

WARWICK ZONING BOARD OF REVIEW
MINUTES OF THE OCTOBER 14, 2014 MEETING

A regular hearing of the Warwick Zoning Board of Review was held on Tuesday, October 14, 2014 at 6:00 P.M. at Warwick City Hall, in the Warwick City Council Chambers, 3275 Post Road, Warwick, Rhode Island. Donald Morash, Chairman, called the meeting to order.

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

Donald Morash, Chairman
Richard Corley, Vice Chairman
Everett O'Donnell
Attilio Iacobucci
Beverly Sturdahl

Alternates: Paul Wyrostek
Julie Finn was absent

Also present: Robert Sgroi, Esq., Assistant City Solicitor
Richard Crenca, Warwick Planning Department
Carol Chevalier, Secretary
Mary Ellen Hall, Stenographer

The Chairman entertained a motion to accept the minutes from the September 16th hearing. A motion was made by Attilio Iacobucci, seconded by Everett O'Donnell and passed unanimously by the Board that the minutes be accepted.

Petition #10163

Ward 4

40 Airport Road

The petition of Forty-Fifty Airport Road, LLC, 2 Altieri Way, Warwick, RI, for a request for a dimensional variance to increase the height of the existing freestanding ground sign from 15' to 20' (higher than allowed), said existing sign having less than required front yard setback, southerly side of Airport Road (40), Warwick, RI, AP 320, Lot 76, zoned General Business.

Kevin Murphy, Esq., representing the petitioner was present.

John Murphy, Jr., petitioner, was also present.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

The petitioner's described the plan to the Board. They indicated that there is a new sign there not. They replaced an older sign. The sign does not afford the necessary visibility and they would like to increase the height to 20'.

Mr. Corley stated that the sign does not have the street number on it. He stated that 6 inches would be reasonable at the top to put the street number. He also stated that the petitioner has improved the appearance of the property with the new sign. He stated that he used to drive by the property and not notice the stores. With that statement he made a motion to approve the petition. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that this petition be GRANTED.

Petition #10164

Ward 8

785 Main Avenue

The petition of Jeff Pratt, 785 Main Avenue, Warwick, RI, for a request for a dimensional variance to have a 3' x 4' freestanding sign on subject property for existing home occupation, said sign being larger than allowed with less than required front yard setback, northeasterly corner of Main Avenue (785) and Kenyon Avenue, Warwick, RI, Assessor's Plat 268, Lot 193, zoned Residential A-7.

Jeff Pratt, petitioner, was present.

He stated that he has a home based business for web design. He would like to have a sign larger than allowed on his property for his business.

Joseph Gallucci, Councilman, was present.

He stated that he is in attendance as an abutter and was in favor of the petition.

Mr. Corley stated that he makes a motion to approve the sign. The business is a small business and needs a sign for visibility and it is necessary to establish his business. The motion was seconded by Attilio Iacobucci and passed unanimously by the Board that the petition be GRANTED.

Petition #10166

Ward 2

11 Willard Street

The petition of Barbara Sprott, 11 Willard Street, Warwick, RI for a request for a dimensional variance and a use variance to legalize accessory dwelling unit located in detached structure, said structure having less than required side yard setbacks, accessory dwelling unit being larger than allowed with separate ingress/egress, subject property being an undersized non-conforming lot,

southwesterly corner of Willard Street (11) and Elberta Street, Warwick, RI, Assessor's Plat 312, Lot 258, zoned Residential A-7.

Barbara Sprott, 11 Willard Street, petitioner, was present.

She described her property to the Board and stated that the garage was constructed prior to her purchasing the property. She bought the property in 1988. She is in the process of selling the property. The property has been taxed as a 2 family for twenty years.

Mr. Crenca stated that the property is before the Board as an in-law a two family would need to go to the Planning Board and City Council. The issue before the Board is for an in-law larger than allowed and the accessory dwelling unit in a detached structure.

Mrs. Sprott submitted a petitioner with the signatures of neighbor's in favor (Petitioner's Exhibit #1) She explained to the Board that her son had been in an accident and needed to live with her and as he progressed he wanted to have his own living area close so she could help when needed.

Eleanor Chadronet, 117 Elberta Street, was present.

She stated that the petitioner has been a good neighbor. She has lived in the area for 34 years.

Jonathan Sprott, petitioner's son was also present.

Mr. Corley stated that the petitioner is trying to legalize the unit as an in-law and that he read the history of the property that had been submitted by the petitioner. The structure has been used for living space for decades. He sees no reason not to legalize the apartment considering the circumstances and the apartment is occupied by her son there is no financial gain. With that statement he made a motion to approve the petition. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that the petition be GRANTED.

Petition #10167

Ward 6

36 Huron Street

The petition of Eileen & Christopher Ryan, 36 Huron Street, Warwick, RI, for a dimensional variance to construct a second floor addition on existing dwelling (dwelling demolished due to fire to be reconstructed), existing dwelling and proposed addition having less than required front yard and side yard setbacks, subject property being an undersized non-conforming lot, easterly side of Huron Street (36), Warwick, RI, Assessor's Plat 376, Lot 186, zoned Residential A-7.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

Mark St. Angelo, contractor, was present.

Eileen & Christopher Ryan, petitioner's, were also present.

They stated that they do not have any objection to the stipulations presented by Planning.

They described the plan to the Board. They stated that the previous house had a fire.

Mr. Corley asked if the previous house was a single level dwelling and if the proposal was to construct two floors.

The petitioner stated that they have the right to reconstruct the dwelling and would now like to have a second floor.

The contractor stated that the pitch of the roof would be changing.

Mr. Corley stated that the house would be built on the existing foundation and they are entitled to rebuild within the existing footprint. The proposed second floor would be within the allowable height and the petitioner agreed to all of the stipulations presented. With that statement he made a motion to approve the petition. The motion was seconded by Beverly Sturdahl and passed unanimously by the Board that the petition be GRANTED with stipulations.

Petition #10168

Ward 9

870 Quaker Lane

The petition of Tarbox Hyundai, 870 Quaker Lane, Warwick, RI, & Century Properties of RI, LLC, 870 Quaker Lane, Warwick, RI, for a dimensional variance to have wall signs larger than allowed, to remove and replace existing freestanding ground sign with a sign higher and larger than allowed, proposed sign having less than required front yard setback, easterly side of Quaker Lane (870), Warwick, RI, Assessor's Plat 226, Lot 13, zoned General Business.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

Ed Tarbox, petitioner, was present.

John Revens, Jr., Esq., representing the petitioner, was present.

He requested that if the Board sees fit to approve the petition he would ask for substantial compliance instead of strict. He stated that the sign is required by the manufacturer before the end of the year. He described the type of sign and the proposed location.

Mr. Corley stated that the sign would not be detrimental to the character of the road. There are many signs larger for other businesses in the area. With that statement he made a motion to approve the petition with substantial compliance. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that the petition GRANTED with substantial compliance.

Mr. Corley left from the meeting Mr. Wyrsostek became the voting member for the remainder of the hearing. (7:00 P.M.)

Petition #10169

Ward 3

1689 Post Road

The petition of WJG Realty Company. LLC, 385 Hancode Street, Quincy, MA, for a request for a dimensional variance/use variance/special use permit, to expand existing outdoor sales on subject property, addition of various accessory structures for outdoor sales, legalize existing wall sign larger than allowed, to have coin operated amusements on subject property, subject property containing more than one non- residential use, subject property having less than required landscaping, westerly side of Post Road (1689), Warwick, RI, Assessor's Plat 322, Lot 209, zoned General Business.

John Revens, Jr., Esq., representing the petitioner was present.

He described the operation of the existing business and stated that the petitioner is before the Board to legalize all of the changes that had occurred prior to the initial approval. The business has been very successful and the changes were necessary. The relief requested is from #509 and #416 of the ordinance. They are also requesting approval for wall signs larger than allowed.

Mr. O'Donnell stated that there are no objector's and made a motion to approve the petition. The motion was seconded by Attilio Iacobucci and passed unanimously by the Board that the petition be GRANTED.

Petition #10165

Ward 6

354 Sea View Drive

The petition of William White, 354 Sea View Drive, Warwick, RI, for a request for dimensional variance to raise the two structures on the subject property above existing grade, construct an addition to the rear of the existing main structure, to construct a 15' x 15' addition between the two structures to connect the structures, to construct first and second floor decks, said existing structures, additions and decks having less than required side yard and front yard setbacks, subject property being a pre-existing non-conforming undersized lot/lots, easterly side of Sea View Drive (354), Warwick, RI, Assessor's Plat 375, Lots 297 & 298, zoned Residential A-40 (formerly Residential A-7), Flood zone AE EL 12.

Richard Crenca, Warwick Planning Department, read recommendations into the record.

William White and Jane Levesque, petitioners were present.

Frederick Costello, Esq., representing the petitioners, was present.

They described the current conditions to the Board and the proposed plan. They stated by raising the dwelling and attaching the structures together they would be able to eliminate the need for flood insurance. They did not realize the second unit was illegal and it has been existing for 30 years. The second unit would become an in-law apartment once attached to the dwelling and it would not be rented.

They presented letters from the neighbors. (Petitioner's Exhibit #1)

Mr. O'Donnell stated that there were no objections. With that statement he made a motion to approve the petition with substantial compliance. The motion was seconded by Attilio Iacobucci and passed unanimously by the Board that the petition be GRANTED with substantial compliance.

The Chairman adjourned the hearing at 7:15 P.M.

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

Donald G. Morash, Jr., Chairman