ZONING BOARD OF REVIEW
Minutes
August 6, 2014
Coventry Town Hall
1670 Flat River Road
Work Session & Regular Meeting
7:00 p.m.

Members in Attendance: Robert Crowe, Virginia Soucy, Russell Lacaillade, Denise DeGraide, Jeanne Kostyla and John Studley.

Mr. Crowe: Let the record reflect we have a full Board. The fire exits are to your rear, the exits to my rear take you into the building. We will discuss the applications from last month then open the meeting to discussion and new applications. At this time I would like to have approval of the Minutes from the July 2, 2014 meeting.

Ms. DeGraide: Motion to accept the minutes as presented.

Mr. Lacaillade: Second.

Mr. Crowe: Motion made and seconded all those in favor say aye?

Board: Aye.

Mr. Crowe: Nays? Ayes have it.

OLD BUSINESS

Applicant: **Claude & Lisa Masse**
Owner: **Same**
Location of Property: **AP 316 Lot 8; 31 Old Summit Road**
Zone: **VRC**
Existing Use: **Single Family Residence**
Proposed Use: **Same with Dog Kennel**

Applicants are seeking a Special Use Permit to operate a dog kennel

Mr. Crowe: I went and took a look at this place, it's beautiful. They are going to put the kennel in a wooden barn in one section. I have mixed emotions. I also walked the property and we have water on two sides. Also speaking to the people and the letter recently submitted they have changed the cleaning product. He has a large piece of property.

Mr. Lacaillade: Its old timber that's been there since the turn of the century. I have been led to believe they are going to put flooring down that will catch anything that could possibly soak through. It's neat, clean. I walked the perimeter with an owner; everything slopes the wrong way with regard to runoff. He has quite a lengthy experience in environmental issues, he is an environmental scientist. The distance from the brook to the barn is probably 350 feet; the way the soil is it won't run it will stay right there. I have no problem with it. I have spoke with the fire district

marshal and also the state marshal and because of its size do not require a supervised fire alarm system although smoke detectors would be applicable for the protection of the animals and they already have fire extinguishers in the barn.

Ms. Kostyla: What I noticed when I walked the property if he were afraid with that type of knowledge that he has he has his own garden right there. Everything we discussed is safe. The solution he is using is very dilute and passes the Clean Water Act.

Mr. Studley: I went out and no one was there, I walked the place and I don't have any issues. There is a lot of room there.

Mr. Crowe: How about if we approve this with the stipulation that it returns to us in three years to see if there is a problem.

Mr. Lacaillade: We haven't done that in the past in regard to this type of application.

Mr. Crowe: It would give us a record and with no complaints and....

Mr. Lacaillade: If you are going to do that does that mean if they get a bad report card we will stop them in three years? I wouldn't want to invest a lot of money and it hinge on three years.

Ms. DeGraide: He will get re-licensed by the Town Council every year anyway so if there will be any issues they will come to the Town Council before they get back to us.

Mr. Lacaillade: How about if we revisit it in three years.

Ms. DeGraide: I don't think we need to do any of that.

Mr. Peabody: The Town Council has yearly jurisdiction, if a neighbor comes in and says my well has been contaminated by this, the Town Council will not give them a license. There is already a safeguard in place.

Mr. Crowe: If this approved it will be approved as presented.

Applicant:	**Richard Becker**
Owner:	**Same**
Location of Property:	**AP 45 Lot 123; 17 South Main Street**
Zone:	**R-20**
Existing Use:	**Multi-family Residence**
Proposed Use:	**Same**

Applicant is seeking a Dimensional Variance for lot size

Mr. Crowe: I have problems with this. I say the only way to get through there is through Bank Street. The structure is in tough shape.

Mr. Peabody: There have been slight alterations in the plans since it first appeared. Basically they realize the only way in and out of the property is from Bank Street so they moved the line over to provide driveway access. It changes the square footage a 100th of an acre.

Mr. Crowe: My other problem is the only reason they are doing this is financial reasons.

Mr. Peabody: This has a positive recommendation from the Planning Department. The reason behind it is separating a commercial use from a residential use so there can be two separate pieces. You have a business taking up one half of a residence on the same property. We are just splitting it up so we have a residential property and commercial property. That's good planning policy to not have mixed uses like that. The parking lot goes with the business across the street; we want to encourage the business to stay....

Mr. Crowe: My problem is a sewer line; if you ever had a problem with the sewer line you would want that piece of property.

Mr. Peabody: You can put a sewer system under the parking lot or across the street where it currently exists.

Mr. Crowe: If you look at the whole structure and he goes across the street, he has his sewer line go right across South Main Street. Then there will be a residential house with a commercial parking lot in the back, it's not an advantageous location for a residence. It's in poor shape. Instead of renovating it should be torn down. We are going to create an undersized residential lot for economical reasons.

Mr. Peabody: By being individually owned rather being owned by a corporation it will more likely be better maintained which is probably be the only way this structure will be rehabbed. The lot is big enough for a septic system, public water is available.

Mr. Lacaillade: That's not before us. If this gets subdivided and sells it it will be a lot of work but that's not on us. I haven't seen anyone live in that house for at least 40 years. We have a potential of turning this into cleaning up the street a little.

Mr. Sullivan: Is this just a Dimensional Variance?

Mr. Peabody: Yes.

Mr. Sullivan: It's consistent with the lots in the area.

Mr. Crowe: I think we should have a fence put up to separate the parking lot. If this is to be approved it should be with the stipulation of a fence.

Ms. DeGraide: Where do you want the fence?

Mr. Peabody: My suggestion is the entire western property line.

Ms. Soucy: What size fence?

Ms. DeGraide: I think six foot stockade to afford privacy and be safe.

Mr. Crowe: I agree with six feet.

Applicant:	**Jeffrey T. Ladd**
Owner:	**Jeffrey T. & Terri Ladd**
Location of Property:	**AP 76 Lot 007; 2 Deer Run Drive**
Zone:	**R-20**
Existing Use:	**Single Family Residence**
Proposed Use:	**Same**

Applicant is seeking a Dimensional Variance to erect a 10' fence along property line abutting construction site for additional privacy & noise reduction where only 6' is allowed

Mr. Crowe: If he wants to put up a 10 foot fence I have no problem. He bought the place not knowing about all the houses going in there. No one else is going to see it, just the idea that someone came in and said you went from 5 acres to 20,000 square feet. It's changed on him.

Ms. DeGraide: I am all for it.

Ms. Soucy: 10 is awful high, I think 8 is fine.

Mr. Lacaillade: I don't like it. If I were to buy the lot right behind him I don't want to look out and see a 10 foot fence. You grant to one and you impinge on someone else. There are trees there.

Ms. Kostyla: I think it's too high.

Mr. Crowe: Can we compromise to 8?

Ms. DeGraide: Yes.

Mr. Peabody: The one thing I will speak for on behalf of this gentleman. It won't be right on the property line so it won't be looming on the neighbors. There is the property line, a row of trees, then an existing fence then it's going on the inside of that. It's about 8-10 feet from the property line. There is a 50 foot buffer. He will have two fences.

Mr. Studley: There are quite a few trees in between and you really can't see between them right now but in the fall you will.

Mr. Crowe: If it's approved do with approve with a stipulation of 8 foot fence or rejected as presented.

Ms. DeGraide: Given the new information that Jake gave us, that this fence will be inside the one that's there and he has more property on the other side of that plus a 50 foot buffer so people won't be looking out there window at a 10 foot fence. Nobody's going to see it. I am okay with the 10.

Mr. Lacaillade: If we do something like this aren't we setting the precedent?

Mr. Crowe: Because the zoning changed on him it got pushed down his throat.

Ms. Kostyla: That should apply to that particular property.

Ms. DeGraide: It will be a case by case basis.

Applicant:	**Jonnathan DuClau**
Owner:	**Same**
Location of Property:	**AP 32 Lot 105; 7 Kennedy Drive**
Zone:	**R-20**
Existing Use:	**Single Family Residence**
Proposed Use:	**Same**

Applicant is seeking a Dimensional Variance to construct a detached garage 8' from the side property line where 10' is required and 22 3/8 feet tall where 15' is required

Mr. Crowe: I took a look at it. The septic is on one side, he will be tight to the house on the right side. There is nothing really close on that side and he won't be going any higher than the existing house so I don't have a problem with it.

Mr. Lacaillade: It will fit right in.

Applicant:	**Indian Trail Holdings, LLC**
Owner:	**Indian Trail Holdings, LLC**
Location of Property:	**AP 324 Lot 80; 2507 Flat River Road**
Zone:	**RR-2**
Existing Use:	**Vacant Land**
Proposed Use:	**Same**

Applicant is seeking a Special Use Permit to store cut trees on the property

Mr. Crowe: All the neighbors were in favor of this. He is not using much of the property about 1 acre out of 28. He will have quite a buffer. I would like to see the gravel coming down to the road.

Mr. Peabody: That is something we do need to do. I want 25 feet of rip rap at the entrance.

Mr. Lacaillade: Some type of cleaning of the front trees so there isn't a sight distance problem.

Mr. Crowe: I say we approve this as presented with the stipulations of the rip rap at the entrance, trimming around the trees at the entrance, some type of sign denoting the address and no out of state firewood.

Mr. Crowe: I would like to close our work session and open the meeting.

Applicant: **Claude & Lisa Masse**
Owner: **Same**
Location of Property: **AP 316 Lot 8; 31 Old Summit Road**
Zone: **VRC**
Existing Use: **Single Family Residence**
Proposed Use: **Same with Dog Kennel**

Applicants are seeking a Special Use Permit to operate a dog kennel

Ms. Soucy **Approve**

Ms. DeGraide **Approve**

Mr. Studley **Approve**

Mr. Lacaillade **Approve**

Ms. Kostyla **Approve**

Applicant: **Richard Becker**
Owner: **Same**
Location of Property: **AP 45 Lot 123; 17 South Main Street**
Zone: **R-20**
Existing Use: **Multi-family Residence**
Proposed Use: **Same**

Applicant is seeking a Dimensional Variance for lot size

Ms. Soucy **Approve***

Ms. DeGraide **Approve***

Mr. Studley **Approve***

Mr. Lacaillade **Approve***

Ms. Kostyla **Approve***

*Stipulation-A six foot high fence is required

Applicant: **Jeffrey T. Ladd**
Owner: **Jeffrey T. & Terri Ladd**
Location of Property: **AP 76 Lot 007; 2 Deer Run Drive**
Zone: **R-20**
Existing Use: **Single Family Residence**
Proposed Use: **Same**

Applicant is seeking a Dimensional Variance to erect a 10' fence along property line abutting construction site for additional privacy & noise reduction where only 6' is allowed

10 foot fence:

Ms. Soucy	**Deny**
Ms. DeGraide	**Approve**
Mr. Studley	**Deny**
Mr. Lacaillade	**Deny**
Ms. Kostyla	**Approve**

8 foot fence:

Ms. Soucy	**Approve***
Ms. DeGraide	**Approve***
Mr. Studley	**Approve***
Mr. Lacaillade	**Deny**
Ms. Kostyla	**Approve***

*Stipulation-Applicant installs 8 foot fence where 10 feet was requested

Applicant:	**Jonnathan DuClau**
Owner:	**Same**
Location of Property:	**AP 32 Lot 105; 7 Kennedy Drive**
Zone:	**R-20**
Existing Use:	**Single Family Residence**
Proposed Use:	**Same**

Applicant is seeking a Dimensional Variance to construct a detached garage 8' from the side property line where 10' is required and 22 3/8 feet tall where 15' is required

Ms. Soucy	**Approve**
Ms. DeGraide	**Approve**
Mr. Crowe	**Approve**
Mr. Lacaillade	**Approve**
Ms. Kostyla	**Approve**

Applicant:	**Indian Trail Holdings, LLC**
Owner:	**Indian Trail Holdings, LLC**
Location of Property:	**AP 324 Lot 80; 2507 Flat River Road**
Zone:	**RR-2**
Existing Use:	**Vacant Land**

Proposed Use: **Same**

Applicant is seeking a Special Use Permit to store cut trees on the property

Ms. Soucy **Approve***

Ms. DeGraide **Approve***

Mr. Crowe **Approve***

Mr. Lacaillade **Approve***

Ms. Kostyla **Approve***

*Stipulation-Applicant installs 25 foot strip of rip rap at entrance; trim trees at front entrance; no out of state wood to be kept on property and address depiction on Flat River Road.

NEW BUSINESS

Applicant: **Creative Child, Inc.**
Owner: **Lori E. Lanoue**
Location of Property: **AP 38 Lot 46; 620 Tiogue Ave**
Zone: **General Business**
Existing Use: **Bar and Lounge**
Proposed Use: **Child Care Facility**

Applicant is seeking a Special Use Permit to convert a lounge into a child care facility in a General Business Zone and a Dimensional Variance to construct a new 10'x12' addition 5'5" from the rear property line where 30 feet is required

SWORN IN **JOHN BRUNERO, JR.**
1070 MAIN STREET
COVENTRY, RI

Mr. Brunero: I represent Creative Child, Inc. You are all probably familiar with this property. Lori Lanoue proposes to take the Pitcher's Mound and transform it into a day care center. It is a permitted use and allowed under your zoning ordinance, it requires no variance for the use, it is a Special Use Permit as this Board has always seen fit to review the safety of the children coming in and out. Lori Lanoue operates the facility directly across the street; this Board approved it several years ago. That is the proposal. We are looking to take that ugly building and take the roof line and basically have a façade that Coventry will see as aesthetic fronting. We are asking for a small dimensional variance for the rear of the property and that area is for the heat and air conditioning units which are now on top of the roof and with the roof line we have it will be conducive to put it there. Jake and I have reviewed it and we have more than the necessary parking that is here. We have designed this so that we will have complete landscaping over the front which will alleviate any kind of cutting in and out, there will be an entrance with directional parking and an exit back out to Tiogue. It will be controlled. We will have ages 5-12. It's separate and apart from the younger ones. We do infancy to age 5 across

the street. We will employ about 6 teachers and have 52 students. The playground is totally controlled by the State of RI. We have to have it fenced and certain types of play area. We are licensed by the State, with comes the fire department which we will secure the necessary permits. This Board's real charge is to look at the parking and to see aesthetically it will be pleasing. The area basically right now is open; there is a white stockade fence which will remain. The properties to the rear are zoned general business; there are a few single family homes on the street. The hours of operation are 6:30 a.m. to 6:00 p.m. We will be less intrusive to the neighborhood. The signage will be a simple one on the building. Lori has been in the business for over 12 years. Her daughters work with her.

Mr. Lacaillade: The entrance and exits will be off the side streets?

Mr. Brunero: Yes.

Mr. Lacaillade: Is there any possibility that the mechanical room could be wider and not as deep?

Mr. Brunero: I don't think so from the nature of the separation that we need from the heat and walls. That's what the contractor indicated that he needed.

Ms. DeGraide: Will there be a fence blocking the children from the mechanical area?

SWORN IN **LORI LANOUE**
83 EAST SHORE DRIVE
COVENTRY, RI

Ms. Lanoue: There will be a fence. It will mimic what I have across the street. It will be a smaller version.

Mr. Crowe: Any other questions? Anybody here who would like to speak in favor or against the application or have any questions?

Mr. Brunero: We have a time frame problem and we need an un-appealed decision for SBA before we can proceed and they will not budge.

Ms. DeGraide: I make a motion we vote on this.

Mr. Lacaillade: Second.

Mr. Crowe: Motion made and seconded all those in favor say aye?

Ms. Soucy	**Approve**
Ms. DeGraide	**Approve**
Mr. Crowe	**Approve**
Mr. Lacaillade	**Approve**

Ms. Kostyla **Approve**

Applicant: **Creative Child, Inc.**
Owner: **Lori E. Lanoue**
Location of Property: **AP 38 Lot 46; 620 Tiogue Ave**
Zone: **General Business**
Existing Use: **Bar and Lounge**
Proposed Use: **Child Care Facility**

Applicant is seeking a Special Use Permit to convert a lounge into a child care facility in a General Business Zone and a Dimensional Variance to construct a new 10'x12' addition 5'5" from the rear property line where 30 feet is required

Ms. Soucy **Approve***

Ms. DeGraide **Approve***

Mr. Crowe **Approve***

Mr. Lacaillade **Approve***

Ms. Kostyla **Approve***

Stipulation*-fencing to be installed around mechanical area.

Ms. DeGraide: Motion to adjourn.

Mr. Lacaillade: Second.

Mr. Crowe: Motion made and seconded all those in favor say aye?

Board: Aye.

Mr. Crowe: Nays? Ayes have it.

Meeting adjourned at 8:15