

Middletown Zoning Board Minutes

November 25, 2014

Administrative:

The meeting is called to order at 7:05 PM.

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

Approval of Minutes: October 28, 2014 minutes are approved by unanimous vote.

Motion to move meeting from December to January 6, 2014 is 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. Robert Silva on behalf of David Martland who is not available requests a continuance until January 6, 2014. The request is granted and the matter is continued until January 6, 2014.

Petition of: Eden Northgate, LLC (owner)- c/o their attorney Robert M. Silva, Esq.- for a Variance from Sections 1304 - to allow less than the required number of off-street parking spaces, section 1505(2) to allow less than the required open space and section 603 to allow the construction of an accessory rental office with a side yard setback of 7.43' where 40' is required. Said real estate located at 3 Admiralty Drive and further identified as Lots 3 & 4 on Tax Assessor's Plat 106. Robert Silva needs a continuance so that the matter can be considered by the Planning Board. The request is granted and the matter is continued until January 6, 2014.

Petition of: Eden Northgate, LLC (owner)- c/o their attorney Robert M. Silva, Esq.- for a Special Use Permit from Sections 602 & 1501- to allow the construction of an accessory rental office and residential garage structures in an existing multi-family project located in Residential Multi-Family Zone (RM). Said real estate located at 3 Admiralty Drive and further identified as Lots 3 & 4 on Tax Assessor's Plat 106. Robert Silva needs a continuance so that the matter can be considered by the Planning Board. The request is granted and the matter is continued until January 6, 2014.

Petition of: James Ian Scott and Erna Jean Scott, Trustees of the Harry M. Scott Trust-1990 and the Erna J. Scott Trust-1990 (owners)- Capital Telecom Acquisition, LLC (applicant) c/o their attorney Parisi Law Associates, PC.- for a Special Use Permit from Section 2502- to allow the construction of a wireless telecommunication facility

consisting of a 100' tall monopole tower with ancillary antenna and electronic equipment within a 40' X 60' fenced in compound. Said real estate located at 1259 West Main Rd and further identified as Lot 85 on Tax Assessor's Plat 106. Francis Parisi represents that it needs to be referred to the Planning Board. The request is granted and the matter is continued until January 6, 2014.

Full Hearings:

Petition of: Seaview Inn, LLC (owner)- c/o their attorney David P. Martland, Esq.- for a Special Use Permit from Sections 602 & 1400 et seq.- to amend the previously granted Special Use Permit to allow revisions to architectural plans. 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. Robert Silva asks that the matter be referred to the Planning Board. Thomas Silva moves for approval and Jim Miller seconds. The motion is passed by a vote of 5-0 and the matter is referred accordingly.

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. Timothy McGowan presents his case. Jim Miller moves for approval and Thomas Silveira seconds. Stephen MacGillivray moves for an amendment of the motion to accept the

conditions of the Planning Board and Conservation Commission as conditions of the zoning approval, Thomas Silveira seconds. The motion is amended 5-0. Stephen MacGillivray moves to grant the amended motion and Thomas Silveira seconds. The board votes 5-0 to approve the amended motion and, accordingly, the petition is approved.

Petition of: Kenneth J. Alves (owner)- Marc Milici (applicant)- for a Special Use Permit from Section 602- to allow a Tattoo Studio in the existing shopping center. Said real estate located at 999 West Main Rd and further identified as Lot 114 on Tax Assessor's Plat 106. Marc Milici presents his case with attorney. Ann Pischol lives next door and has a concern about the hours as the shopping center is usually closed by 8 pm. Jim Miller moves for approval and Thomas Silveira seconds. The motion is approved by a vote of 5-0 and, accordingly, the petition is approved.

Adjourn Olin Gambrell moves for adjournment and Thomas Silveira seconds and the meeting is adjourned at 7:05 pm.