



ZONING BOARD OF REVIEW MEETING MINUTES
TOWN OF FOSTER
Benjamin Eddy Building, 6 South Killingly Road, Foster, RI
Wednesday: May 08, 2013 AT 7:00 p.m.

A. Call to Order

Meeting was called to order by Joe Walsh, Chair at 7:06 p.m.

B. Roll Call

The following Zoning Board members were in attendance: Joseph Walsh (Chair); William Gibb (Vice Chair), Paula Mottshaw (Secretary), Heidi Colwell (member), Maureen McEntee (member), John Esposito (Alternate), Thomas DiRaimo (Alternate), Ann-Marie Ignasher (Town Planner), Peter Scorpio (Building & Zoning Official). Excused: Renee Bevilacqua (Town Solicitor).

C. Approval of Minutes

January 09, 2013

William Gibb moved to approve the minutes January 09, 2013; seconded by Joseph Walsh.

Motion carried unanimously 7 – 0.

D. Correspondence and Communications

Discussion / Action

E. Decisions – Review /Adoption - Ratification

Discussion / Action

None

F. Public Hearings

Discussion / Action

Hearing #13-05-01-Z Applicant John & Bertha Hawkins, Old Plainfield Pike and T. Parker Road (formerly Whippoorwill Campground), Foster, RI Tax Assessor's Plat 06 Lot 38, 39, is requesting a Dimensional Variance; Zoning Ordinance Article IV; Zone Regulations; Section 13; Dimensional Regulations; Subsection A; Agricultural Residential District; More Specific, Requesting Relief from Front Setback of 35 to 20.2'; More Specific approximately 15' of relief from Existing Front Sideline Setback. Also, relief from minimum lot frontage from 300' to 290.26; more specific, approximately 10' relief from proposed subdivided Lot #3. Requesting relief from Article VI. Supplemental Regulations; Section 2; Corner Lots: For the purpose of complying with Article IV, Section 13, the minimum lot on both roads shall comply with the minimum lot width for the district of location.

Paula Mottshaw read the application for John Hawkins into record.

Joe Walsh read the opinion letter from the Planning Board into record as Exhibit 1.

Mike Raimondi the land surveyor had been deemed an expert witness previously and presented this application.

John Hawkins spoke in favor of the application.

Gary Palmer had some questions regarding the requested setbacks.

William Gibb made a motion to approve the application #13-05-01-Z for John & Bertha Hawkins of Old Plainfield Pike and T. Parker Road for a dimensional variance under zoning ordinance Article IV Section 13 requesting relief from front setback from 35 to 20.2 (a 15 foot relief) also relief from minimum lot frontage from 300 to 290.26 (a 10' relief) for the proposed subdivision lot #3 for minimum lot size on both roads for this corner lot.

-The board has considered this application, testimony of witnesses and all evidence presented and has determined that we have jurisdiction to hear and consider this matter.

-As stated by the Planning Board the existing structure within the front yard set back, on Plainfield Pike is a pre-existing structure, constructed in 1960 which pre-dates out current zoning laws, and therefore relief should be granted.

-Lot 3 is indeed a corner lot, however as there is already a residence there the front yard is on Old Plainfield Pike (which exceeds the required frontage) and it is a side yard abutting T. Parker Road.

-Granting a 10 foot relief on T. Parker Road will not have an adverse affect on real estate or neighborhood.

-That the relief requested is the minimum relief necessary and does not give a greater economic benefit.

"The public is welcome to any meeting of the Zoning Board. If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation, please contact the Town Clerk's Office (392-9200) at least two (2) business days prior to the meeting."

-The subdivision as presented is consistent with the Comprehensive Plan because all 4 lots meet the minimum lot size, all 4 meet minimum front yard frontage, and all 4 lots show building envelopes which meet the towns set back requirements.

-That the hardships requiring this relief is due to the unique characteristics of the subject land is not the result of any prior action by the application, and that the proposal is in line with the intent of the town's comprehensive plan, and that the relief is the least necessary.

Seconded by Heidi Colwell

Heidi Colwell, aye; Maureen McEntee, aye; Paula Mottshaw, aye; William Gibb, aye; Joseph Walsh, aye.

G. Zoning Board of Appeals will convene to hear the following appeals

H. Old Business

I. New Business

J. Future Agenda Items

K. Adjournment

William Gibb moved to adjourn at 7:36 p.m.; seconded by Maureen McEntee, motion carried unanimously.

Respectfully submitted,

Paula Mottshaw, Secretary

Date: _____