

**STATE OF RHODE ISLAND      CITY OF EAST PROVIDENCE  
COUNTY OF PROVIDENCE      ZONING BOARD OF REVIEW**

**MINUTES**

**A meeting of the East Providence Zoning Board of Review was held at 7:00pm, on Monday 9 May 2016, in the City Council Chambers, East Providence City Hall.**

**The following were present:**

**Eugene Saveory -Chairman**

**Michael Beauparlant – Vice Chairman**

**John Braga - ABSENT**

**Pier-Mari Toledo**

**Antonio H. Cunha**

**Richard Croke, Sr. - 1st Alternate**

**Gary Pascoa - 2nd Alternate**

**Edward Pimentel – Zoning Officer / Clerk**

**Gregory Dias – Assistant City Solicitor**

**I. OPENING STATEMENT BY CHAIRMAN**

**Chairman Saveory announces that it is the policy of the Zoning Board of Review to caution all petitioners that they have the right to counsel before the Board and failure to do so at this time does not constitute sufficient grounds for a change in circumstances under the eighteen-month repetitive petition clause. All petitioners are also cautioned that if the petition is approved, all construction must be**

done in compliance with the submitted plan(s), application and testimony presented to the Zoning Board of Review. A change of any sought must obtain the requisite approval of the Zoning Board of Review. All work that deviates from the approval will be ordered halted and promptly removed. Comments will be limited to the petition being heard and no comments will be heard that do not pertain to an item scheduled on tonight's docket. He also notes that it is the policy of the Board that no new agenda item will be heard after 10:30 PM.

Chairman Saveory also notes that the Board welcomes any commentary from the public provided it solely pertains to an item on tonight's docket.

## **II. SWEARING IN OF THE ZONING OFFICER: Edward Pimentel**

Chairman Saveory asks Assistant City Solicitor Dias to swear in the Zoning Officer, Mr. Pimentel.

## **III. SEATING OF ALTERNATE MEMBERS**

&#9702; Chairman Saveory then informs the public that Mr. Braga is absent, and therefore Mr. Croke, 1st Alternate, will be both a participating as well as voting member on all of tonight's agenda items.

## **IV. APPROVAL OF ZONING BOARD MINTUES**

&#9702; Chairman Saveory asks for approval of the 6 April 2016,

**Zoning Board of Review Minutes. Motion by Ms. Toledo to approve the 6 April 2016, Zoning Board of Review Minutes. The motion is Seconded by Vice Chairman Beauparlant, and Unanimously approved.**

#### **V. ZONING OFFICER'S REPORT**

**&#9702; Chairman Saveory announces that there is no report this month.**

#### **VI. CORRESPONDENCE / DISCUSSIONS**

**&#9702; Chairman Saveory announces that there are items to be discussed this month.**

#### **VII. STAFF REPORTS**

- Planning Department comments – 6 May 2016 – Previously submitted**
- Fire Department comments – 2 May 2016 – Previously submitted**
- Complaint List-April 2016 – March 2016 – Previously submitted**

#### **VII. CONTINUED BUSINESS**

**• 1A. Petition No. 6608: Sandra Deluca seeks a Waiver, to forgo submission of a Class 1 Survey Site Plan, for property located at 110 Crown Avenue, being Map 309, Block 04, Parcel 018.00 and located within a Residential 3 District.**

**&#9642; 1B. Petition No. 6609. Sandra Deluca seeks a Dimensional Variance, to retain a deck that was constructed without first obtaining**

**the necessary building permit(s) and violates the requisite minimum side-yard set back, for property located at 110 Crown Avenue, being Map 309, Block 04, Parcel 018.00 and located within a Residential 3 District.**

**Zoning Officer informs the Board that Attorney Grieco, counsel for the subject petitioner, has formally requested a third continuance from 9 May 2016 to 1 June 2016, and proceeds to read said request into the record. The board decides that one more continuance be given since Sandra Deluca obtained a class 1 survey for the property located at 110 Crown Avenue.**

**Chairman Saveory also mentions for the record how the board has gone above and beyond for the petitioner Sandra Deluca at 110 Crowne Avenue for giving three continuances.**

**Motion by Ms. Toledo to approve the continuance from 9 May 2016 to 1 June 2016. The motion is Seconded by Vice Chairman Beauparlant, and Unanimously approved**

## **VIII. NEW BUSINESS**

**1. Petition No. 6620 Reverend Charles B. Ortman and Judy Ortman request a Dimensional Variance to construct an addition to their deck for the property located at 7 North Shore Drive, however due to a fence line, the deck would violate the side yard set back of eight feet. Map 513, Block 33, Parcel 008.00, Residential 4 District.**

**Reverend Ortman and Mrs. Ortman, of 7 North Shore Drive, East Providence, Rhode Island are properly sworn in.**

**Raymond Thibeault, of “Ray Thibeault Home Improvements”, Coventry, Rhode Island, informs the board that he is the registered contractor for Reverend Ortman and Mrs. Ortman and is also properly sworn in.**

**Reverend Ortman explains the couple's desire to build a deck facing the water of their home, however due to a fence line, not the property line, between his property at 7 North Shore Drive and the neighboring property next door the deck would be considered to be a violation of the side yard set back.**

**Mr. Cunha inquires if the fence area is the Ortman's property or the neighbor's property?**

**Mr. Thibeault explains that the fence runs between the two properties, to his knowledge all the land was owned by one gentleman who built the home and now the property lines are skewed. And that there is already an existing deck, but just to build an addition to the deck at the back of the home.**

**Mr. Cunha has no further questions or comments.**

**Mr. Pascoa has no questions or comments**

**Mr. Croke inquires if the Ortman's have spoken to their neighbors and**

**their neighbor's thoughts or concerns?**

**Reverend Ortman explains that the neighbors had no objections to the addition to their deck.**

**Mr. Croke has no further questions or comments.**

**Ms. Toledo has no questions or comments**

**Vice Chairman Beauparlant notes that the home is surrounded by asphalt, and inquires if the Ortman's plan on keeping asphalt on the sides of the home.**

**Reverend Ortman explains that he isn't exactly sure what they would like to do with the asphalt.**

**Mr. Thibeault explains they will more than likely keep the asphalt due to the water that comes from the street.**

**Vice Chairman Beauparlant notes discrepancies in the plans, only 1 window is noted in the plans when there are really 5 windows on the side of the home.**

**Vice Chairman Beauparlant has no further questions or comments**

**Chairman Saveory inquires if the property at 7 North Shore Drive is the primary home or an investment property.**

**Reverend Ortman explains that the property is the primary home.**

**Chairman Saveory has no further questions or comments**

**Chairman Saveory inquires if there is anyone else present who would like to speak in favor of the subject petition. Hearing and seeing**

**none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory queries the Board for a motion.**

**Motion by Mr. Cunha, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:**

**1. 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 not due to a physical or economic disability of the applicant excepting those physical disabilities addressed in RIGL 45-24-30(16).**

**2. 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.**

**3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter is based.**

**4. That the relief to be granted is the least relief necessary.**

**Mr. Croke hereby further finds pursuant to Section 19-45(b) of the City**

**of East Providence Zoning Ordinance:**

**5. In granting the dimensional variances, that the hardship that will be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.**

**Mr. Cunha moves that the dimensional variances be Granted subject to the petitioner fulfilling the following conditions:**

**1. Petitioner(s) obtaining any, and all, necessary permits.**

**2. Compliance with the submitted site plan (or amended site plan as it may be applicable), all exhibits, and entire testimony provided during the respective hearing.**

**Chairman Saveory asks Reverend Ortman, Ms. Ortman, and Mr. Thibeault if they accept the conditions of approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Reverend Ortman, Ms. Ortman, and Mr. Thibeault respond that they fully understand and accepts the conditions just stipulated.**

**The motion is Seconded by Mr. Croke.**

**Roll Call Vote:**

**Mr. Croke - Aye**

**Ms. Toledo - Aye**

**The subject property well pre-date the**

**adoption of the City's**

**Mr. Cunha -Aye Zoning**

**Regulations. The Ortman's are just building an Mr. Pascoa – Aye**

**extension to their deck, which isn't considered to the board**

**as a Vice Chairman Beauparlant -Aye major project. The**

**board feels that the extension to the Chairman Saveory -Aye deck**

**will not cause a negative impact on the neighbors or the**

**surrounding area. The unregulated setback is approved.**

**Dimensional variances unanimously granted, subject to the  
aforementioned condition(s).**

**2. Petition No. 6621. Antonio and Lori Medeiros request a  
Dimensional Variance to construct an addition to the back of their  
home on the property located at 18 Larchmere Drive, however the  
addition would be in violation of zoning setbacks.. Map 304, Block 23,  
Parcel 006.00, Residential 4 District.**

**Ms. Medeiros explains to the board that she and her husband desire  
to have a new addition built in the back of their home that would  
provide a new kitchen, bedroom and full bathroom. However there  
would only be a five foot set back when the required setback is**

**eight feet.**

**Vice Chairman Beauparlant inquires if the Medeiros' are doing the work themselves**

**Mr. Medeiros explains no they are not doing the work themselves.**

**Vice Chairman Beauparlant inquires if the Medeiros' neighbors, and notes that it doesn't appear that the addition would be impactful to the neighbors.**

**Mrs. Medeiros explains that they've spoken to their neighbor's and that they have no problem with the addition.**

**Vice Chairman Beauparlant has no further questions or comments.**

**Mr. Cunha inquires whats going to be in the addition.**

**Mr. Medeiros explains that they would like to build kitchen, bathroom and an additional bedroom**

**Mr. Cunha inquires how old is the home?**

**Ms. Medeiros explains that the home was built in the 1950's**

**Mr. Cunha comments the he agrees that there shouldn't be any impact on the neighborhood, and has no further questions.**

**Mr. Pascoa has no questions or comments**

**Mr. Croke explains that he doesn't feel that the addition effects neighbors since it the work is going to be done in back of the house, and you wont be able to see anything from the street.**

**Ms. Toledo agrees with all the other comments mentioned.**

**Chairman Saveory inquires if the work will include extending the basement.**

**Mr. Medeiros explains the house is built on a slab so they would be unable to extend a basement.**

**Chairman Saveory comments that he has no concerns and understands the hardship.**

**Chairman Saveory inquires if there is anyone else present who would like to speak in favor of the subject petition.**

**• Gregory and Ashley Rebello of 22 Larchmere Drive, East Providence, RI are properly sworn in. Mr. Rebello explains that the work being done seems minimal and they do not have any issues with the work being done.**

**Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory queries the Board for a motion.**

**Motion by Vice Chairman Beauparlant, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:**

**1. 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 not due to a physical or economic disability of the applicant excepting those physical disabilities addressed in RIGL 45-24-30(16).**

**2. 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.**

**3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter is based.**

**4. That the relief to be granted is the least relief necessary.**

**Vice Chairman Beauparlant hereby further finds pursuant to Section 19-45(b) of the City of East Providence Zoning Ordinance:**

**5. In granting the dimensional variances, that the hardship that will be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.**

**Vice Chairman Beauparlant moves that the dimensional variances be Granted subject to the petitioner fulfilling the following conditions:**

**1. Petitioner(s) obtaining any, and all, necessary permits.**

**2. Compliance with the submitted site plan (or amended site plan as it may be applicable), all exhibits, and entire testimony provided during the respective hearing.**

**Chairman Saveory asks Antonio and Lori Medeiros if they accept the conditions of approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Antonio and Lori Medeiros respond that they fully understand and accepts the conditions just stipulated.**

**The motion is Seconded by Ms. Toledo and Mr. Croke.**

**Roll Call Vote:**

**Mr. Croke - Aye**

**Ms. Toledo - Aye**

**The subject property well pre-date the**

**adoption of the City's**

**Mr. Cunha -Aye**

**Zoning**

**Regulations. The work being done is minimal,**

**Mr. Pascoa -Aye and is being done in the back of the home. The**

**current deck will Vice Chairman Beauparlant -Aye be lowered by 2 ft.**

**The current home is built on a slab Chairman Saveory - Aye which**

**shows hardship and the need for the addition. The unregulated**

**setback is granted.**

**Dimensional variances unanimously granted, subject to the aforementioned condition(s).**

**3. Petition No. 6622. Rumford Center, 20 Newman Ave, East Providence, RI requests a Dimensional Variance to build a new five story multi-unit residential building, called Building #11. However the purposed height, number of stories, building coverage and lot coverage requirements would be in violation of zoning setbacks. It is also brought to the board's attention that the Planning Department for the City of East Providence explained that they would approve all of these proposed items if the Rumford Center obtained approval from the Zoning Board of Review. Map 403 Block 23 Parcel 1.2 in a Commercial 2 Mixed Use Overlay District**

**Attorney Christine Engustian of 1 Grove Ave, East Providence, RI explains to the board that she is counsel for the subject petitioner, Rumford Center, otherwise known as "PK Rumford II LLC".**

**Jordan Stone, a witness and an employee of the Rumford Center, who is a principle in the LLC and is responsible for the physical planning of developments, with offices located at Rumford Center, Building #3 Suite 1005, East Providence, RI is properly sworn in.**

**Attorney Engustian explains to the board that back in 2007, the building that is now known as Building 11 was projected to be constructed and completed between late 2009 and early 2010. During this time, the down turn in the economy caused the original plans and construction of Building 11 ceased, leaving the building vacant for years. Attorney Engustian also explains to the board that now the Rumford Center/PK Rumford II LLC is ready to start new construction to Building 11 which would include five stories with the height of 65 feet, with a lot area of 57,456 square feet, holding roughly 80 residential apartment units, two club houses, one fitness center and a roof top deck. However, the proposed height of 65 feet, the number of stories and lot and building coverage would be in violation of zoning setbacks.**

**Attorney Engustian brings to the board's attention that there are other buildings in the surrounding area that are five stories high, one being across the street at 20 Newman Ave.**

**Mr. Stone explains to the board that the original plans for the building previously presented to the board was purposed as a condominium building, however due to changes in the economy and in real estate the Rumford Center/PK Rumford II LLC has decided to change the building to have 80 residential apartment units instead. And that to make this project financially feasible, the building must have all proposed five stories and lot coverage to**

**include the 80 residential apartments units and the other amenities mentioned.**

**Vice Chairman Beauparlant inquires if a stretch of land on the plans will become new additional parking.**

**Mr. Stone explains that the stretch of land was already approved for parking, however it was just never developed to become parking but it will.**

**Vice Chairman Beauparlant inquires if additional lighting will be installed in that area.**

**Mr. Stone explains that yes more lighting will be installed.**

**Vice Chairman Beauparlant has no further questions or comments.**

**Mr. Cunha inquires what will be the uses for roof top deck?**

**Mr. Stone explains it will become a social and functional area, since it will be built above the club house and that access to the roof top deck will only be for residents of Building 11.**

**Mr. Cunha comments how wonderful the Rumford Center has improved the community and has no further questions.**

**Mr. Pascoa has no questions or comments**

**Mr. Croke comments on the odd shape of the lot that the Building 11 is currently located on, but has no further questions or comments.**

**Ms. Toledo inquires since the originally going to be 39 condos to**

**now becoming a rental situation, what are the apartments going to be like? One to two bedroom? More of an adult community?**

**Mr. Stone explains that yes, there will be studios, but mostly one bedroom and two bedroom apartments and this is based off of the demand they've seen for their apartments at the other buildings.**

**Ms. Toledo inquires if they are any future plans for going back to the idea of turning the building into condos for sale?**

**Mr. Stone explains that right now the long term plan is just for rentals.**

**Chairman Saveory comments on his concerns of the original 39 condos and now doubling residency to 80 apartments and the fire codes that they have.**

**Attorney Engustian comments on how Rumford Center had to meet and discuss plans with the fire department in order for the Planning Board approval.**

**Chairman Saveory comments how the Rumford Center represents the community well.**

**Vice Chairman Beauparlant inquires about the noted modification of the planning board and what are the modifications?**

**Attorney Engustian reads from the decision from the Planning Department that the modifications are**

- That any outstanding comments from the involved city's technical staff, including the city engineer, be addressed in the final plans.**
- Any legal documents mentioning cross easements for access and**

**parking be submitted into the final plans.**

- Any necessary waivers are identified in the final plans.**
- That the applicant work with the zoning officer to identify any necessary zoning variances and to obtain all necessary zoning variances.**
- Any public improvement guarantee be calculated and provided to the Planning Board.**
- The median shown on the plans at the Newman Avenue driveway be repainted to separate ingress and egress lanes.**
- The proposal be based upon these plans and the proposal shall meet all city, state and or federal regulations.**

**Chairman Saveory inquires to Vice Chairman Beauparlant if he would like to add these modifications as a stipulation, if the board decides to approve the construction of Building 11.**

**Vice Chairman Beauparlant agrees to add this as a stipulation depending on the board's approval.**

**Zoning Officer Edward Pimentel notes that development is unique, sharing three parcels which means there is a shared parking agreement between them that can be used interchangeably.**

**Attorney Engustian adds in that this project should be view as unified with the other buildings, because of the parking agreements, walking paths, and the sense of community.**

**Mr. Croke mentions to the board that there is a pond in the back of**

**the property which puts another barrier in addition to the odd shape lot.**

**Chairman Saveory inquires if there is anyone else present who would like to speak in favor of the subject petition. Hearing and seeing none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition.**

**• Wendy Edwards and Jerry Mishack 27 Newman Ave, East Providence, RI are properly sworn in.**

**Ms. Edwards starts by telling the board that the Rumford Center are great neighbors and love being part of Rumford community, bought their property prior to the building of the Rumford Center. However they are against the new construction of Building 11 because the height of the building would destroy the natural sunlight coming into the home. There is also concerns of adding more traffic in the area, causing more accident due to the dangerous curve.**

**Mr. Mishack mentions how he would like a shadow assessment and feels that new building would be a massive behemoth, and would destroy the natural light.**

**Chairman Saveory inquires how tall the current building is now.**

**Attorney Engustian explains that the building is now 55 feet high and the purposed height would be 65 feet high.**

**Chairman Saveory comments on how he feels that the additional 10 feet wouldn't make a difference.**

**Mr. Cunha inquires if perhaps if the building could be moved back slightly in order to accommodate Ms. Edwards and Mr. Mishack's concerns**

**Mr. Stone explains that the building cannot be moved due to the odd shape of the lot, however has spent time with both Ms. Edwards and Mr. Mishack trying to come up with a compromise.**

**Chairman Saveory queries the Board for a motion.**

**Motion by Vice Chairman Beauparlant, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:**

**1. 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 not due to a physical or economic disability of the applicant excepting those physical disabilities addressed in RIGL 45-24-30(16).**

**2. 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.**

**3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter**

**is based.**

**4. That the relief to be granted is the least relief necessary.**

**Vice Chairman Beauparlant hereby further finds pursuant to Section 19-45(b) of the City of East Providence Zoning Ordinance:**

**5. In granting the dimensional variances, that the hardship that will be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.**

**Vice Chairman Beauparlant moves that the dimensional variances be Granted subject to the petitioner fulfilling the following conditions:**

**1. Petitioner(s) obtaining any, and all, necessary permits.**

**2. Compliance with the submitted site plan (or amended site plan as it may be applicable), all exhibits, and entire testimony provided during the respective hearing.**

**3. Compliance with the Planning Board's modifications mentioned previously.**

**Chairman Saveory asks Mr. Stone if he accepts the conditions of**

approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Mr. Stone responds that he fully understands and accepts the conditions just stipulated.

**The motion is Seconded by Ms. Toledo**

**Roll Call Vote: The subject property is proposing a building that is similar to other buildings in the surrounding area, so there should be no major changes to the surrounding area. The land shares**

**Ms. Toledo -Aye three parcels and is considered to be one site and should be**

**Mr. Croke -Aye taken as a whole.**

**Mr. Pascoa -Aye**

**Vice Chairman Beauparlant -Aye**

**Chairman Saveory - Aye**

**Dimensional variances unanimously granted, subject to the aforementioned condition(s).**

**4. Petition No. 6623 375 Wampanoag Trail, LLC is requesting a dimensional variance to construct a free standing pylon sign for the new medical building located at 375 Wampanoag Trail however the**

**purposed size for the sign would violate the maximum permissible square footage. Map 509, Block 2, Parcel 1 and in a split zoned Industrial 2 and Commercial 1 District.**

**Attorney Christine Engustian of 1 Grove Ave, East Providence, RI explains to the board that she is counsel for the subject petitioner, 375 Wampanoag Trail LLC.**

**Paul Pisano, a witness who resides at 376 Morrow Bridge Lane, North Kingstown, RI. Mr. Pizano is a employee of Marshall Properties who is the construction manager for 375 Wampanoag Trail.**

**Attorney Engustian informs the board that 375 Wampanoag Trail LLC desires to construct a free standing pylon sign that would exceed the maximum permissible square footage.**

**Mr. Pisano explains that there will be two internally illuminated signs, each sign is going to be roughly 96 square feet. Mr. Pisano explains that the additional square feet is necessary so patients can identify the different services provided and what doctors are in the building in a timely matter.**

**Ms. Toledo comments that the building is beautiful, but struggles with the size of the sign. Due to the fact that there already is a “University Medical” sign on the building itself. Ms. Toledo also mentions that there is another medical facility on the corner of**

**Amaral Street and Wampanoag Trail that has a much smaller sign.**

**Mr. Pisano explains that they are building a sign similar in size to the sign for Coastal Medical on Warren Ave in East Providence and are using the same exact sign company.**

**Ms. Toledo explains that she does not see the hardship to have a sign that large in that particular area.**

**Vice Chairman Beauparlant asks the Zoning Officer Edward Pimentel how the ordinance requirements stands up to the neighboring communities?**

**Zoning Officer Edward Pimentel explains he is not sure of the other communities and that this particular ordinance is fairly new. The property is particular because it is zoned industrial but allows office uses. The industrial zones have stricter sign ordinances because industrial companies are not usually destination places and however commercial zones are allowed to have more signage. If the property was located in a commercial zone, then they would be allowed to have 100 square footage of signage, which means this property wouldn't have to have gone to zoning.**

**Vice Chairman Beauparlant comments that he doesn't have any conflicts with the signs.**

**Mr. Cunha agrees with Vice Chairman Beauparlant and doesn't have any conflicts with the sign.**

**Ms. Toledo inquires if the sign were to meet zoning requirements,**

would they not be able to fit all of the practices and doctors on the sign? And if so how many practices are they expecting?

Mr. Pisano explains that it would be extremely difficult to fit all the practices and doctors if the sign must meet zoning requirements. They currently have University Medical, Lifespan, and the ability to have four other tenants.

Mr. Pascoa has no questions or comments

Mr. Croke inquires about the earlier mentioned Coastal Medical sign, how similar to Coastal Medical sign is this new sign going to be?

Mr. Pisano explains that he doesn't have the exact measurements but both signs will be very similar.

Mr. Croke comments that he has no objections to the sign now having an idea on how big the sign will be.

Mr. Pisano explains to the board that University Medical has the rights to have only their name on the building, which is why the pylon sign is required for the other tenants.

Chairman Saveory comments that the sign is important for the elderly in order for them to know where they're going, and believes that the location of the property wouldn't cause any conflicts to have a sign that large.

Chairman Saveory inquires if there is anyone else present who would like to speak in favor of the subject petition. Hearing and seeing

**none, Chairman Saveory inquires if there is anyone present who would like to speak against the subject petition. Hearing and seeing none, Chairman Saveory queries the Board for a motion.**

**Motion by Ms. Toledo, based on all the evidence and testimony presented to the Zoning Board of Review and the personal knowledge of the members of the Board of the land and area of the City of East Providence, the Zoning Board hereby finds:**

- 1. 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 not due to a physical or economic disability of the applicant excepting those physical disabilities addressed in RIGL 45-24-30(16).**
- 2. 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.**
- 3. The granting of the requested variances will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the city's comprehensive plan upon which this chapter is based.**
- 4. That the relief to be granted is the least relief necessary.**

**Ms. Toledo hereby further finds pursuant to Section 19-45(b) of the City of East Providence Zoning Ordinance:**

**5. In granting the dimensional variances, that the hardship that will be suffered by the owner of the subject property if the dimensional variances are not granted shall amount to more than a mere inconvenience.**

**Ms. Toledo moves that the dimensional variances be Granted subject to the petitioner fulfilling the following conditions:**

**1. Petitioner(s) obtaining any, and all, necessary permits.**

**2. Compliance with the submitted site plan (or amended site plan as it may be applicable), all exhibits, and entire testimony provided during the respective hearing.**

**Chairman Saveory asks Mr. Pisano if he accepts the conditions of approval just stipulated, understanding that strict compliance means that any deviation will necessitate revisiting the Zoning Board of Review; said revisit may be requested by either the Zoning Officer or any member of the Zoning Board of Review. Mr. Pisano responds that he fully understands and accepts the conditions just stipulated.**

**The motion is Seconded by Mr. Cunha.**

## **Roll Call Vote:**

**Ms. Toledo – Aye** The subject property wouldn't have needed to go in front of **Mr. Croke - Aye** the zoning board if it was considered a **Commercial District** instead of the **Industrial District**. The hardship was

**Mr. Cunha -Aye** not introduced by the subject petitioner, or anything the

**Mr. Pascoa – Aye** petitioner did.

**Vice Chairman Beauparlant -Aye**

**Chairman Saveory – Aye**

**Dimensional variances** unanimously granted, subject to the aforementioned condition(s).

## **IX. ANNOUNCEMENTS**

**Chairman Saveory** inquires if there are any announcements, there are none. The next zoning board meeting will be held **Monday 1 June 2016** at 7pm in the **City of East Providence Council Chambers**.

## **X. ADJOURNMENT**

• **Motion to adjourn** by **Ms. Toledo** and **Mr. Cunha**. The motion is **Seconded** by **Vice Chairman Beauparlant** and **Unanimously** voted to adjourn. Meeting is adjourned at **9:00 P.M.**

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**Edward Pimentel, AICP**

**Zoning Officer / Clerk**

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**Secretary**