

# **Middletown Zoning Board Minutes**

**January 6, 2015**

**Administrative: The meeting is called to order at 7:00 PM.**

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

**Approval of Minutes: October 28, 2015 and November 25, 2014. Stephen MacGillivray moves for approval, Jim Miller seconds. The minutes are approved**

## **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 Robert Silva asks that the matter be withdrawn without prejudice. Tom Silveira moves and Nicholas Pasyonos**

**seconds. It is passed by a vote of 5-0.**

**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 indicates that the matter is still out before the Planning Board and therefore it needs to be continued to January 27, 2015.**

#### **Summary Cases:**

**Petition of: Jill & Joseph Cooper (owners)- for a Variance from Sections 603, 701 & 803G- to construct an 8' X 15' deck with a rear yard setback of 37' where 50' is required. Said real estate located at 6 Simmons Terrace and further identified as Lot 107 on Tax Assessor's Plat 108SE. Tom Silveira moves for approval and Jim Miller seconds. The application is granted by a vote of 5-0.**

#### **Full Hearings:**

**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 presents the case. He presents the property manager and an engineer. Stephen MacGillivray moves for approval and Nicholas Pasyanos seconds. The variance is granted by a vote of 5-0.**

**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. Jim Miller moves for approval and Tom Silveira seconds. The petition is approved by a vote of 5-0.**

**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. Nicholas Pasyanos and Jim Miller recuse and therefore Olin Gambrell and Robert Novick become voting members. Francis Parisi and Scott Van Ryan architect summarize their application and the legal issues. Olin Gambrell moves fro**

**approval and Stephen MacGillivray seconds. The petition is approved by a vote of 5-0.**

**Adjourn 7:25 PM.**