

MINUTES OF BOARD OF APPEALS MEETING OF October 1, 2013: Town Hall Banquet Room

I. ADMINISTRATIVE BUSINESS

Acting Chairman Francis Cox, Jr. – Opened the meeting at 6:00 p.m.

Quorum/Attendance

Members Present – Acting Chairman Francis Cox, Jr., Joseph Borelli, Peg Cook, Daryl Manchester, Al Silva (Assoc.) and Rene Fleurent, Jr. (Assoc.)

Minutes: Acting Chairman Cox, Jr. asked for a motion to accept the minutes of September 3, 2013. Mr. Fleurent, Jr. motioned to accept the minutes. Mr. Borelli seconded. The vote was unanimous.

II. PUBLIC HEARING:

1. Petitioner: Black Bear Cranberry Corp., 2 Antone Drive, Plat 38, Lot 7L, Book 7341 and Page 61; 198-28-G: A Special Permit is required for construction of a single-family dwelling in the Nasketucket River Basin.

The petition was read and there were 13 abutters notified. The petitioner Christian Loranger would like to construct a single-family dwelling in the existing subdivision. There are two vacant lots remaining. The project has the Conservation Commission and Board of Health approvals.

No one spoke in favor or against the petition.

Mr. Fleurent, Jr. motioned to grant the Special Permit; Mr. Silva seconded.
Members voting to grant the Special Permit: Mr. Borelli, Ms. Cook, Mr. Manchester, Mr. Fleurent, Jr. and Mr. Silva.
Members voting not to grant the Special Permit: None

The Special Permit is GRANTED with a vote of five (5) in favor and none (0) opposed.

2. Petitioner: Black Bear Cranberry Corp., 4 Antone Drive, Plat 38, Lot 7K, Book 7341 and Page 61; 198-28-G: A Special Permit is required for construction of a single-family dwelling in the Nasketucket River Basin.

The petition was read and there were 13 abutters notified. The petitioner Christian Loranger would like to construct a single-family dwelling in the existing subdivision. There are two vacant lots remaining. The project has the Conservation Commission and Board of Health approvals.

No one spoke in favor or against the petition.

Mr. Silva motioned to grant the Special Permit; Mr. Borelli seconded.
Members voting to grant the Special Permit: Mr. Borelli, Ms. Cook, Mr. Manchester, Mr. Fleurent, Jr. and Mr. Silva.
Members voting not to grant the Special Permit: None

The Special Permit is GRANTED with a vote of five (5) in favor and none (0) opposed.

3. Anthony & Catherine Zelano, 3 Ellis Place, Plat 2, Lot 9 & 192, Book 10535 and Page 318; 198-18: Short 4' of the required 10' east and west side setbacks in a RA District.

The petition was read and there were 39 abutters notified. A letter asking to withdraw the petition without prejudice was sent by the petitioners. The letter was read and is part of this record.

Mr. Fleurent, Jr. motioned to allow the petition to be withdrawn without prejudice; Mr. Silva seconded. Members voting to allow the petition to be withdrawn without prejudice: Mr. Manchester, Mr. Borelli, Ms. Cook, Mr. Silva and Mr. Fleurent, Jr.

The petition is Withdrawn Without Prejudice with a vote of five (5) in favor and none (0) opposed.

4. Petitioner: Pho Le Tieu, 3 Hidden Drive, Plat 39, Lot 27C, Book 10802 and Page 284; 198-28-G: A Special Permit is required for construction of a single-family dwelling in the Nasketucket River Basin.

The petition was read and there were 11 abutters notified. The petitioner or a representative was not present.

Mr. Silva motioned to grant the Special Permit. There was no second. Mr. Silva then stated that granting the Special Permit without representation would set a precedent. Members of the Board agreed.

Mr. Silva motioned to continue the petition to the next meeting of November 5, 2013; Mr. Borelli seconded. Members voting to continue the petition: Ms. Cook, Mr. Manchester, Mr. Borelli, Mr. Silva and Mr. Fleurent, Jr.

The petition is continued to November 5, 2013 with a vote of five (5) in favor and none (0) opposed.

5. Petitioner: Windward Power Systems, Inc., 379 Alden Road, Plat 37, Lot 1A, Book 10575 and Page 279; Request a 180-day extension approval of a Variance from Chapter 198-18: 16% over the maximum allowed lot coverage of 70% and 10% over the maximum allowed building coverage of 25% in a Business District.

The original Variance was granted by the Board on September 4, 2012. Due to trouble securing financing the company is requesting a six-month extension. A letter requesting the extension was received and read and is part of this record.

Motion to grant a 180-day extension to the Variance was made by Mr. Fleurent, Jr.; seconded by Mr. Silva.

Members voting to grant the 180-day extension to the Variance: Mr. Fleurent, Jr., Ms. Cook, Mr. Manchester and Mr. Silva.

Member voting not to grant the 180-day extension to the Variance: Mr. Borelli.

A 180-day extension to the Variance is GRANTED by a vote of four (4) in favor and one (1) opposed.

III. OTHER BUSINESS:

ADJOURNMENT

Mr. Silva moved to adjourn the meeting. Mr. Borelli seconded. The vote was unanimous. The meeting was adjourned at 6:25 PM.

Respectfully Submitted,
Patricia Fowle, Secretary