

PAUL DEPETRILLO  
CHAIRMAN



FRANK J. PICOZZI  
MAYOR

**POSTED 2/3/2023**

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

**MINUTES OF THE DECEMBER 13, 2022 MEETING**

A regular hearing of the Warwick Zoning Board of Review was held on Monday, December 13, 2022 at 6:00 P.M. in the 1<sup>st</sup> Floor Conference Room, Warwick 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  
Walter Augustyn  
Constance Beck - Alternate  
Julie Finn – Alternate

Absent: Lorraine Caruso Byrne

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

The Chairman asked if there were any petitions to be WITHDRAWN or CONTINUED. There being none, the Chairman called the first petition.

PETITION #10865

WARD 7

10 BROWNLEE BLVD.

The petition of Mediflor Organics, 10 Brownlee Blvd., Warwick, RI, requests a dimensional variance to have two (2) chilled water systems located within the side/rear yard setback, and a generator with an ATS switch located within the front/corner yard setback. Assessor's Plat 245, Lots 309-313, zoned Light Industrial (LI).

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

Attorney Brennan stated this petitioner was recently before the Board in May 2022 for an addition to the existing cultivation facility. While developing the site they realized they need water chillers, a generator and an ATS switch. The generator will only run when needed. The petitioner is seeking dimensional relief from the side and rear yard setback requirements.

Sean Henry from the Planning Department noted the approval from May 2022 has a stipulation that states the lots will be merged.

Nicholas LaCroix, Petitioner, 48 Collins Ave., Warwick, RI was present and sworn in by the Chairman.

Mr. LaCroix stated he will be merging the lots, he is in the process of getting the land surveyed.

Mr. Henry stated the stipulation to merge the lots will be carried forward to this approval. He also noted any work done in the public right-of-way will require the applicant to obtain RI DOT approval.

Attorney Brennan stated they read the stipulations and they have no objection to them.

The Chairman asked if there was anyone present in opposition or in favor of this 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 WITH STIPULATIONS.

PETITION #10860

WARD 2

46 GEORGE ST.

The petition of Tina & Richard Ledo, 46 George St., Warwick, RI and Interior Concepts, 53 Frances Ave., Cranston, RI, requests a dimensional variance to construct a 13.71' x 16' addition to the existing garage. Proposed addition having a side yard setback of 5' (8' required). Assessor's Plat 288, Lot 4, zoned Residential A-7.

Tina Ledo, Petitioner, 46 George St., Warwick, RI, was present and sworn in by the Chairman.

Sharon Lupo, 46 George St., Warwick, RI, was present and sworn in by the Chairman.

Frank Galligan, Interior Concepts, was present and sworn in by the Chairman.

Mr. Galligan stated they are seeking a 3' variance for the proposed addition having a 5' side yard setback (8' required).

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 this petition, seconded by Salvatore DeLuise, and passed unanimously by the Board that the petition be GRANTED.

PETITION #10861WARD 85 SOULE ST.

The petition of RSM Electric, LLC, 5 Soule St., Warwick, RI, AEMD Commercial, LLC, PO Box 19005, Johnston, RI, and RI Circus Space, LLC, 47 Tamarack Cir., No. Kingstown, RI, requests a special use permit to have mixed use within the existing electrical contractor space for aerial acrobatics during the contractor's off-hours. The petitioner is also requesting a dimensional variance for having less than required parking spaces (Off-site parking previously approved by this Board in December 2018). Assessor's Plat 273, Lot 505, zoned General Business (GB).

Diana Pearson, Esq., was present and representing the petitioners.

Marco Derocher, 5 Soule St., Warwick, RI, was present and sworn in by the Chairman.

Attorney Pearson stated the petitioners are before the Board for a special use permit. This is a one and a half story commercial structure that houses the petitioner's electrical business on one side, and a kid's play area (Kidz Kastle) on the other side. They are looking to utilize the electrical business space during off-hours to practice aerial acrobatics.

Attorney Pearson stated the petitioners previously received a special use permit to have off-site parking on abutting lot #242.

Sean Henry read the recommendations into the record.

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 #10862WARD 377 LOUISIANA AVE.

The petition of Rosette & Antonio Figueiredo, 77 Louisiana Ave., Warwick, RI, requests a dimensional variance to construct a 21' x 35' one-story addition, and a 24' x 25' attached two-car garage to an existing non-conforming single family dwelling. Proposed addition having a front yard setback of 16.05' (25' required). Assessor's Plat 310, Lot 67, zoned Residential A-7.

Rosette & Antonio Figueiredo, Petitioners, 77 Louisiana Ave., Warwick, RI, were present and sworn in by the Chairman.

Joseph Cabral, 100 Mayflower Dr., Seekonk, MA, was present and sworn in by the Chairman.

The petitioners stated they decided they would add on to their house instead of moving. Their parents live next door. They are proposing to construct a 21' x 35' one-story addition, and a 24' x 25' attached two-car garage.

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 #10863

WARD 6

206 BUTTONWOODS AVE.

The petition of Comprehensive Community Action, Inc., ATTN: Joanne McGunagle, President and CEO, 311 Doric Ave., Cranston, RI, requests a dimensional variance to construct a second story addition to the existing commercial building, and a new vestibule to the front of the building. Proposed addition having a side yard setback of 11.08' (15' required), and having less than required parking spaces (25 spaces provided, 50 spaces required). The petitioner is also seeking a special use permit to have off-site parking on A.P. 363, Lot 773 (3030 West Shore Rd.). Assessor's Plat 363, Lot 857, zoned General Business (GB).

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

Joann McGunagle, 311 Doric Ave., Cranston, RI, was present and sworn in by the Chairman.

Gina Eubank, 311 Doric Ave., Cranston, RI, was present and sworn in by the Chairman.

Attorney Brennan stated there is currently a one-story commercial structure that is vacant. The petitioners are seeking a dimensional variance to construct a second story addition having less than required side yard setbacks. The proposed use will be medical offices.

The petitioners are also seeking a special use permit to have 25 off-site parking spaces on A.P. 363, Lot 773 (3030 West Shore Rd.).

Sean Henry from the Planning Department read the recommendations into the record. Attorney Brennan stated his clients are in agreement with the stipulations.

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 Salvatore DeLuise and passed unanimously by the Board that the petition be GRANTED WITH STIPULATIONS.

PETITION #10864

WARD 3

163 COTTAGE ST.

The petition of John A. Dorsey, Esq., 55 Pine St. 4th Floor, Providence, RI, and Harrington Realty LLC, 39 Dees Circle, Warwick, RI, requests a dimensional variance from Section 403.8 of the Zoning Ordinance to demolish the pre-existing, non-conforming two-family dwelling damaged by fire, and construct a new two-family duplex with a larger footprint. Assessor's Plat 278, Lot 38, zoned Residential A-7.

John Shekarchi, Esq. was present and representing the petitioner.

John Dorsey, Esq. was present and representing the appointed receiver for the property.

Attorney Dorsey stated this property has been abandoned and sitting stagnant since having a substantial fire. The owners weren't in a position to repair the property, nor were the taxes paid for well over a decade. As part of the court order, the court granted approval to seek offers for this property. The structure has to be demolished. As part of the court approval, the petitioner has one year to complete the work.

Attorney Shekarchi stated his client purchased the property and will be demolishing the existing dwelling to construct a new two-family duplex.

Attorney Shekarchi presented Edward Pimentel as a Land Use and Zoning expert.

A motion was made by Robert DeGregorio, seconded by Paul DePetrillo, and passed unanimously by the Board to accept Mr. Pimentel as an expert witness.

Mr. Pimentel stated there is a pre-existing non-conforming two family dwelling located on the subject lot. That house will be demolished and a new two-family duplex will be constructed to meet all dimensional requirements.

Mr. Pimentel stated he did an extensive neighborhood analysis, and the neighborhood consists of all multi-family dwellings that were constructed close to the front property lines.

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 Salvatore DeLuise, and passed unanimously by the Board that the petition be GRANTED.

PETITION #10866

WARD 2

JEFFERSON PARK RD.

The petition of Trunk Space, LLC, 1900 Crown Colony Dr., Suite 405, Quincy, MA, ad Springdale Enterprises, LLD, PO Box 1143, Darien, CT, requests a dimensional variance to construct a 122,000 sq. ft. four-story commercial self-storage facility. Subject property providing fifteen (15) parking spaces (244 spaces required), Zero (0) loading spaces (12 loading spaces required), less than required interior landscaping, and proposed transformer having less than required side yard setback. Assessor's Plat 285, Lot 299, zoned General Industrial (GI).

K. Joseph Shekarchi, Esq. was present and representing the petitioners.

Suzanne King, Licensed Professional Engineer from BL Engineering, was present and sworn in by the Chairman.

Attorney Shekarchi stated this is a petition for a self-storage facility in an area on Jefferson Boulevard surrounded by all commercial uses. The petitioners have been working with the Planning Department for six months on this project. The hold-up was a small strip of land owned by the RI DOT. The petitioners have since purchased this land.

The Planning Department had two major concerns with this project. One being the size of trucks this property can accommodate, as well as the number of parking spaces being provided.

Ms. King stated they submitted a parking memo to all of the Board Members that indicate they believe the parking needs for the self-storage use are much lower than the Zoning Ordinance prescribes. Between the way the gate and the parking area is laid out, it will limit the larger size trucks. They will be providing 15 parking spaces (244 required).

Robert DeGregorio, Vice-Chairman, asked if there was any way to have a loading space. Attorney Shekarchi stated there is no need for a loading area since you can pull right up to the storage unit and back the truck in.

Sean Henry stated a lot of the Planning Department issues were resolved at the Planning Board meeting, and his only question was related to the size of truck that they referenced an SU-30, and asked how they will prevent larger trucks from utilizing the property.

Ms. King stated there will be a gate, and due to the lane of traffic having a small width, larger trucks just can't be accommodated.

Attorney Shekarchi stated the clients will also be signing rental agreements, and will know what is and isn't allowed. They will also be installing signage so there is no misunderstanding.

Kristen Robbins, BL Companies, Licensed Architect, 2346 Post Rd., was present and sworn in by the Chairman.

Ms. Robbins stated they have units that are 5' x 5' all the way up to 20' x 10' climate controlled units.

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 Salvatore DeLuise, and passed unanimously by the Board that the petition be GRANTED.

A motion was made by Robert DeGregorio, seconded by Salvatore DeLuise and passed unanimously by the Board that the meeting be adjourned at 7:15 P.M.

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

Paul DePetrillo, Chairman