

WARWICK ZONING BOARD OF REVIEW
MINUTES OF THE SEPTEMBER 16, 2014 MEETING

A regular hearing of the Warwick Zoning Board of Review was held on Tuesday, September 16, 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

Also present: Diana Pearson, 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 July 22nd hearing. A motion was made by Everett O'Donnell, seconded by Richard Corley and passed unanimously by the Board that the minutes be accepted.

The Chairman entertained a motion to accept the minutes from the August 19th hearing. A motion was made by Attilio Iacobucci, seconded by Beverly Sturdahl and passed unanimously by the Board that the minutes be accepted.

The Chairman declared a quorum. The Chairman asked if there were any petitions to be withdrawn or continued. The Chairman called the first petition.

Petition #10160

Ward 3

27 Hamilton Avenue

The petition of Renee Ziobrowski, 27 Hamilton Avenue, Warwick, RI, for a request for a dimensional variance to park/store a recreational vehicle on subject property with less than required front yard setback, northwesterly end of Hamilton Avenue (27), Warwick, RI, Assessor's Plat 342, Lot 197, zoned Residential A-7.

Renee Ziobrowski, petitioner, was present

Donald Ziobrowski, petitioner, was also present.

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

Mr. Crenca presented two letters to the Board. One letter was from the Director of Public Works that stated that the trailer would be located on the City right of way and requested that the Board deny the application. The second letter was from the City Engineer stating that the trailer obstructs the City sidewalk and right of way and stated that the application should be denied.

The petitioner presented photograph's to the Board (Petitioner's Exhibit #5)

The Board discussed alternatives with the petitioner's to lessen the relief requested.

Carmine Delena, Attorney, representing abutting property owners, was present.

He stated that he represents Lawrence Coletta, 37 Hamilton Avenue and Paul Batalon, 91 Pinnery Avenue. He presented photographs to the Board (Objector's Exhibit #1 and two letters from the property owners (Objector's Exhibit #2) to the Board. He stated that his clients stated that the camper is an eyesore and they were concerned about the propane tanks being too close to the street. That the camper obstructs vision for motorists on the road.

The Board discussed option with both the petitioner and the objector's attorney. The petitioner agreed to move the camper back beyond the telephone pole and remove the propane tanks when the camper is stored on the property.

Richard Corley made a motion to grant the petition with the stipulations presented. The petitioner agreed to move the camper back and remove the propane tanks when stored on the property. He read the letters from the City and stated that the property is unique due to the location of the dwelling and the driveway on the property. The street is a dead end street. There are trees to the right of the property and it is not a safety hazard. He understands the references to the sidewalk obstruction but there are not sidewalks on the street. The motion was seconded by Everett O'Donnell and passed unanimously by the Board that this petition be GRANTED with stipulations.

Petition #10161

Ward 8

Metro Center Blvd.

The petition of Summit EWS, LLC, 220 South Main Street, Providence, RI, for a request for a dimensional variance to construct a 100,000 square foot building on the subject property higher than allowed, southeasterly corner of Metro Center Blvd. & Kilvert Street, Warwick, RI, Assessor's Plat 278, Lot 145, zoned General Industrial.

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

K. Joseph Shekarchi, Esq., representing the petitioner, was present.

Michael Integlia, II, petitioner, was also present

Edward Pimentel, was accepted as an expert witness in Planning and Land Use (Motion was made by Everett O'Donnell, seconded by Richard Corley and passed unanimously by the Board)

Mr. Pimentel presented a report to the Board (Petitioner's Exhibit #1). The attorney described the plan to the Board and the relief requested.

Mr. Crenca stated that the additional height is necessary to accommodate the mechanicals located on the roof of the proposed building.

Mr. Corley stated that the area has been developed as an office park. The petitioner is making a substantial investment in the City. The height variance is not an obstruction to neighboring office buildings. The mechanicals will be shielded for aesthetic reasons. It is a tasteful addition to the area. The stipulations were reasonable and the petitioner agreed to them. With this 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 #10112

Ward 2

6 Northampton St.

The petition of Comprehensive Community Action, Inc., 311 Doric Avenue, Cranston, RI, for a use variance request to have greater number of persons/occupants (total of 12 - 6 allowed) residing in community residence on subject property, northeasterly corner of Northampton Street (6) and Richmond Drive, Warwick, RI, Assessor's Plat 288, Lot 371, zoned Residential A-7.

K. Joseph Shekarchi, Esq., representing the petitioner was present.

Joann McGunagle, Director of CCA, Inc., was present.

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

Letter from the Warwick Building Official was presented and marked as Petitioner's Exhibit #1. The attorney and the Director described the daily operation of the dwelling. They stated that the request was to have additional tenants.

There were numerous neighbors present in objection with concerns.

The Board raised questions and addressed their concerns with the petitioner.

The neighbors present were as follows:

Joyce Cocroft, 16 Northampton Street
Richard Miller, 210 Richmond Drive
Amy Miller, 210 Richmond Drive,
William Roberge, 178 Richmond Drive
Paul Doyon, 42 Northampton Street
Melvin Hobin, 197 Richmond Drive
Brenda LaPrad, 33 Northampton Street
Diane Grigoire, 5 Northampton Street

The neighbors had many concerns, noise, traffic, visitors, type of clientele, parking, debris, etc.

Michael Zarum, 139 Northampton Street, was present in objection:

Mr. Zarum read a letter into the record. The letter was marked as Objector's Exhibit #1. He also presented a petition to the Board with the names and addresses of all of the neighbors present at the hearing in objection.

Mr. Corley stated that they are currently operating in accordance with the zoning codes. They are asking for additional people. He stated that no one present addressed any of the issues or concerns with the people residing in the dwelling. That this allows the tenants to have an appropriate living situation and it is in the best interest of the children involved. There are not many places where mothers can reside with their children in this type of setting. The issue of smoking and cell phones are not credible reasons for denial. This allows for housing for people in need. With that statement he made motion to approve the petition. He then amended his motion to include the stipulations of the Planning Department. The motion was seconded by Everett O'Donnell and passed by a four (4) to one (1) vote (Donald Morash voted to deny) that this petition be GRANTED with stipulations.

Petition #10162

Ward 3

1556 Post Road

The petition of Post Road Car Wash, Inc., 200 Charles Street, Providence, RI & First Hartford Realty Corp., 149 Colonial Road, Manchester, CT for a request for a dimensional variance to have more than one freestanding ground sign on subject property, signs being higher and larger than allowed with less than required setback, southeasterly corner of Post Road (1556) and

Lincoln Avenue, Warwick, RI, Assessor's Plat 310, Lots 286, 287 & 442, zoned General Business.

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

K. Joseph Shekarchi, Esq., representing the petitioner has present.

The attorney stated that the request is for signage only. The plan has been approved by the Planning Board and the petitioner applied for a zone change from the Warwick City Council for the project. All other variances had been approved by the Council. He stated that his client agrees with all of the stipulations presented by Planning.

Mr. Corley stated that the petitioner merged all of the lots together and received approval from the Council. The proposed use is a good use for the neighborhood. The petitioner is making a big investment in the City. The proposed development helps clean up the appearance of the property. With that statement he made a motion to approve the petition with the stipulations of the Planning Department. The motion was seconded by Attilio Iacobucci and passed unanimously by the Board that the petition be GRANTED with stipulations.

The meeting was adjourned at 8:15 P.M.

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

Donald G. Morash, Jr., Chairman