



BUILDING/ZONING

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842

(401) 847-5769 | MiddletownRI.com

ZONING BOARD OF REVIEW MIDDLETOWN, RHODE ISLAND SPECIAL MEETING AGENDA

DATE: FEBRUARY 23, 2022

TIME: 6:00 PM

LOCATION: TOWN HALL CHAMBERS -350 EAST MAIN ROAD & ZOOM

Said meeting will be conducted in person, by telephone conference call/webinar, in accordance with Executive Order 22-01 issued by Governor McKee on January 6, 2022, which modifies certain provisions of the Open Meetings Act ("OMA") and the Access to Public Records Act ("APRA") as part of the State's emergency response to COVID-19.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88066491463>

888-475-4499 (Toll Free) or 877-853-5257 (Toll Free)

Webinar ID: 880 6649 1463

If calling by phone pressing *9 raises your hand and *6 will unmute.

If join the meeting via the Zoom App – please verify that you are utilizing the most recent version and updates.

**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 January 25, 2021
-

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, 01/25/2022

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

Petition of: Cenx 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, 01/25/2022



BUILDING/ZONING

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842

(401) 847-5769 | MiddletownRI.com

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, 01/25/2022

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, 11/23/21, 01/25/2022

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, 11/23/21, 01/25/2022

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, 11/23/21, 01/25/2022

Zoning Board of Review Continued Petitions from January 25, 2022:

Petition of: Diane L. Difazio & Edward A. Case (Owners) Gerald Vento (Applicant) for a Variance from section 603 to allow the expansion and redevelopment of an existing two-family dwelling with a front yard setback on Stimpson Street of 4' 7" where 25' is required; and a side yard setback of 4' 7" where 20' is required. Said real estate is located at 2 Stimpson Street and further identified as lot 61 on tax assessor's plat 116 SE.

Continued from: 01/25/2022

Summary Petitions:

Petition of: Evan & Anne McDermott (Owners) for a Variance from section 603, and 321 (A) to replace current landing along with front steps and add an awning. Said real estate is located at 22 Continental Drive and further identified as lot 553 on tax assessor's plat 114.



BUILDING/ZONING

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842

(401) 847-5769 | MiddletownRI.com

New Petitions:

Petition of: Mark & Kim Pachico (Owners) and Amy Connelly (Applicant) for a Special Use from section 602 Article 6 to own and operate a dog grooming/washing business. Said real estate is located at 496 East Main Road and further identified as lot 157 (A) on tax assessor's plat 113.

Petition of: Joseph & Nancy Markey (Owners) for a Special Use from section 803 (A) to remove existing roof, add a second floor over the existing dwelling, add 20' x 8' front porch, replace 14' x 26' rear deck. Said real estate is located at 5 James Street and further identified as lot 35 on tax assessor's plat 122.

Petition of: Joseph & Nancy Markey (Owners) for a Variance from section 603, 701, 803 (G), 805 (B) to remove existing roof, add a second floor, and a 20' x 8' front porch. Replace existing 14' x 26' rear deck resulting in a 19' front setback where 40' is required. A 32' rear setback where 50' is required. Resulting in 23% lot coverage where 20% is allowed. Said real estate is located at 5 James Street and further identified as lot 35 on tax assessor's plat 122.

Petition of: Pacesetter Properties, LLC by William Harris (Owners) and their attorney Girard A. Galvin, Esq. for a Special Use from section 803 (A), 803 (G), 602, 902 to construct a 29' x 10'8" addition and alter existing roof to create more living space on the 2nd floor resulting in 0.3' West front yard setback where 25' is required (*0.3' existing*). A 7.9' East and 0.4' North side setbacks where 15' is required (*same existing dimensions*) and 26.7% lot coverage where 25% is allowed (*23.7% existing*). Said real estate is located at 46 Vernon Avenue and further identified as lot 183 (A) on tax assessor's plat 108 SW.

Petition of: Pacesetter Properties, LLC by William Harris (Owners) and their attorney Girard A. Galvin, Esq. for a Variance from section 603, 903, 803, & 701 to construct a 29' x 10'8" addition and alter existing roof to create more living space on the 2nd floor resulting in 0.3' West front yard setback where 25' is required (*0.3' existing*). A 7.9' East and 0.4' North side setbacks where 15' is required (*same existing dimensions*) and 26.7% lot coverage where 25% is allowed (*23.7% existing*). Said real estate is located at 46 Vernon Avenue and further identified as lot 183 (A) on tax assessor's plat 108 SW.

Petition of: Thomas Welch (Owner) for a Special Use from section 1103 Article 11 and 902 Article 9 to develop a residential lot that is primarily within the Town of Middletown Watershed Protection District 1. Said real estate is located at Mitchell's Lane/Fayal Lane and further identified as lot 19 on tax assessor's plat 124.

Petition of: Endeavor Holdings, LLC (Owners) and their attorney David P. Martland, Esq. for a Variance from section 603 to construct a 2nd floor addition over the existing structure with a side yard setback of 16.9' where 35 is required. Said real estate is located at 100 & 102 Valley Road and further identified as lot 19 (A) on tax assessor's plat 113.

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

POSTED: FEBRUARY 18, 2022

RI Secretary of State Webpage,



BUILDING/ZONING

TOWN OF MIDDLETOWN

350 East Main Road, Middletown, RI 02842

(401) 847-5769 | MiddletownRI.com

**Clerkbase, Middletown Library,
Town Hall of Middletown Bulletin Board & Middletownri.com Website.**