Middletown Zoning Board of Review Minutes

November 22, 2016

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

Adoption of Minutes October 25, 2016: Jim Miller moved for approval of the minutes and Olin Gambrell seconded. The minutes were approved by a vote of 5-0.

Continuances/Withdrawals:

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.

Continued as the matter is pending before TRC and the Planning

Board. The matter was set down for hearing during a Special Meeting on January 10, 2017.

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. Continued as the matter is pending before TRC and the Planning Board. The matter was set down for hearing during a Special Meeting on January 10, 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. Continued to January 24, 2017.

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. Continued to January 24, 2017.

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. Continued to January 24, 2017.

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. Continued to January 24, 2017.

Full Hearings:

Petition of: East Island Reserve LLC (owner) by their attorney Jeremiah C. Lynch III- for a Special Use Permit from Section 1212 D

(1)(a)- to allow a 9’ X 8.75’ post sign with 15.41 sq. ft. of sign area where 6 sq. ft. is allowed and 9’ in height where 6’ is allowed. Said real estate located at 969 & 985 East Main Rd and further identified as Lots 20 & 21 on Tax Assessor’s Plat 118. Olin Gambrell moved to approve the special use permit with the condition that the address be placed on the sign. Jim Miller seconded. The motion is granted 5-0 and the petition is granted.

Petition of: William N. Martin Jr. (owner)- for a Variance from Sections 603, 701 & 803B- to allow demolition and re-construction of the 22’ X 46.5’ two story single family dwelling with a front yard setback of 4.2’ where 25’ is required and a rear setback 29.8’ where 30’ is required. Said real estate located at 51 Crest St and further identified as Lot 218 on Tax Assessor’s Plat 116NE. William N. Martin wants to replace home on the same footprint. Terry Flynn testifies in support. Jim Miller moved to approve and Olin Gamrbrell seconded. The matter was approved by a vote of 5-0.

Petition of: Victor & Violet Nunes (owners) - for a Variance from Sections 603, 701 & 803G- to construct a 1,177 sq. ft. two story garage addition with a front yard setback of 11.05’ where 40’ is required and an increase in lot coverage to 17% where 15% is allowed. Said real estate located at 75 Indian Hill Circle and further identified as Lot 607 on Tax Assessor’s Plat 125. After applicant testified in support of the petition, Jim Miller moved for approval and Olin Gambrell seconded. The motion passed by a vote of 5-0 and therefore the petition was

granted.

Petition of: Neal J. Belden & Mary A. Garcia (owners) by their attorney Robert M. Silva, Esq. - for a Special Use Permit from Section 803A- to allow the expansion of the non-conforming residential use. Said real estate located at 410 East Main Rd and further identified as Lot 14 on Tax Assessor's Plat 113. Neal Belden testified in support of his petition. Stephen MacGillivray moved for approval and Jim Miller seconded. The motion passed 5-0 and the petition was granted.

Petition of: Neal J. Belden & Mary A. Garcia (owners) by their attorney Robert M. Silva, Esq.- for a Variance from Section 603 & 803G- to allow the construction of a 30' X 32' garage addition resulting in lot coverage of 21.5% where 20% is allowed. Said real estate located at 410 East Main Rd and further identified as Lot 14 on Tax Assessor's Plat 113. Stephen MacGillivray moved for approval and Jim Miller seconded. The motion was granted 5-0 and therefore the petition was granted.

Adjourned 7:40 PM.