PAWTUCKET BOARD OF APPEALS

ZONING BOARD OF REVIEW
HOUSING BOARD OF REVIEW
BUILDING CODE BOARD OF APPEALS
TAX BOARD OF APPEALS
MINUTES OF THE MEETING & VOTING

DATE: October 26, 2026 TIME: 6:30 p.m.
PLACE: ___ Zoning Office, __X__ Temp. Council Chambers, ____OTHER_____

1. **MEMBERS** **P**resent OR **A**bsent:

A Nathan Luciano	**P** Aguedra D. Del Burgo
P Paula A. McAloon	**P** Kevin Miniati (Alt #1)
P Maribel Echeverry McLaughlin	**P** John DoCouto (Alt #2)
P Russell J. Ferland	

OTHERS: **P** Carl Johnson **P** Stenographer, Cindy Tanguey

2. Any other information relevant to the business of the public body that any member of the public body requests be included or reflected in the minutes. ___ Yes, **X** No

3. **APPEALS:**
NOTE: See attached Public Notice, the application documents, and the stenographer's recordings for a more complete appeal description and applicant's testimony.

4. **RECORD OF THE BOARD'S VOTING:** **A**pproved, **D**enied, **U**phold, or **R**ecused

5. **PUBLIC INPUT:**
No one in attendance had any public input.

6. **ZONING BOARD OF REVIEW:**

APPEAL NO. 1: **Edward R. Laplume,** applicant and owner of the property at 45 Oakdale Avenue, further identified as Tax Assessor's Plat 48 Lot 635, located in an "RT" Residential Two-Family Zone, is requesting a Dimensional Variance under Section 410-46 and ***a Special Use Permit under*** Section 410-12.2(C) of the Pawtucket Zoning Ordinance. The applicant is proposing to place a 288-square-foot shed on the property where a 150-square-foot shed is allowed.
The objectors were heard on October 26, 2026.
A formal hearing was conducted on October 26, 2026.

Mr. Ferland motioned to approve the applicant's appeal for a Dimensional Variance under Sections 410-46 and a Special Use Permit under 410.12.2(C) of the Pawtucket Zoning Ordinance for a 288-square-foot shed on the property where a 150-square-foot shed is allowed, and was seconded by Ms. McLaughlin.

A Paula A. McAloon **A** Agueda D. Del Burgo

A Maribel Echeverry McLaughlin	**A** Kevin Miniati (Alt #1)
A Russell J. Ferland	-- John DoCouto (Alt #2)
-- Nathan Luciano	

The appeal was approved with a 5-0 vote.

FINDINGS:

The subject property consists of Lot 635, containing approximately 7,682 square feet of land, and is improved with a single-family dwelling. The applicant purchased the property in August 2026 and subsequently placed a 12-foot by 24-foot accessory storage shed, containing approximately 288 square feet, on the premises.

The hardship associated with the requested dimensional variance results from a prior action taken by the applicant, who installed the accessory storage shed after purchasing the property.

Although the hardship is self-created, Rhode Island General Laws § 45-24-41 provides that the fact that a hardship is self-created does not, by itself, constitute grounds for denial of a dimensional variance.

The requested dimensional variance will not alter the general character of the surrounding area or impair the intent or purpose of the City's Zoning Ordinance or Comprehensive Plan.

Several accessory storage sheds of comparable size are located within approximately 200 feet of the subject property. Accordingly, the proposed accessory structure is consistent with the established residential character of the neighborhood.

The requested relief generally conforms to the objectives of the City of Pawtucket's Comprehensive Plan.

Section 410-12.2(C) of the City of Pawtucket's Zoning Ordinance identifies accessory storage sheds exceeding 150 square feet as requiring a special use permit.

However, the ordinance does not appear to establish specific and objective criteria governing the issuance of a special use permit for this particular category of accessory structure.

Rhode Island General Laws § 45-24-42(c) provides that where a zoning ordinance does not expressly establish specific and objective criteria for the issuance of a particular category of special use permit, that category shall be deemed a permitted use.

Accordingly, provided that no other applicable provisions of the Zoning Ordinance establish the required criteria, the proposed accessory storage shed shall be treated as a permitted use pursuant to state law.

This determination does not eliminate the requirement to obtain any necessary dimensional relief.

The accessory storage shed is compatible with neighboring residential land uses. Several large accessory storage sheds are located within approximately 200 feet of the subject property.

The proposed structure is consistent with the existing pattern of accessory residential development and will not substantially alter the character of the surrounding neighborhood.

Based upon the testimony and evidence presented by the applicant at the public hearing, together with my personal inspection of the subject property, I find that denial of the requested dimensional variance would result in an adverse impact amounting to more than a mere inconvenience.

Although the hardship results from a prior action of the applicant, this circumstance does not automatically preclude the granting of dimensional relief.

Accessory storage sheds are customary improvements associated with single-family residential properties, and several comparable structures exist within approximately 200 feet of the subject property.

Accordingly, I find that the applicant has satisfied the dimensional variance hardship standard established under Rhode Island General Laws §45-24-41(e)(2), and I support granting the requested dimensional variance.

SPECIAL CONDITIONS: ***Repair the shed as needed.***

SEE STENOGRAPHER'S NOTES

7. HOUSING BOARD OF REVIEW:
No appeals this month.

8. BUILDING CODE BOARD OF APPEALS:
No appeals this month.

9. TAX BOARD OF APPEALS:
The Tax Board of Appeals will hear appeals on November 30, 2026.

10. NEW BUSINESS: ***None.***

11. OLD BUSINESS: ***None.***

Respectfully submitted,

Russell J. Ferland

Russell J. Ferland, Secretary