



**ZONING BOARD OF REVIEW
MIDDLETOWN, RHODE ISLAND
AGENDA**

DATE: NOVEMBER 23, 2021

TIME: 6:00 PM

LOCATION: TOWN HALL CHAMBERS -350 EAST MAIN ROAD, MIDDLETOWN, RHODE ISLAND

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk's Office at 401-847-0009 not less than 48 hours before this meeting.*

Administrative:

1. Roll call
 2. Adoption of Zoning Board meeting minutes from October 26, 2021 (regularly scheduled Zoning Board meeting) & November 9, 2021 (special Zoning Board meeting).
 3. Approval of Zoning Board meeting dates for 2022.
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Zoning Board of Review Continued Petitions from May 25, 2021:

Petition of: Atlantic Beach Suites II, LLC (owner) by their attorney, David P. Martland, Esq. for a Special Use Permit from Section 602, Articles 11 & 14 to permit a 23-unit hotel in the Limited Business (LB) zone and Zone I of the Watershed Protection District. Said real estate is located at 42-44 & 56 Wave Avenue and further identified as lots 4,5 & 6 on tax assessor's plat 116NW.

Continued from: 4/24/2018, 5/22/2018, 8/28/2018, 9/29/2018, 11/27/2018, 2/12/2019, 2/26/2019, 3/26/2019, 4/23/2019, 5/28/2019, 6/25/2019, 7/23/2019, 8/27/2019, 9/24/2019, 10/22/2019, 11/26/2019, 1/28/2020, 2/25/2020, 4/21/2020, 8/25/2020, 11/24/2020, 1/26/2021, 2/23/2021, 3/23/2021, 04/25/2021, 08/24/2021, 09/28/2021, 10/26/21, 11/23/21

Zoning Board of Review Continued Petitions from June 29, 2021:

Petition of: Telly Amarant and Elizabeth Amarant (owners) by their attorney Christopher J. Behan, Esq. for a Special Use permit from sections 902, 602, & 805 to allow the two-family residential use pursuant to Section 602 & 805 for the two family on a lot that does not meet the standards of Section 603. Said real estate is located at 163 Aquidneck Avenue and further identified as lot 14 on tax assessor's plat 115 SE.

Continued from: 05/25/2021, 06/29/2021, 08/24/2021, 09/28/2021, 10/26/21

Petition of: Telly Amarant & Elizabeth Amarant (owners) by their attorney Christopher J. Behan, Esq. for a Variance from sections 903 & 603 to tear down the existing commercial structure and construct a two-family residence, resulting in 26.9% lot coverage where 25% is allowed, a front yard setback of 16' where 25' is required, on a lot with area of 7,996 square feet when a minimum of 15,000 square feet is required, and frontage of 74.99' where a minimum of 120' is required. Said real estate is located at 163 Aquidneck Avenue and further identified as lot 14 on tax assessor's plat 115 SE.

Continued from: 05/25/2021, 06/29/2021, 08/24/2021, 09/28/2021, 10/26/21



BUILDING/ZONING

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842

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Petition of: Cenz Corporation (owner) and GD Middletown West Main I, LLC (applicant) for a Variance from Sections 725(B)(2) & (3) to allow a ground mounted solar voltaic system with less than the required visual screening and electrical lines and connections above ground. Said real estate is located at 0 West Main Road and further identified as lot 9A on tax assessor's plat 111.

Continued from: 7/28/2020, 8/25/2020, 9/22/2020, 11/10/2020, 11/24/2020, 1/26/2021, 2/23/2021, 3/23/2021, 06/29/2021, 08/24/2021, 09/28/2021, 10/26/21, 11/23/21

Petition of: Cenz Corporation (owner) and GD Middletown West Main I, LLC (applicant) for a Special Use Permit and Development Plan Review from Section 602, 725(A) (1), 725(B) (2) (3), 1102 (A) (3) & 1106 to allow a ground mounted solar voltaic system in Watershed Protection District Zone I. Said real estate is located at 0 West Main Road and further identified as lot 9A on tax assessor's plat 111.

Continued from: 7/28/2020, 8/25/2020, 9/22/2020, 11/10/2020, 11/24/2020, 1/26/2021, 2/23/2021, 3/23/2021, 06/29/2021, 08/24/2021, 09/28/2021, 10/26/21, 11/23/21

Petition of: Benjamin J. Contessa (owner) for a Special Use from sections 602 to allow use of existing non-conforming dwelling structure to continue as a two-family dwelling. Said real estate is located at 183 Wolcott Avenue and further identified as lot 282 & 283 on tax assessor's plat 115 SE.

Continued from: 06/29/2021, 08/24/2021, 09/28/2021, 10/26/2021

Petition of: Benjamin J. Contessa (owner) for a Variance from sections 603 & 701 to allow subdivision of lot 282 and 283 resulting in an undeveloped lot 282 with frontage of 61.24' where 100' is required and lot 283 maintaining the existing two-family dwelling with a right-side yard setback of 2.3' where 20' is required, front yard setback of 7.4' where 25' is required. Lot area is 10,960 square feet where 15,000 square feet is required and frontage of 80.54' where 120' is required. Said real estate is located at 183 Wolcott Avenue and further identified as lot 282 & 283 on tax assessor's plat 115 SE.

Continued from: 06/29/2021, 08/24/2021, 09/28/2021, 10/26/2021

Petition of: Newport National Real Estate, LLC (owners) by their attorney Robert M. Silva, Esq. for a variance from section 603 to allow the construction of a clubhouse pursuant to plans prepared by DiPrete Engineering and Cordtsen Design Architecture (filed previously) with a main roofline of 35' and a clocktower element of 40' 8" where the maximum height of 30' is allowed. Said real estate is located at 425 Mitchell's Lane and further identified as lot 29 on tax assessor's plat 124.

Continued from: 04/27/2021, 06/29/2021, 08/24/2021, 09/28/2021, 10/26/21

Petition of: Frank & Elena Fechner (owner) and Dan Kopsack (applicant) for a Variance from section 803 Article 8 to construct an additional level to the main building on the existing non-conforming footprint. The main building is non-conforming on the NW corner thus causing a 14' setback where 20' is required. Said real estate is located at 576 Tuckerman Avenue and further identified as lot 117 A on tax assessor's plat 122.

Continued from: 08/24/2021, 09/28/2021, 10/26/21

Petition of: Seamus Kirby (owner) by their attorney Jeremiah C. Lynch III, Esq. for a Variance from sections 603 to construct a cupola. The proposed cupola height is 39.6' where 35' is permitted. Said real estate is located at 24 Wolcott Avenue and further identified as lot 4 on tax assessor's plat 121 NW.

Continued from: 10/26/21



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Zoning Board of Review Continued Petition from November 9, 2021:

Petition of: Stephen M. Sullivan (owner) for a Special Use Permit from section 902; Article 16 to add an Additional Dwelling Unit for my 79-year-old brother. Said real estate is located at 62 Third Beach Road and further identified as lot 944 on tax assessor's plat 125.

Continued from: 10/26/21, 11/09/21

New Petitions:

Petition of: Jeff Lipshires (owner) and CCE Development (applicant) by their attorney David P. Martland, Esq. for a Variance from sections 603 to extend restaurant entry deck & ADA ramp to provide access to main restaurant entrance. Said real estate is located at 499 East Main Road and further identified as lot 27 on tax assessor's plat 113.

All items on this agenda may be considered, discussed, and voted upon.

POSTED: NOVEMBER 19, 2021

RI Secretary of State Webpage,

Clerkbase, Middletown Library,

Town Hall of Middletown Bulletin Board & Middletownri.com Website.