

# **Middletown Zoning Board Minutes**

**October 25, 2016**

## **Administrative:**

**Roll Call: Chairman Tom Silveira; Vice Chair Jim Miller, Secretary Stephen MacGillivray, Olin Gambrell; Chris Sousa (absent); Henry Pine; Eric Kirton (First Alternate), and Thomas Heaney (Second Alternate).**

**Adoption of Minutes September, 2016: Olin Gambrell moved for approval of the minutes and Jim Miller seconded. The minutes were approved by a vote of 5-0.**

**Petition of: The Narragansett Electric Company d/b/a National Grid (owner) by their attorney Peter V. Lacouture, Robinson+Cole 1 Financial Plaza Ste. 1430 Providence, RI. - for a Variance from Sections 603, 701, 705(F)1 & 705(G) to allow the construction of an Electric Power Sub-Station and High Voltage Electric Transmission Line Towers with sub-station and transmission line structures that exceed the 35' height restriction. Also to allow fencing and walls that exceed the maximum 6' height allowance and to allow barbed wire fencing in a residential zone. Said real estate located at Jepson Lane and further identified as Lots 49, 52, & 53 on Tax Assessor's Plat 111. At the request of the petitioner, the matter is continued to November 22, 2016 pending DPR.**

**Petition of: The Narragansett Electric Company d/b/a National Grid (owner) by their attorney Peter V. Lacouture, Robinson+Cole 1 Financial Plaza Ste. 1430 Providence, RI. - for a Special Use Permit from Sections 602 to allow the construction of an Electric Power Sub-Station and High Voltage Electric Transmission Line Towers. Said real estate located at Jepson Lane and further identified as Lots 49, 52, & 53 on Tax Assessor's Plat 111. At the request of the petitioner, the matter is continued to November 22, 2016 pending DPR.**

**Petition of: Old Farm, LLC- 736 East Main Road - Middletown, RI (owner)- by their attorney Michael A. Kelly- 128 Dorrance Street- Providence, RI Ste. 300 - for Special Use Permits from Sections 602, 605 & 1800 et seq – to allow a shopping center, with building footprints exceeding 35,000 square feet in the GB Zone. The development will consist of approximately 471,000 square feet of space located in 5 buildings with 3 of the buildings exceeding the 35,000 square foot threshold. Said real estate located at West Main Rd. and further identified as Lot 55 on Tax Assessor's Plat 106. At the request of the petitioner, the matter is continued to January 24, 2017.**

**Petition of: William & Elizabeth Gill & David Lawrence (owners) by their attorney Jeremiah C Lynch, III- for a Variance from Sections 2201(a) 2204(e) & 1208(a) to allow the construction of a 37 unit Senior**

**Independent Living Facility without the inclusion of the required social or recreational facilities and having 30' of frontage on a public road where 50' is required. Also to allow the placement of an off premise sign. Said real estate located at 1 Thelma Lane and further identified as Lots 14, 23 & 23B on Tax Assessor's Plat 111. The petitioners indicated that they awaiting a DEM report which they believe will be forthcoming. The matter is continued to November 22, 2016**

**Petition of: William & Elizabeth Gill & David Lawrence (owners) by their attorney Jeremiah C Lynch, III- for a Special Use Permit from Sections 1106 & 2202 - to allow the construction of a 37 unit Senior Independent Living Facility in zone 1 of the Water Shed Protection District. Said real estate located at 1 Thelma Lane and further identified as Lots 14, 23 & 23B on Tax Assessor's Plat 111. The petitioners indicated that they awaiting a DEM report which they believe will be forthcoming. The matter is continued to November 22, 2016**

**Petition of: Prescott Point Investors, LLC (owner)- by their attorney Jeremiah C. Lynch III- for a Special Use Permit from Section 602 & Article 15 - to construct a 20 unit multifamily condominium project with a 2,500 sq. ft. clubhouse, and a residential care/assisted living facility (48 rooms) on premises. Said real estate located at West Main Rd and further identified as Lot 7 on Tax Assessor's Plat 104. At the**

**request of the petitioner, the matter is continued to November 22, 2016 pending DPR.**

**Petition of: Middletown Self Storage LLC by their attorney David P. Martland Esq. for a Special Use Permit from section 602 to allow the construction of an additional building on Lot 657 to be used in connection with the existing self-storage facility. Said real estate located at 875 Aquidneck Ave. and further identified as lots 657, 758 and 757 on Tax Assessor's Plat 114. At the request of the petitioner, the matter is continued to November 22, 2016 pending DPR.**

**Request for Development Plan Review:**

**Application of Estate of Nancy L. Miller (owner) Devaney Energy (applicant). Request for development plan review for the construction of a new office building, garage and site improvements. Said real estate located at 985 Aquidneck Ave. and further identified as Lots 208 & 300 on Tax Assessor's Plat 113. Olin Gambrell moved to refer the matter for development plan review, Stephen MacGillivray seconded. By a vote of 5-0, the matter was so referred.**

**Full Hearings:**

**Petition of: East Island Reserve, LLC (owners)- by their attorney Jeremiah C. Lynch- for a Special Use Permit from Sections 803A & 902- to allow the enlargement of the non-conforming use by merging Lots 20 & 21 (by Administrative Subdivision) and modify the Special Use Permit approved by the Board on March 27, 2012 by making the following alterations to the previously approved plans on file in the Town of Middletown Building Inspector's Office. Said real estate located at 969 & 985 East Main Rd and further identified as Lots 20 & 21 on Tax Assessor's Plat 118. Christopher Bicho testified regarding the necessity for the modification of the Special Use. Jim Miller moved to grant the petition and Stephen MacGillivray seconded the motion. The motion was approved by a vote of 5-0 and the petition was granted.**

**Petition of: Bethany Hien (owner)- for a Variance from Sections 603, 701 & 803G- to demolish the existing garage and construct a 24' X 32' two story garage addition with a right side yard setback of 11.1' where 20' is required and construct a covered front porch with a front yard setback of 16.6' where 25' is required. Said real estate located at 37 Bliss Mine Rd and further identified as Lot 125 on Tax Assessor's Plat 109NE. Beth Hien and Jonathan Hien testified in support of their petition. Stephen MacGillivray moved to grant the petition and Olin Gambrell seconded. The motion was approved by a vote of 5-0 and the petition was granted.**

**Petition of: Bethany Hien (owner)- for a Special Use Permit from Section 602- to allow an expansion of the existing two-family dwelling. Said real estate located at 37 Bliss Mine Rd and further identified as Lot 125 on Tax Assessor's Plat 109NE. Beth Hien and Jonathan Hien testified in support of their petition. Stephen MacGillivray moved to grant the petition and Jim Miller seconded. The motion was approved by a vote of 5-0 and the petition was granted. Me and JM; 5-0.**

**Petition of: Sharon Raposo (owner)- for a Variance from Sections 603, 701 & 803G- construct a 17'-6" X 20'-6" one story addition and a second floor addition on the existing structure with a front yard setback of 36.6' where 40' is required a right side yard setback of 8.9' where 30' is required and a rear yard setback of 57.5' where 60' is required resulting in lot coverage of 16% where 15% is allowed. Said real estate located at 166 Fayal Lane and further identified as Lot 33 on Tax Assessor's Plat 124. Sharon and Tony Raposo testified in support of their petition. Stephen MacGillivray moved to grant the petition and Jim Miller seconded. The motion was approved by a vote of 5-0 and the petition was granted.**

**Adjourned at 8:43 PM.**