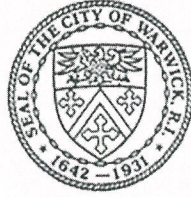


PAUL DEPETRILLO
CHAIRMAN

FRANK J. PICOZZI
MAYOR



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

January 14, 2022

JT Development Partners, LLC
1149 Division Street
East Greenwich, RI 02818

TPG Dev Con
1140 Reservoir Avenue
Cranston, RI 02920

Dear Petitioners:

The following is the decision on your Petition #10763, heard by the Warwick Zoning Board of Review on January 11, 2022, for an amendment to a previously approved conditional special use permit approved by this Board in June 2021 to construct a new gas station/convenience store. Petitioner requests additional conditional dimensional variances as follows: Proposed driveway (curb cut) wider than allowed; Install a transformer, an air tower & a heated enclosure as required by local water authority regulations, having less than required front yard setback; Create 8 parking spaces with Tesla charging stations in the rear of the property, having less than required side yard and rear yard setbacks to the residential zoning district; Less than required setbacks to parking spaces from the outdoor seating area, Construct two drive aisles wider than allowed for future access to adjacent Lot #7; Install a new free-standing sign, larger than allowed (103.9 sq. ft. per side), and having a proposed height of 25' (15' required). Assessor's Plat 215, Lot 8, zoned General Business (GB).

After the testimony was completed at the public hearing for which due notice was given and a record kept, and after having viewed the premises and the surrounding area, the Zoning Board of Review of the City of Warwick taking into consideration its knowledge and expertise and after taking into consideration all of the testimony at the public hearing, makes the following findings of fact:

1. The subject property is known as Assessor's Plat 215, Lot 8, containing a total of approximately 73,716 sq. ft. of land, more or less, zoned General Business (GB).

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JT Development Partners, LLC

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2. The petitioners were granted a conditional special use permit and dimensional variance by this Board in June 2021, to construct a new gas station/convenience store.
3. The petitioners are requesting an amendment to their prior Zoning Board approval for additional dimensional relief.
4. The petitioners agreed to the stipulations placed on the approval, and to reduce the height of the proposed sign from twenty-five feet (25') to twenty-two and a half feet (22.5').
5. There were no neighbors present in opposition or in favor of the petition.

The Zoning Board of Review applied these findings to the standards of review for the granting of a dimensional variance as follows:

1. The hardship from which the petitioner seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area and not due to a physical or economic disability of the applicant.
2. Said hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain. The configuration of the lot is not due to any prior action of the applicant.
3. The granting of the requested variance will not alter the general characteristic of the surrounding area or impair the intent or purpose of this zoning ordinance or the comprehensive plan of the City.
4. The relief requested is the least relief necessary.
5. Literal enforcement of the dimensional regulations in this case would constitute more than a mere inconvenience for the applicant.

Based on the foregoing, the Board voted to unanimously grant the petitioner's application for a dimensional variance with the following stipulations and conditions:

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1. That the height of the proposed sign be reduced from twenty-five feet (25') to twenty-two and a half feet (22.5').
2. Substantial compliance with the plans and testimony presented, with substantial compliance to be determined by the Building Official.
3. That this decision must be recorded in the Land Evidence Records in the City Clerk's Office before a building permit/certificate of occupancy is issued.

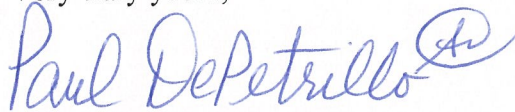
*Please note that the appeal period (20 days) begins when said decision is posted with the City Clerk's Office.

4. No expansion of the approved structure shall be made without approval of the Zoning Board of Review.
5. That this grant shall be activated with a building permit (which must remain active, as required by the State Building Code Section 23-27.3-114.2)/certificate of occupancy, within one (1) year, unless extended by the Board, or it shall become void, or as otherwise governed by RIGL 45-24-61.1, as amended.
6. Note this zoning resolution expires if a permit is not kept active as required the State Building Code 23-17.3 Section 114.2.

(Walter Augustyn voted to approve, Lorraine Caruso Byrne voted to approve, Paul DePetrillo voted to approve, Salvatore Deluise voted to approve, and Robert DeGregorio voted to approve.)

Present this letter to the Building Inspector when applying for the necessary permits.

Very truly yours,



Paul DePetrillo, Chairman
Warwick Zoning Board of Review

PD/ac

cc: K. Joseph Shekarchi, Esq.

RECORDED
Jan 18, 2022 03:12P
Lynn D'Abrosca
City Clerk
City of Warwick, RI