



# Town of East Greenwich

## Zoning Board

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### **ZONING BOARD OF REVIEW MINUTES - DRAFT**

**Tuesday, February 28, 2023 Meeting @ 7:00 pm**

**HYBRID IN-PERSON AND REMOTE VIA ZOOM**

**125 Main Street, Town Council Chambers**

**Present:** Richard Land, Chairman; Jody Sceery, Melody Alger, Barry Golden, David Collier (Alternate) and Robert Brooks (Alternate).

**Absent:** Christopher Mulhearn, Vice Chairman and Christina Marseglia, Planning Analyst

**Staff:** Bruce Lofgren, Assistant Town Planner; Al Ranaldi, Planning Director; and Andy Teitz, Legal Counsel.

**Note: These minutes are supplemented by the Zoning Board Agenda, Staff Report, Zoning Board Application Package Materials, and Video and Audio Recordings. These materials can either be accessed on the Town's website or by contacting the Planning Department.**

Mr. Land, Chair of the Board, called the meeting to order at 7:00 PM and introduced the members and staff present. He then read the Board's procedures into the record. Each person addressing the Board will first state his or her name and address for the record. The applicant and his or her legal representative will present the case and witnesses may be called to testify. Such testimony must be relevant to the application. Expert witnesses will be sworn in and there will be no prejudgment as to the expertise of any witness. Pictures, diagrams and other documents given to the Board as evidence will be appropriately marked as exhibits and will be retained by the Board for the record. Upon completion of the applicant's presentation all other persons wishing to offer evidence in favor of the application may then do so one at a time. Following that all persons wishing to offer evidence against the application may then do so one at a time. It is asked that comments are confined to the zoning matter being heard and that repetitive remarks are avoided. Cross examination or rebuttal may be allowed if the Board feels it would be appropriate and useful. All questions from the floor will be directed through the Chair only. After all relevant facts have been heard the Chair will call for a motion; the Board will then discuss the motion and the Chair will call for a

vote. During the discussion among voting Board members, the Board will not accept any new and further testimony unless it is specifically requested by a Board member. The Board will make every attempt this evening to render a decision. The written decision will be recorded in the Town Clerk's Office as soon as possible following the approval of the minutes of the meeting.

### **Zoning Board of Review Hearings – 7:00 PM**

**1. Zachary and Keelia Kentor** for property located at 63 Virginia Avenue; Map 074 A.P. 004 Lot 095 (Zoned Residential, R-10). The Applicant requires Dimensional Variances from Table-2 Dimensional Regulations of Chapter 260 of the Town Code, Zoning Ordinance. The Sections sets forth the dimensional setbacks and height limits that are required for a lot. The Applicant is proposing to construct an addition at the above referenced location.

**PROPOSAL:** The applicant is proposing to construct an addition on the northern side of the existing structure. The addition will accommodate a laundry room, primary bedroom, and will replace the bedroom lost in the lower level due to reconfiguration of the home. A 2.5' Front-yard Setback Variance and a 3.5' Side-yard Setback Variance is being requested to accommodate the request.

**RELIEF REQUESTED:** A 2.5' Front-yard Setback Variance and a 3.5' Side-yard Setback Variance from Table-2 Dimensional Regulations of Chapter 260 of the Town Code, Zoning Ordinance. The required side-yard setback in the zone is 15' and the front-yard setback in the zone is 30'. The applicant is proposing a 11.5' Side-yard Setback and a 27.5' Front-yard setback.

**MICHAEL MCCORMICK**, professional land surveyor at Alpha Associates LTD, was sworn in and represented the applicant, Keelia Kentor. He described the proposal, the existing conditions, and the relief sought. Mr. McCormick stated the proposal is to construct a 19 ½ ft x 27 ft addition on the right side of the house. This will encroach on the sideline setback 2.5' and 3.5' in the front. He also testified that the reason for the addition is for a growing family.

**MR. LAND** asked the Board if they had any questions in regard to the application.

**MR. GOLDEN** asked if any trees would need to be taken down to accommodate the addition.

**MRS. KENTOR** was sworn in and stated that they specifically designed the addition so that it would not interfere with any mature trees or any major landscaping elements on the property or any of the neighboring properties.

**MR. LAND** asked if the addition's size and encroachment in the side setback allow for a relatively standard-sized footprint.

**MRS. KENTOR** stated that an existing site plan was included in the application and they tried to make the primary suite as close in size to the original bedrooms, which are modest to moderate in size. Additionally, a laundry room and bathroom are proposed for that area. The proposal is certainly not insignificant, but it is also not excessive.

**MR. LAND** asked if there were any members of the public that would like to speak in favor or against the application.

No members of the public were present.

**MR. LAND** stated that the applicant submitted a design package that is perhaps the most detailed and significant design package for any project, but certainly a small house that they've ever seen. He said that the applicant's level of detail and diligence in submitting this application was greatly appreciated, which makes it easy to recommend.

**MR. LAND** stated that the application as completed meets the standards of relief for a dimensional variance. Those standards being: the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land and not the general characteristics of the surrounding area; the hardship is not the result of any prior action by the applicant and does not result primarily from the desire for greater financial gain; granting the request will not alter the general character of the surrounding area or impair the purpose or intent of the Zoning Ordinance or Comprehensive Plan; the relief to be granted is the least relief necessary; the hardship suffered by the owner if the variance is not granted shall amount to more than a mere inconvenience.

**MR. GOLDEN** made a motion to approve the application subject to the following condition.

1. That construction is completed in substantial conformance with the Site Plan completed by Alpha Associates LTD dated November 2022, revised January 2023.

**MS. SCEERY** seconded the motion.

On a vote, the application as presented was approved unanimously.

**VOTE: Mr. Land: YES, Mr. Golden: YES, Ms. Alger: YES, and Ms. Sceery: YES  
Mr. Collier: YES (5 – 0 in favor of the motion).**

2. **Stefan Gravenstein** for property located at 1180 High Hawk Road; Map 034 A.P. 015 Lot 133 (Zoned Farming, F-1). The Applicant requires a Dimensional Variance from Table-2 Dimensional Regulations of Chapter 260 of the Town Code, Zoning Ordinance. The Sections sets forth the dimensional setbacks and height limits that are required for a lot. The Applicant is proposing to construct an addition at the above referenced location.

**PROPOSAL:** The applicant is proposing a one-story addition to accommodate a larger garage and indoor pool on the dwelling located within the side portion of the site and is seeking 1.9' of side-yard setback relief for the proposed steps and ramp.

**RELIEF REQUESTED:** A 1.9' Side-yard Setback Variance from Table-2 Dimensional Regulations of Chapter 260 of the Town Code, Zoning Ordinance. The required side-yard setback in the zone is 30' and the applicant is proposing a 28.1' setback.

**MICHAEL MCCORMICK**, professional land surveyor at Alpha Associates LTD, was sworn in and represented the applicant, Stefan Gravenstein. He described the proposal, the existing conditions, and the relief sought. Mr. McCormick stated the proposal is to construct a two- story addition. Structurally, the zoning requirements have been met but because the Gravensteins have an elderly parent that live with them, they are required to have a handicap ramp.

**MR. LAND** asked the Board if they had any questions in regard to the application.

No members of the board had any questions for the applicant.

**MR. LAND** asked if there were any members of the public that would like to speak in favor or against the application.

No members of the public were present.

**MR. LAND** stated that the application as completed meets the standards of relief for a dimensional variance. Those standards being: the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land and not the general

characteristics of the surrounding area; the hardship is not the result of any prior action by the applicant and does not result primarily from the desire for greater financial gain; granting the request will not alter the general character of the surrounding area or impair the purpose or intent of the Zoning Ordinance or Comprehensive Plan; the relief to be granted is the least relief necessary; the hardship suffered by the owner if the variance is not granted shall amount to more than a mere inconvenience.

**MS. SCEERY** made a motion to approve the application subject to the following condition.

1. That construction is completed in substantial conformance with the Site Plan completed by Alpha Associates LTD dated December 2022 and the Floor and Elevation Plans completed by dp Architect dated August 2022 that were submitted with this application.

**MR. GOLDEN** seconded the motion.

On a vote, the application as presented was approved unanimously.

**VOTE: Mr. Land: YES, Mr. Golden: YES, Ms. Alger: YES, and Ms. Sceery: YES  
Mr. Collier: YES (5 – 0 in favor of the motion).**

### **Zoning Board of Review Business**

1. Minutes: Review/action on the following sets of minutes:

- January 24, 2023

Ms. Sceery made a motion to approve the minutes of January 24, 2023 as presented.

Mr. Golden seconded the motion.

On a vote, the motion to approve minutes was approved unanimously.

**VOTE: Mr. Land: YES, Mr. Golden: YES, Ms. Alger: YES, and Ms. Sceery: YES  
Mr. Collier: YES (5 – 0 in favor of the motion).**

2. Adjournment:

Mr. Land made a motion to adjourn the meeting.

Mr. Golden seconded the motion.

On a vote, the motion to adjourn was approved unanimously.

**VOTE: Mr. Land: YES, Mr. Golden: YES, Ms. Alger: YES, and Ms. Sceery: YES  
Mr. Collier: YES (5 – 0 in favor of the motion).**

**Adjourn 7:15 p.m.**