

Town of Lincoln
Zoning Board of Review
100 Old River Road, Lincoln, RI
Minutes of January 3rd, 2023 Meeting

Present: David DeAngelis- Chairman, Lori Lyle- Vice Chairperson, Secretary Stephen Kearns, John Mancini, Frank Spezzano, Kazem Farhoumand, Attorney DeSisto

Excused: Charles Ruggerio

Minutes: November Minutes

Correspondence:

Applications:

Motion to approve the November minutes made by Secretary Kearns, second by Member Mancini. All in favor.

Correspondence this month: There is one correspondence this month in regards to the application.

Jackie and Felix Fernandes, 13 David Dr., Lincoln, RI 02865- Application for Dimensional Variance for side setback relief for an addition on single family residential located at 13 David Dr., Lincoln, RI 02865

AP 14, Lot 196

Zoned: RS-12

Chairman: This application represents a request for a Dimensional Variance to construct an addition on David Dr. The applicant is proposing to add an accessory family dwelling unit addition to the left side of the existing house. We opened this application back in November but there were some issues and further continued to tonight. This application had be continued to tonight.

Member Mancini recusal because he is an abutter to the property.

Correspondence received: **Zoning Official Hervieux** reads email from applicant's attorney.

From John Shekarchi: "Hi Russ. As discussed, my client wishes to continue the matter to next scheduled meeting. Apparently they have redesigned the proposed addition to not need any zoning relief. As soon as Ed or myself has the new plan in our possession, we will get it to you to see if we agree". They don't want to take it completely off the agenda in case they cannot redesign the proposed addition.

Next meeting is February 7th, only one other application for February.

Correspondence is marked Exhibit 1 by Chairman.

Motion made by Chairman to continue to February 7, 2023, Second by Secretary Kearns.

All in favor.

Member Spezzano- Aye

Member Farhoumand- Aye

Secretary Kearns- Aye

Vice Chairperson Lyle- Aye

Secretary Kearns question about Member Kearns recusal. Was confused, though recusal was due to benefit of an abutter.

Attorney DeSisto: If a board member is an abutter, the concern is the application may positively affect the member's property or negatively effect and that would make it for the motivation of

the members vote would be governed by how they are benefited. That is typically why solicitors recommend recusal of abutting members.

Chairman: Would they be able to speak as a member of the public rather than a member of The Board? Does one supersede the other?

Attorney DeSisto I advise against that, when someone recues they should not speak. The concern there is that they could influence the other members.

Members of the public are told the meeting will continue to February 7th

Any updates on Cumberland Farms- still waiting.

Motion to adjourn made by Member Mancini, Second by Secretary Kearns.

All in favor