

# ZONING BOARD OF REVIEW

Barrington, Rhode Island

June 19, 2014

## APPLICATION #3763, 3765 & 3766

### MINUTES OF THE MEETING:

At the call of the Chairman, Thomas Kraig, the Board met with Paul Blasbalg, Peter Dennehy, Mark Freel, Elizabeth Henderson and David Rizzolo.

Also present were Solicitor Andrew Teitz (*arrived at 7:30 p.m.*), Assistant Solicitor Amy Goins, Building Official Robert Speaker, and Secretary Audra Raleigh.

At 7:05 P.M. Mr. Kraig called the meeting to order.

### MINUTES OF THE PREVIOUS MEETING:

**MOTION:** Mr. Rizzolo made a motion to approve the minutes of the May 15<sup>th</sup> meeting. Mr. Dennehy seconded the motion and it carried unanimously (6-0).

**Application #3765, Mindy Blount, 209 Washington Road, Barrington, RI 02806, applicant and owner, for permission to build a stand-alone garage with loft, Assessor's Plat 2, Lot 102, R-25 District, 209 Washington Road, Barrington, RI 02806, requiring dimensional relief for exceeding height for an accessory structure.**

Present: Mindy Blount, 209 Washington Road, Barrington, RI 02806

Ms. Blount noted that she owns a 150 year old home that has no attic (just crawl space) and very little and limited-in-height basement space. She has an acre and a half of land and currently has 4 drivers in the house, so they need a garage. Her primary objective is to have a loft area in one part of the garage to utilize for storage. She would like to have regular stairs to access the area and be able to stand up once up there to make it easier to carry boxes, etc. up; it is because of that desire to have stand-up space that necessitates the request for height relief. Because of the space occupied by the stairs, the garage needs to be larger than would otherwise be the case. Ms. Blount stated that she wished to have her storage at a level which was off the ground level, to alleviate any dampness or water that could be present.

The Board felt strongly that with the amount of land that was available on this property, a larger garage could be accommodated. In addition, the Board felt that the applicant probably could achieve her objective of creating off-the-ground storage within the height permitted by the zoning ordinance. Accordingly, the Board was not convinced that the request for a height variance met the "least relief necessary" portion of the zoning ordinance. The Board suggested Ms. Blount reconvene with her architect to revise her plans and continue the matter until next month; she agreed.

There was no one in the audience to speak in favor or opposition to the application.

**MOTION:** Mr. Blasbalg made a motion to continue this application to the August 21 Zoning Board meeting. Mr. Dennehy seconded the motion and it carried unanimously (6-0).

**Continuation of application #3763, Palco, Inc., 8 Pond View Court, West Greenwich, RI 02817, applicant, and ACP Shopping Center Assoc., LP, 76 Dorrance Street, Providence, RI 02903, owner, for permission to install three signs on tower, two signs on awning and one bronze plaque, Assessor's Plat 24, Lot 107, Commercial 2 District, 180 County Road, Barrington, RI 02806, requiring dimensional relief for exceeding number of signs and for the size of the signs.**

Present: Alex Antoninich, Palco, Inc., 8 Pond View Court, West Greenwich, RI 02817

The Board asked Mr. Antoninich to outline the changes from the plans presented to the Board at the previous session. In response to a note from the Board that there was already one sign on the building, Mr. Antoninich explained that the current sign is 15 square foot - members of the Board thought it looked good at this size. The applicant is requesting a larger size because it believes that the current size cannot be easily seen from County Road or from Shaws.

The Board noted that the applicant had been directed to return to the Planning Board after the Board learned that an incorrect square footage for the store was presented to that Planning Board; the lesser size resulted in a different portion of the size ordinance being applicable. Mr. Antoninich explained that the square footage of the sign as previously presented to both the Planning Board and to this Board had been incorrectly calculated; upon recalculation, it was determined that the square footage is 25.05 sq. ft. The Planning Board approved the size of the sign upon that new understanding.

There was no one in the audience who was in favor of or opposed to the application.

The public portion of the hearing was closed at 8:30 p.m.

**MOTION:** Mr. Rizzolo made a motion to approve this application with the following conditions: 1) 3 signs at 25.05 square feet, as shown in drawing; 2) change from internally lit signs to opaque halo-lit signs on the tower; 3) place no more than one plaque on the building – on the entrance side; 4) allow only one, not two, awnings with lettering; 5) existing façade / roof mounted lighting fixtures from the previous tenant is to be removed, although electrical wiring and boxes can remain; and 6) no other signage from any other tenant to be permitted on the tower.

Mr. Dennehy seconded the motion and it was approved (5-1), with Mr. Blasbalg opposed.

**DISCUSSION:**

The Board members stated they were in favor of approving this application for the following reasons:

- The applicant agreed to decrease the size of the signs from the original plan.
- The applicant was amenable to all of the suggestions from the Planning Board and the Zoning Board.
- Mr. Blasbalg opposed the application and feels the current size of the sign is sufficient.

**REASON FOR DECISION:**

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he judgment of the Board that the standards in Section §185-69 have been met: A) that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area, and is not due to an economic disability of the applicant; B) that the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain; C) that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the comprehensive Plan; D) that the relief to be granted is the least relief necessary. Additionally, the standards for a dimensional variance set forth in Section §185-71 have been met because the applicant has proved that the hardship to be suffered by the owner, absent granting the relief, would amount to more than a mere inconvenience.

**Application #3766, Melissa Hutchinson, 203 Hooper Street, Tiverton, RI 02878, applicant, and Michael & Sherry Strammiello, 137 Winnapaug Road, Westerly, RI 02891, owners, for permission to construct a 19' x 27' single story addition on the east side of the house at 2 Quincy Adams Road to include a master bedroom suite; slab on grade with gable roof to match existing. Assessor's Plat 26, Lot 198, R-25 District, 2 Quincy Adams Road, Barrington, RI 02806, requiring dimensional relief for exceeding lot coverage.**

Present: Melissa Hutchinson, 203 Hooper Street, Tiverton, RI 02878  
Michael Strammiello, 137 Winnapaug Road, Barrington, RI

Upon discussion with Ms. Hutchinson, the architect on this project, it was discovered that when the square footage for the proposed addition was calculated, the patios were included in the square footage, thus causing the project to exceed the lot coverage provision. However, patios do not count toward the square footage when determining lot coverage. Therefore, the Board advised the applicant to recalculate the numbers and stated that they would continue the application to the following month. If it is found that a variance is not needed (based on the new calculations), Ms. Hutchinson was advised that she may withdraw the application prior to the next meeting.

**MOTION:** Mr. Freel made a motion to continue this application to the regular July Zoning Board meeting. Mr. Blasbalg seconded the motion and it carried unanimously (6-0).

It was decided by the Zoning Board members to move the July 17, 2014 meeting to July 23, 2014, so enough members would be present to create a quorum.

**ADJOURN:**

There being no other business, Mr. Blasbalg moved to adjourn at 9:00 P.M. Mr. Dennehy seconded the motion and the meeting was adjourned.

Respectfully submitted,

Audra Raleigh, Secretary  
Thomas Kraig, Chairman

cc: Andrew Teitz, Solicitor