

# WARREN ZONING BOARD

April 17, 2013

## Minutes

The regular meeting of the Warren Zoning Board was called to order at 7:01 pm by Chairman M. Gerhardt. Also present S. Calenda, P. Attemann, Vice Chairman A. Harrington, M. Smiley, Alternate A. Ellis and Alternate M. Emmencker.

**Approval of Minutes** March 20, 2013 meeting. It was moved by A. Harrington to accept the minutes. Second by S. Calenda. All in favor.

### New Business

**Application #13-12; Jason M. Ferreira**, owner/applicant; 8 Orchard Avenue; Plat Map 19, Lot 11; owner/applicant requests a *Variance* from sections 32-77 and 32-88(C) of the Warren Zoning Ordinance to demolish existing 10' x 18' detached garage and replace with a 16' x 28' detached garage that will be located 4' from property line where 10' is required and have lot coverage of 21.17% where 20% is permitted.

Jay Ferreira, owner and applicant would like to replace a 16'x 28' detached garage that is located within 4' from the property line. He has given testimony that he is surrounded by parking lots. This garage would be used for storage. The second floor will be used as a workshop with no plumbing.

No Public Comment

It was moved by S. Calenda to approve application #13-12, applicant has proved he would have a hardship if he was to comply with the setback replacing a 16' x 28' with less than the required setback of 4', he would exceed his lot coverage and this would not cause a hardship to the neighborhood. Conditional there would be no kitchen and/or bathroom installed. Second by P. Attemann. All in favor.

**Application #13-13; Christopher J. Hubbard**, owner/applicant; 76 Maple Street; Plat Map 15C Lot 1; owner/applicant requests a *Variance* from section 32-77 of the Warren Zoning Ordinance to replace the existing hip roof on a portion of the existing house with a roof deck that will violate the front yard setback.

**Application #13-14; Christopher J. Hubbard**, owner/applicant; 76 Maple Street; Plat Map 15C Lot 1; owner/applicant requests a *Special Use Permit* from section 32-74 of the Warren Zoning Ordinance to replace the existing hip roof on a portion of the existing house with a roof deck thereby expanding a legal non-conforming use.

Christopher J Hubbard, 60 Sheridan Rd, Wellesley, MA, owner and applicant represented the request for a Variance and Special Use Permit. The applicant asked to remove application #13-14, conditional that he will remove the stove and the basement in-law apartment will cease to be used in the future for that purpose. No Public Comment.

On application #13-13, Christopher J. Hubbard, 60 Sheridan Rd, Wellesley, MA owner/applicant of 76 Maple St. gave presentation of replacing the existing hip roof on a portion of the existing house with a small deck off the bedroom to overlook the water. No Public Comment.

It was moved by P. Attemann to approve application #13-13, 76 Maple Street; Plat Map 15C Lot 1, to replace the existing hip roof on a portion of the three season porch roof with a sloped flat roof over a deck. Second by S. Calenda. All in favor.

**Application #13-15; Town of Warren**, owner and **Ed Shea / 2<sup>ND</sup> Story Theatre**, applicant; 10 Liberty Street; Plat Map 3 Lot 12; owner/applicant requests a *Special Use Permit* from section 32-75 of the Warren Zoning Ordinance to change the existing school use to a theatre operations (preparatory) use.

After consulting with legal counsel and verifying with the ethics board, there is no need for A. Ellis to recues although he lives within 200' of the applications location, at 35 Liberty St, as he does not own said property.

M. Gerhardt recues from Applications #13-15 and #13-16 and Vice Chairman A. Harrington assumes the seat.

William Dennis, Esq of 527 Metacom Ave, Bristol, RI presented the request for applicant Ed Shea and perspective owner of 10 Liberty St. Mr. Shea gave testimony as to how the location will be used a scene shop and rehearsal space for Second Story Theater.

Public Comment: Michael Cavallaro, 13 Liberty St, which houses 4 families, felt that if changes are made to the front of the building there will no place for his tenants to park. He would like the new owner to assign four parking spaces for his tenants use.

Barbara Dobbin, 7 Almedia Dr., owner of 22 Liberty St, is thrilled with the Second Story Theater's purposed purchase and use of this property, also believes this business enriches the town and the state.

Letter entered into the record from the Town of Warren, Thomas D Gordon, Town Manager, in support of this application.

It was moved by A. Ellis moved to approve application #13-15, 10 Liberty St contingent on a parking plan submitted to the Building Official, the actual entering into a purchase and sales agreement and sale of the property from the Town of Warren to Ed Shea, Second Story Theater. Second by S. Calenda. All in favor.

**Application #13-16; 28 Market Street, Inc.,** owner and **Ed Shea / 2<sup>ND</sup> Story Theatre,** applicant; 28 Market Street; Plat Map 3 Lot 77; owner/applicant requests a *Special Use Permit* from section 32-51 of the Warren Zoning Ordinance to use the existing building as a theatre, restaurant, and/or bar/tavern.

William Dennis, Esq. of 527 Metacom Ave, Bristol, RI presented the request for applicant Ed Shea and owner of 28 Market St. Although this has been a legal non-conforming use for 10 years, they would like to seek a Special Use Permit as this is a Village Business zone and they would like to be more compliant.

No public comment.

It was moved S. Calenda by to approve application #13-16 for a Special Use Permit, the applicant is requesting a *Special Use Permit* from 32-51, applicant has shown it will not cause any hardship to the neighborhood, conditional if any interior renovations are to be compliant with the Building Official and the Fire Chief. Second by M. Smiley. All in favor.

M. Gerhardt resumes the seat.

**Application #13-17; Lucciola, LLC,** owner and **Kim Fortin/Bright Beginnings Early Learning Center, LLC,** applicant; 5 New Industrial Way; Plat Map 23 Lot 149; owner/applicant requests a *Special Use Permit* from section 32-49 of the Warren Zoning Ordinance to use an existing building as a daycare/pre-school.

Joe Lawson, Esq., 251 Thames St., Bristol, RI representing Joe Lucciola and Kim Fortin requests a continuance to the May meeting to offer the possibly to submit a site plan.

A motion was made by S. Calenda to continue Application #13-17 to the May 15, 2013 meeting at the applicant's request. Second by P. Attemann. All in favor.

**Administrative Matters** Consideration of items for future agendas. - NONE

**Adjourn** It was moved by A. Harrington to adjourn the meeting at 8:59 pm. Second by S. Calenda. All in favor.

Respectfully submitted,

Rhonda Lee Fortin