

## **Middletown Zoning Board**

### **Minutes**

**July 25, 2017**

### **Administrative: Roll Call/ Election of Officers / Adoption of Minutes**

**June 27, 2017**

**Roll Call: Chairman Jim Miller (present), Vice Chair Stephen MacGillivray (absent), Olin Gambrell (present) Secretary Chris Sousa (present), Thomas Heaney (present), Eric Kirton (Present 1st Alternate-Voting), Henry Pine (2nd Alternate-present), Mark Nuytkens (3rd Alternate-present).**

### **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. Robert Silva speaks on behalf of Petition. Continued until Oct 24 awaiting review of ordinance.**

**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. Waiting for DPR Continued to Sep 26th.**

**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. Waiting for DPR Continued to Sep 26th.**

**Petition of: Gary Lapidis (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. Application withdrawn without prejudice. Motion made by Olin Gambrell. Tom Heaney seconds.**

**Petition of: Elizabeth Harvey (owner) - for a Special Use Permit from section 602- to allow the construction of a two car attached garage in Zone 1 of the Watershed Protection District. Said real estate located at 194 Third Beach Rd and further identified as Lot 126 on Tax Assessor's Plat 125. Robert Silva speaks on behalf of the petition. Awaiting DPR and Conservation Commission. Continued September 26th.**

**Petition of: Elizabeth Harvey (owner)- for a Variance from sections 603, 701 & 803G- to allow the addition of an 18' X 24' one story attached two car garage with a left side yard setback of 7.5' where 30' is required. Said real estate located at 194 Third Beach Rd and further identified as Lot 126 on Tax Assessor's Plat 125. Awaiting DPR and Conservation Commission. Continued September 26th.**

**Full Hearings:**

**Petition of: Lazy Lawn Realty Trust (owners)- for a Special Use Permit from Section 803A- to allow the expansion of a non-conforming residential use by the addition to one of the principle structures on the premises. Said real estate located at 528 Third**

**Beach Rd and further identified as Lot 16 on Tax Assessor's Plat 130. Owner William Webster presents the application. Webster explains the property has been around 175 years and occupied by the same family since 1911, with very little change to the property. Additional living space will provide a small kitchen and laundry room. No abutters speak for or against the application. Olin Gambrell moves to approve the application based on the necessity of the owner to have full enjoyment of the property. Thomas Heaney Seconds. Board approves the Special Use Permit 5-0.**

**Petition of: Lazy Lawn Realty Trust (owners)- for a Variance from Sections 603, 701 & 803G- to construct a one story 14' X 15' addition with a left side yard setback of 21'-8" where 30' is required. Said real estate located at 528 Third Beach Rd and further identified as Lot 16 on Tax Assessor's Plat 130. Based on the same testimony to approve the Special Use Permit Olin Gambrell moves to approve the application. Jim Miller Seconds. The board approves the request for a Variance 5-0.**

**Petition of: Jason Levy & John Sullivan (owners)- for a Special Use Permit from Sections 602 & 902 to allow the expansion of the existing 2 family dwelling by creating additional living space in the basement annexed to the first floor apartment. Said real estate located at 90 Wolcott Ave and further identified as Lot 17 on Tax Assessor's Plat 121 NW. Jeffrey Moniz (Architect) speaks on behalf of the application. Moniz explains that 2 families have purchased the**

**property and require more space for their full enjoyment of this existing 2 family home. Moniz testifies that the fire/emergency exits will be satisfied in the new living area in the basement. Olin Gambrell moves to approve the application. Thomas Heaney Seconds. The board approves the request for a Special Use Permit 5-0.**

**Meeting adjourned at 7:24 p.m.**