

Town of Lincoln
Zoning Board of Review
100 Old River Road, Lincoln, RI
Minutes of October 7, 2025, Meeting

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

Excused: Stephen Kearns,

Minutes: September 2025

Correspondence: Yes

Applications:

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

Correspondence: Email was sent to the Chairman about applicant Sana Bibi of 24 Arnold to request to move to the November meeting. Couldn't get proper information in time. Motion to continue to November- made by Chairman, Second by Member Bataille.

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

Application continued to the November meeting.

Olivia Villamil, 68 Central St., Manville RI, 02838- Application for a Special Use Permit to extend daycare capacity to 12 children at property located at 68 Central St., Manville RI, 02838.

AP, 37 lot 059 Zoned: RG-7

Chairman: Application for Special Use Permit to extend daycare capacity at in-home daycare.

Olivia Villamil: Sworn in.

Chairman: Do you live at the 68 Central St.

Applicant: Yes, has an in-home daycare. Doesn't plan to have 12 kids at all times, only doing it because she has three kids of her own, and when they come home from school, she will be 11 kids. Licensed for 12 already.

Chairman: Reads standards for Special Use Permit. 1. Is there a hardship due to unique characteristics of land that is not any physical or economic disability? 2. Is that there's a hardship that results in and it's not from any prior action of yourself. 3. Granting of the variance will not alter the general character of the neighborhood and comply with the Comprehensive Plan. 4. Cannot yield beneficial use.

Applicant: Off street parking and on Central Str. Hours are 8am-5pm Monday through Friday. No weekends.

Chairman: Number of kids not yours?

Applicant: Four, 12 at one time.

Member Bataille: Concerns with drop off/ pick up. Use driveway?

Applicant: Not a lot of space, it is a shared driveway and is not safe.

Member Bataille: Where is drop off?

Applicant: Curb and come up the stairs.

Chairman: What is the worst that could happen, more Cars?

Applicant: Times are staggered for drop off/ pickup.

Chairman: Reads TRC Recommendation: The applicant seeks a special use permit to operate a home-based daycare for 7 or more unrelated children. The applicant indicates that drop off will be done on Central Street in front of the property. She has provided a schedule to document compliance with hours of operation, as well as a floor plan. The property is in the RG-7 zoning district. The Technical Review Committee discussed this application at their September 11, 2025, meeting. The TRC was generally supportive of the application but expressed some concerns about drop-off and pick-up, noting that it

would be preferable to utilize the driveway. Ultimately, the Comprehensive Plan has little bearing on this application. The TRC voted 4-0 to recommend a positive recommendation by the Planning Board.

No public comment.

Motion Made by Chairman to approve to extend daycare number to 12 kids, governed by the State.

Notice did go out, and no one seemed to be concerned enough to come out tonight. No alteration to the characteristics of neighborhood, comprehensive plan has little bearing on this application.

Attorney DeSisto: Recommend purpose of this was because she has her own children

Chairman: Number of 12 include the three of her own children.

Motion Second by Member Bataille. All in favor.

Jeffrey Murad, 1452 Old Louisquisset Pike, Lincoln RI, 02865- Application for Dimensional Variance for side relief for property located at 1452 Old Louisquisset Pike, Lincoln RI, 02865.

AP, 19 lot 161 Zoned: RS-20

Chairman: dimensional Variance to build deck on existing deck.

Mary Shekarchi present for the applicant: Sworn in.

Chairman: Relief to extend existing deck 25ft. from side property line. 10.4 proposed therefore 14.6ft of relief needed. 50% complete because applicant didn't know the needed relief. Reads standards: 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: Construction began and then realized.

Chairman: Was permit granted?

Zoning Official Cabral: No, they started then applied, that is where we caught it. Permit was granted for the section.

Chairman: Status of construction?

Attorney Shekarchi: On hold.

Chairman: Same contractor?

Attorney Shekarchi: Yes, purpose of deck was a safety concern for accessing a whirlpool.

Exhibit 1-3 given to Board (photographs), also four letters of support

Applicant Jeffrey Murad: Sworn in. Extending on existing deck. Building contractor contacted engineer his comment was "shouldn't be issue it is an auxiliary structure" that is the reason why we didn't think we needed to come here.

Member Denerstein: Active permit?

Zoning Official Cabral: Existing active, no finals done.

Member Farhoumand: How much of it is built?

Shows images of deck

Chairman: Neighbors have decks?

Applicant: Decks and patios.

Member Bataille: In the application the hardship is not having access to the hottub?

Applicant: To close it without having to stand on the edge.

Chairman: TRC recommendation: The applicant seeks a variance of approximately 15 feet to accommodate the construction of a deck (the proposed deck will be 10.3 feet from the side property line where 25 feet are required). The property is located within the RS-20 zoning district. The Technical Review Committee discussed this application at their September 11, 2025 meeting. The TRC expressed concerns about the proximity of the deck to the neighbor. The TRC generally felt that the requested variance was not the result of unique characteristics of the land and that there were alternate layouts that would require less relief. Ultimately, the Comprehensive Plan has little bearing on this application. The TRC voted 4-0 to recommend a negative recommendation by the Planning Board.

Abutters letters read into the record- all positive support(Abutters by last name: Vanasse, Choolani, Russell, Good, Raheb/ Rihani).

Public Comment:

James Russel- wrote letter too, in support. No concerns.

Member Bataille: Questions about the hardship of the applicant.

Chairman: Motion to approve #1- Hardship exists due to unique land characteristics- unique characteristics of existing structures.

#2- Hardship not prior action of applicant- no prior action of the applicant.

#3- the project fits into the surrounding neighborhood- no alters.

#4- If not granted, would it be more than a mere inconvenience- inconvenience would be to make them tear it down, it was not his fault.

Motion Second by Member Denerstein. All in favor.

Martha Jamgochian, 4 Rollingwood Dr., Lincoln RI, 02865- Application for Dimensional Variance located at a single-family dwelling at 4 Rollingwood Dr., Lincoln RI, 02865.

AP 44, lot 80 Zoned: RA-40

Chairman: Request for a Dimensional Variance to build 3rd garage bay. 55 ft. from side (corner lot) 38.4ft from side 16.6ft in rear setback relief. Result of being a corner lot.

Martha Jamgochain: Sworn in.

Chairman: Reads standards: #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.

Applicant: We want 3rd bay, wat to take the bay closest and make a ramp. Two people live in the house now (her and brother), three vehicles.

Chairman: Would like to make home more accessible to age in place?

Applicant: Yes, there are homes with garages in neighborhood.

Member Denerstein: Questions about what is above garage?

Applicant: Just for lighting, no living space above.

Chairman: Reads TRC report: The applicant seeks a variance of approximately 17 feet to construct an addition onto an existing garage (the garage will be 38.4 feet from the side property line where 55 feet are required). The property is located in the RA-40 zoning district. The Technical Review Committee discussed this application at their September 11, 2025 meeting. The TRC noted that the lot is a corner lot, therefore the side yard setback requires a combination of the side and rear yard setbacks. Had the lot not been on a corner, the setback would be only 35 feet and the garage would comply. Ultimately, the Comprehensive Plan has little bearing on this application. The TRC voted 4-0 to recommend a positive recommendation by the Planning Board.

No public comment.

Motion to approve- made by Chairman: #1- Hardship exists due to unique land characteristics- no other logical spot.

#2- Hardship not prior action of applicant- no prior action, wants to make handicap accessible.

#3- the project fits into the surrounding neighborhood- no alterations.

#4- If not granted, would it be more than a mere inconvenience- important to make home more constructed to aging. Second by Member Farhoumand. All in favor.

Motion to adjourn at 8:28pm. Motion Made by Member Spezzano Second by Member Bataille. All in favor.