

**STATE OF RHODE ISLAND CITY OF EAST PROVIDENCE
COUNTY OF PROVIDENCE ZONING BOARD OF REVIEW**

MINUTES

A meeting of the East Providence Zoning Board of Review was held at 7:00 P.M., on Wednesday, 2 May 2018, in the City Council Chambers, East Providence City Hall.

The following members were present:

Eugene Saveory – Chairman

Michael Beauparlant – Vice-Chairman

John Braga

Pier-Mari Toledo

Antonio H. Cunha

Richard Croke, Sr. – 1st Alternate

Gary Pascoa – 2nd Alternate

Edward Pimentel – Zoning Officer / Clerk

Dylan Conley – Assistant City Solicitor

I. OPENING STATEMENT BY CHAIRMAN

Chairman Saveory announces that it is the policy of the Zoning Board

of Review to caution all petitioners that they have the right to counsel before the Board and failure to do so at this time does not constitute sufficient grounds for a change in circumstances under the eighteen-month repetitive petition clause. All petitioners are also cautioned that if the petition is approved, all construction must be done in compliance with the submitted plan(s), application and testimony presented to the Zoning Board of Review. A change of any sought must obtain the requisite approval of the Zoning Board of Review. All work that deviates from the approval will be ordered halted and promptly removed. Comments will be limited to the petition being heard and no comments will be heard that do not pertain to an item scheduled on tonight's docket. He also notes that it is the policy of the Board that no new agenda item will be heard after 10:30 PM.

Chairman Saveory also notes that the Board welcomes any commentary from the public provided it solely pertains to an item on tonight's docket.

A. Swearing in of the Zoning Officer

Chairman Saveory asks Assistant City Solicitor Conley to swear in the Zoning Officer, Mr. Pimentel.

II. SEATING OF ALTERNATE MEMBERS

Chairman Saveory informs the public that although there is a full quorum this evening there are a few cases on tonight's docket that cause personal conflicts for some members of the board, so members will be recusing themselves periodically.

III. APPROVAL OF ZONING BOARD MINUTES

Chairman Saveory announces that there are no minutes to be approved.

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IV. ZONING OFFICER'S REPORT

Chairman Saveory announces that there is no report this month.

V. CORRESPONDENCE / DISCUSSION

Chairman Saveory announces that there is nothing to discuss at this time.

VI. STAFF REPORTS

A. Planning Department Staff Report – 4 April 2018 – Previously submitted.

B. Fire Department Comments – 26 March 2018 – Previously submitted.

Chairman Saveory announces that the referenced documents are already rendered part of the official record.

VII. Continued Business

1. Petition No. 6673 - Rory D. and Judith D. Whipple, request a dimensional variance for an accessory shed that was placed between the principle usage of the property (single-family residence) and public right-of-way, encroaches into the front-yard setback, and exceed both building as well as impervious lot coverage requirements, for property located at 109 Beach Road, being Map 313, Block 11, Parcel 001.00, in a Residential 4 District.

Phillip Mancini Jr. is properly sworn in

Mr. Mancini explains to the board that he is the engineer for project and the surveyor. He also explains that he is here before the board tonight because the owners live in Florida and the tenant who currently resides at 109 Beach Road had an accident and could not appear for tonight's meeting.

Zoning Officer explains to the board that authorization for conditions of approval and agree to any stipulations were given to the tenant who currently is not present tonight. He explains that there are concerns since Mr. Mancini cannot give authorization for approval.

Solicitor Conley explains that the board can continue hearing the case but there would be no consent of anyone with authority to agree to any stipulations if any were requested but does warn the board that it would be easier for the petitioners to appeal.

Motion by Mr. Cunha to continue the petition until 6 June 2018 for Mr. Mancini to obtain authorization or have the tenant who already has authorization be present. The motion is Seconded by Vice Chairman Beauparlant.

Roll Call Vote

Mr. Cunha - Aye

Vice Chairman Beauparlant – Aye

Ms. Toledo – Aye

Mr. Braga – Aye

Chairman Saveory – Aye

This petition has now been continued until 6 June 2018.

2. Petition No. 6692 - Sandra Cunha – requests a dimensional variance to construct an addition above an accessory garage as well as a secondary rear-yard addition, without complying with requisite setbacks and exceeding lot coverages, for the property located at 134 Don Avenue, being Map 403, Block 13, Parcel 1.1, in a Residential 3 District.

Please note for the record Mr. Pascoa and Mr. Cunha have recused themselves due to personal conflicts and Mr. Croke will be a voting and participating member.

Helder Cunha of 134 Don Avenue, Rumford, RI is properly sworn in.

Mr. Cunha explains that he recently purchased the home and would like to extend roof line from the front to back of garage for walk in closet space.

Vice Chairman Beauparlant inquires if the roof line will be going just straight back and will not interfere with the side yard.

Mr. Cunha answers yes that is correct.

Vice Chairman Beauparlant inquires if the front half of garage is going to be turned into a bedroom.

Mr. Cunha replies that it is already is a bedroom.

Mr. Croke has no questions but compliments the property.

Ms. Toledo has no questions at this time.

Mr. Braga has no questions at this time.

Chairman Saveory explains that his concerns have already been addressed and has no further concerns.

Chairman Saveory inquires if there is anyone else present who would like to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory inquires the board for a motion,

Motion by Vice Chairman Beauparlant, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:

1. The hardship from which the applicant 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 excepting those physical disabilities addressed in RIGL 45-24-30(16).

2. The 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.

3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter

is based.

4. That the relief to be granted is the least relief necessary.

Vice Chairman Beauparlant hereby further finds pursuant to Section 19-45(b) of the City of East Providence Zoning Ordinance:

5. In granting the dimensional variances, that the hardship that will be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.

Vice Chairman Beauparlant moves that the dimensional variances be Granted subject to the petitioner fulfilling the following conditions:

1. Petitioner(s) obtaining any, and all, necessary permits.

Chairman Saveory asks Mr. Cunha if he accepts the conditions of approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Mr. Cunha responds that he fully understands and accepts the conditions just stipulated.

Motion is Seconded by Toledo

Roll Call Vote

Mr. Croke – Aye The board feels that the location of the house is where

Mr. Braga – Aye the hardship lies and will not negatively impact the

Ms. Toledo- Aye neighborhood. The board feels that this is minimal work

Vice Chairman Beauparlant– Aye being requested and will improve the home and the

Chairman Saveory –Aye surrounding area.

**Dimensional variances unanimously granted, subject to the
aforementioned condition(s).**

3A. Petition No. 6685- Maria A. Ferro – requests a waiver of the Class I survey submission requirement, for property located at 55 Waterman Avenue, being Map 105, Block 06, Parcel 023.00, in a Residential 6 District.

Please note this request was denied by the board on 4 April 2018

3B. Petition No. 6685 - Maria A. Ferro, requests a special use permit to convert the present commercial property (improved with a hair salon) to a mixed-use single-family residence and hair salon, necessitating a special use permit to permit said conversion, for property located at 55 Waterman Avenue, being Map 105, Block 06, Parcel 023.00, in a Residential 6 District.

Please note for the record Mr. Pascoa and Mr. Cunha have returned to the board and Mr. Croke will be participating but not a voting member.

Attorney Bruce Cox is representing the applicant.

Attorney Cox explains to the board that they have just submitted the requested Class 1 survey. He then explains that the building is currently commercial being used as a hair salon. The applicant wishes to convert half the building to residential handicap accessible apartment. Attorney Cox notes that the Planning Department had no objection to the proposal. Attorney Cox also mentions that there parking requirements are over met if this petition is granted. He further explains that for residential properties only requires 2 spots and the commercial will only require 5 spots when there is a total of 10 spots on the lot.

Mr. Braga inquires if the existing salon is going to be cut in half.

Attorney Cox answers yes it will be cut length wise, the apartment will be out on the front half and the salon will be the back half of the building.

Mr. Braga inquires if the residential parking spots are clearly marked.

Attorney Cox answers yes, parking spots #4 and #5 will be for the residential apartment.

Mr. Braga explains he has no issues with the purposed work.

Vice Chairman Beauparlant inquires if the apartment will be facing Summit Street and the salon will be facing Waterman Avenue.

Attorney Cox answers yes that is correct.

Mr. Cunha has no questions.

Mr. Pascoa has no questions.

Mr. Croke has no questions.

Ms. Toledo has no questions.

Chairman Saveory inquires if there will be a galley kitchen installed.

Maria Ferro is properly sworn in who owns the building at 55 Waterman Avenue, E. Providence, RI

Ms. Ferro answers yes there will be.

Chairman Saveory inquires if the entire apartment will be ADA

compliant and inquires how many bedrooms will be in the apartment.

Ms. Ferro answers yes it will, it will even have a roll in shower in the bathroom. There will only be one bedroom.

Vice Chairman Beauparlant inquiries about the current business hours for the salon.

Ms. Ferro answers from Tuesday-Sunday 10am until 5pm.

Vice Chairman Beauparlant would like to make it a stipulation that 2 parking spots are clearly marked for the tenants only whether by on the surface or with a sign.

Chairman Saveory inquires if there is anyone present who would like to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory queries the Board for a motion.

Motion by Mr. Braga, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:

1. That the use is compatible with neighboring land uses.

- 2. The use does not create a nuisance in the neighborhood.**
- 3. That the use does not hinder the future development of the City.**
- 4. That the use conforms to all applicable sections of the special use requested.**
- 5. That the use is in conformance with the purpose and intent of the East Providence Comprehensive Plan and applicable standards of this Chapter.**

Mr. Braga moves that the special use permit be Granted subject to the petitioner fulfilling the following conditions:

- 1. Petitioner(s) obtaining any, and all, necessary permits.**
- 2. Compliance with the submitted site plan (or amended site plan as it may be applicable), all exhibits, and entire testimony provided during the respective hearing.**
- 3. The clearly mark parking spots #4 and #5 on the surface or by signage “Tenants Only”**

Chairman Saveory asks Ms. Ferro if she accepts the conditions of

approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Ms. Ferro responds that she fully understands and accepts the conditions just stipulated.

The motion is Seconded by both Vice Chairman Beauparlant

Roll Call Vote:

Ms. Toledo - Aye **The board feels that this will not be a nuisance**
Mr. Croke - Aye **and that this is a reasonable petition.**

The mix

Vice Chairman Beauparlant- Aye use is compatible with the area, and the

Mr. Braga - Aye **commercial space will be less intensive.**

Chairman Saveory - Aye

Th is will also be welcoming for the community.

**Special Use Permit unanimously granted, subject to the
aforementioned condition(s).**

4. Petition No. 6694 - Joel L. DeMelo, is requesting a variance modification to modify the stipulated conditions associated with an

approved zoning decision permitting the construction of a two-unit dwelling; said conditional modification amending the language from 'strict compliance' to 'substantial compliance', to permit architectural changes (massing, height, etc.), to the referenced two-unit dwelling, for property located at 36 – 38 James Street, being Map 106, Block 7, Parcel 020.10, in a Residential 6 District.

Please note for the record Chairman Saveory and Mr. Braga have recused themselves due to personal conflicts and Mr. Croke and Mr. Pasoca will be voting and participating members and Vice Chairman Beauparlant will be sitting in as Chairman.

Attorney Christine Engustian with offices at 1 Grove Avenue, E. Providence, RI is representing the petitioner.

Attorney Engustian explains to the board that this petitioner was already given a variance by this board back in 2012 and would now like to modify that variance. Attorney Engustian explains that Mr. DeMelo received his variance and his permits it was after construction began he notified by the Zoning Officer that he was not complying with the variance approved to him and work has ceased. The height of the structure is now 3.5 feet higher than the originally approved height and the petitioner would like to modify the original plan for the basement.

Joel DeMelo who owns 36-38 James Street, E. Providence, RI is properly sworn in

Mr. DeMelo explains that he would like to change the basement plan by cutting the basement in half and having the 2nd floor tenants have a side of the basement for laundry/storage with their own entry way. Then he would like the 1st floor to have the majority of space in the basement that would have an internal means of egress and an exterior means of egress.

Mr. Croke expresses he concerns with so many entrances/exits to the basement and could lead to an eventual illegal basement apartment later on and would like to see a stipulation stating the home will remain a 2 family dwelling.

Mr. DeMelo says that he agrees with the stipulation.

Ms. Toledo inquires about what happened during construction, were these issues overlooked and came up later in time.

Mr. DeMelo explains that it was a mistake from excavation that he didn't dig down deep enough and he didn't realize the height would've been an issue.

Mr. Cunha has no questions at this time.

Mr. Pascoa has no questions at this time.

Chairman Beauparlant explains that although the property looks nice he has concerns about possible illegal 3rd unit coming up in the future and wants to be explained how this will be prevented. He inquires if there is really a need for an external exit from the basement.

Attorney Engustian explains that it would just be another means of egress and that only the 1st floor tenants will be given a key to the exterior door to the basement.

Chairman Beauparlant inquires if there will be a kitchen or bathroom installed.

Mr. DeMelo explains that there are no plans for a kitchen but is laying out for a bathroom.

Mr. Cunha inquires where the furnaces will be located.

Mr. DeMelo explains that for the 1st floor furnace he will have a furnace room in basement and that the 2nd floor furnace will be in the attic.

Mr. Cunha purposes the furnace room be off that exterior exit in the living space which will make it harder to turn into an illegal 3rd unit.

Mr. Croke expresses concerns if what if the furnace will be wall mounted, those are less evasive.

Mr. DeMelo agrees to the stipulation and explains that the furnace for the 1st floor will be a full service furnace with duct work and will not be a wall mount furnace.

Chairman Saveory inquires if there is anyone present who would like to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition.

Dolores Silva is properly sworn in.

Ms. Silva explains to the board that she had originally thought the plans were for a 3 family and after hearing testimony and discovering plans were for a 2 family she would like it to stay that way. She also mentions she has a hard time believing that Mr. DeMelo with his experience could have made such a mistake.

Motion by Mr. Croke to modify the previous variance from 2012 with the following stipulations.

- 1. The house is to remain a 2 family dwelling**
- 2. The exterior means of egress will be through the furnace room in the basement in the living space that will serve the 1st floor.**

The motion is Seconded by Mr. Cunha

Roll Call Vote

**Mr. Croke – Aye The board feels that these are minor deviations
Ms. Toledo - Aye from the 2012 plans, and one is from a mistake
Mr. Cunha- Aye by the owner. The stipulations will help the
house
Mr. Pascoa – Aye to remain a two family dwelling and will
Chairman Beauparlant - Aye compatible with the neighborhood.**

The modification of the variance is unanimously granted, subject to the aforementioned condition(s).

Please note for the record Chairman Saveory and Mr. Braga have returned to the board and Mr. Croke and Mr. Pascoa will be participating but not voting members.

Chairman Saveory requests a 10 minute recess at 08:20pm. The board reconvenes at 08:34pm

5A. Petition No. 6697- Patalano Investments, LLC, requests a use variance to utilize a pre-existing commercial building for retail and personal convenience purposes, otherwise defined as prohibited land uses within a residential district, for property located at 684 – 686 Willett Avenue, being Map 512, Block 12, Parcel 004.00, in a

Residential 3 District.

5B. Petition No. 6698 - Patalano Investments, LLC, requests a dimensional variance to utilize a pre-existing commercial building for retail and personal convenience purposes, without complying with the requisite off-street parking and regulations, provision of trash storage, and signage regulations, for property located at 684 – 686 Willett Avenue, being Map 512, Block 12, Parcel 004.00, in a Residential 3 District.

Attorney Ronald Warr with offices at 47 Bullocks Pt. Ave Riverside, RI is representing the petitioners

Attorney Warr explains that back in 2006 the Zoning Board of Review allowed a subdivision of the residential and commercial properties. Patalano Investments, LLC purchased the commercial building in October 2017 and currently a gift basket shop is currently in one unit and the other unit is empty but has a perspective tenant who is an artist/tattooist.

Mr. Cunha notes that in the Planning Department's comments they express concerns about off street parking requirements.

Attorney Warr explains that the site has 5 spots, including 1 handicap parking space.

Mr. Cunha inquires about commercial dumpster storage area concerns and the fact there is no trash area on site.

Attorney Warr explains that the current tenant doesn't even use trash area, and that she takes all trash home and disposes it there.

Mr. Cunha notes that is not fair to the city since the city fits the bill for the residential trash remove and inquires what will the potential tattoo artist tenant going to do with his trash.

Mr. Pascoa has no questions at this time.

Mr. Croke explains that he does not agree with the trash situation especially since there is a medical component to the trash situation with tattooing.

Ms. Toledo inquires how many employees will be on the site.

Attorney Warr explains that 1-2 employees for the tattoo shop and only 1 for gift basket shop and the tattoo will be by appointment only.

Ms. Toledo inquires about signage for the tattoo shop.

Attorney Warr explains that although there are no plans or an idea of a size it will not be anything flashy.

Ms. Toledo expresses her concerns with the parking situation, the fact there are no plans for signage, and the lack of a plan for trash disposal for the tattoo shop.

Attorney Warr explains that the tattoo parlor will be by appointment only with the possible hours of 11am-7pm. Attorney Warr continues to explain that the building has been there for over 50 years with the same parking situation.

Mr. Braga explains that he has no issue with the proposed tenant or the parking but does have an issue granting a petition regarding signage when there is no defined size or design of the sign. He would also like a stipulation that the trash for the tattoo shop be properly removed by a professional.

Vice Chairman Beauparlant believes that this is an over intensification of the area with the parking and proposed use. Vice Chairman Beauparlant understands that this artist will have one customer at a time but what happens later down the line a completely different tattoo shop moves in.

Chairman Saveory expresses his concerns with parking and the trash removal. Chairman Saveory doesn't believe this will be good for the neighborhood and that it will be creating a hardship.

Chairman Saveory inquires if there is anyone present who would like

to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition.

Shannon Koemm of 682 Willett Ave, Riverside, RI is properly sworn in.

Ms. Koemm explains that she has issues with parking situation and believes that with previous businesses before that patrons would block her driveway. She notes that there is no room for a dumpster on the site and has concerns with children in the area and the possible misuse of disposing needles.

Ralph Gonzalez Mcelroy of 678 Willett Ave, Riverside, RI is properly sworn in.

Mr. Gonzalez-Mcelroy explains that parking in that area is an issue and that he doesn't want another business there, especially a tattoo parlor.

John Twomey of 7 Rounds Ave, Riverside, RI is properly sworn in.

Mr. Twomey explains that he has seen businesses going in and out of that building and has concerns that the tattoo parlor will cause the house values to go down and bring the neighborhood down as well. He also expresses his concerns with parking and the disposal of the potential hazardous waste and that there is no room for a dumpster.

Christine Rossi of 87 Shore Road, Riverside, RI is properly sworn in.

Ms. Rossi explains that she was once a tenant in that building and that back then it was one unit but shortly after the owner had put up a wall and created two units. Ms. Rossi explains that it was a nightmare running her business there with the parking and issues with snow removal. When the snow would be removed you would lose 2 parking spaces.

Attorney Warr puts in a formal request for a 60 day continuance to make revisions to the petition and will submit three weeks ahead of time for review by the Zoning Officer and the neighbors.

Motion by Mr. Cunha to continue the petition until 11 July 2018 for Attorney Warr to make revisions to the purposed petitions. The motion is Seconded by Ms. Toledo.

Roll Call Vote

Vice Chairman Beauparlant – Aye

Ms. Toledo - Aye

Mr. Cunha- Aye

Mr. Braga – Aye

Chairman Saveory – Aye

This petition has now been continued until 11 July 2018.

VIII. New Business

1. Petition No. 6699 - Charles and Elizabeth Silva, request a dimensional variance to construct an addition onto a present single-family dwelling without complying with the minimum side-yard setback requirement, for property located at 1461 South Broadway, being Map 108, Block 01, Parcel 004.00, in a Residential 3 District.

Elizabeth Silva of 1461 S. Broadway, E. Providence, RI is properly sworn in

Ms. Silva explains to the board that she had originally bought the home in October 2017 and would like to make addition onto their house since they work from home and have a small family.

Ms. Toledo explains that she has no problem with the plans but inquires if this was the original intent or did the idea for the addition come up later in time.

Ms. Silva explains that the property does have a large piece of land but did want to add on to it. Ms. Silva also explains they will be removing the sunroom to make this addition.

Mr. Braga notes that there is a side yard setback that already exists but the addition will be in line with the rest of the house.

Vice Chairman Beauparlant inquires if the Silva's had a conversation with their neighbor.

Charles Silva of 1461 S. Broadway, E. Providence, RI is properly sworn in

Mr. Silva explains that he did speak to her but didn't go into full detail about the addition.

Mr. Cunha believes it will be an improvement to the home and the area.

Mr. Pascoa has no questions.

Mr. Croke has no questions.

Chairman Saveory explains that the plans look nice and doesn't have any concerns.

Chairman Saveory inquires if there is anyone present who would like to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory queries the Board for a motion.

Motion by Ms. Toledo, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:

1. The hardship from which the applicant 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 excepting those physical disabilities addressed in RIGL 45-24-30(16).

2. The 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.

3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter is based.

5. That the relief to be granted is the least relief necessary.

Ms. Toeldo hereby further finds pursuant to Section 19-45(b) of the City of East Providence Zoning Ordinance:

5. In granting the dimensional variances, that the hardship that will be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.

Ms. Toeldo moves that the dimensional variances be Granted subject

to the petitioner fulfilling the following conditions:

1. Petitioner(s) obtaining any, and all, necessary permits.

Chairman Saveory asks Mr. and Ms. Silva if they accept the conditions of approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Mr. and Ms. Silva respond that they fully understand and accepts the conditions just stipulated.

Motion is Seconded by Vice Chairman Beauparlant

Roll Call Vote

Mr. Croke – Aye	The board feels that the lot is a large size and can
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Mr. Braga – Aye **handle having the addition.**

The addition will be in

Ms. Toledo- Aye line with the rest of the home.

Vice Chairman Beauparlant– Aye

Chairman Saveory –Aye

**Dimensional variances unanimously granted, subject to the
aforementioned condition(s).**

2. Petition No. 6700 - Edward and Margaret Burgess, request a dimensional variance to construct an addition onto a present single-family dwelling without complying with the minimum front-yard setback requirement as well as exceeding the maximum building coverage, for property located at 45 Bent Road, being Map 402, Block 18, Parcel 001.00, in a Residential 3 District.

Elaine Casey Lemieux is properly sworn in.

Ms. Casey Lemieux is the designer of the project and explains to the board that the plans for the style of the roof has changed since submitting the plans and would like to submit new plans showing the new roof.

Motion by Vice Chairman Beauparlant to accept the plans showing the changes to the roof as Exhibit A, the motion is Second by Mr. Cunha.

Motion by Vice Chairman Beauparlant to accept pictures of other homes in the area that are similar as Exhibit B, the motion is Second by Ms. Toledo

Edward Burgess of 45 Bent Road, Rumford, RI is properly sworn in.

Mr. Burgess explains that he has talked to his neighbors and they

seem enthusiastic about the updates

Vice Chairman Beauparlant believes he has spoken with same neighbor and agrees with Mr. Burgess that his neighbor was excited for the updates. He also mentions that the plans look good.

Mr. Cunha has no concerns with the purposed work.

Mr. Pascoa has no questions.

Mr. Croke inquires if the Burgess' intend to live in the house?

Mr. Burgess explains that yes they will be downsizing from their previous home on the East Side of Providence.

Ms. Toledo has no questions at this time.

Mr. Braga has no questions at this time.

Chairman Saveory has no questions at this time.

Chairman Saveory inquires if there is anyone present who would like to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory queries the Board for a motion.

Motion by Vice Chairman Beauparlant, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:

1. The hardship from which the applicant 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 excepting those physical disabilities addressed in RIGL 45-24-30(16).

2. The 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.

3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter is based.

6. That the relief to be granted is the least relief necessary.

Vice Chairman Beauparlant hereby further finds pursuant to Section 19-45(b) of the City of East Providence Zoning Ordinance:

5. In granting the dimensional variances, that the hardship that will

be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.

**Vice Chairman Beauparlant moves that the dimensional variances be
Granted subject to the petitioner fulfilling the following conditions:**

- 1. Petitioner(s) obtaining any, and all, necessary permits.**

Chairman Saveory asks Mr. and Ms. Burgess if they accept the conditions of approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Mr. and Ms. Burgess respond that they fully understand and accepts the conditions just stipulated.

Motion is Seconded by Mr. Cunha

Roll Call Vote

Mr. Croke – Aye	The board feels that this is a reasonable and minimal
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Mr. Braga – Aye request. These improvements will be bringing

Ms. Toledo- Aye the house up with the rest of the neighborhood.

Vice Chairman Beauparlant– Aye

Chairman Saveory –Aye

Dimensional variances unanimously granted, subject to the aforementioned condition(s).

3. Petition No. 6701. - Dana L. Toy and Susan C. Quattrucci, request a dimensional variance to construct an addition onto a present single-family dwelling without complying with the minimum side-yard setback requirement as well as exceeding the maximum building coverage and impervious lot coverage requirements, for property located at 44 Harold Street, being Map 514, Block 03, Parcel 003.00, in a Residential 4 District.

Dana Toy and Susan Quattrucci of 44 Harold Street, Riverside, RI are properly sworn in

Ms. Toy explains to the board that they would like to add bedroom to their home because they take care of infant family members.

Mr. Cunha inquires how many bedrooms are there currently.

Ms. Toy explains that they only have 2 bedrooms.

Ms. Quattrucci explains to the board that they are not adding any bathrooms they just need the extra bedroom.

Mr. Croke has no concerns.

Ms. Toledo has no questions.

Mr. Braga has no questions.

Vice Chairman Beauparlant has no questions.

Chairman Saveory feels that this will have no impact on the neighborhood so he has no concerns.

Chairman Saveory inquires if there is anyone present who would like to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory queries the Board for a motion.

Motion by Mr. Cunha, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:

1. The hardship from which the applicant 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 excepting those physical disabilities addressed in RIGL 45-24-30(16).

2. The 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.

3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter is based.

7. That the relief to be granted is the least relief necessary.

Mr. Cunha hereby further finds pursuant to Section 19-45(b) of the City of East Providence Zoning Ordinance:

5. In granting the dimensional variances, that the hardship that will be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.

Mr. Cunha moves that the dimensional variances be Granted subject to the petitioner fulfilling the following conditions:

- 1. Petitioner(s) obtaining any, and all, necessary permits.**
- 2. The home must stay a single family home.**

Chairman Saveory asks Ms. Toy and Ms. Quattrucci if they accept the

conditions of approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Ms. Toy and Ms. Quattrucci respond that they fully understand and accepts the conditions just stipulated.

Motion is Seconded by Ms. Toledo

Roll Call Vote

Mr. Croke – Aye **The board feels that this is a reasonable request and**

Mr. Braga – Aye **will not hinder or impact**
the surrounding area

Ms. Toledo- Aye but that it will fit in with the neighborhood.

Vice Chairman Beauparlant– Aye

Chairman Saveory –Aye

**Dimensional variances unanimously granted, subject to the
aforementioned condition(s).**

IX. Procedures

A. Recent City of East Providence Charter Amendments re; Boards and Commissions.

B. Writing Sound Decisions workshop.

X. Announcements

A. The next regular meeting of the Zoning Board of Review is scheduled for Wednesday, 6 June 2018, at 7:00 PM, in the City of East Providence Council Chambers, City Hall, and East Providence, RI.

XI. Adjournment

Motion to adjourn by Ms. Toledo. The motion is Seconded by Vice Chairman Beauparlant and Unanimously voted to adjourn. Meeting is adjourned at 09:58 P.M.

Edward Pimentel, AICP

Zoning Officer / Clerk

Secretary