

**TOWN OF CHARLESTOWN  
ZONING BOARD OF REVIEW  
MINUTES**

The Charlestown Zoning Board of Review held a regular open meeting on Tuesday, March 17, 2009 at 7:00 PM at the Charlestown Town Hall, 4540 South County Trail, Charlestown, Rhode Island.

Members present: Michael Rzewuski  
Raymond Dreczko  
Ronald Crosson  
William Meyer  
Richard Frank, Alt. #1  
Scott Northup, Alt. #2  
David B. Provanca, Alt. #3

Also present were, Robert Craven, Asst. Solicitor, John Matuza, Building Official and Caroline Dion, Stenographer.

**Pre-roll**

Everyone present will attend the April 21, 2009.

Mr. Rzewuski thanked the members who attended the Omnibus meeting last night. It was a productive meeting.

**Minutes**

The Minutes of the February 17, 2009 meeting were approved as written.

Mr. Rzewuski called the petition.

**Continuation of petition #1101 Starboard Galley/Arlene “Molly” Marks**

Review of a Special Use Permit under Article V, Section 218-30, Table 30.1 to have a Restaurant with Live Entertainment in a C1 Zone granted April 15, 2008. Premises located at 1 Charlestown Beach Road, Charlestown and is further designated as Lot 68-16 on Assessor’s Map 11.

Mr. Rzewuski questioned the police report from February 15<sup>th</sup> and occupancy limitation. Mr. Matuza stated that the State Fire Marshall determined the capacity to be 35 customers. The septic system is rated for 30 plus employees. There ensued discussion.

Mr. Rzewuski asked if the applicant had anything to add to the police report of February 15<sup>th</sup>.

Thomas Silvia was sworn and stated that the restaurant was not open. They were having a birthday for his three grandsons. There was no cooking, it was pot luck and explained his understanding from the Fire Marshall. The limitations of the septic system prevailed. They did not expect so many people to attend.

There ensued discussion on the party.

Mr. Silvia stated there was a clown present for about an hour but there was no music.

Mr. Rzewuski asked with respect to the police report what prompted his visit to this establishment on February 15<sup>th</sup>.

Officer Scott Puckett was sworn and stated that Sgt. Quatromani radioed him and asked that he respond to a call that there was overcrowding at the Starboard Galley. He counted 28 cars in the whole parking lot, which would include anyone in the real estate office, the boxing office and the dance studio. He looked inside but it didn't look any busier than a weekend in the summer. He reported that to the sergeant and returned to regular duty. There ensued discussion.

Louis Archambault was sworn and asked if this application was the same as the original application.

Mr. Rzewuski stated that it is.

Mr. Archambault read a letter that they are not opposed to continuing the operation as was originally approved. He entered the letter for the record.

There were no objectors present.

A letter was read from N.M. Ranalli stating concerns and opposition to the application.

Mr. Crosson pointed out that Officer Puckett testified that they had not responded to complaints about this establishment prior to February 15, 2009.

There ensued discussion.

Mr. Rzewuski asked Mr. Silva if he fully understands the capacity of the establishment and that there can only be entertainment inside.

Mr. Silva stated that he understands.

Mr. Dreczko asked if he was intending to increase the use.

Mr. Silva stated not at this time.

Mr. Crosson moved that the public hearing be closed.

Mr. Dreczko seconded the motion.

**THE BOARD UNANIMOUSLY CLOSED THE PUBLIC HEARING.**

There ensued discussion.

Mr. Crosson moved that continuation of petition #1101 Starboard Galley/Arlene "Molly" Marks to review of a Special Use Permit under Article V, Section 218-30, Table 30.1 to have a Restaurant with Live Entertainment in a C1 Zone granted April 15, 2008 was approved as approved on that date. Premises located at 1 Charlestown Beach Road, Charlestown and is further designated as Lot 68-16 on Assessor's Map 11.

Mr. Meyer seconded the motion.

The Board felt that the public welfare and convenience will be substantially served and that the sewage and waste disposal into the ground and the surface water drainage from the proposed use will be adequately handled on site. The traffic generated by the proposed use will not cause undue congestion, introduce a traffic hazard to the circulation of the area. The granting of the special use permit will not pose a threat to drinking water supplies. This approval will be permanent and as approved on April 15, 2008. Since that time there were questions on recent incidents. The applicant is aware of the limits of occupancy and the septic system approval and that the live entertainment can only be inside.

VOTE: Crosson – aye Meyer – aye Frank – aye Dreczko – aye Rzewuski - aye

THE PETITION WAS GRANTED UNANIMOUSLY AS APPROVED APRIL 15, 2008.

#### **Discussion among members**

There was discussion on election of officers.

Mr. Crosson moved that Mr. Rzewuski remain Chairman, Mr. Dreczko, Vice Chair and Mr. Meyer be elected Secretary.

Mr. Frank seconded the motion.

THE BOARD UNANIMOUSLY ELECTED MR. RZEWISKI AS CHAIR, MR. DRECZKO AS VICE-CHAIR AND MR. MEYER AS SECRETARY.

Mr. Craven reviewed the status of Green Machine Bio appeal case. The Kulak and MacDougall are still in the Supreme Court and Holmes is in Superior Court.

#### **Adjournment**

There being no further business, the meeting adjourned at 8:30 PM.