

TOWN OF TIVERTON
ZONING BOARD OF REVIEW
MINUTES

8/5/20

The following petitions were received and were heard by the Tiverton Zoning Board of Review on Wednesday, August 5, 2020 at 7:38 p.m. Via Zoom Video Conferencing.

Members present: Chairwoman Lise Gescheidt, David Collins, John Jackson, Wendy Taylor Humphrey, George Alzaibak, Jennifer Hilton (alternate) , and Joel Bishop (alternate)

Also present were: Travis J. DeCosta, Esquire, Town Solicitor, William Moore, Building Official, and Mary Ann Escobar, Court Reporter.

1) Variance:

An application has been filed by Markus Earley, 0 Eight Rod Way (713-104), requesting an extension of the Zoning Board of Review Decision recorded on May 8, 2019. Pursuant to the Zoning Ordinance, the Variance expired one year from the date of the Decision because the applicant did not commence construction within the allowable timeframe.

DECISION: Mr. Earley appeared via Zoom to apologize to the Board for what he stated was a stupid mistake on his part. He explained that there were a number of factors which caused him to not request an extension earlier. One of them was due to COVID-19, but he also took some blame himself for not realizing that the deadline was May 3. He closed on his property on June 11 and somehow had that date in his mind. Mr. Earley took full responsibility for his mistake, but he also could not get before the Board any earlier than tonight due to COVID-19 and therefore he is asking for a six month continuance.

Mr. Alzaibak made a motion to grant the petitioner a 6 month continuance starting from tonight, due to their feeling that Mr. Earley could not have possibly asked for a continuance any earlier due to COVID. Ms. Gescheidt seconded. The Vote was unanimous. Voting were: Ms. Gescheidt, Mr. Collins, Mr. Jackson, Ms. Wendy Taylor Humphrey and Mr. Alzaibak.

2) Special Use Permit:

An application has been filed by BLF Properties, requesting a Special Use Permit at 3838 Main Road (706-106). The property is located in the Village Commercial Zoning District and is currently permitted for a specialty cheese shop. Applicant seeks a SUP to add a single bedroom apartment on the second floor pursuant to Article IV, Section 2.(d) of the Zoning Ordinance.

DECISION: Ms. Gescheidt made a request to continue this matter to the September 2nd meeting due to the amount of witnesses and the inability for the public to participate via Zoom. The Board and the petitioner were in agreement, and this matter will be rescheduled to the September 2nd date.

3) Special Use Permit:

An application has been filed by Inland Fuel Terminals, Inc. requesting a Special Use Permit for 25 State Avenue (101-352) for propane storage and distribution. The property is located in the Waterfront Zoning District. This proposed use is permitted only upon granting of a SUP from the Zoning Board pursuant to Article IV, Section 12.(d) of the Zoning Ordinance.

DECISION: The petitioner contacted the Board's legal counsel ahead of time to request a continuance. The Board agreed that a continuance of this matter would be better if held in a public forum so everyone will have a right to be heard on this matter. This matter was rescheduled to the September 2, 2020 meeting.

4) Administrative Matters:

- a) Review and approve February 5, 2020 meeting minutes. Mr. Alzaibak made a motion to approve the minutes from February. Ms. Taylor Humphrey seconded the motion. The Vote was unanimous. Voting were: Mr. Collins, Mr. Jackson, Ms. Taylor Humphrey, Ms. Hilton. and Mr. Alzaibak.
- b) Discuss amendment(s) to Zoning Board of Review Rules of Procedure, and
- c) amendments to Applications for Zoning Relief: Ms. Taylor Humphrey made a motion to table this matter to the next meeting. Seconded by Mr. Alzaibak. The Vote was unanimous. Voting were: Mr. Collins, Mr. Jackson, Ms. Taylor Humphrey, Ms. Hilton. and Mr. Alzaibak.
- c) New business: No new business was discussed.

5) Adjourn. Mr. Alzaibak made a motion to adjourn. Ms. Hilton seconded. The Vote was unanimous. The meeting adjourned at 7:59 p.m.

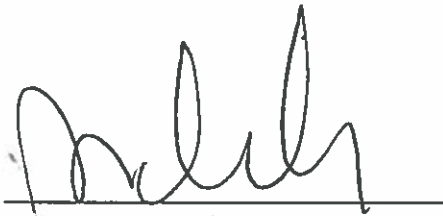
ZBR: MAE 8.2.20

CERTIFICATE

I, Mary Ann C. Escobar, Registered Professional Reporter, and Commissioner for the State of Rhode Island, do hereby certify that the foregoing pages 1 through 3 are complete, true and accurate to the best of my knowledge, skill & ability.

I further certify that I am not interested in the event of the action.

IN WITNESS WHEREOF, I have hereunto subscribed my hand this 13th day of August, 2020.



Mary Ann C. Escobar, RPR

My Commission expires: October 31, 2021.