



# Charlestown Zoning Board of Review

## Workshop Meeting

Draft Minutes

Charlestown Town Hall  
Charlestown, RI 02813  
<http://www.charlestownri.org/>

Wednesday, July 12, 2017

6:30 PM

Annex Conference Room

### I. Call to Order

The meeting was called to order at 6:47 PM by Chairman Raymond Dreczko Jr

Attendee Name	Title	Status	Arrived
Raymond Dreczko Jr	Chairman	Present	
Michael J. Chambers	Vice-Chairman	Absent	
Joseph Quadrato		Present	
Clifford L. Vanover	Secretary	Present	
JoAnn Stolle		Present	
Robin Quinn	Alternate #1	Present	
Lara Wibeto	Alternate #2	Present	
John E. Lovoy	Alternate #3	Present	

### II. Workshop regarding review of the Open Meetings Act

Mr. Dreczko began the conversation by explaining the purpose of this workshop meeting is to review what kind of discussion the Board can have without crossing over and having possible open meeting violations.

Mr. Dreczko feels that the Board should try to compile a list of ideas that they would like to have on the agenda that would also inform the public of upcoming discussion that they may want to attend. Because the Zoning Board is a "quasi judicial" Board our decisions is what stands and should be based on upholding the standards of the Zoning Ordinance and the merits of the application. When rendering a decision it should be clear and concise. If there is any question about an application it should be brought up during discussion before a motion is proposed. A vote opposed to an application should also be clear, concise and complete. Any discussion or questions that the Board would like to discuss cannot be specific to an application. It was suggested that if there is a particularly contentious application it could be continued to a future meeting to allow everyone time to compose a well thought out decision.

Mr. Warner and Mr. Brochu are here to answer general questions and advise the Board and enable us to make informed decisions.

Ms. Stolle feels that the Building Official follows the Zoning Ordinance and in the case of an appeal of his decision doesn't feel knowledgeable enough to question his decision. Mr. Dreczko replied that sometimes the action of the Building Official is the only thing he can do based on the Zoning Ordinance and his interpretation of it.

Mr. Brochu explained that when the Board hears an appeal of the Building/Zoning Official it isn't a question of whether you uphold or overturn his decision, but rather it is the role of the Board to hear it in the first instance.

The Board needs to look at it "de novo", for the first time.

Several Board members felt that they had been given a different explanation of their role in the case of an appeal of the Building/Zoning Official's decision. Mr. Brochu added that the Officials analysis can be used as a guide for the Board but the decision is based only on the evidence gathered at the Public Hearing.

Mr. Warner clarified that an application for a dimensional variance or a special use permit is reviewed for completeness and accuracy but it is not his decision to approve or deny an application. Applicants can requests anything.

Mr. Brochu brought up the item of "discussion" on the agenda and explained that based on the guidance received from the Attorney Generals office, because the public doesn't know what is going to be discussed at any given meeting the topics of discussion should be named on the agenda so as to inform the public and also give staff the ability to prepare for the topic of discussion.

Mr. Brochu then gave several examples of how the Board can ask questions of applicants and their expert witnesses that will sustain their decisions whether it is an approval or a denial. It is always important to get evidence on the record, ask questions and if you still have questions you can continue the application to the next meeting in order to draft a decision.

Mr. Brochu offered his services to the Board to review ordinances, Special Use Permits whether they would like to hold a separate meeting or on a regular meeting night he will make himself available.

The issue of buffer zones and violations that occur in those areas; that is not an issue for this Board. Enforcement of conditions of approval is not within the purview of the Zoning Board. If a member sees a problem occurring in a buffer zone then they should complete a complaint form and submit it to the Building/Zoning Department for verification of a violation.

As a matter of house keeping Ms. Stolle asked about the fixed video and the placement of the podium. Mr. Warner said he would try moving the podium and side table. His only concern is that it might block the alternates table.

### **III. Adjournment**

The meeting was closed at 8:19 PM

A motion was made by Ms. Stolle, seconded by Mr. Quadrato to adjourn the meeting. Vote was unanimous. The meeting adjourned at 8:19PM