

Town of Smithfield Zoning Board of Review

**64 Farnum Pike, Smithfield, Rhode Island 02917
(401) 233-1039**

September 2, 2020

Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/536429301>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

Access Code: 536-429-301

The Smithfield Zoning Board of Review will hold virtual public hearings on Wednesday, September 2, 2020 at **5:00 PM**. All persons entitled to be heard will be heard for or against the granting of the following applications:

I Communications / Administration

The following Meeting Minutes will be considered, discussed, and acted on: August 12, 2020.

II Public Hearings

A. Old Business

B. New Business

20-014

Randy and Betty Gentz as applicants and owners of property located at 1 Bayou Drive, listed as Plat 6, Lot 130 seek variances to deviate from § 5.4 Table 1 “Dimensional Regulations” and 5.3.4 “Buffers” to construct an addition in an R-20 district.

III Deliberations

The following matters will be considered, discussed, and acted on for the relief requested and identified under Section II, Public Hearing: 20-14

IV Adjournment

AGENDA POSTED August 20, 2020

The public is welcome to any meeting of the Zoning Board of Review. If communication assistance (readers/interpreters/captions) or any other accommodation to ensure equal participation is needed, please contact the Smithfield Town Manager’s office at 401-233-1010 at least forty-eight (48) hours prior to the meeting.

Smithfield Zoning Board of Review

FILING FEES

TOWN HALL, 64 FARNUM PIKE, ESMOND, RI 02917

Application fee plus total postage cost for abutters' mailing.

Application to Zoning Board of Review for
SPECIAL USE, VARIANCE OR APPEAL

Amt. Paid: \$ _____
Date Fee Paid: _____
Rec'd by: _____

This APPLICATION must be completed in full prior to being considered by the Zoning Board of Review. Refer to Page Four of this APPLICATION for additional information and materials required for submission with the APPLICATION.

The UNDERSIGNED hereby applies to the Smithfield Zoning Board of Review for the following:

- SPECIAL USE, as provided in Section 5.0 of the ZONING ORDINANCE.
- VARIANCE from the application of a requirement(s) of the ZONING ORDINANCE.
- APPEAL from Building Official or Planning Board.
- COMPREHENSIVE APPLICATION.
- CLUSTER DEVELOPMENT.
- AMENDMENT TO A PREVIOUSLY GRANTED RESOLUTION

A PowerPoint presentation will be required as part of the zoning application for use at the Zoning Board of Review meeting.

I HEREBY SUBMIT THE FOLLOWING INFORMATION IN SUPPORT OF THIS REQUEST FOR CONSIDERATION AND PUBLIC HEARING:

APPLICANT: Randy and Betty Gentz ADDRESS: 1 Bayou Drive
 PHONE: (401) 439-5711 Greenville, RI 02828

OWNER: Same as above ADDRESS: _____
 PHONE: _____

LESSEE/PURCHASER: N/A ADDRESS: _____
 existing/proposed

PHONE: _____

1. **Location of Property** Street Address: 1 Bayou Drive Pole # _____
 Assessor Plat No. 6; Assessor Lot No. 130;

2. **Size of Lot** Dimensions: Width 82+/- Depth: 84+/- Total Area: 6500 Acres/Sq. Ft.

3. **Zoning Designations** Current Zoning District Classification of Property: R-20

4. Ownership Tenure

DATE of PURCHASE of the above stated property by the CURRENT OWNER: February 27, 2020
 Will Ownership of said property be transferred by the CURRENT OWNER TO the APPLICANT for developmental purposes?
 Yes () No () Does Not Apply (x)

5. Developmental Status and Proposal

A. Existing Developmental State

Are there any buildings on the property at present: Yes (x) No ()
 If YES, how many buildings? One

IDENTIFY the Size and Use of each building **:

	Building Type	Height	Area (Sq. Ft.)	Use
(1)	Wood Frame	20	1422	Residential
(2)				
(3)				

**NOTE: Use additional sheet(s) of paper, if necessary.

B. Proposed Development

Have plans for proposed construction activities for building structure(s) been submitted to the Office of the Smithfield Building Official?
 Yes () No (x) Does Not Apply ()
 If YES, has a Building Permit been refused? Yes () No ()

6. **SPECIAL USE PERMIT** (Complete this Section only if Box #1 of the Introduction is checked).

NOTE: For Special Use Permits - Three (3) copies of Site Plan and all additional material required by Section 10-9 A,B, and C of the Zoning Ordinance must accompany application.

A. IDENTIFY proposed use, action, or activity for which SPECIAL USE PERMIT is requested.

B. LIST precise ARTICLE(s) and SECTION(s) of the ZONING ORDINANCE which authorize consideration of the SPECIAL USE PERMIT described in above.

C. DESCRIBE BRIEFLY how the granting of the SPECIAL USE PERMIT will meet the requirements of Section 10-8C.2 and 3 of the ZONING ORDINANCE.

7. **VARIANCE** (Complete this Section only if Box No. 2 of the Introduction is checked).

A. IDENTIFY proposed activity, action, or use for which VARIANCE from the terms of the ZONING ORDINANCE is requested.
Addition to single family home, approximately 330 square feet.

B. LIST precise ARTICLE(s) and SECTION(s) of the ZONING ORDINANCE from which VARIANCE is requested. BRIEFLY DESCRIBE applicable regulation of standard and the variance that is requested.

Article 5.4 Table 1, rear yard set back is 30 feet, applicant requires a 13.4 foot variance.

Article 5.3.4 requires a 100 foot setback from freshwater wetlands, applicant requires a 83.4 foot variance.

C. IDENTIFY Grounds for VARIANCE. The APPLICANT is required to relate this APPLICATION REQUEST to the Criteria governing the Granting of a VARIANCE as set forth in Section 10-8 C.1.

The hardship is due to the unique characteristics of the subject land. The hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain. The granting of the variance will not alter the general characteristics of the surrounding area. The relief requested is the least relief necessary.

8. NATURE OF APPEAL (Complete this Section only if Box #3 of the Introduction is checked).

A. Appeal of Building Official (Attach copy of any denial, notification or correspondence relating to appeal).

1. Date of denial/issuance of permit or date of alleged error in enforcement of ordinance: _____, 20____


2. Basis for Appeal (Cite applicable provisions of ordinance.)

B. Appeal to the Smithfield Platting Board of Review from an action of the Smithfield Planning Board. (NOTE: attach copies of all correspondence, plans and the written decision pertaining to the appeal.)


Basis for Appeal (Cite applicable ordinance provisions and any other date in support of appeal.)

I/We, the UNDERSIGNED, swear that all information provided in this APPLICATION is to the best of MY/OUR knowledge complete and correct in every detail.

RESPECTFULLY SUBMITTED,

✓ 

Owner's Signature

✓ 

Applicant's Signature

✓ 

Owner's Signature

✓ 

Applicant's Signature

Date: July 20, 2020

AGENT/ATTORNEY: Timothy F. Kane

ADDRESS: 627 Putnam Pike

Greenville, RI 02828

PHONE: (401) 949-2228

REPRESENTING: Applicant and Owner

DATE: July 20, 2020

NOTE: Two original applications and ten copies must be submitted and signed by the property owner.

REQUIRED ATTACHMENTS TO APPLICATION FOR VARIANCES AND SPECIAL USE PERMITS

12 (twelve) copies of Radius Map (scale not less than 200 feet/inch) showing all property, street names, plat and lot numbers within a 200' (two hundred feet) Radius.

12 (twelve) copies of a LIST OF ALL PROPERTY OWNERS within the 200' (two hundred feet) Radius. Said List shall identify the names and addresses of each property owner, with plat and lot numbers. **Three (3) sets of abutters printed on mailing labels.**

12 (twelve) copies of the PLOT PLAN showing the dimensions and location(s) of all existing and proposed buildings with identification as such, plus such building plans floor plans, sketches, and drawings as may be necessary to provide complete information relative to the APPLICATION'S proposal.

12 (twelve) copies of the SITE PLAN and all additional material required by Section 10-9 A, B and C must accompany application.

FOR COMPREHENSIVE APPLICATIONS - Submit 48 copies of Site Plan Development package, including existing conditions, proposed conditions, site and utility plans, floor plans and elevations on 11 x 17 sheets. 48 copies of Applications (plus two (2) originals), Radius Map, List of All Property owners within a 200 foot radius, and all additional material required in Section 10-9 A, B and C. Also, submit 3-24" x 36" copies of Site Plan development package.

FOR CLUSTER DEVELOPMENT APPLICATIONS - In addition to the "REQUIRED ATTACHMENTS" documents and plans that are required under all of Section 6.5 Cluster Development shall be submitted.

ALL REQUIRED INFORMATION AND ATTACHMENTS SHALL BE FILED AS SEPARATE DOCUMENTS AND MUST BE ACCOMPANIED BY THE APPLICATION AND FILING FEES FOR THE CASE TO BE CONSIDERED COMPLETE AND READY FOR PUBLIC HEARING.

ALL DOCUMENTS shall be filed in the office of the Smithfield Building Official (Smithfield Town Hall, 64 Farnum Pike, Esmond, RI 02917; Telephone: (401) 233-1039. Said documents shall be filed at least twenty (30) days in advance of the regular monthly meeting of the Smithfield Zoning Board of Review.

FILING FEES, payable to the Town of Smithfield, shall be paid by the APPLICANT at the time of APPLICATION SUBMISSION. Smithfield Municipal Agents acting within their official capacity shall be exempted from the Filing Fees.

PUBLIC HEARING REQUIREMENT

No APPLICATION for a SPECIAL USE PERMIT, VARIANCE, or APPEAL to the Smithfield ZONING ORDINANCE shall be made by the Zoning Board of Review until after a Public Hearing has been held upon the APPLICATION. Written Notice of the time and place of such Public Hearing, and the purpose thereof, shall be made by the Zoning Board of Review to all owners of any Real Property within 200' (two hundred feet) of the perimeter of the Real Property, which is the subject matter of the APPLICATION. Said Written Notice shall be made by Registered or Certified Mail at least ten (10) days prior to the date of said Public Hearing. Publication of such Notice shall also be made in a newspaper of general circulation within the Town of Smithfield at least ten (10) days prior to the date of such Hearing. Any party may appear at the Public Hearing in person, by agent, or by attorney and may present such experts or witnesses that may have information relating to the APPLICATION.

EXPIRATION OF SPECIAL USE PERMITS AND VARIANCES

A Special Exception or a Variance from the provisions of the Smithfield Zoning Ordinance shall expire **one (1) year** from the date granted by the Board unless the applicant exercises the permission granted or receives a building permit to do so and commences construction and diligently prosecutes the construction until completed. No application for the renewal of a lapsed Special Use Permit or Variances shall be granted without a hearing.

SPACE BELOW RESERVED FOR ZONING BOARD OF REVIEW USE ONLY

Date Notices Sent to
Respective Property Owners: _____

Date of Newspaper Notice: _____

Newspaper _____

Parcel ID: 06/097
MCHUGH PETER J
39 BEVERLY CIRCLE
SMITHFIELD RI 02828

Parcel ID: 06/098
BORRELLI VINCENT ET UX
DEBRA J TE
37 BEVERLY CIRCLE
SMITHFIELD RI 02828

Parcel ID: 06/099
REAL ESTATE INVESTMENT GROUP
LLC
23 TYNDALL AVE
PROVIDENCE RI 02908

Parcel ID: 06/100
MORSE GARY
4 BAYOU DRIVE
GREENVILLE RI 02828

Parcel ID: 06/101
ARMOUR CAROL D ET AL
CHAPMAN LOUISE E JT
6 BAYOU DR
SMITHFIELD RI 02828

Parcel ID: 06/102
MORRISSETTE SCOTT A ET UX
GINA M TE
8 BAYOU DRIVE
SMITHFIELD RI 02828

Parcel ID: 06/103
BEDARD ELISE
10 BAYOU DR
SMITHFIELD RI 02828

Parcel ID: 06/106
ELLIOTT CRAIG J ETUX
MCCLOUGHLIN-ELLIOTT GAIL TE
9 MARMAREL ROAD
GREENVILLE RI 02828

Parcel ID: 06/107
CHABOT DONALD E ET UX
CARTER KAREN TE
7 MARMAREL RD
GREENVILLE RI 02828

Parcel ID: 06/108
BRENNAN FRANCIS C & GINA L/E
BRENNAN MICHAEL
5 MARMAREL ROAD
SMITHFIELD RI 02828

Parcel ID: 06/109
ELIASON KAREN A
3 MARMAREL ROAD
GREENVILLE RI 02828

Parcel ID: 06/110
POWERS EDWARD V JR ET UX
JANET C JT
1 MARMAREL RD
GREENVILLE RI 02828

Parcel ID: 06/116
LYONS NATHANIEL P
36 BEVERLY CIRCLE
SMITHFIELD RI 02917

Parcel ID: 06/117
MOTTA MANUEL J JR ET UX
JACINTHA TE
16 BEVERLY CIRCLE
GREENVILLE RI 02828

Parcel ID: 06/118
IADEVAIA TRACY
34 BEVERLY CIRCLE
GREENVILLE RI 02828

Parcel ID: 06/119
LAWRENCE KEVIN J ET UX
ELIZABETH M TE
38 BEVERLY CIRCLE
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LISA M TE
5 BAYOU DRIVE
GREENVILLE RI 02828

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MCNAB JANET M
3 BAYOU DRIVE
GREENVILLE RI 02828

Parcel ID: 06/130
GENTZ RANDY
GENTZ BETTY
1 BAYOU DR
SMITHFIELD RI 02828

Parcel ID: 06/131
KARSPECK WENDY M
35 BEVERLY CIRCLE
GREENVILLE RI 02828

Parcel ID: 06/132
WATT KENNETH M ET UX
JANICE
33 BEVERLY CIRCLE
GREENVILLE RI 02828

Parcel ID: 06/133
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31 BEVERLY CIRCLE
GREENVILLE RI 02828

Parcel ID: 06/134
HIRST-HODGINS CHERYL ET VIR
HODGINS H RONALD L/E
29 BEVERLY CIRCLE
GREENVILLE RI 02828



Town of Smithfield Zoning Board of Review

64 Farnum Pike, Smithfield, Rhode Island 02917
(401) 233-1039

August 19, 2020

Notice is hereby given that a Public Hearing will be held by the Zoning Board of Review on Wednesday September 2, 2020, via virtual meeting at 5:00 p.m.

Please join the meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/536429301>

You can also dial in using your phone.
United States (Toll Free): [1 877 309 2073](tel:18773092073)

Access Code: 536-429-301

The following application will be considered at this meeting:

Randy and Betty Gentz as applicants and owners of property located at 1 Bayou Drive, listed as Plat 6, Lot 130 seek variances to construct an addition in an R-20 district.

By Order of the Zoning Board of Review

S. James Busam
Chairman

The application and accompanying documents for these applications are available for public review on the 2020 Meeting Agendas page of the Town's Website:
<https://www.smithfieldri.com/>

The public is welcome to any meeting of the Zoning Board of Review. If communication assistance (readers/interpreters/captions) or any other accommodation to ensure equal participation is needed, please contact the Smithfield Town Manager's office at 401-233-1010 at least forty-eight (48) hours prior to the meeting.

Abutters List-1 Bayou Drive, Smithfield, RI (AP 6 Lot 130)

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SMITHFIELD RI 02828

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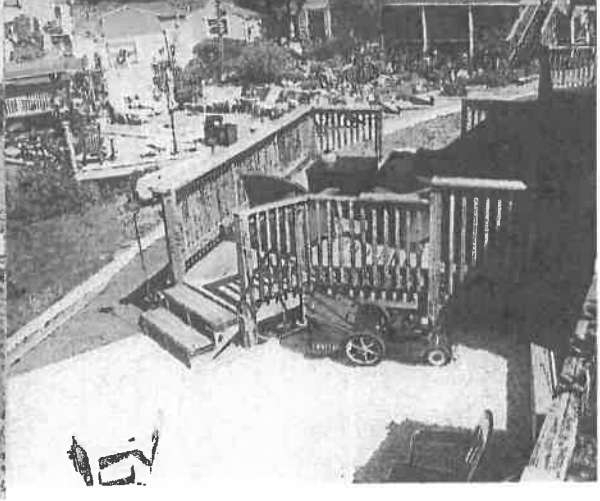
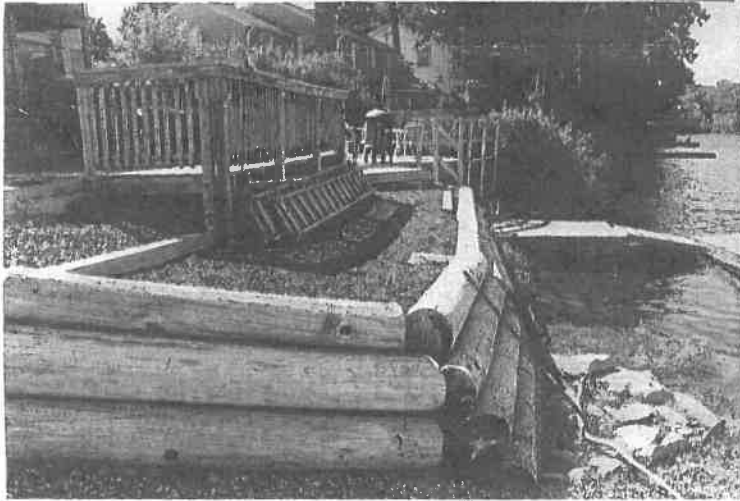
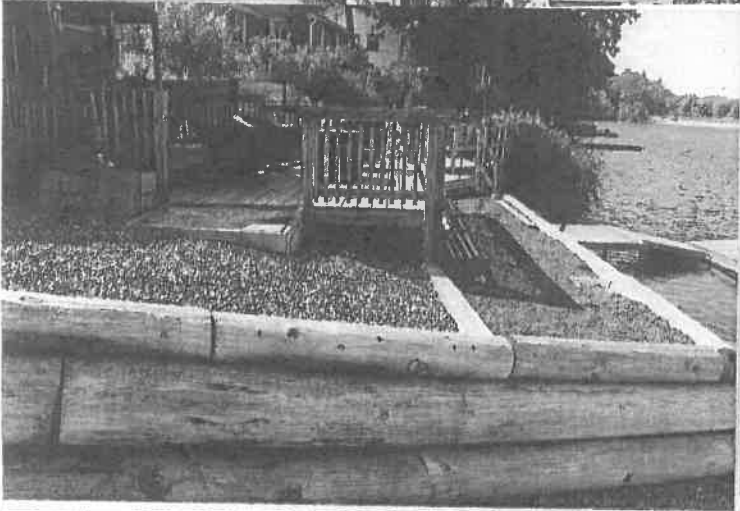
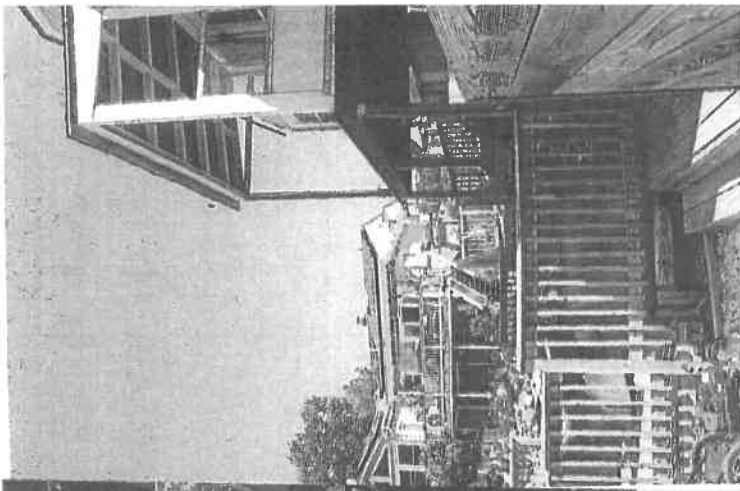
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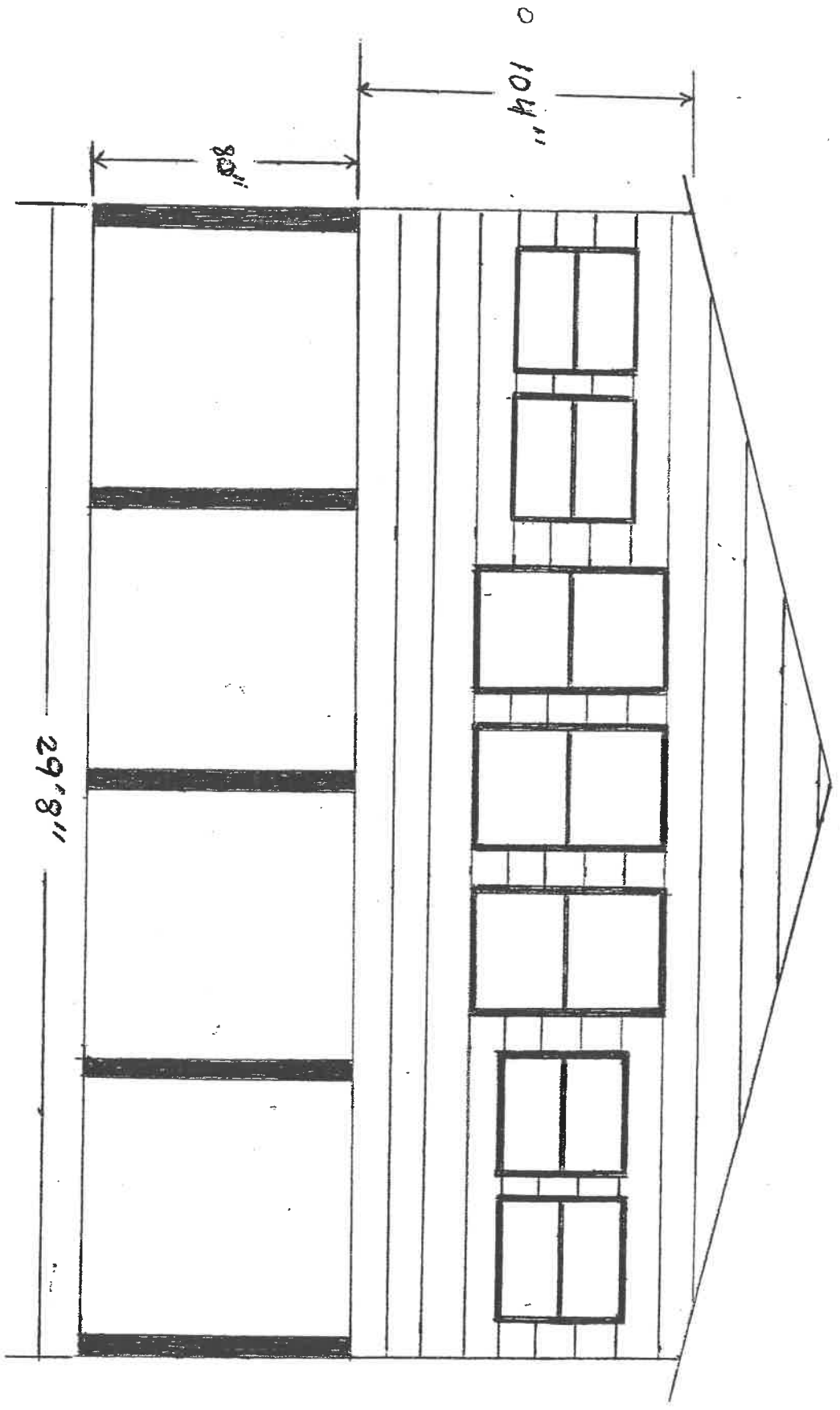
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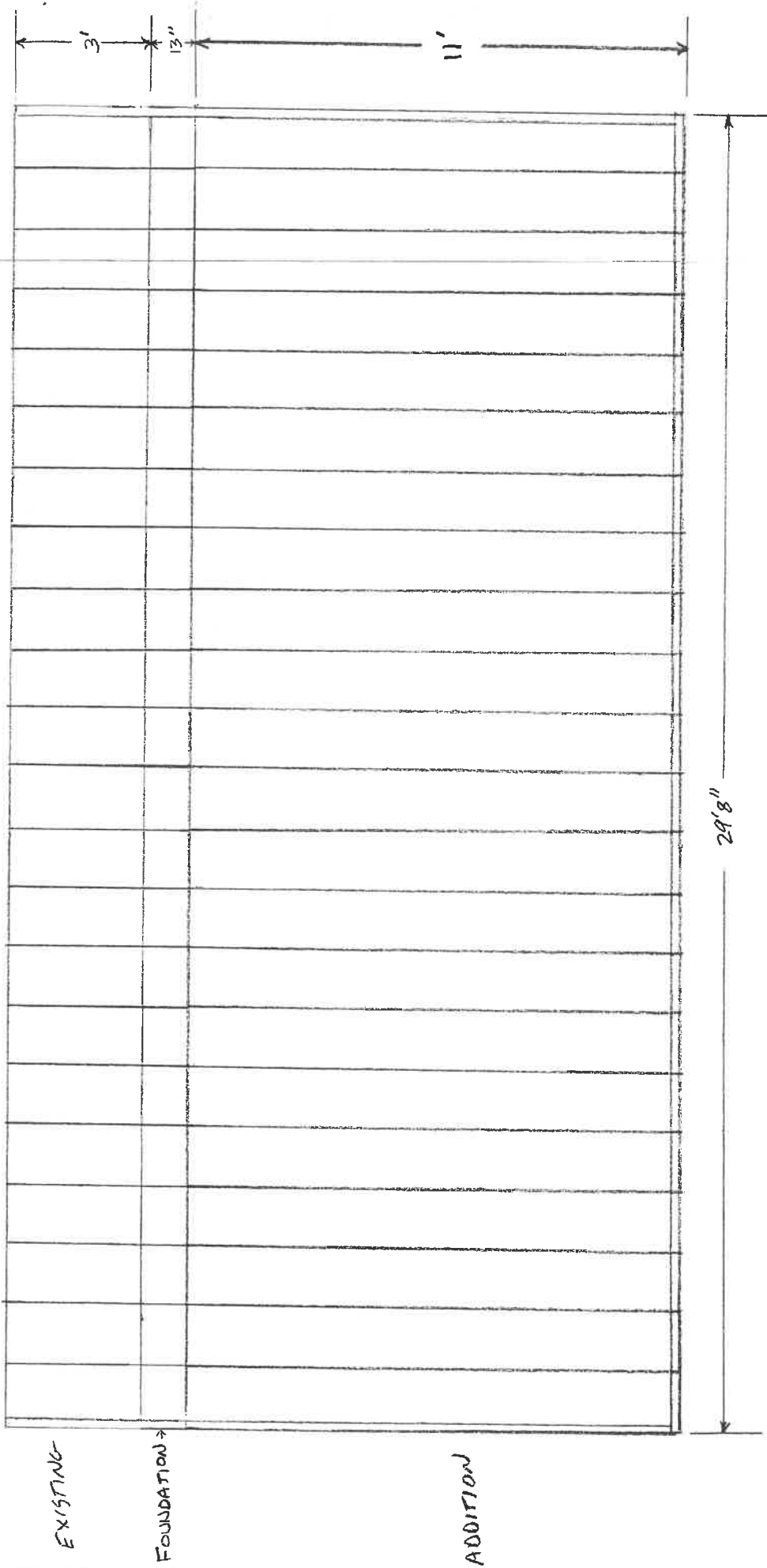
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HIRST-HODGINS CHERYL ET VIR
HODGINS H RONALD L/E
29 BEVERLY CIRCLE
GREENVILLE RI 02828





FLOOR



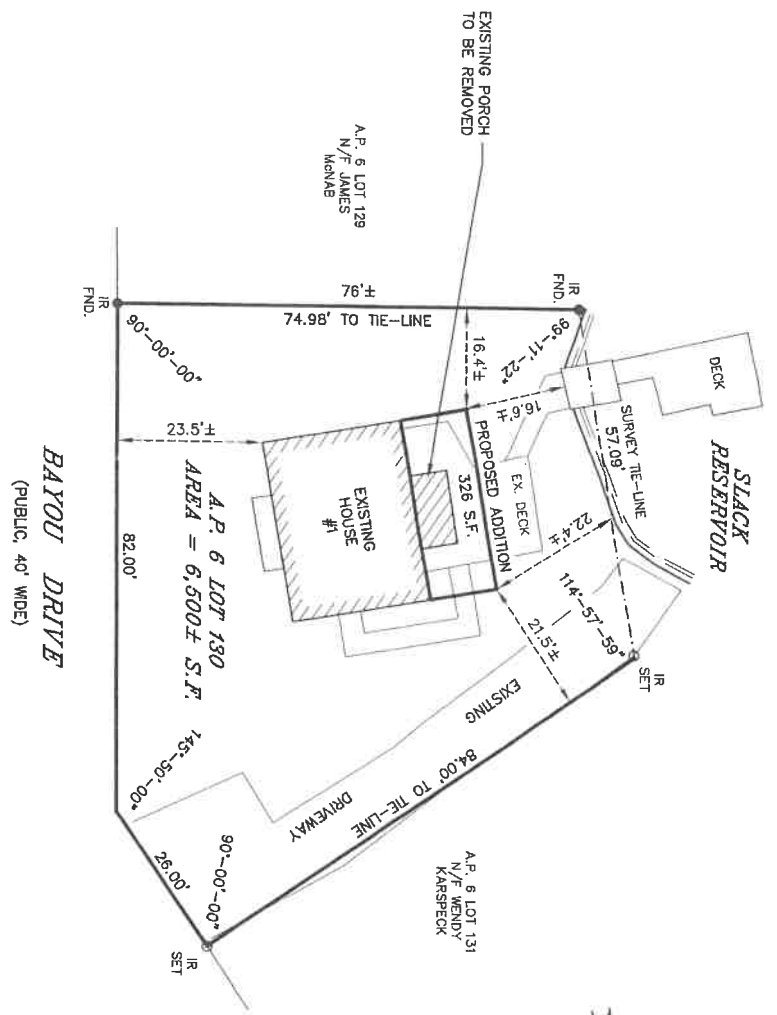
EXISTING

FOUNDATION →

ADDITION

REFERENCE.
 PLAN ENTITLED: "GREENLAKE HOMES GREENVILLE, R.I.",
 DATED MARCH 1941, AND FILED ON PLAT CARD #71.

LEGEND.
 IRON ROD FOUND ● IR FND.
 PROPOSED IRON ROD ● PROP. IR



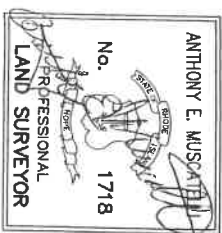
CERTIFICATION.

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY: LIMIT CONTENT BOUNDARY SURVEY
 MEASUREMENT SPECIFICATION: CLASS I

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:
 PROPOSED BUILDING PLAN - SURVEY PLAN

BY: *Anthony E. Muscatelli*
 ANTHONY E. MUSCATELLI, P.L.S. #1718 COA #A207 DATE: 6-26-20



STREET INDEX:
 BAYOU DRIVE

INTERNATIONAL MAPPING & SURVEYING CORP	
LAND SURVEYING CIVIL ENGINEERING PHOTOGRAMMETRIC MAPPING	
19 INDUSTRIAL DRIVE, SMITHFIELD, RI 02917 (401) 232-2620	
PROPOSED BUILDING PLAN	
for RANDY CENTZ	
on BAYOU DRIVE	
in SMITHFIELD, RI	
A.P. 6 LOT 130	
APPROD. BY	DATE
APPROD. BY A.E.M.	06/05/20
SCALE	1"=20'
SHEET	1 OF 1
DWG. NO.	200303-BP