



**ZONING BOARD OF REVIEW  
MINUTES OF THE JULY 9, 2008 MEETING  
TOWN OF FOSTER**

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**A. Call to Order**

The July 9, 2008 meeting of the Foster Zoning Board of Review came to order at 7:00pm in the Benjamin Eddy Building.

**B. Roll Call**

Present were; William (Bill) Gibb, Vice-Chairman; Heidi Colwell, Scott Pollard, Paula Mottshaw, Secretary; Joseph Walsh, Alternate; Robert Fallon, Building/Zoning Official; Carole Malaga, Stenographer.

Absent were Carl Saccoccio, Chairman; John J. Bevilacqua, Esq., Town Solicitor

**C. Approval of Minutes**

Scott Pollard moved to approve the meeting minutes from the May 2008 meeting. The motion was 2<sup>nd</sup> by Joe Walsh. The motion carried.

**D. Correspondence and Review**

None.

**E. Hearings Discussion and Decision**

**08-05**

Applicant and Owner Michael and Karen Lyons; Location 24 Hartford Pike, Foster, RI; Plat 18 Lot 19C, is requesting a special use permit for the manufacture and repair of string instruments (Article IV, Section 11, No 1 of the Zoning Ordinances); and dimensional relief from side set back requirements for a pre-existing building (Article IV, Section 13 of the Zoning Ordinances).

Michael Lyons presented the application. He works for Verizon and does instrument repair in his spare time in the evenings. He has been in his house for more than 25 years and has fixed up the garage within the past year. He is on the slow track to move his workshop from the basement to the garage. He does a lot of restoration. The applicant has no intentions of building a violin "super store."

No one spoke in favor or against the application.

The applicant needs a side lot variance for the existing dwelling (garage), which is approximately 50' from the property line.

**F. Discussion**

Bob Fallon testified that there is plenty of parking available and the applicants "keeps a nice place."

**G. Conditions**

None.

**H. Decision**

Scott Pollard made a motion to approve application 08-05 for a variance at 24 Hartford Pike, Foster for a side yard set back to existing garage under Article IV Section 13 for approval and defer for vote depending on the vote for the applicant's request for a special use permit. Scott Pollard moved to approve the special use permit on Hearing 08-05, Plate 18 Lot 19C for the use of repair and sale of stringed instruments (ex. Violins, cellos, etc.) under Article IV Section 11.

Voted 5/affirmative and 0/negative. The 2 motions carry:

William Gibb - approve

Heidi Colwell - approve

Scott Pollard - approve

Paula Mottshaw – approve

Joe Walsh – approve

**I. Hearings Discussion and Decision**

**08-06**

Applicant and Owner John and Darlene Fusco, Location 69 Old Danielson Pike, Foster, RI; Plat 21 Lot 0005 is requesting a special use permit under Article IV, Section 7, Subsection 2, to run an antique and collectables shop out of an existing building on the property. And Subsection 13 to sell garden grown produce out of the same existing building. The applicant proposes hours of 10-4pm and by appointment. The size of the building is 14.5 feet x 12.5 feet—a one floor one-room cottage. The produce is grown on the property. Nothing would be left outside to clutter the outside of the property.

Floyd Davis spoke in favor of the application. The applicant has created an attractive place through hard work and new ideas and this application would benefit the community. He doesn't see a problem with the application. He strongly urged the board to approve the application.

**J. Discussion**

There is limited parking. The relief is being sought to sell antiques. The applicant can sell produce grown on the property without a variance.

**K. Conditions**

None

**L. Decision**

Scott Pollard made a motion to approve the application of John and Darlene Fusco, Hearing 08-06, 69 Old Danielson Pike, Foster, RI; Plat 21 Lot 0005 for a special use permit for the purpose of selling antiques inside the building and produce via a farm stand.

Voted 5/affirmative and 0/negative. The 2 motions carry:

William Gibb - approve

Heidi Colwell - approve

Scott Pollard - approve

Paula Mottshaw – approve

Joe Walsh – approve

**M. Adjournment**

William Gibb moved to adjourn, seconded by Joe Walsh, the July 9, 2008 Foster Zoning Board of Review meeting at 7:43 pm.

Respectfully submitted by: /s/Paula Mottshaw

Paula Mottshaw, Secretary