

**Town of Charlestown Zoning Board of Review
4540 South County Trail, Charlestown, Rhode Island
Regular Meeting Minutes
May 20, 2025 at 7:00 p.m.**

I. CALL TO ORDER: Ms. Andrew, Chairperson called the meeting to order at 7:01 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL:

Mr. Abbott, Ms. Andrew, Mr. Lamontagne, Mr. Pangborn, Mr. Rettig, Mr. DeMarco and Mr. Isabella were present. Mr. Rice was absent.

Also Present: Ms. Murray, Zoning Officer; Attorney Wyatt Brochu, Town Solicitor; Ms. Dion, Stenographer; and Ms. Chin, IT. Mr. Stokes, Town Council Liaison, was absent.

IV. PRE-ROLL: All members in attendance will be present at the June 17, 2025, regular meeting.

V. APPROVAL OF MINUTES:

A motion was made by Mr. Pangborn and seconded by Ms. Andrew to approve the minutes of the April 15, 2025, regular meeting as written. Approved (5-0)

<u>Member</u>	<u>Vote</u>
Mr. Pangborn	Approve
Ms. Andrew	Approve
Mr. Abbott	Approve
Mr. Rettig	Approve
Mr. Lamontagne	Approve

VI. PUBLIC HEARINGS – Discussion and/or potential action and/or vote:

#1655 Megrew Family 2019 Trust

Requesting a Dimensional Variance in accordance with Article VII, Section 218-41 Dimensional Table to construct a single-family residential home with a covered porch and deck closer in the right side yard setback than allowed; 25' permitted, 23' proposed; and closer in the rear yard setback than allowed; 60' permitted, 48' proposed. Premises is located at Ross Hill Road and is further designated as Lot 82-7 on Assessor's Plat 14.

Anthony Nenna, P.E., was present, sworn in and presented testimony. The lot is non-conforming in area. It is in the R3A zoning district, which requires 3 acres, but it is a 44,817 square foot lot. The property was part of a 1983 subdivision. There is a wetland in the front portion of the lot. They are proposing to site the house toward the back of the

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lot away from the wetland and to allow for the location of the Onsite Wastewater Treatment System. The proposed house will be 52' x 28'. It is a 3-bedroom modest house. It has a front covered porch and side deck. They will install storm mitigation for run-off from the roof. The Wetlands and OWTS permits were received in 2023. The hardship is that the lot is non-conforming in area and there is a required wetland buffer of 50' which pushes the house further back.

Mr. Pangborn stated that the lot is constrained by the wetlands and wetland buffer and that it is a very well developed site. He asked the Applicant if they could move the house 2' to the north to avoid the second variance.

Mr. Nenna stated that they were trying to allow for a pullout for a car as well as other constraints, setbacks to the septic tanks, etc.

Ms. Andrew asked if there had been any changes since the application was submitted to D.E.M.

Mr. Nenna stated that the only thing that had changed was the D.O.T. permit for the driveway. Everything else is the same.

Ms. Andrew asked if this a Cluster Development.

Ms. Murray stated that she didn't think it was. She didn't think they did cluster developments back in the 1980s.

Mr. Nenna stated that the lots are now under separate ownership.

Mr. Abbott initially didn't see the point of asking the applicant to move the house by 2', but if the Applicant is willing, he was okay with it.

Mr. Rettig asked if the abutting property was open space; if so, there would be no building there.

Mr. Nenna stated that it is open space. They had to notice all the property owners in the subdivision even though they are a distance away.

Mr. Nenna conferred with his clients. They had no objection to moving the house 2' to the south so that the right side variance would not be needed. He said they would have to make a minor change.

The adjacent property is currently under the ownership of the Megrew family. They are in the process of getting approval from D.E.M.

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There was no correspondence.

There were no members of the public present in favor or in opposition to the application.

A motion was made by Mr. Pangborn and seconded by Mr. Rettig to approve Application #1655 for a Dimensional Variance in accordance with Article VII, Section 218-41 to construct a single-family residential home with a covered porch and deck closer in the rear yard setback than allowed; 60' permitted, 48' proposed and eliminating the right side yard setback relief request by moving the house north 2 feet. The hardship from which the applicant seeks relief is due to the unique characteristics of the land and not the general characteristics of the surrounding area. It is not due to the physical or economic disability of the applicant. It is not the result of any prior action of the applicant. The granting of the request will not alter the general character of the surrounding area or impair the intent or purpose of the Ordinance. In granting the dimensional variance the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience. He can't meet that rear setback requirement. The relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief. There is a small building envelope because of the wetlands. To protect the wetlands, the house needs to be sited at that particular location. The applicant is amending the application to remove the request for the right side setback which was 23' requested, 25' allowed. The right side yard setback will be conforming.

<u>Member</u>	<u>Vote</u>
Mr. Pangborn	Approve
Mr. Rettig	Approve
Mr. Abbott	Approve
Ms. Andrew	Approve
Mr. Lamontagne	Approve

#1656 Peter Karasuk and Lee Karasuk Ingley, Applicants; Sandra K. Puchalski, Lee Karasuk Ingley and Peter Karasuk, Owners

Appealing the decision of the Building/Zoning Official in accordance with Article IV, Section 218-25 as stated in Notice of Violation Building/Zoning 02-25 dated April 7, 2025 for the location of three (3) horses in the C2 (Commercial 2) zoning district. Premises is located at 2195 Matunuck School House Road and is further designated as Lot 81 on Assessor's Plat 13.

The Application has been withdrawn. The horses were removed. The Violation has been released.

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#1657 Peter Karasuk and Lee Karasuk Ingley, Applicants; Sandra K. Puchalski, Lee Karasuk Ingley and Peter Karasuk, Owners

Appealing the decision of the Building/Zoning Official in accordance with Article IV, Section 218-25 as stated in Notice of Violation Building/Zoning 04-25 dated April 7, 2025 for violation of the 2021 State of Rhode Island Property Maintenance Code. Premises is located at 2231 Matunuck School House Road and is further designated as Lot 80 on Assessor's Plat 13.

The Applicant's Attorney requested that the Appeal be withdrawn. The matter is not within the Zoning Board's jurisdiction. The Notice of Violation is still in place.

#1658 Peter Karasuk and Lee Karasuk Ingley, Applicants; Sandra K. Puchalski, Lee Karasuk Ingley and Peter Karasuk, Owners

Appealing the decision of the Building/Zoning Official in accordance with Article IV, Section 218-25 as stated in Notice of Violation Building/Zoning 03-25 dated April 7, 2025 for violation of the 2021 State of Rhode Island Property Maintenance Code. Premises is located at 2195 Matunuck School House Road and is further designated as Lot 81 on Assessor's Plat 13.

The Applicant's Attorney requested that the Appeal be withdrawn. The matter is not within the Zoning Board's jurisdiction. The Notice of Violation is still in place.

VI. ADJOURNMENT:

A motion was made by Mr. Pangborn and seconded by Ms. Andrew to adjourn the meeting at 7:27 p.m. Approved (5-0)

<u>Member</u>	<u>Vote</u>
Mr. Pangborn	Approve
Ms. Andrew	Approve
Mr. Abbott	Approve
Mr. Lamontagne	Approve
Mr. Rettig	Approve

Respectfully submitted,


Carol A. Nelle, Zoning Clerk

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