

STATE OF RHODE ISLAND PROVIDENCE

CITY OF EAST

COUNTY OF PROVIDENCE MINUTES

ZONING BOARD OF REVIEW

A special meeting of the East Providence Zoning Board of Review was held at 6:00 P.M., on Wednesday, **20 May 2020**. ***The meeting is scheduled to be in a Virtual Format due to the City Hall being closed to the public at the present time.***

The following members were present:

Eugene Saveory – Chairman

Michael Beauparlant – Vice-Chairman

Pier-Mari Toledo

John Braga

Richard Croke, Sr.

Gary Pascoa – 1st Alternate

Edward Pimentel – Zoning Officer / Clerk

Michael Marcello – 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 City Solicitor Michael Marcello to swear in the Zoning Officer, Mr. Pimentel.

II. SEATING OF ALTERNATE MEMBERS

Chairman Saveory informs the public that all members are present and that Mr.

Pascoa, 1st Alternate will be participating but not a voting member tonight.

III. APPROVAL OF ZONING BOARD MINUTES

A. Chairman Saveory asks for approval of the 15 January 2020, Zoning Board of Review Minutes. Motion by Ms.

Toledo to approve the 15 January 2020, Zoning Board of Review Minutes. The motion is Seconded by Mr. Braga and Unanimously approved.

B. Chairman Saveory asks for approval of the 12 February 2020, Zoning Board of Review Minutes. Motion by Ms.

Toledo to approve the 12 February 2020, Zoning Board of Review Minutes. The motion is Seconded by Vice Chairman Beauparlant and Unanimously approved.

C. Chairman Saveory asks for approval of the 4 March 2020, Zoning Board of Review Minutes. Motion by Mr. Braga

to approve the 4 March 2020, Zoning Board of Review Minutes. The motion is Seconded by Vice Chairman Beauparlant and Unanimously approved.

D. Chairman Saveory asks for approval of the 1 April 2020, Zoning Board of Review Minutes. Motion by Ms. Toledo

to approve the **1 April 2020**, Zoning Board of Review Minutes. The motion is **Seconded by Mr. Braga** and **Unanimously** approved.

E. Chairman Saveory asks for approval of the **6 May 2020**, Zoning Board of Review Minutes. **Motion by Ms. Toledo** to approve the **6 May 2020**, Zoning Board of Review Minutes. The motion is **Seconded by Vice Chairman Beauparlant** and **Unanimously** approved.

IV. ZONING OFFICER'S REPORT

The Zoning Officer, Edward Pimentel announces that there is nothing to report.

V. CORRESPONDENCE / DISCUSSION

None.

VI. STAFF REPORTS

A. Planning Department Staff Report - 15 May 2020 - Previously Submitted

B. Zoning complaint list - Previously Submitted

VII. CONTINUED BUSINESS

None.

VIII. NEW BUSINESS

Petition No. 6786 - 10 TRIPPS HOLDINGS, LLC, and PACE ORGANIZATION OF RHODE ISLAND, request a **use variance** to convert a prior call center to a comprehensive health center serving older adults, associated services being inclusive of all medically related activities, food service, recreational and occupational activities, and an assortment of other necessary services (flexibility being required to ensure their client based needs are fully met), otherwise defined as a prohibited land use due to the fact that the uniqueness of the referenced land usage is not expressly defined with the zoning ordinance, for property located at **10 TRIPPS LANE, being MAP 509, BLOCK 1, PARCEL 4, in an INDUSTRIAL 1 DISTRICT.**

Attorney Christine Engustian with offices located at **1 Grove Avenue, E. Providence, RI** is representing **PACE**. **Attorney Engustian** explains that 10 Tripps Lane is a single building that is vacant, it was previously occupied by Citizens Bank. **Attorney Engustian** further explains that her client would like to provide uses for health and wellness categories and having a single use variance that could cover these categories would ensure that PACE is permitted going forward. **Attorney Engustian** believes that this would not alter the general character of the area since there are currently several medical buildings nearby such as Orchard View nursing home, Hattie Ide nursing home and the Brown University medical building. Even in the Planning Board's memo on the 2nd page states that the "purposed use is generally consistent with the City's comprehensive plan..."

Joan Kwiatkowski, employee of the applicant, is properly sworn in.

Ms. Kwiatkowski explains to the board that she has been the chief executive officer for PACE for 15 years. She further explains that PACE is a non-profit health care provider for the elderly, which offers nursing, social work, meal support, primary care, etc. If this variance passes **Ms. Kwiatkowski** explains there would be about 120-200 employees and the expected hours of operation would be Monday-Saturday 7am-5:30pm.

Attorney Engustian inquires if there would be any noises or odors coming from the building.

Ms. Kwiatkowski answers no.

Attorney Engustian explains that there will be outside signage and the petitioners will request a separate variance for the signage once this variance is approved.

Ms. Toledo inquires about the room for a separate tenant, would the potential tenant be in line with PACE?

Ms. Kwiatkowski explains that they are not sure yet since there is no tenant lined up.

Ms. Toledo inquires if there is meal preparation will there be a cooking facility on site and if so where will it be located.

Ms. Kwiatkowski answers yes, there will be a cook kitchen in more central area of the building. PACE provides breakfast, lunch and give out take home dinners.

Ms. Toledo notes the sections of the floor plan and inquires will there be any construction or more open

space.

Ms. Kwiatkowski answers yes there will be more constructionsince the building before was used as a call center and has cubicles throughoutthe space.

Ms. Toledo inquiresabout medication management and if there will be storing of medications or apharmacy onsite.

Ms.Kwiatkowski answers yes there willbe medical clinics onsite and will be a secure med room that will be locked andhave cameras but no pharmacy.

Ms.Toledo inquires about if there will be laundry,dentist and x-rays available onsite.

Ms.Kwiatkowski explains that yes withinthe building that dentist come in and provide dental work, and that they willdo laundry for clients. They will even have a lab come in to do minor work andcurrently have a letter from D.O.H saying that all of this is okay.

Ms.Toledo inquires about the 10-15 passenger vans andwill they be parked on the premises and will there be a garage.

Ms.Kwiatkowski answers yes they willparked on the premises and there are no plans for a garage.

ViceChairman Beauparlant inquires if anyone will be in thebuilding overnight.

Ms.Kwiatkowski answers no.

ViceChairman Beauparlant inquires in the clinicians are broughtin from the outside or employed to be onsite.

Ms.Kwiatkowski answers that they areemployed.

ViceChairman Beauparlant inquires about medical waste beingonsite.

Ms.Kwiatkowski answers yes there willbe but they have a company dispose of it just like hospitals do.

ViceChairman Beauparlant inquires about if there is outsidestorage plan.

Ms.Kwiatkowski answers no.

Vice Chairman Beauparlant inquires how long theproperty has been vacant for.

Ms.Kwiatkowski answers about 3 years.

ViceChairman Beauparlant inquires if the owner is currentlytrying to market the property.

Ms.Kwiatkowski answers she is not sure.

ViceChairman Beauparlant inquires if there will be adequateparking for any potential tenant and would they need a variance.

ZoningOfficer explains that since the building was a callcenter and has such a large of amount of spaces currently it would be shockingif the potential tenant needed a variance but if that were to happen then yes.

Mr.Croke has no questions or issues but notes that theproperty has been vacant for a long time and there appears to be plenty ofparking.

Mr.Braga inquires if the building will be rented out asa warehouse.

Ms.Kwiatkowski answers that they wouldjust like to find a tenant to fit in the requirements.

Mr.Pascoa has no questions at this time.

ChairmanSaveory inquires if there will be any plans to changethe footprint of the building, any additions or expansions.

Ms.Kwiatkowski answers no.

ChairmanSaveory inquires about security for the outside of thebuilding.

Ms.Kwiatkowski answers no and that theyhaven't needed it in Providence or Woonsocket but would hire some if it becamenecessary.

ChairmanSaveory inquires if there is a set schedule forattendants.

Ms.Kwiatkowski there are usually shiftsbut it is usually about 8:30am-3:30pm and they do offer transportation. Manythat are coming in are usually there for the entire day.

AttorneyEngustian offers that the petitioners are willing tomake the stipulation of no outside storage.

ZoningOfficer confirms that the vehicles will be parkedoutside in their own area and that there will not be any repairing of thevehicles onsite.

Ms. Kwiatkowski answers yes.

Zoning Officer does note that the area is becoming more medical focused.

Solicitor **Marcello** suggests to the board that they may want to look into making no overnight residents a stipulation.

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:

That the use is compatible with neighboring land uses.

The use does not create a nuisance in the neighborhood.

That the use does not hinder the future development of the City.

That the use conforms to all applicable sections of the special use requested.

That the use is in conformance with the purpose and intent of the East Providence Comprehensive Plan and applicable standards of this Chapter.

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

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

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.

No outside open storage with the exception of transportation vehicles.

No repairs of the vehicles to be done onsite.

No overnight residents allowed.

Chairman Saveory asks **Ms. Kwiatkowski** 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. Kwiatkowski** responds that she fully understands and accepts the conditions just stipulated.

Motion is Seconded by Vice Chairman Beauparlant

Roll Call Vote

Mr. Braga – Aye	The board feels that this will fit into the area and will
Ms. Toledo – Aye	not a nuisance since there are currently other medical
Mr. Croke – Aye	buildings in the area. The property has been vacant
Vice Chairman Beauparlant – Aye	for some time so it will be otherwise hard to find a
Chairman Saveory – Aye	suitable tenant. The hours are not intensive and there
	will be no overnight residents allowed. The board
	welcomes PACE.

Use Variance unanimously granted, subject to the aforementioned condition(s).

IX. PROCEDURES

A. None

X. ANNOUNCEMENTS

XI. ADJOURNMENT

Motion to adjourn by **Ms. Toledo** The motion is **Seconded** by **Mr. Braga** and **Unanimously** voted to adjourn. Meeting is adjourned at 7:01pm.

