

Town of Lincoln
Zoning Board of Review
100 Old River Road, Lincoln, RI
Minutes of September 2, 2025, Meeting

Present: David DeAngelis- Chairman, Stephen Kearns, Valerie Bataille, Kazem Farhoumand, Member Richard Denerstein, Solicitor DeSisito, and Zoning Official Cabral.

Excused: Member Frank Spezzano

Minutes: August 2025

Correspondence: No

Applications:

Motion to approve August meeting minutes- motion made by Member Kearns, second by Member Denerstein. All in favor.

Chairman: Member Frank Spezzano has been excused from tonight's meeting.

Gary and Patricia Belanger, 277 Knowlwood Dr., Woonsocket RI, 02895- Application for Dimensional Variance for property located at 10 Spruce St., Manville RI, 02838.

AP 36, Lot 65 Zoned: RL-9

Chairman: Continued from last month and the application from last month has changed a bit, with the request for setbacks.

Applicants; Gary Belanger and Patricia Belanger sworn in.

Chairman: Last month we read into the standards, put some testimony on the record for existing and the plans for the land an anticipated duplex. Put on the record the recommendation from the TRC and public commentary. Give us an update on the changes.

Gary Belanger: The original plan the house was right on the property line, we asked for 5ft. on both side and on the back. We met with the developer, and he said we are better moving the house forward. Asking for 5 ft. in the front and 12 ft. in the rear and the original setbacks on the sides.

Chairman: In the front, it is a 5ft. relief. On the right side, it is 5ft of relief, on the left side it is similar. In the rear, it is 12ft. relief. These are the accurate numbers for request.

Gary Belanger: The only difference is the additional 5ft. on the left side. Moving the house forward because of the retaining wall in the back-less impact on neighbors. Installing retaining wall in the back. Marked out the existing wall from surveyor. *Shows existing retaining wall on plans*

Chairman: Nice recap from last month and the modifications.

Member Kearns: Questions about the stock-ade fence, a new survey shows it is right to the property line. What about the trees?

Gary Belanger: On our side. They run the length of the property line.

Member Farhoumand: The last meeting- the building was going to be long for handicap accessible. Why is the one on the left 5ft. longer than the one on the right?

Gary Belanger: Due to the neighbors. Same size just the position of the house.

Member Farhoumand: The measurements are not the same on each side, the dimensions you show are not the same.

Zoning Official Cabral: Their floor plan shows the structure being symmetrical on each side. The survey also shows the proper amount; this may be a mistake in the plans. If they were to get the relief whatever building plans, it would need to be fixed.

Member Farhoumand: 130ft. or 135ft. Which are you asking for?

Gary Belanger: 130ft. but it doesn't show the 5ft. we are asking for.

Chairman: Prior to January 1st- new Zoning regulations. The standard that would deal with this has been removed.

Solicitor DeSisto: Correct.

Member Kearns: Are you still planning on making these two units exactly?

Gary Belanger: Yes. Exactly the same.

Member Kearns: Could we make a condition that this survey be revised to be accurate if we choose to approve?

Solicitor DeSisto: Yes, absolutely.

Member Bataille: Where is the retaining wall?

Gary Belanger: 10ft. from here *shows plans*

Chairman: Last month we included public comment. At this time, we will see if anyone is here who did not speak last month, or additional comments are not already on the record.

L. Philip: No problem with what has been said. My comment is about the runoff situation. Rectified when they did the street revamping. It is no longer there on my property. Catch basins were put in when the road was redone.

Stephanie Henault: Clarifying question. Which fence? Is the property line – fence shown is my fence and there is a boundary marker closer in. I just wanted to clarify the boundary line from the fence.

Applicant: Clarify the boundary line. *Shows the plan* property line verses boundary line. As part of the surveyor the fence is right on the line.

Zoning Official Cabral: The marker is the property line. *Clarifies on the plans*. Their retaining wall will be 10ft. from the property line (10ft. in), based on the survey.

Member Bataille: There is a lot of talk about the trees. Can we condition the larger trees will not be removed?

Member Kearns: How would you like that condition worded?

Member Bataille: That the larger trees only be removed if necessary.

Solicitor DeSisto: None of the large trees be removed except with approval from the Zoning Board.

Member Kearns: Presents motion to approve application. Stand by the Chairs stated relief requests. The hardship is due to the hardship of the land and not the surrounding area- the applicant came before us wanting the homes built for themselves, it is the nature of the lot shape. Not results of prior action of applicant, never been here before/ didn't do anything to the property. Conforms with the Comprehensive Plan, applicant gave us detailed drawing consistent with the neighbors/ fits in with the character of the area and complies with the Comprehensive Plan. Hardship is more than a mere inconvenience, certainly they would have a hard time making two handicap units. Conditions: 1- the trees of substantial nature not be cut down, trees to be cut down need Zoning approval. 2- a survey is made to encompass the dimensional variance with the exact dimensions reflected and submitted to the Zoning Official. **Second by Member Bataille.**
All in favor.

Sana Bibi, 24 Arnold St., Lincoln RI, 02865- Application for Dimensional Variance for property located at 24 Arnold St., Lincoln RI 02865

AP 12, lot 187 Zoned: RG-7

Chairman: Dimensional variance.

Amir Rasheed: Sworn in- Property owner.

Chairman: 15ft. or relief and lot relief.

Amir Rasheed: For the purpose of an attached fourth unit.

Chairman: Standards read into record: #1- Hardship exists due to unique land characteristics.

#2- Hardship not prior action of applicant.

#3- the project fits into the surrounding neighborhood.

#4- If not granted, would it be more than a mere inconvenience.

Amir Rasheed: Convert existing garage into the unit originally. Not converting the garage anymore, going to build a fourth unit to attach to the front. On the left side of the front.

Chairman: Still within the setback, except the problem is the lot is not wide enough by 15. Ft and the footprint is not big enough. Any other 4 units in the area.

Amir Rasheed: 2-3 units, I don't know about 4 families.

Chairman: Why do you want to make a fourth unit? Enough parking?

Amir Rasheed: No issues with parking in the back.

Chairman: Site plan in the files?

Zoning Official Cabral: No survey wasn't done before the meeting. Condition upon approval.

Chairman: How do you know it is 15 ft. of relief?

Solicitor: Nature of the application, I think it will be difficult for The Board to grant the request without a survey.

Chairman: I don't think we can go any further on this. Is there room to add next month? Would you like to continue at the October meeting?

Amir Rasheed: Yes sir.

Public Comment; Brenda-Lee Valentino: Sworn in, own the immediate four properties next door. We would be affected the most- own the duplex to the left. Share property line. He just transferred it from a two- family into a three-family, then added a parking lot- which is right up against the cottage we own. Complaints about noise disturbance.

Solicitor: Do you feel this is an over-attendance of this property, do you feel 4 units is not in characteristic of the area.?

Brenda-Lee Valentino: Yes, Yes.

Member Denerstien: Was a permit issued to convert to a 3-family, and the parking lot?

Zoning Official Cabral: Yes.

Public Comment; Daniel Tugan: Sworn in, lives on Arnold across the street. Was here previous for the prior applications. Too congested. Just because he has parking doesn't mean the people will park there, has concerns parking in the street. The tenants there already have problems with each other.

Member Bataille: Seems like what you mentioned is the inconsistency of the character of the neighborhood.

Chairman: It will be moved to the October meeting, advises the public to come back then.

Amir Rasheed: Did everything correct for the previous applications, inherited the 2nd floor tenant from previous owner.

Motion to continue this application to the October meeting providing he can get the survey completed and submitted prior to that date. **Motion made by Chairman, second by Member Farhoumand. All in favor.**

Richard Fuller, 4 Kennedy Blvd., Lincoln RI, 02865- Application for Dimensional Variance for property located at 4 Kennedy Blvd., Lincoln RI 02865

AP 34, Lot 210 Zoned: Unknown.

Chairman: Request for Dimensional Variance. Proposed to build an attached deck existing deck was built without building permit. 11.66 ft. in rear setback relief.

John Shekarchi for the applicant.

Chairman: Standards read into record: #1- Hardship exists due to unique land characteristics.

#2- Hardship not prior action of applicant.

#3- the project fits into the surrounding neighborhood.

#4- If not granted, would it be more than a mere inconvenience.

Attorney Shekarchi: Asking for Dimensional Variance for the rear setback.

Confusion on the correct amount of setback relief needed

Zoning Official Cabral: Clarifies the setback relief needed is 13.5ft.

Attorney Shekarchi: Applicant would like to be sworn in and add testimony to the record.

Richard E. Fuller: Sworn in. Explains to The Board how this happened. The deck needed to be replaced, it has been there for the past 16 years.

Chairman: Dimensions of the existing deck?

Richard E. Fuller: No change. wanted to re-do the deck but didn't want the deck to be uncovered. It was unaware that the contractor for the original deck did not pull any permits.

Zoning Official Cabral: Application was pulled but never approved, and the contractor started building prior to approval.

Chairman: Any violations issued to the contractor?

Zoning Official Cabral: No, not that I am aware of.

Chairman: If you had to rip it down, what effects would it have?

Richard E. Fuller: It would affect my house; it was bought with a deck on the house.

Member Kearns: What is the condition of the deck now?

Richard E. Fuller: Building was stopped, $\frac{3}{4}$ of the building was complete- missing windows and doors.

Member Kearns: Were the walls built before the work was stopped.

Richard E. Fuller: Yes.

Chairman: Percent complete?

Richard E. Fuller: Maybe 80%

Member Denerstein: What is the difference between a deck and a room?

Zoning Official Cabral: Nothing essentially. The only real difference is the plans for review.

Member Bataille: Looks like there will be a room in the basement as well.

Richard E. Fuller: There is already one there. Not at ground level.

Chairman: TRC recommendation; Positive recommendation and felt the requested relief was minimal in nature as the dwelling already encroaches into the setback. Although the Comprehensive Plan really has no bearing on this application the Planning Board voted 5-0 to recommend that the Zoning Board approve the three- season room.

Public Portion: No members of the public here to speak.

Motion to approve- motion made by Chairman 13.5ft. of relief

#1- Hardship exists due to unique land characteristics- already had a deck.

#2- Hardship not prior action of applicant- seeking to intensify what was already a deck. Not changing the footprint.

#3- the project fits into the surrounding neighborhood- decks or porches on other properties in the neighborhood.

#4- If not granted, would it be more than a mere inconvenience- if this board did not approve, we would be taking away something that the applicant has known to be there since he owned the deck.

Second, Member Bataille. All in favor.

Progress of the of the Comprehensive Plan Advisory Committee

Member Kearns: In the approval process. The website still has information on it that is accessible.

Motion to adjourn: Motion made by Member Kearns. Second by Member Farhoumand. All in favor.