

Middletown Zoning Board Minutes

January 24, 2017

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

Adoption of Minutes January 10, 2016: Jim Miller moved for their approval and m Olin Gambrell seconded. The minutes were approved by a vote of 5-0.

Continuances/Withdrawals:

**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.
Continued to April 25, 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. Awaiting Planning Board approval and therefore continued to March 28, 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. Awaiting Planning Board approval and therefore continued to March 28, 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. Awaiting Planning Board approval and therefore continued to February 28, 2017

Petition of: John R. Gullison & Bonnie F. Zimble (owners) by their attorney Jeremiah C. Lynch, III - for a Variance from Sections 603, 1301(b), 1301(d), 1304, 1404 & 1406- Construct an 18 room hotel on a lot with 17,533 sq. ft. where 18,000 sq. ft. is required with an elevated parking structure with less than the required landscape buffer area on the south, east and west property lines resulting in lot coverage of 53% where 35% is allowed and increasing the number of spaces to 40 where 35 are allowed. Provide a loading space and service drive on the north side with less than the required landscape buffer. Said real estate located at 59 Aquidneck Ave and further identified as Lot 169 on Tax Assessor's Plat 115SE. Awaiting Planning Board approval and therefore continued to March 28, 2017.

Petition of: John R. Gullison & Bonnie F. Zimble (owners) by their attorney Jeremiah C. Lynch, III - for a Special Use Permit from Sections 602 & 1400- to allow the construction of a hotel (18 rooms), with an accessory restaurant. Said real estate located at 59 Aquidneck Ave and further identified as Lot 169 on Tax Assessor's Plat 115SE. Awaiting Planning Board approval and therefore continued to March 28, 2017.

Petition of: Peter J. Lennon & Dena M. Maxwell (owners) Aquidneck Island All-Vets Club, Inc. (applicant) by their attorney Gregory B Klaiber, Esq. - for a Special Use Permit from Section 602- to allow the operation of a private social club within the Limited Business zone. Said real estate located at 861 Aquidneck Ave and further identified

as Lot 134 on Tax Assessor's Plat 114. Continued to February 28, 2017.

Referrals for Development Plan Review:

Petition of: Middletown Associates (owners) by their attorney Robert M. Silva, Esq. - for a Variance from Sections 903 & 1505- to allow the construction of 4 accessory garage structures resulting in a reduction from 10.7 acres to 10.66 acres of open space where 13.65 is required. Said real estate located at 969 West Main Rd and further identified as Lot 142 on Tax Assessor's Plat 106. Stephen MacGillivray moved to refer the matter and Jim Miller seconded. The matter was referred by a vote of 5-0; Continued to February 28, 2017.

Petition of: Middletown Associates (owners) by their attorney Robert M. Silva, Esq. - for a Special Use Permit from Sections 602 & 1501- to allow the construction of 4 accessory residential garage structures in an existing multifamily project. Said real estate located at 969 West Main Rd and further identified as Lot 142 on Tax Assessor's Plat 106. Stephen MacGillivray moved to refer the matter and Jim Miller seconded. The matter was referred by a vote of 5-0; Continued to February 28, 2017.

Summary Cases:

Petition of: Joel J Kehm, Trustee & Leanna Kehm, Trustee (owners) - for a Variance from Sections 603 & 701 - to construct a 49'-2" X 16'-2" one story addition with left side yard setback of 27'-5" where 30' is required. Said real estate located at 1002 Green End Ave and further identified as Lot 600 on Tax Assessor's Plat 125. Jim Miller moved for approval and Stephen MacGillivray seconded. The motion was granted by a vote of 5-0.

Petition of: Steven A & Cheryl D Morin (owners) by their attorney Jeremiah C Lynch III, Esq. - for a Variance from Sections 603, 701 & 803G- to construct a second floor addition with a front yard setback of 13' where 25' is required. Said real estate located at 196 Allston Ave and further identified as Lot 30 on Tax Assessor's Plat 116NE. An objection has been voice and therefor it is a full hearing. The applicant testifies that he is going to stay in the same footprint. Objector does not like the fact that his view will be impacted. James Miller moved for approval and Olin Gambrell seconded. The motion was granted by a vote of 5-0 and the petition was granted.

Full Hearings:

Petition of: Mohamed Saleh (owner) - for a Variance from Sections 603 & 701- to construct an 8' X 32' covered front porch with a front yard setback of 18' where 40' is required. Said real estate located at 59 Evelin Circle and further identified as Lot 134 on Tax Assessor's

Plat 110. Continued to February 28, 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. Three witnesses. Christopher Bicho. Lynn Small, Northeast Engineers. Nathan Godfrey. Real estate appraiser. After questions and discussion, Jim Miller moved for approval and Stephen MacGillivray seconded. The special use permit was granted by a vote of 5-0. Olin Gambrell recused.

Petition of: Frank & Jeanette Vigorito (owners)- for a Variance from Sections 603, 701 & 802B- to allow the demolition & reconstruction of the two story single family dwelling with a left side yard setback of 5.3' where 15' is required and a front yard setback of 12.8' where 25' is required. Said real estate located at 131 Seascape Ave and further identified as Lot 109 on Tax Assessor's Plat 115SE. Designer and Jeanette Vigorito testified. Stephen MacGillivray then moved for approval and James Miller seconded. The motion was granted by a vote of 5-0 and the petition was approved.