

STATE OF RHODE ISLAND CITY OF EAST PROVIDENCE

COUNTY OF PROVIDENCE MINUTES

ZONING BOARD OF REVIEW

A meeting of the Zoning Board of Review is scheduled for **2 June 2021**, at 6:00 P.M. The meeting is scheduled to be purely in a **Virtual Format** due to the **Executive Order by the Governor and the Mayor of East Providence**.

The following members were present:

Eugene Saveory – Chairman

Michael Beauparlant – Acting Chairman

John Braga – **ABSENT**

Richard Croke, Sr.

Gary Pascoa

Matthew Robinson – 1st Alternate

Andrew Cotton – 2nd Alternate – **ABSENT**

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 the stenographer to swear in the **Zoning Officer, Mr. Pimentel**.

II. SEATING OF ALTERNATE MEMBERS

Chairman Saveory informs the public that **Mr. Braga** is absent tonight and **Mr. Robinson** will be a participating and voting member.

III. APPROVAL OF ZONING BOARD MINUTES

Chairman Saveory asks for approval of the **3 March 2021**, Zoning Board of Review Minutes. **Motion by Vice**

Chairman Beauparlant to approve the **3 March 2021**, Zoning Board of Review Minutes. The motion is **Seconded** by **Mr. Croke** and **Unanimously** approved.

Chairman Saveory asks for approval of the **14 April 2021**, Zoning Board of Review Minutes. **Motion by Vice**

Chairman Beauparlant to approve the **14 April 2021**, Zoning Board of Review Minutes. The motion is **Seconded** by **Mr. Robinson** and **Unanimously** approved.

Chairman Saveory asks for approval of the **regular 5 May 2021**, Zoning Board of Review Minutes. **Motion by Mr.**

Croke to approve the **regular 5 May 2021**, Zoning Board of Review Minutes. The motion is **Seconded** by **Mr.**

Robinson and **Unanimously** approved.

Chairman Saveory asks for approval of the **appeal 5 May 2021**, Zoning Board of Review Minutes. **Motion by Mr. Croke** to approve the **appeal 5 May 2021**, Zoning Board of Review Minutes. The motion is **Seconded by Mr. Robinson** and **Unanimously** approved.

IV. ZONING OFFICER'S REPORT

Mr. Pimentel explains that there is none.

III. CORRESPONDENCE/ DISCUSSION

A. Request of the following items to the 14 July 2021, due to failure to re-notice and re-advertise, as well as preparation of respective survey and traffic report. **CIRCLE HOLDINGS, LLC**, seeks permission to introduce a Medical Marijuana Compassion Center, otherwise defined as a prohibited land use, without submission of a Class I Surveyed site plan, for property located at **15 CIRCLE STREET, being MAP 402, BLOCK 4, PARCEL 4, in a COMMERCIAL 2 DISTRICT.**

(Waiver - Petition No. 6840) CIRCLE HOLDINGS, LLC, seeks permission to introduce a Medical Marijuana Compassion Center, otherwise defined as a prohibited land use, for property located at **15 CIRCLE STREET, being MAP 402, BLOCK 4, PARCEL 4, in a COMMERCIAL 2 DISTRICT. (Use Variance - Petition No. 6841)**

Mr. Pimentel explains to the board that due to failure re-notice and re-advertising, as well as preparation of the respective survey and traffic report, the petitioners request a continuance to **14 July 2021.**

Motion by Vice Chairman Beauparlant to continue this petition with re-notice and re-advertising to the **14 July 2021 meeting.** The motion is **Seconded by Mr. Robinson.**

Roll Call Vote

Mr. Pascoa - Aye

Mr. Croke - Aye

Mr. Robinson - Aye

Vice Chairman Beauparlant - Aye

Chairman Saveory - Aye

B. 3400 Pawtucket Avenue, Bank of America, Introduction of several wind energy systems – Use Variance: Formal request to withdraw, as detailed in the attached memo from applicant's legal counsel.

Mr. Pimentel adds that they would like to formally withdraw without prejudice.

Motion by Mr. Pascoa to withdraw the petition without prejudice, the motion is **Seconded by Mr. Robinson.**

C. John Flatley Company, 1279 Wampanoag Trail, Formal request for a six-month extension, as detailed in the attached email from legal counsel. [Previously Submitted]

Mr. Pimentel explains that this is being requested out of abundance of caution since the engineering took longer than expected.

Motion by Mr. Pascoa to grant the six month extension, the motion is **Seconded by Mr. Robinson.**

VI. STAFF REPORTS

1. Planning Department Staff Report – 1 June 2021 - Previously Submitted

VII. CONTINUED BUSINESS

1A. Petition No. 6847 - KLK PROPERTIES, LLC, requests a **waiver** of the mandatory submission of a Class I Surveyed Site Plan, due to the fact that no changes are proposed and there is more than sufficient off-street parking to meet the long-standing usage of property, for property located at **35 SWAN STREET, being MAP 306, BLOCK 24, PARCEL 8, in a RESIDENTIAL 4 DISTRICT.**

[NOTE: Automatically continued from 5 May 2021, due to an insufficient quorum.]

Mr. Pimentel gives the board a brief history regarding the property, the property was previously granted by the board to be a 4 unit. In the 1980's the owners came back before the board to utilize 2 units for a daycare and came to the board for approval. Today they are back to re-establish the 4 units again.

Mr. Croke notes that nothing has changed on the property and is in favor of waiving the survey since going back to the 4 units would eliminate the non-conforming use.

Mr. Robinson believes this is straight forward and has no issues.

Vice Chairman Beauparlant inquires if the board is voting on the waiver first.

Mr. Pimentel answers yes.

Vice Chairman Beauparlant has no questions at this time and is ready to vote.

Mr. Pascoa has no questions at this time.

Chairman Saveory has no questions at this time.

Motion by Mr. Croke to grant the waiver of the class I survey, the motion is **Seconded by Mr. Robinson**.

Roll Call Vote

Mr. Pascoa - Aye

Mr. Croke – Aye

Mr. Robinson – Aye

Vice Chairman Beauparlant - Aye

Chairman Saveory – Aye

The waiver passes 5-0, the board can then continue to hear Petition No. 6847.

1B. Petition No. 6847 - KLK PROPERTIES, LLC, requests a **use variance** to convert a combination daycare and two (2) residential units to a four-unit residence (usage of property that was initially established by variance but extinguished with the issuance of a subsequent variance), for property located at **35 SWAN STREET, being MAP 306, BLOCK 24, PARCEL 8, in a RESIDENTIAL 4 DISTRICT**.

[NOTE: Automatically continued from 5 May 2021, due to an insufficient quorum.]

Lorraine and Dr. Isadore Ramos are properly sworn in.

Ms. Ramos explains to the board that in 1980 she went to the board to change the property from being fully residential to being commercial. She utilized the two upper units to be a pre-school since she was licensed to operate a pre-school. Then Covid-19 came and her pre-school/day care was shut down and it wasn't feasible to stay open. After speaking with their attorney they have decided to turn the building back into a 4 unit.

There are no structural changes to the building and had several city officials come to the property to inspect.

Ms. Ramos also adds that they have spent over \$30,000 on smoke alarms/security systems.

Mr. Croke notes that there is parking and if granted it would be reducing the non-conforming use on the property since the neighborhood is mostly residential.

Mr. Robinson has no questions.

Vice Chairman Beauparlant has no questions.

Mr. Pascoa has no questions.

Chairman Saveory notes that there has not been an external change done and the parking requirement has been met. **Chairman Saveory** understands that this is an unusual situation and has no issues with the petition.

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** inquires if there is anyone present via Zoom. Hearing and seeing none, **Chairman Saveory** queries the Board for a motion.

Motion by Mr. Croke,

Based on all evidence presented to the Zoning Board of Review and personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board of Review hereby finds pursuant to Section 19-45(a) of the City of East Providence Zoning Ordinance:

1. The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not due 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 doesnot result primarily from the desire of the applicant to realize greaterfinancial gain.
- 3.The granting of the requested variance will not alter the general character ofthe surrounding area or impair the intent or purpose of this chapter or thecity’s comprehensive plan upon which this chapter is based.
- 4.The relief to be granted is the least relief necessary.

Mr. Croke moves that the use variance be **Granted** subject tothe petitioner fulfilling the following conditions:

- 1.In granting a use variance the subject land or structure cannotyield any beneficial use if it is required to conform to the provisions of thischapter. Nonconforming use of neighboring land or structures in the samedistrict and permitted use of land or structures in an adjacent district shallnot be considered in granting a use variance.

ChairmanSaveory asks**Dr. and Ms. Ramos** if they accept theconditions of approval just stipulated, understanding that strict compliancemeans that any deviation will necessitate revisiting the Zoning Board ofReview; said revisit may be requested by either the Zoning Officer or anymember of the Zoning Board of Review. **Dr.and Ms. Ramos** responds that they fully understand and accept the conditionsjust stipulated.

Motion is Seconded byMr. Robinson

RollCall Vote

Mr. Pascoa - Aye	Theboard recognizes that the petitioners are
Mr.Croke – Aye	trying to do things the right way. This use will
Mr. Robinson – Aye	beless intense and more in line with the area.

ViceChairman Beauparlant - Aye

Chairman Saveory –Aye

Use variance granted5-0, subject to the aforementioned condition(s).

2. Petition No. 6848 - JT REALTY PARTNERSHIP, seeks a **use variance** to introduce an electronic message menu boardassociated with an existing restaurant (Dunkin Donuts), otherwise identified asa prohibited sign, for property located at **399NORTH BROADWAY, being MAP 304, BLOCK 5, PARCEL 22, in a COMMERCIAL 2DISTRICT. (Use Variance - Petition No.6848)**

[NOTE: Automatically continued from 5 May2021, due to an insufficient quorum.]

Mr. Pimentel explains to the board that the currentordinance doesn’t recognize the difference between signage and menu board, andthat the revised zoning ordinances will be going before the City Council. Thepetitioner’s request a continuance until 4 August 2021 since if the CityCouncil approves the new ordinances than the petitioner would not need thisboard’s approval.

Motion by Vice ChairmanBeauparlantto continue this petition to 4 August2021, the motion is **Seconded by Mr. Croke.**

RollCall Vote

Mr. Pascoa - Aye

Mr.Croke – Aye

Mr. Robinson – Aye

ViceChairman Beauparlant - Aye

Chairman Saveory –Aye

VIII. NEW BUSINESS

1A. Petition No. 6849 - EB PROPERTIES INC., requests a **waiver** of the mandatory submission of a Class I Surveyed Site Plan,due to the fact that no changes are proposed to the exterior and there is morethan sufficient off-street parking, for property located at **656 – 660 BULLOCKS POINT AVENUE, being MAP413, BLOCK 12, PARCEL 2, in a COMMERCIAL 2 DISTRICT.**

Attorney James Briden is representing thepetitioner.

Attorney Briden explains to the board that the perspectivetenant and the owner of the property as present tonight. The proposed use issimilar to a salon and there will be no exterior changes and that there is

morethan sufficient off street parking.

Chairman Saveory inquires to Mr. Pimentel how this petitionended up with the board since the property is already in commercial use.

Mr. Pimentel responds that any application that come tothe zoning board requires a class I survey.

Mr. Croke inquires about the parking since the restaurant does draw a crowd inthe mornings and afternoons.

Mr. Robinson would just like to confirm the address ofthe location since the door says 662 Bullocks Point Avenue.

Mr. Pascoa has no concerns.

Vice Chairman Beauparlant has no concerns.

Chairman Saveory inquires when the building was built.

Peter Baziotis, owner of the property, isproperly sworn in.

Mr. Baziotis answers that he believes the building wasbuilt in the late 1980's and that he believes he has previously submitted asurvey for parking.

Mr. Pimentel explains that it was just a site plan andnot a survey that was prior to the requirement of a class I survey.

Motion by Mr. Robinson to grant the waiver of the class I survey,the motion is **Seconded by Vice ChairmanBeauparlant**.

RollCall Vote

Mr. Pascoa - Aye

Mr.Croke – Nay

Mr. Robinson – Aye

ViceChairman Beauparlant - Aye

Chairman Saveory –Aye

The waiver passes 4-1, the board can then continueto hear Petition No. 6849.

1B. Petition No. 6849 - EB PROPERTIES INC., requests a special usevariance to introduce aneyebrow micro-shading operation (synonymous with a tattoo operation pursuant tothe zoning regulations), otherwise defined as a prohibited land use, forproperty located at **656 – 660 BULLOCKSPOINT AVENUE, being MAP 413, BLOCK 12, PARCEL 2, in a COMMERCIAL 2 DISTRICT.**

Attorney Briden explains that the proposed tenant, **Alicia Lefebvre**, is present to speakabout the use of creating the look of a semi-permanent shading of eyebrows.This does require a tattoo license but the use will not be for tattooing.

Alicia Lefebvre, the proposed tenant, isproperly sworn in.

Ms. Lefebvre explains to the board that she would like todo semi-permanent tattoos shading of eyebrows at the property. The businesswill be by appointment only and it will just be her and one other licensedartist. 100% of her clients are women and most suffer from alopecia. **Ms. Lefebvre** explains that she went toMiami and Las Vegas for training and obtained her tattooing license from thestate of Rhode Island. **Ms. Lefebvre** adds that she has not started the business yet but has been trying to do sosince October 2020.

Mr. Robinson confirms that it will just be micro-shading.

Ms. Lefebvre answers yes, there will be no tattooing.

Mr. Robinson inquires if any other services will beoffered.

Ms. Lefebvre answers that she may want to do eyelashextensions but wanted to get this completed first.

Mr. Croke inquires if she would accept the stipulation of no tattooing body art.

Ms. Lefebvre answers yes especially since she doesn'tknow how to.

Mr. Pascoa inquires about the hours of operation.

Ms. Lefebvre answers that it would be 10am-5pm, it takesabout 3-4 hours to complete service so there

won't be many clients.

Chairman Saveory inquires about the days of operation.

Ms. Lefebvre answers Tuesday-Saturday.

Mr. Baziotis explains to the board that it states in the lease that this will not be a tattoo parlor.

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** inquires if there is anyone present via Zoom. Hearing and seeing none, **Chairman Saveory** queries the Board for a motion.

Motion by Mr. Robinson, 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. Robinson moves that the special use permit be **Granted** subject to the petitioner fulfilling the following conditions:

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

Chairman Saveory asks **Attorney Briden** 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. **Attorney Briden** responds that he fully understands and accepts the conditions just stipulated.

Motion is Seconded by Mr. Croke

Mr. Pascoa - Aye

Mr. Croke - Nay

Mr. Robinson - Aye

Vice Chairman Beauparlant - Aye

Chairman Saveory - Aye

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

Chairman Saveory requests a recess, the board reconvenes at 7:48pm.

2. Petition No. 6850 - S & D REALTY, LLC, seeks a **use variance** to permit introduction of an accessory garage, otherwise defined as an intensification of the present three-unit residential usage of property, stated use having been approved pursuant to the issuance of a use variance, for property located at **0 FISHER STREET, being MAP 207, BLOCK 27, PARCEL 9, in a RESIDENTIAL 3 DISTRICT.**

Attorney Bruce Cox is representing the petitioner.

Attorney Cox explains to the board that the property will now be a 3 unit townhouse style property and should be allowed by right to have the garage but have come back for a use variance. **Attorney Cox** explains that the petitioners will place the garage on the site that will service the end owner for the owner, **Steven Dippillito**, to store his truck since he is a contractor. **Attorney Cox** believes that the Planning Board did not read the decision thoroughly enough since this is not a dwelling unit.

Bradford Travers is properly sworn in.

Mr. Travers explains to the board that the main purpose was to add the accessory garage and will move the garage to make it not a close to the building that then in turn means that the dry wells must be moved. The dry wells themselves are not changing, the plan for them to already be oversized.

Steven Dippolito, owner of the property, is properly sworn in.

Mr. Dippolito explains that he wants to downsize and move to East Providence from Seekonk and would like a space to store his truck, snow blower, lawn mower, etc. **Mr. Dippolito** explains he will not store construction material in the garage and will not run his construction business in this proposed garage.

Mr. Pascoa has no questions at this time.

Vice Chairman Beauparlant has no questions at this time.

Mr. Croke notes that **Mr. Dippolito** already has the 3 units and cannot see the hardship since there will already be a garage.

Mr. Robinson has no questions.

Chairman Saveory inquires if the proposed garage would be strictly to house the large truck.

Mr. Dippolito answers yes.

Chairman Saveory inquires if the units are all separately owned.

Mr. Dippolito answers no, he owns the entire building and will rent out the other units.

Chairman Saveory notes that there was a lot of controversy and concerns from the neighbors, how long has the building been built.

Mr. Dippolito explains that it is still under construction, construction didn't start until November/December and notes that he wasn't originally planning on moving into one of the units.

Chairman Saveory is concerned since that the building isn't completed and **Mr. Dippolito** is already wanting alterations. **Chairman Saveory** inquires what type of utilities will be in the garage.

Mr. Dippolito answers only electricity, he notes that the proposed location of the garage will be hidden from view on S. Broadway.

Chairman Saveory inquires if there will be a loft in the garage and if it will be any windows.

Mr. Dippolito answers there will not be a loft or windows, there will be one over door and one entrance door. The garage will be over 500 sq. ft.

Chairman Saveory inquires if the other garages are functional to the units.

Mr. Dippolito answers yes.

Chairman Saveory notes that the original agreement was that there will be no intensification of the property.

Attorney Cox explains that the property will still be a 3 family, **Mr. Dippolito** is just trying to add an accessory structure.

Mr. Dippolito adds that no other construction will be coming.

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.

Ellen Lowell of 21 Fisher Street E. Providence, RI is properly sworn in.

Ms. Lowell that area where the garage is going to go is a huge area and she personally believes that this was pre-planned. All 3 units have garages, there was more thought about putting a garage there. **Ms. Lowell** is against the garage since she believes it was pre-planned and that something else will get built there.

Robert Henry of 15 Seth Street E. Providence, RI is properly sworn in.

Mr. Henry inquires how big the garage will be.

Mr. Dippolito answers 20x26 in size.

Mr. Henry explains that he doesn't see the need for a large garage, and eventually with most contractors their equipment will be left there and is not sure why he even wants to live there given the issues with Metacomet Country Club.

Chairman Saveory notes for the record that the board has copies of an email from **Mr. Henry** and a letter from **Karen Setzer, also of 15 Seth Street E. Providence, RI**. Both are in opposition of the garage.

Mr. Dippolito explains that all he wants is to have a garage to keep the property clean and not have a truck or

anything hanging around.

Mr. Robinson notes that he wasn't on the board when the first decision came up but the planning department report gives the opinion that this would be in violation of no further intensification. The board was trying to preserve the land which is why there was the allowance of 3 units and believes that this needed to go before this board.

Attorney Cox reads from the previous minutes that Mr. Croke didn't want any further dwellings. Attorney Cox believes this is a fair and reasonable request.

Mr. Dippolito offers to put deed restrictions on the property if it would make the board more comfortable.

Mr. Pascoa inquires if the applicant would be willing to decrease the size of the garage from 20x26 to 20x24, for a total of 480 sq. ft.

Mr. Dippolito answers that he absolutely would.

Maria Dippolito, wife of Steven Dippolito, is properly sworn in.

Mrs. Dippolito explains to the board that her vehicle will occupy the garage attached to the unit and wants her husband to have a garage of his own. Although they will be snow birds they would like to have the room for a snow blower, rakes, shovels, etc. Mrs. Dippolito understands that not many people have the privilege of having a garage but they would like one.

Vice Chairman Beauparlant explains that he would be satisfied with either the deed restriction or the reduction in the size of the garage.

Attorney Cox notes that the stipulations that they are willing to agree to are as follows,

1. Deed restrictions on the property.
2. The size of the garage be reduced to 20x24
3. The only utilities in the garage be electricity.
4. The garage will only be for the vehicle and not for any construction business/materials
5. The garage will be limited to be used by the southernmost unit.

Chairman Saveory queries the Board for a motion.

Motion by Mr. Pascoa,

Based on all evidence presented to the Zoning Board of Review and personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board of Review hereby finds pursuant to Section 19-45(a) of the City of East Providence Zoning Ordinance:

1. The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not due 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 variance 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. The relief to be granted is the least relief necessary.

Mr. Pascoa moves that the use variance be **Granted** subject to the petitioner fulfilling the following conditions:

1. In granting a use variance the subject land or structure cannot yield any beneficial use if it is required to conform to the provisions of this chapter. Nonconforming use of neighboring land or structures in the same district and permitted use of land or structures in an adjacent district shall not be considered in granting a use variance.
2. Deed restrictions on the property.
3. The size of the garage be reduced to 20x24
4. The only utilities in the garage be electricity.
5. The garage will only be for the vehicle and not for any construction business/materials
6. The garage will be limited to be used by the southernmost unit.

Chairman Saveory asks **Mr. Dippolito** 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. Dippolito** responds that he fully understands and accept the conditions just stipulated.

Motion is Seconded by Vice Chairman Beauparlant

Roll Call Vote

Mr. Pascoa - Aye	Members of the board believe that this is not the
Mr. Croke – Nay	least relief necessary and will intensify the
Mr. Robinson – Nay	situation and area. The neighborhood is also
Vice Chairman Beauparlant - Aye	not in favor of this variance.
Chairman Saveory – Nay	

Use variance fails 3-2, subject to the aforementioned condition(s).

Chairman Saveory requests a recess, the board reconvenes at 9:05pm

3. Petition No. 6851 - YASMANI BALCAZAR VACA, seeks a **use variance** to permit conversion of a pre-existing two-unit residence to a three-unit residence, otherwise defined as a prohibited land use, for property located at **21 ARLINGTON STREET, being MAP 106, BLOCK 30, PARCEL 7, in a RESIDENTIAL 6 DISTRICT.**

Attorney Joelle Rocha is representing the petitioner

Attorney Rocha requests that this petition be continued to 14 July 2021 due to a witness falling ill before tonight's meeting. **Attorney Rocha** also inquires if allowed the continuance could her clients call in since they flew in believing that this meeting would be in person.

Chairman Saveory believes that won't be an issue.

Mr. Pimentel inquires to **Solicitor Marcello** inquiring if he has any idea if they will be in person or continue to be virtual.

Solicitor Marcello notes that there is currently a law being proposed to allow hybrid meetings but is not sure when that will pass. **Solicitor Marcello** suggests playing by ear but doesn't think it would violate anything.

Mr. Pimentel notes that he is still feeling out about a quorum for July.

Motion by Mr. Croke to continue this petition to 14 July 2021, the motion is **Seconded by Mr. Robinson.**

IX. PROCEDURES

Chairman Saveory explains that there are no procedures to announce.

X. ANNOUNCEMENTS

The Zoning Board of Review will be serving in their capacity as an Appellate Board, immediately upon adjourning this hearing.

XI. ADJOURNMENT

Motion to adjourn by Mr. Croke. The motion is **Seconded by Mr. Robinson** and **Unanimously** voted to adjourn. Meeting is adjourned at **9:11pm**

Edward Pimentel, AICP
Zoning Officer / Clerk

Secretary