

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

The meeting is scheduled to be purely in a Virtual Format due to the issuance of an Executive Order.

Date: Wednesday, 4 August 2021

Time: 6:00 PM

Location: Virtual Format

Meeting ID: 971-8482-7200

Password: 448738

or Telephone

Calling 1 (877) 853-5247, and entering above Meeting ID No. when prompted

I. Opening Statement by Chairman

A. Swearing in of the Zoning Officer, Edward Pimentel

II. Seating of Alternate Member(s)

III. Approval of Zoning Board Minutes

A. 13 January 2021 [Previously Submitted]

B. 14 April 2021 [Previously Submitted]

C. 2 June 2021 [Previously Submitted]

D. 2 June 2021 - Appeal [Previously Submitted]

E. 14 July 2021 - [Previously Submitted]

F. 14 July 2021 - Appeal [Previously Submitted]

IV. Zoning Officer's Report

V. Correspondence / Discussions

1. Request for six-month extension – 501 Warren Avenue, Joseph Paiva – Request submitted by Attorney Bruce Cox.
2. Request for six-month extension – 109 King Philip Road, Rooftop Solar, Ecology Energy – Request submitted by Attorney Brittany Friese.

VI. Staff Reports

1. Planning Department Staff Report.
2. June Complaint List

VII. Continued Business

1A. JT REALTY PARTNERSHIP, 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 399 NORTH BROADWAY, being MAP 304, BLOCK 5, PARCEL 22, in a COMMERCIAL 2 DISTRICT. (Waiver - Petition No. 6847)

[NOTE: To be continued to 6 October 2021.]

1B. JT REALTY PARTNERSHIP, seeks permission to introduce an electronic message menu board associated with an existing restaurant (Dunkin Donuts), otherwise identified as a prohibited sign, for property located at 399 NORTH BROADWAY, being MAP 304, BLOCK 5, PARCEL 22, in a COMMERCIAL 2 DISTRICT. (Use Variance - Petition No. 6848)

[NOTE: To be continued to 6 October 2021.]

2A. 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)

2B. 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)

3A. DAVID ANTONIO, requests a waiver of the mandatory submission of a Class I Surveyed Site Plan, due to the fact that neither exterior nor interior changes are proposed nor are required and furthermore that all conditions have been the same for in excess of 30-years. Finally, there is more than sufficient off-street parking to meet the long-standing multi-unit residential usage, for property located at 853 BROADWAY, being MAP 206, BLOCK 12, PARCEL 1, in a COMMERCIAL 1 DISTRICT. (Waiver - Petition No. 6852)

- 3B.** DAVID ANTONIO, seeks a use variance to retain a four (4) unit residential facility, each of which are improved with a singular bedroom, otherwise defined as a prohibited land use, for property located at 853 BROADWAY, being MAP 206, BLOCK 12, PARCEL 1, in a COMMERCIAL 1 DISTRICT. (Use Variance - Petition No. 6852)
- 4.** 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. (Use Variance - Petition No. 6851)
- 5.** REVOCABLE LIVING TRUST OF ROBERT WALSH, seeks permission to construct an accessory shed, without complying with either the accessory side-yard or rear-yard setbacks, for property located at 48 BOURNE AVENUE, being MAP 403, BLOCK 1, PARCEL 4, in a RESIDENTIAL 3 DISTRICT. (Dimensional Variances - Petition No. 6853)
- 6.** MANUEL DOREGO, seeks permission to retain a covered rear-yard porch addition onto a single-family residence, without complying with the minimum side-yard setback requirement, as well as exceeding the maximum building and impervious lot coverage requirements, for property located at 80 SUTTON AVENUE, being MAP 205, BLOCK 8, PARCEL 5, in a RESIDENTIAL 6 DISTRICT. (Dimensional Variances - Petition No. 6854)
- 7.** MICHAEL CAVACO, seeks permission to construct an accessory detached garage, said garage serving the needs of a pre-existing legal nonconforming two-unit residence, thereby being prohibited because it is an intensification of said land use, for property located at 137 BOURNE AVENUE, being MAP 303, BLOCK 8, PARCEL 16, in a RESIDENTIAL 3 DISTRICT. (Dimensional Variances - Petition No. 6855)
- 8.** FREDERIC H. and NANCY N. BEHR, seek permission to construct an addition onto a single-family residence, without complying with the minimum side-yard setback requirement, for property located at 210 TERRACE AVENUE, being MAP 414, BLOCK 4, PARCEL 8, in a RESIDENTIAL 3 DISTRICT. (Dimensional Variance - Petition No. 6856)
- 9.** K & DJ HOME REMODELING, LLC, seeks permission to modify a prior zoning decision, now requesting permission to retain additional impervious lot coverage, as well as excessive off-street parking within the requisite front-yard setback, for property located at 65 FLOYD AVENUE, being MAP 513, BLOCK 40, PARCEL 3, in a RESIDENTIAL 4 DISTRICT. (Dimensional Variances - Petition No. 6857)
- 10.** JASON SILVA, seeks permission to retain an above-ground swimming pool, without complying with the minimum accessory rear-yard swimming pool setback requirement, as well as exceeding the maximum impervious lot coverage, for property located at 16 ROUNDS AVENUE, being MAP 512, BLOCK 11, PARCEL 40, in a RESIDENTIAL 3 DISTRICT. (Dimensional Variances - Petition No. 6858)
- 11.** GIULIA RIGHI and GRAHAM GARBER, seek permission to construct a deck onto a single-family residence, without complying with the minimum side-yard setback requirement, for property located at 15 MORRA WAY, being MAP 604, BLOCK 1, PARCEL 1, in a RESIDENTIAL 2 DISTRICT. (Dimensional Variance - Petition No. 6859)

12A. RAYMOND E. and EVELYN L. HASSELL, and PACE ORGANIZATION OF RHODE ISLAND, seek permission to alter a property boundary via an Administrative Subdivision between Map 509, Block 1, Parcel(s) 2 and 4, resulting in an intensification of the pre-existing legal nonconforming automotive repair land use on Parcel 2, for property located at 269 WAMPANOAG TRAIL, being MAP 509, BLOCK 1, PARCEL 2, in an INDUSTRIAL 1 DISTRICT. (Special Use Permit - Petition No. 6860)

12B. PACE ORGANIZATION OF RHODE ISLAND and RAYMOND E. and EVELYN L. HASSELL, seek permission to alter a property boundary via an Administrative Subdivision between Map 509, Block 1, Parcel(s) 2 and 4, resulting in exceeding the maximum impervious lot coverage requirement for Parcel 4, for property located at 10 TRIPPS LANE, being MAP 509, BLOCK 1, PARCEL 4, in an INDUSTRIAL 1 DISTRICT. (Dimensional Variance - Petition No. 6861)

VIII. New Business

1. DAVID L. MILLER and SUZANNE P. BURNS, seek permission to introduce an accessory shed without complying with the minimum accessory setback requirements, as well as exceeding the maximum building and impervious lot coverage requirements, for property located at 10 – 12 OCEAN AVENUE, being MAP 415, BLOCK 4, PARCEL 2, in a RESIDENTIAL 3 DISTRICT. (Dimensional Variances - Petition No. 6863)

2. DARREN F. and CHRISTEN C. CORRENTE, seek permission to construct additions onto a single-family residence, as well as render site improvements, to include a swimming pool and patio, without complying with the minimum rear-yard setback requirement, as well as exceeding the maximum building coverage and impervious lot coverage requirements, for property located at 74 BENT ROAD, being MAP 402, BLOCK 20, PARCEL 8, in a RESIDENTIAL 3 DISTRICT. (Dimensional Variances - Petition No. 6864)

IX. Procedures

X. Announcements

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

XI. Adjournment

A **Virtual Meeting Format** is being engaged for purposes of protecting the health, safety, and well-being of all citizens. The **Virtual Meeting** will be available to the public by video or telephone conference.

HOW CAN I PARTICIPATE AT THIS MEETING VIRTUALLY?

This is a public meeting and you can view or participate in the meeting via the following manner.

- (1) Joining the meeting as a webinar participant by going to the following website: **www.zoom.com**, and then on the homepage clicking the tab at the top entitled '**Join a Meeting**', and then entering the following information

MEETING ID: 971-8482-7200

PASSWORD: 448738

Or telephone (AUDIO ONLY) by calling the following number: 1 (877) 853-5247. After dialing in, you will be asked to enter the Meeting ID Number listed above.

At the appropriate time during the meeting, you will have the right to give testimony in favor of or against the application which may be subject to rebuttal or cross-examination by the applicant at the applicant's option.

- (2) Emailing comments to: epimentel@eastprovidenceri.gov. Include your name, address, and statement. Only comments including all required information will be read into the record.

Please note that should you have an interest in participating, but are either unable or incapable of doing so because of the lack of access to the technology listed above, please contact the Zoning Officer at 401-435-7722, Ext. 3, immediately upon receiving the subject notice to determine if further alternative arrangements can be made.

APPLICATION/DOCUMENTS: As part of the above detailed petitions, the applicant(s) have submitted materials which are public record. The City of East Providence is now open and you can review submitted materials between the hours of 8:30 AM and 3:30 PM, Monday through Friday. Should you have any questions, you may contact the City of East Providence Zoning Official at (401) 435-7722, Ext. 3.

HOW CAN I SUBMIT DOCUMENTS IN FAVOR / AGAINST THIS APPLICATION?

If you desire to submit documents, expert opinions, or other like material either in favor of or in opposition to the applications, you can do so by email to epimentel@eastprovidenceri.gov, regular mail by mailing to Ed Pimentel, Zoning Officer, 145 Taunton Avenue, East Providence, RI 02914 by 30 July 2021.

EDWARD PIMENTEL, AICP
ZONING OFFICER / CLERK

"INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST CALL 435-7500 OR 431-1633 (V/TDD), FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING DATE."