

## **Agenda Outcome Town of Middletown**

### **Zoning Board of Review**

**350 East Main Road**

**Middletown, RI 02842**

**November 28, 2017 at 7:00 PM**

### **Minutes**

**Administrative: Roll Call /Jim Miller Chairman, Olin Gambrell, Tom Heaney, Eric Kirton and Mark Nuytkens all present; Steve MacGillivray Vice Chairman, Henry Pine, Chris Sousa Secretary absent Adoption of Minutes October 24, 2017, 2018 Calendar and time change for meetings. Rescheduling December 26, 2017 meeting**  
**The board voted to change the time for the meetings from 7-10 pm to 6-9 pm beginning with the January 23, 2018 meeting. The scheduled meeting for December 26, 2017 has been cancelled.**

### **Continuances Withdrawals:**

**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.**

**Continued to 3/27/2018 at the request of the applicant**

**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.**

**Continued to 3/27/2018 at the request of the applicant awaiting DPR**

**Petition of: Ronald G Corriveau (owner)- c/o his attorney David P Martland, Esq.- for a Variance from Sections 603 & 701- to allow a two-lot subdivision having an accessory structure on proposed lot 'B' with a side yard setback of .3' where 20' is required and frontage on proposed lot 'A' of 15' where 120' is required. Said real estate located at 566 East Main Rd and further identified as Lot 160A on Tax Assessor's Plat 113.**

**Continued to 1/23/2018 Awaiting Planning Board Decision**

**Petition of: Stanfield Corporation (owners) Benzine Development, LLC (applicant)- by their attorney David P. Martland, Esq.- for a Special Use Permit from Sections 602, 717 and Article 11- to permit a gasoline station with convenience store and drive-up window and a vehicle washing establishment located in a Limited Business- Traffic**

**Sensitive Zone (LBA) and in Zone 1 of the Watershed Protection District (WPD). Said real estate located at 533 East Main Rd and 1225 Aquidneck Ave and further identified as Lots 190, 191, 192, 193, 195 & 197 on Tax Assessor's Plat 113.**

**Continued to 2/27/2018 awaiting DPR and WPD advisory opinions**

**Petition of: Maria Pappas Corey (owner)- for a Variance from Sections 603 & 703C-to allow an accessory structure of 230 + - sq. ft. to be located within 5' of a property line where 15' from the side yard and 10' from the rear yard is required. Said real estate located at 25 Wolcott Ave and further identified as Lot 17 on Tax Assessor's Plat 115.**

**Continued to 1/23/2018 an amended petition will be advertised**

**Petition of: Amiee Phelps (owner)- for a Variance from Section 603, 701, 802(b) & 803(g)-demolish and replace a portion of the non-conforming one story single-family dwelling with a 2- story addition with a left side yard setback of 3.5' where 15' is required and a front yard setback of 11' where 25' is required. Said real estate located at 17+19+21 Warren Ave and further identified as Lot 170 on Tax Assessor's Plat 115SE.**

**Continued to 1/23/2018 at the request of the applicant**

**Referrals:**

**Petition of: St. Lucy's Church Middletown Corp. (owner)- 825 West Main LLC (applicant)- by their attorney Jeremiah C. Lynch, III - for a**

**Special Use Permit from Sections 602, 803(g) & 1103- to permit the construction of an addition to the existing non-conforming self-storage facility on lot 15C (22,500 sq. ft. of Lot 11 will be merged with lot 15C by administrative subdivision). Said property is also located within the Zone 1 Watershed Protection District. Said real estate located at 825 West Main Rd. & portion of 911 West Main Rd and further identified as Lots 15C & portion of lot 11 on Tax Assessor's Plat 107NE.**

**Referred to the Planning Board for DPR also for WPD advisory opinion continued to 3/27/2018**

**Petition of: St. Lucy's Church Middletown Corp. (owner)- 825 West Main LLC (applicant)- by their attorney Jeremiah C. Lynch, III- for a Variance from Section 603- to permit the construction of an addition to the existing self-storage facility. Said addition will be in excess of the permitted lot coverage (35% permitted). The proposed addition will result in lot coverage of 49% (current lot coverage is 56%). Said real estate located at 825 West Main Rd. & portion of 911 West Main Rd and further identified as Lots 15C & portion of lot 11 on Tax Assessor's Plat 107NE.**

**Continued to 3/27/2018**

**Full Hearings:**

**Petition of: Sherwin Baghai & Elizabeth Merkel-Baghai (owners)- for a Variance from Sections 603, 701 & 803G- to allow a 2nd floor covered deck over existing front porch with a front yard setback on Allston**

**Ave of 11'-11" where 25' is required and a left side yard setback of 9'-11" where 15' is required and an 8' x 10' covered rear deck entry platform with a front yard setback on Allston Ave of 11'-6" where 25' is required. Said real estate located at 215 Purgatory Rd and further identified as Lot 181A on Tax Assessor's Plat 116NE.**

**Continued to 2/27/2018**

**Petition of: Anne E. Bolles-Beaven (owner)- for a Special Use Permit from Section 803A-to allow the expansion of a non-conforming residential use by the addition of a pool out building and three minor additions to the principal structure. Said real estate located at 532 Paradise Ave and further identified as Lot 1 on Tax Assessor's Plat 127.**

- Owner represented by architect Greg Yalanis**
- plan is to revise an existing non- conforming use**
- Accessory building less than 150Sq ft**
- Lot coverage and setbacks all within acceptable limits**
- No objection from neighbors**
- 1st motion to approve-Heaney**
- 2nd-Kirton**

**Granted 5-0**

**Petition of: Noelle Shiland (owner)- for a Variance from Sections 603, 701, 803G & 802B-to demolish the existing enclosed porch and stairs and construct a new two-story addition with a left side yard setback**

**of 14'-6" where 15' is required and lot coverage of 39.7% where 25% is allowed. Said real estate located at 174 Center Ave and further identified as Lot 264 on Tax Assessor's Plat 115SE.**

**- Presented by owner Shiland and architect Spencer McComb**

**- No change to footprint or lot coverage**

**-Existing deck in serious disrepair**

**- No objection from neighbors**

**-1st motion Gambrell**

**-2nd- Heaney**

**Granted 5-0**

**Petition of: Michael A. Kerins (owner)- for a Special Use Permit from Section 602-to allow the existing single family dwelling to be converted into a two-family dwelling. Said real estate located at 208 Wolcott Ave and further identified as Lot 8 on Tax Assessor's Plat 121SW.**

**- Existing house essentially 2 dwellings without a second kitchen**

**- Only addition small back porch for egress**

**- No objection**

**- 1st – Gambrell**

**- 2nd- Heaney**

**Granted 5-0**

**Petition of: Michael A. Kerins (owner)- for a Variance from Section 603-to allow a two-family dwelling with less than 120' frontage and 11,831 sq. ft. where 15,000' is required. Said real estate located at 208**

**Wolcott Ave and further identified as Lot 8 on Tax Assessor's Plat 121SW.**

**- See notes above**

**- 1st Gambrell**

**- 2nd-Kirton**

**Granted 5-0**

**Petition of: Paul & Diane Treciokas (owners)- for a Variance from Sections 603, 701 & 803G-to construct a 14' X 22' three season room with a rear yard setback of 27.75' where 50' is required. Also construct an 8' X 12' deck with a rear yard setback of 34.5' where 50' required and a left side yard setback of 11.50' where 20' is required, resulting in lot coverage of 23% where 20% is allowed. Said real estate located at 7 Wilson Rd and further identified as Lot 122 on Tax Assessor's Plat 106.**

**- 3 Season room to replace an existing deck**

**- Rear setback is reduced**

**- Existing non-conforming lot**

**- No Objection**

**- 1st motion Gambrell**

**- 2nd motion Heaney**

**-**

**Granted 5-0**

**Petition of: R.K. Middletown Village, LLC (owner) Sign Innovation**

**(applicant)- by their attorney Matthew H. Leys Esq.- for a Special Use Permit from Sections 1212(D) (2) (b) and 902- permission to install a 146.15 sq. ft. building mounted sign for DSW (Designer Shoe Warehouse) where 70 sq. ft. is allowed. Said real estate located at 1313 West Main Rd and further identified as Lot 707 on Tax Assessor's Plat 112.**

**- Owner represented by attorney Matt Leys and Sign company representative Jim Haluch**

**- Initial request at 146.15 sq ft due to lack of visibility**

**- Miller questioned attorney and Haluch related to total requested size**

**- Attorney Leys and Haluch agreed to reduce request to 101.42 sq ft**

**- Motion to approve- Gambrell**

**- 2nd- Heaney**

**-**

**Granted 5-0**