

Middletown Zoning Board Minutes

March 28, 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 February: OG and JM 5-0

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. This matter is before Planning Board for Development Plan Review: Continued to April 25, 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. This matter is before Planning Board for Development Plan Review: Continued to April 25, 2017.

Petition of: William & Elizabeth Gill & David Lawrence (owners) Kreg LLC (Applicant) 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 to be located on lot #12. Said real estate located at 1 Thelma Lane and further identified as Lots 12, 14, 23 & 23A on Tax Assessor's Plat 111. This matter is before Planning Board for Development Plan Review: Continued to April 25, 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. This matter is before Planning Board for Development Plan Review: Continued to April 25, 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. Before Planning Board for Development Plan Review: Continued to April 25, 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 April 25, 2017 at the request of the applicant.

Petition of: Gary Lapidus (owner) by his attorney Jeremiah C Lynch, III- for a Variance from Section 603- to subdivide Lot 6 and create a conforming undeveloped lot (Lot B) and a non-conforming lot (Lot A), which has 9,396 sq. ft. of land, 10,000 sq. ft. required with lot coverage of 28% where 25% allowed. Said real estate located at 107 Briarwood Ave and further identified as Lot 6 on Tax Assessor's Plat

116NE. Continued to April 25, 2017 at the request of the applicant.

Full Hearings:

Petition of: Paula M. Lynch (owner) - for a Special Use Permit from Article 16- to allow an accessory family dwelling unit. Said real estate located at 135 Lighthouse View Dr. and further identified as Lot 849 on Tax Assessor's Plat 120. James Miller moves for approval and Olin Gambrell seconds; the motion is granted by a vote is 5-0 and, accordingly, the petition is granted.

Petition of: Cumberland Farms, Inc. (owner) by their attorney Robert M. Silva, Esq.- for a Special Use Permit from Sections 1212(A) 1212(B)(2) 1212(D)(1)(a) & 1212(F)(5)- to allow the erection of a free-standing pole sign 15' in height where 12' is allowed, containing 46.69 sq. ft. of area where 12 sq. ft. is allowed; two wall mounted signs, one containing 37.6 sq. ft. of area and the other containing 27.8 sq. ft. where one sign containing 32 sq. ft. is allowed; two canopy signs each 11 sq. ft. in size with internal illumination for the pole sign and wall mounted signs in connection with the expansion and renovation of the existing convenience store and gasoline dispensing facility. Said real estate located at 94 & 106 Aquidneck Ave and further identified as Lots 132, 133 & 134 on Tax Assessor's Plat 115SE. Several abutters and others object to the motion and testify in support of their objection. After hearing and consideration, Olin Gambrell moves to approve the petition and Eric Girton seconds. The motion is amended to approve the petition except without the easterly

facing wall mounted sign. The motion is approved 5-0 and the petition is granted as modified.

Petition of: Douglas Chabot (owner)- for a Variance from Sections 603, 701 & 802 B- to allow the demolition of the existing detached garage and construct a 28' X 24' two story detached garage to include a home office with a left side setback of 4.3' where 20' is required and a height of 32' where 20' is allowed. Said real estate located at 550 East Main Rd. and further identified as Lot 159A on Tax Assessor's Plat 113. David Martland requests a continuance and the matter is moved to April 25, 2017.

Petition of: Ronald G. Corriveau (owner) - by his attorney David P. Martland, Esq.-for a Special Use Permit from Sections 603, 803 B & 903- to permit the reconstruction and reconfiguration of a single family residence. Said real estate located at 566 East Main Rd. and further identified as Lot 160A on Tax Assessor's Plat 113. Ronald Corriveau testifies and Pauline Peter testifies in support. Stephen MacGillivray moved for approval of the petition and Jim Miller seconds. The motion is granted by a vote of 5-0 and accordingly the petition is granted.

Meeting is adjourned at 9:10 PM.