconds.

The request is approved 5-0 and accordingly the petitions are withdrawn.

Petition of: Telly & Elizabeth Amarant- 10 Wedgewood Dr., Middletown RI (owners)- by their attorney Christopher J. Behan, Esq.- for a Special Use Permit from Section 602, 902, 1401 & 1402- to allow the expansion of the present transient lodging use with 7 rooms and restaurant to 16 rooms (Hotel Use) with restaurant. Said real estate located at 147 Aquidneck Ave. and further identified as Lot 54 on Tax Assessor's Plat 115SE. Attorney Behan presents a summary of the case and the legal implications of the petitions. Correction, petition is now for 15 rooms, only need 20 parking spaces. Mrs. Amarant presents the need for upgrade. Mr. Gardner, AIA, LEED AP, prepared plans for the renovation and summarizes the improvements.

James Houle, appraiser, visited the site, etc. to form an opinion whether there would be any negative impact on the neighboring properties. He states that there would be no negative impact and that it would not cause a nuisance. He also states that it is compliance with the Master Plan. Jim Miller moves to approve and Bob Novick seconds. The board votes to approve 5-0; and, accordingly, the petition is granted.

Petition of: Telly & Elizabeth Amarant- 10 Wedgewood Dr., Middletown, RI (owners)- by their attorney Christopher J. Behan,

Esq.- for a Variance from sections 1301, 1304, 1305, 1306, 1307, and 1406- to allow less than the required parking and buffer zones for the proposed hotel expansion. Said real estate located at 147 Aquidneck Ave. and further identified as Lot 54 on Tax Assessor's Plat 115SE. Thomas Silveira moves for approval and Nick Pasyanos seconds. The board votes to approve 5-0 and, accordingly, the petition is granted.

Adjourn 8:04.

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