

PAUL DEPETRILLO
CHAIRMAN



FRANK J. PICOZZI
MAYOR

POSTED 1/22/2024

CITY OF WARWICK
ZONING BOARD OF REVIEW
WARWICK, RHODE ISLAND 02886
(401) 921-9534

MINUTES OF THE JANUARY 9, 2024 MEETING

A regular hearing of the Warwick Zoning Board of Review was held on Tuesday, January 9, 2024 at 6:00 P.M. in the 1st Floor Conference Room, City Hall Annex, 65 Centerville Road, Warwick, Rhode Island. The meeting was called to order by Chairman Paul DePetrillo.

The Secretary called the roll and noted the following members were present:

Present: Paul DePetrillo – Chairman
Robert DeGregorio – Vice-Chairman
Salvatore DeLuise - Secretary
Lorraine Caruso Byrne
Walter Augustyn
Constance Beck – Alternate
Julie Finn - Alternate

Also present: David Petrarca, Esq., City Solicitor
Sean Henry, Warwick Planning Department
Mary Ellen Hall - Stenographer
Amy Cota, Secretary

The Chairman asked if there were any petitions to be continued or withdrawn. There being none, he stated he needed a motion to hear the petitions out of order to move Petition #10951 to the end of the agenda as requested by Attorney Shekarchi. The Chairman called the first petition to be heard.

Petition #10950

Ward 2

381 Warwick Ave.

The petition of Robert Fayerweather & Gold Key Property Services, LLC, 839 Warwick Ave., Warwick, RI, and Gold Key Property Services, LLC, request a dimensional variance from Table 2B Dimensional Regulations to construct a 15.4' x 7.5' one-story addition to the existing non-conforming structure. Proposed addition having a front yard setback of 16.9' to the front property line along Warwick Avenue (25' required), and a 15.4' front/corner yard setback to the front property line along Sachem Avenue. Also

seeking relief from Section 505 - landscaping requirements, and Section 701.7 - parking space requirements. Petitioner is proposing to utilize the first-floor commercial unit as a spa, with a pre-existing residential apartment on the second floor. Assessor's Plat 290, Lot 224, zoned General Business (GB). **(Continued from 12/12/2023)**

Attorney John Garrahy was present and representing the petitioners.

Michael McHugh, previously accepted by the Board as an expert witness at the December 12, 2023 hearing, was present and still under oath.

Mr. McHugh, the proposed use is allowed, and the apartment on the second floor has been existing. The petitioner is proposing to construct a small addition on the left front of the structure, which won't encroach any further into the setbacks than the existing structure.

Mr. McHugh stated he did revise the parking plan. They are trying to update the landscaping, specifically in the front of the building. They revised the plan to show a 10' wide landscaped buffer along the front of the property.

Attorney Garrahy stated the property is an existing non-conforming lot, and the addition won't encroach any further than the existing structure. They are seeking relief from the parking and landscaping requirements.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, a motion was made by Robert DeGregorio, seconded by Salvatore DeLuise, and passed with a 4-1 vote that the petition be GRANTED.

Petition #10952

Ward 4

134 Shawomet Ave.

The petition of Tribbie & Edward Zarra, and Carmine & Ruth Valelli, 134 Shawomet Ave., Warwick, RI, requests a dimensional variance to construct a 10'x 11' three-season room to the existing non-conforming single-family dwelling. Proposed addition having an 8.8' side yard setback (20' required). Assessor's Plat 333, Lot 97, zoned Residential A-15.

Joseph Brennan, Esq. was present and representing the petitioners.

Salvatore DeLuise recused himself from this petition. Constance Beck became the voting member.

Attorney Brennan stated the petitioners received approval from this Board for the proposed three-season room, but it expired.

Tribbie Zarra, Petitioner, 134 Shawomet Ave., Warwick, RI, was present and sworn in by the Chairman.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion to approve the petition, seconded by Paul DePetrillo, and passed unanimously by the Board that the petition be GRANTED.

Petition #10953

Ward 7

156 Tiernan Ave.

The petition of Darlene & Scott Sanders, 156 Tiernan Ave., Warwick, RI, requests a dimensional variance to construct a 4' x 34' addition to the existing deck. Proposed deck having a rear yard setback of 8' (10' required). Assessor's Plat 367, Lots 383 & 384, zoned Residential A-40.

Darlene Sanders, Petitioner, 156 Tiernan Ave., Warwick, RI, was present and sworn in by the Chairman.

Bernard Sabetta, 89 Melbourn Rd., Warwick, RI, was present and sworn in by the Chairman.

The petitioner explained there is an existing deck on the house. They are proposing to add a 4' x 32' addition to the rear portion of the deck.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion to approve the petition, seconded by Walter Augustyn, and passed unanimously by the Board that the petition be GRANTED.

Petition #10954

Ward 6

263 Shamrock Dr.

The petition of Joseph & Magdalena Defreitas, 263 Shamrock Dr., Warwick, RI, requests a dimensional variance from Table 2A Dimensional Regulations, to construct a covered front porch having a front yard setback of 21.6' (25' required). Assessor's Plat 371, Lot 41, zoned Residential A-7.

Joseph Defreitas, Petitioner, 263 Shamrock Dr., Warwick, RI, was present and sworn in by the Chairman.

The petitioner stated they are proposing to replace the existing front deck with a covered porch.

The Board had concerns with the petitioner having two temporary structures and a garden on the rear abutting City owned property (Warwick City Park). The petitioner agreed to the stipulation to remove all encroachments from City owned property.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion to approve the petition, with the agreed upon stipulation to remove all encroachments off City property. The motion was seconded by Walter Augustyn, and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

Petition #10951

Ward 8

790 Bald Hill Rd.

The petition of 790 Bald Hill Road, LLC, 790 Bald Hill Rd., Warwick, RI, requests a use variance to replace a 38" x 96" panel on the existing free-standing sign with a 38" x 96" LED Message Board panel. Also seeking a dimensional variance from Section 806.3-Area of free-standing sign being larger than allowed, and having a front yard setback of 3.6' (10' required). Assessor's Plat 262, Lot 212, zoned General Business (GB).

K. Joseph Shekarchi, Esq. was present and presenting the petitioner.

Attorney Shekarchi present Jeff Carter, AA Thrifty Sign & Awning as an expert witness.

A motion was made by Paul DePetrillo, seconded by Robert DeGregorio, and passed unanimously to accept Mr. Carter as an expert witness in signs.

Jeff Carter,

Attorney Shekarchi stated this request is for a small reader board in an existing free-standing sign.

Sean Rosser, 21 Eagle Rd., No. Kingstown, RI, was present and sworn in by the Chairman.

Mr. Rosser stated the petitioner's have been at this location since 2010, and the visibility of the existing sign is poor. They are proposing to replace an existing panel on the free-standing sign with an LED message board panel.

The petitioner agreed to the stipulations placed on the approval by the Board, that the message board will remain static every night from 10:30 P.M. to 5:30 A.M., and shall only change once every thirty minutes.

The Chairman asked if there was anyone present in opposition or in favor of the petition. There being none, Robert DeGregorio made a motion to approve the petitions with stipulations, seconded by Paul DePetrillo, and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

A motion was made by Lorraine Caruso Byrne, seconded by Robert DeGregorio, and passed unanimously that the minutes from the December 12, 2023 meeting be approved. (Salvatore DeLuise abstained from voting on the minutes)

The meeting was adjourned at 7:00 P.M.

BY ORDER OF THE ZONING BOARD OF REVIEW, WARWICK, RHODE ISLAND

Paul DePetrillo, Chairman

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