

WARREN ZONING BOARD

May 15, 2013

Minutes

The regular meeting of the Warren Zoning Board was called to order at 7:00 pm by Chairman M. Gerhardt. Also present S. Calenda, P. Attemann, Vice Chairman A. Harrington, A. Ellis and Alternate M. Emmencker.

Approval of Minutes April 17, 2013 meeting. A. Ellis requested removal of “and verifying with the ethics board” and the address from 34 to 31 to Application 13-15. It was moved by A. Harrington to accept the minutes with the corrections. Second by S. Calenda. All in favor.

Old Business

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. Continued from the April 17, 2013 meeting.

The consensus of the board was adequate information has not been submitted for review. Missing are the site plans as well as a parking plan.

Kim Fortin, applicant was present to give testimony. The applicant requests a continuance to the June meeting.

A motion was made by A. Harrington to continue Application #13-17 to the June 19, 2013 meeting at the applicant's request. Second by S. Calenda. All in favor.

New Business

Application #13-18; **Willow Realty, LLC**, owner and **Vincent Hospitality, Limited**, applicant; 54 State Street; plat map 4, lot 97; owner/applicant requests a *Special Use Permit* from section 32-51 of the Warren Zoning Ordinance to modify an existing *Special Use Permit* to allow for expansion – outdoor seating.

Matthew Vincent owner of Vincent Hospitality was present to give testimony. The applicant asked to amend the seating from 40 to 32. The business will continue with the previous operating hours, menu and outdoor lighting. Brian Fortin, owner of Willow Realty also gave testimony.

Public Comment: Fletcher Rawls of Plat 4, Lot 98, an abutter has never had a problem with the applicant or owner however he would like to know if there would be outdoor entertainment or liquor consumption. The applicant confirms no intentions of outdoor entertainment. The applicant will continue to following the current liquor license rules and requirements.

A motion was made by P. Attemann to approve Application # 13-18, located at 54 State Street, Plat Map 4, Lot 97, Special Use Permit from section 32-51, to add but not to exceed 32 seating, conditional that there is no spillover of lighting to adjacent properties, there be no additional outdoor parking lot or building lighting installed, parking spaces will be marked clearly which will comply with the building code, there will be no exterior entertainment, outdoor liquor will not be consumed unless allowed by your current liquor license, of the 32 seats permitted, the exterior seating will not exceed 12. A chain or barriers are to be installed to block off the State St curb cut access and signs will be used to mark parking spaces. All previous restrictions except as modified here will remain in effect. Second by A. Ellis. All in favor.

Application #13-19; **Nunes Property Management**, owner and **Jill M. Cuzzone**, applicant; 139 Water Street; plat map 2, lot 28; owner/applicant requests a *Variance* from section 32-105 of the Warren Zoning Ordinance to use the first floor of an existing mixed-use building as a commercial recreation and private educational use without the required parking spaces.

Jill and Chris Cuzzone, applicants were present to give testimony. This will be a Pilates Studio. Clients are usually seen by appointment and there are no set hours of operations. Appointment hours are typically between the hours of 9:00 am – 8:00 pm.

Public Comment

Karen Dion is a client as well as the designer for the applicant's sign. Her experience is, at the most there have only been a couple of other people in the class at the same time.

S. Calenda moved to approve Application 13-19, owner **Nunes Property Management** and applicant **Jill M. Cuzzone** located at 139 Water St, Plat Map 2, Lot 28, requesting a Variance from section 32-105 of the Warren Zoning Ordinance to use the first floor of an existing mixed-use building as a commercial recreation and private educational use without the required parking spaces. The applicant has indicated that current location only allows for one (1) off-street parking space for this unit, the petitioner requests relief from the town requirements, as there is ample street parking to accommodate the proposed use and two additional cars which may be visiting during the business hours that the applicant has indicated. The applicant has also indicated there may be available space in the rear of the building and they will further investigate what could be available for their use. The motion to approve is also based on the having been a public hearing with no objections and this is a less dense use than is in existence use.

Application #13-20; **Nunes Property Management**, owner and **Jill M. Cuzzone**, applicant; 139 Water Street; plat map 2, lot 28; owner/applicant requests a *Special Use Permit* from sections 32-49, 32-51, and 32-52 of the Warren Zoning Ordinance to use the first floor of an existing mixed-use building as a commercial recreation and private educational use.

S. Calenda moved to approve Application #13-20, applicant Jill Cuzzone, located 139 Water St., Plat Map 2, Lot 28, applicant requesting a special use permit from sections 32-49, 32-51 and 32-52, of the Warren Zoning Ordinance to use the first floor of an existing mixed-use building as a commercial recreation and private educational use, the applicants new proposed use is to be a Pilates fitness studio for individuals and small groups fitness training. The applicant has conceded to limit her group sessions to no more than five (5), hours of operation are to be from 9:00 am – 8:00 pm and signage will comply with the Zoning sign Ordinance. Second by A. Harrington. All in favor.

Administrative Matters: Consideration of items for future agendas - NONE

Adjourn It was moved by S. Calenda to adjourn the meeting at 8:01 pm. Second by A. Harrington. All in favor.

Respectfully submitted,

Rhonda Lee Fortin