

WARREN ZONING BOARD OF REVIEW
November 19, 2014
Minutes

The regular meeting of the Warren Zoning Board was called to order at 7:03 pm by Chairman A. Harrington. Also present Vice Chairman S. Calenda, P. Attemann, A. Ellis, 1st Alternate M. Emmencker and 2nd Alternate W. Barrett Holby, Jr.

Approval of Minutes: October 15, 2014 meeting. It was moved by Vice Chairman S. Calenda to accept the minutes. Second by P. Attemann. Yea - Chairman A. Harrington, Vice Chairman S. Calenda, P. Attemann, A. Ellis and M. Emmencker.

New Business

Application #14-34, Paul R. & Suzanne C Swanson, owners and applicants, 31 Shore Dr., plat map 17, lot 128, request for a Variance from sections 32-89 of the Warren Zoning Ordinance to install an onsite wastewater treatment system (OWTS) less than required distance from coastal feature.

Paul and Suzanne Swanson of 5 Peepload Rd, Seekonk, MA, owners of 31 Shore Dr., plat map 17, lot 128, request for a Variance from sections 32-89 of the Warren Zoning Ordinance to install an onsite wastewater treatment system (OWTS) less than required distance from coastal feature were present to give testimony.

Public Comment-None

It was moved by Vice Chairman S. Calenda to approve Application #14-34, Paul R. & Suzanne C Swanson, owners and applicants, 31 Shore Dr., plat map 17, lot 128, request for a Variance from sections 32-89 of the Warren Zoning Ordinance to install an onsite wastewater treatment system (OWTS) less than required distance from coastal feature. Finding of fact that the hardship they are requesting the variance is due to the characteristics of the subject land and is not due to the physical or economic disability of the applicant as they claim no financial hardship. Also a finding of fact that the hardship is not a result of any prior action of the applicant prior to requesting this application, the granting of the variance will not alter the general characteristics of the surround area and it conforms with the general purpose of the Warren Zoning Ordinance and Comprehensive Plan. The relief requested is the least relief necessary and in doing so, I move that this variance be granted, conditional on approval of CRMC. Seconded by P. Attemann. Yea - Chairman A. Harrington, Vice Chairman S. Calenda, P. Attemann, A. Ellis and M. Emmencker.

Application #14-35, Xuefeng Yu & Miao Zhao, owners and applicants, 427 Child St., plat map 12, lot 124, request for a Special Use Permit from section 32-47 of the Warren Zoning Ordinance to change from one family to two family dwelling in a VB zoning district.

Xuefeng Yu was present to give testimony for Application #14-35, Xuefeng Yu & Miao Zhao, owners and applicants, 427 Child St., plat map 12, lot 124, request for a Special Use Permit from section 32-47 of the Warren Zoning Ordinance to change from one family to two family dwelling in a VB zoning district. The applicant requested a continuance to the December 17, 2014 to allow the applicant to gather more information.

It was moved by Vice Chairman S. Calenda to grant a continuance for Application #14-35, Xuefeng Yu & Miao Zhao, owners and applicants, 427 Child St., plat map 12, lot 124, request for a Special Use Permit from section 32-47 to the December 17, 2014 meeting to allow the applicant to return with a parking plan, a site

plan and any aerial photographs that will show side yard, rear yard and front yard frontage as well as street distance. It is also recommended that the applicant meet with the Building Official prior to this meeting to review the application. Seconded by P. Attemann. Yea - Chairman A. Harrington, Vice Chairman S. Calenda, P. Attemann, A. Ellis and M. Emmencker.

Application #14-36, Kurt Guerrin, owner and Kurt Guerrin & Chelsea Shaw, applicants, 38 Terrace Ave., plat map 13D, lot 400, request for a Variance from sections 32-77 of the Warren Zoning Ordinance to demolish existing structure and construct new single family dwelling closer than allowed front, rear and side yard setbacks and having greater lot coverage than allowed.

Chairman Harrington read the follow portion of a previously recorded decision (November 27, 2013, Book 847 Page 96) into the record: "To demolish the existing house and construct a new single family dwelling that will violate the front, side, and rear yard setbacks as per plan on file; and to have lot coverage of 24.3% where 20% is allowed", "The structure is not presently habitable".

Kurt Guerrin owner and applicant of 38 Terrace Ave., plat map 13D, lot 400, request for a Variance from sections 32-77 of the Warren Zoning Ordinance to demolish existing structure and construct new single family dwelling closer than allowed front, rear and side yard setbacks and having greater lot coverage than allowed, was present to give testimony. Mr. Guerrin explained that since he had appeared on Application #13-55 he had the property surveyed by a survey company. The setbacks were off on the north feet 2.3 and south side 3.3 feet and the back of the house (the west side) was 3.8 feet.

Public Comment – NONE

It was moved by S. Calenda to approve Application #14-36, Kurt Guerrin, owner 38 Terrace Ave., plat map 13D, lot 400, request for a Variance from sections 32-77 of the Warren Zoning Ordinance to demolish existing structure and construct new single family dwelling that will violate the front, rear and side yard setbacks and to have a lot coverage of 30 % where 20% is allowed. Finding of fact that the hardship that the applicant is putting forward this evening is due to the unique characteristic and the subject of land and the structure and not the general characteristics of the surrounding area, not due to the physical or the disability of the applicant, he has claimed no financial hardship. Also, a finding of fact that the hardship is not result to any prior action that the applicant took and he is not cause any of this doing any prior action and he is not doing this for any financial gain. The granting of this variance will not alter the general characteristic or the surrounding area. The request will conform with purpose and intent of the Warren Zoning Ordinance and Comprehensive plan, it is conducive to the surrounding neighborhood and the relief requested is the least amount of relief necessary to have this application move forward. Seconded by A. Ellis. Yea - Chairman A. Harrington, Vice Chairman S. Calenda, P. Attemann, A. Ellis and M. Emmencker.

Administrative Matters - NONE

Adjourn Vice Chairman S. Calenda moved to adjourn the meeting at 7:29 PM. Second by M. Emmencker. Yea - Chairman A. Harrington, Vice Chairman S. Calenda, P. Attemann, A. Ellis and M. Emmencker.

Respectfully Submitted,

Rhonda Lee Fortin