

WARREN BUILDING CODE BOARD OF REVIEW
December 16, 2015
Minutes

The regular meeting of the Warren Building Code Board of Appeals was called to order at 7:05 pm by Chairman S. Calenda. Also present was Vice Chairman P. Attemann, A. Harrington, A. Ellis and W. Barrett Holby. 1st Alternate M. Emmencker was excused from the meeting.

Approval of Minutes – November 18, 2015 - A motion was made by Vice Chairman P. Attemann to table the approval of the Minutes for November 18, 2015 Building Board Code of Review as they were not available at this time. Second by A. Harrington. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, A. Harrington, A. Ellis and W. Barrett Holby.

Old Business - None

New Business

Application #15-45, Peter King, owner and Katie Hutchison, applicant, 22 Brownell St., Plat Map 16, Lots 170, request for a *Variance* from sections 32-77 and 32-88 was **taken out of order**.

Application #15-44, **The 5 C's Realty Vo., LLC., owner and Ruth Billings, applicant, 277 Market St, Plat Map 21, Lots 142 & 142A, request for a *Special Use Permit* from section 32-166 of the *Warren Zoning Ordinance* to allow the manufacture of silver items and furniture, and the retail sale of goods produced onsite in a Rural Business Zoning District.**

Ruth Billings, silversmith, applicant and half owner of Rouge Studios who makes jewelry, bowls and vessels mostly out of silver but also uses other precious metals was present to give testimony. She also stated that her art partner is primarily furniture and fine cabinetry maker and they will have a monthly open studio on a Friday evening or Saturday morning. Ms Billings explained most of the time it will only be the two of them therefore parking will not be an issue, no curb cut will be necessary on Market St, parking is accessed off John St and there is handicap parking. There will not be using and storing of hazardous materials and she will not be casting the metals she is not a castor. There been delivery trucks, tractor trailer truck, etc., deliveries would be coming through UPS or US mail and a small box and her partner picks up the wood he needs for his project in his small pickup truck.

Michael Camello, owner of The 5 C's Realty Vo., LLC., explained there are mixed uses surrounding this area. He did get the physical alteration permit. He also explained that an engineer has been to the property and it is just above the flood zone.

PUBLIC COMMENT

Sandra Hortor owner of the Sunoco station just down the street had concerns if all of the hoops have been put in place for this application as was for her son-in-law and daughter when they wanted to open a wood burning stove store in the back bays of the Sunoco station and they had to come before the board a few years ago. The hoops included parking spaces, curb cuts, brand new architecture and complete sprinkler system. She further explained that they faced numerous costly obstacles which were a financial hardship.

Steven Baptista stated that he and his wife, Ilene, were present to speak on behalf of his father-in-law, Armand Hortor. Mr. Baptista questioned the retail application and if this building had the required retail sq ft, he didn't believe that the location had a peddler's license, if the required parking spaces are available for the size of the building, if there will be adequate room for the delivery trucks, will there be parking hazards and nuisances due to the parking system, will there be a physical alternation permit required to insure that the parking and building openings are accessible so the trucks don't do any danger to the curbing, business hours and if there is any noise concern, the Town's FEMA insurance is alter by manufacturers in the high tide zone and if there is a survey of the high tide from Barrington into this area and how it will affect the Town's FEMA insurance, if an architect has gone into the building to make sure it is up to code for retail because it's use has gone from landscaping to manufacturing and retail, if it has handicap access and all other things that are necessary for a retail business, if there is a fire suppression system

because of the machinery being run around wood and wood products, if there will be a chemical storage area for silver storage or any kind of acids that will be used.

Madelyn Waskiewicz, 275 Market St, who located on the other corner of John St., inquired as to how this would change the zoning and if it changed the zoning permanently. She also wanted to welcome her new neighbors.

It was moved by A. Harrington to approve Application #15-44, The 5 C's Realty Vo., LLC., owner and Ruth Billings, applicant, 277 Market St, Plat Map 21, Lots 142 & 142A, request for a *Special Use Permit* from section 32-166 of the Warren Zoning Ordinance to allow the manufacture of silver items and furniture, and the retail sale of goods produced onsite in a Rural Business Zoning District. After hearing the testimony given by the applicant a finding of fact that the proposed art studio, fine carpentry and silversmith as an artist with no casting with the temporary retail sales of the products at an open studio that is being proposed is consistent with the Comprehensive Plan, it is consistent with the neighboring land uses along Market Street which is mixed, both residential and commercial properties consistent with the studio and the retail sales are consistent with the neighboring uses, it will not create a nuisance, there is parking that is available to serve what the needs are and the space, the public convenience and welfare will be served. Further finding of fact, the applicant stated during her testimony that she has been in business for then 15 years and she has never received any deliveries from a large truck other than a postal worker or a UPS or FedEx delivery and will be compatible to the neighborhood and surrounding land area, that the PAP that was discussed was done by the property owner and is not necessary because no curb cut on Rt. 136 known as Market St. that enters into the property is necessary, all access is gained by John St and easement as that the applicant and property owner has testified to. Additional finding of fact, the nuisance or hazard, based on the testimony of the applicant the activity that will be conducted on this property pose no significant hazard and in fact are less of a hazard than the former landscaping business based on the testimony of the previous occupant. Further finding of fact, a flood plan has been done by the property owner and he has stated that he is above the flood zone and he is compliant with the regulations and having flood insurance. Conditional that this approval shall be subject to all relevant codes deemed appropriate by the local Building Official and the Fire Department prior to this business opening the building shall be compliant with those standards. Second by W. Barrett Holby. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, A. Harrington, A. Ellis and W. Barrett Holby.

Application #15-45, Peter King, owner and Katie Hutchison, applicant, 22 Brownell St., Plat Map 16, Lots 170, request for a Variance from sections 32-77 and 32-88 of the Warren Zoning Ordinance to construct front and rear porches, expand rear deck and increase the projection of eaves; thereby reducing side lot setbacks, increasing lot coverage and increasing projection of ornamental features to greater than presently allowed in a Residential Village Overlay District.

Application #15-45, Peter King, owner and Katie Hutchison, applicant, 22 Brownell St., Plat Map 16, Lots 170, request for a *Variance* from sections 32-77 and 32-88 was **taken out of order**.

There was not quorum present to hear this application due to a present Board member needing to recues and an alternate not available. The application will be continued to the January 20, 2016 meeting.

Administrative Matters - NONE

Adjourn

It was moved by A. Harrington to adjourn the meeting at 7:52pm. Second by P. Atteman. Yea - Chairman S. Calenda, Vice Chairman P. Attemann, A. Harrington, A. Ellis and W. Barrett Holby. 5-0

Respectfully Submitted,

Rhonda Lee Fortin