

# **TOWN OF BRISTOL, RHODE ISLAND**

## **ZONING BOARD OF REVIEW**



**Zoning Board of Review Meeting Agenda  
Monday, December 05, 2022  
at 7:00 PM  
10 Court Street, Bristol, RI 02809**

Scanned copies of all applications and supporting materials will be available on the Town of Bristol website at <https://www.bristolri.gov/government/boards/zoning-board-of-review/>. Written comments may be submitted to the Zoning Board via regular mail addressed to: Zoning Board of Review, Bristol Town Hall, 10 Court Street, Bristol, RI 02809 or via email to [etanner@bristolri.gov](mailto:etanner@bristolri.gov). Written comments should be received no later than 12:00 p.m. on Thursday, December 1, 2022.

- 1. Pledge of Allegiance**
- 2. Approval of Minutes:** November 14, 2022
- 3. Continued Petitions**
- 4. New Petitions**

**4A. 2022-36 Joshua Syska 1 Jane Lane**

Dimensional Variance: to install approximately 270 linear feet of six foot high privacy fencing, portions of which are at a height greater than permitted in the front yard on a corner lot.

**4B. 2022-37 The Malverne Trust c/o Bart Kavanaugh and Betty Saks, Low Lane**

Special Use Permit: to temporarily maintain four (4) prefabricated relocatable shipping / storage containers on a residential property.

**4C. 2022-38 NPT Healthworks / Dr. Daniel Hatch, 413 High Street**

Special Use Permit: to convert an existing nonconforming commercial music school use to a nonconforming medical clinic (physical therapy, mental health counseling, and massage therapy) use in a residential zoning district.

4D. Staff Reports 12-5-22 Meeting

## **5. Adjourn**

Date Posted: November 17, 2022

Posted by: emt



**Town of Bristol, Rhode Island**  
***Zoning Board of Review***

10 Court Street  
Bristol, RI 02809  
401-253-7000  
www.bristolri.gov

File #2022-36

**PUBLIC HEARING**

Notice is hereby given by the Zoning Board of Review  
that a public hearing will be held on the following application:

**Monday, December 5, 2022**  
**at 7:00 P.M.**  
**Bristol Town Hall**  
**10 Court Street**

APPLICANT: **Joshua Syska**  
PROPERTY OWNER: **Joshua D. and Richard J. Syska**  
LOCATION: **1 Jane Lane**  
PLAT: **51** LOT: **12**  
ZONE: **R-15**

APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE: to install approximately 270 linear feet of six foot high privacy fencing, portions of which are at a height greater than permitted in the front yard on a corner lot.

Edward M. Tanner,  
Principal Planner / Zoning Enforcement Officer

Scanned copies of all applications and supporting materials will be available on the Town of Bristol web site at <https://www.bristolri.gov/government/boards/zoning-board-of-review/>. If you have any comments regarding this petition, but are unable to attend, you may submit your comments in writing to the Zoning Board via regular mail addressed to: Zoning Board of Review, Bristol Town Hall, 10 Court Street, Bristol, RI 02809 or via email to [etanner@bristolri.gov](mailto:etanner@bristolri.gov). Written comments should be received no later than 12:00 p.m. on Thursday, December 1, 2022.



# Town of Bristol, Rhode Island

Department of Community Development  
Zoning Board of Review

TOWN OF BRISTOL  
COMMUNITY DEV.

2022 NOV -2 AM 11:57

## APPLICATION

File No: 2022-36

Accepted by ZEO: *ENT* 11/2/2022

<b>APPLICANT</b>	Name: Joshua Syska		
	Address: 1 Jane Lane		
	City: Bristol	State: MA	Zip: 02809
	Telephone #: 978-548-0920	Home:	Work/Cell:
<b>PROPERTY OWNER</b>	Name: Joshua Syska		
	Address: 1 Park Lane #402		
	City: Boston	State: MA	ZIP: 02210
	Telephone #: 978-548-0920	Home:	Work/Cell:

- Location of subject property: 1 Jane Lane Bristol, RI 02809  
Assessor's Plat(s) #: 51 Lot(s) #: 12
- Zoning district in which property is located: R-15
- Zoning Approval(s) required (check all that apply):  
☒ Dimensional Variance(s) ☐ Special Use Permit ☐ Use Variance
- Which particular provisions of the Zoning Ordinance is applicable to this application?:  
Dimensional Variance Section(s): Fence > 4" along Chestnut Street  
Special Use Permit Section(s): \_\_\_\_\_  
Use Variance Section(s): \_\_\_\_\_
- In a separate written statement, please describe the grounds for the requested variance or special use permit and how the proposal will meet the standards found in Section 28-409 of the Zoning Ordinance. see attached
- How long have you owned the property?: 1 year plus
- Present use of property: Single Family home where my younger brother resides to be close to work in Bristol
- Is there a building on the property at present?: Yes, single family house
- Dimensions of existing building (size in feet, area in square feet, height of exterior in feet): \_\_\_\_\_  
Single story finished space 1,807/sqft and unfinished basement 1,807/sqft, roughly 63' x 44'. Roughly 12'-15' height at peaks
- Proposed use of property: Single family residential living



**11. Give extent of proposed alterations:**

Enclosing back yard to include a portion of the side yard along Chestnut Street with 6' high, white, all weather, vinyl fence.

**12. Dimensions of proposed building/addition (size in feet, area in square feet, height of exterior in feet):**

Install roughly 270 linear feet of 6' high white vinyl fence to enclose the side yard along Chestnut Street and back yard of the property.

**13. If dimensional relief is being sought, please state the required and proposed dimensions and setback distances between the proposed building/addition and each lot line:**

Front lot line(s):	Required Setback: _____	Proposed Setback: _____
Left side lot line:	Required Setback: 35 feet	Proposed Setback: 8 feet
Right side lot line:	Required Setback: _____	Proposed Setback: _____
Rear lot line:	Required Setback: _____	Proposed Setback: _____
Building height:	Required: _____	Proposed: _____
Other dimensions (building size, lot coverage, lot area, parking, sign dimensions, etc.):		
Required: _____	Proposed: _____	

**13. Number of families before/after proposed alterations:** \_\_\_\_\_ Before \_\_\_\_\_ After**14. Have you submitted plans for the above alterations to the Building Official?** yesIf yes, has he refused a permit? yesIf refused, on what grounds? it does not meet the 35' foot setback for a front yard**15. Are there any easements on your property?:** no (If yes, their location must be shown on site plan)**16. Which public utilities service the property?:** Water: yes Sewer: yes**17. Is the property located in the Bristol Historic District or is it an individually listed property?:** no**18. Is the property located in a flood zone?** no If yes, which one?: \_\_\_\_\_

I, the undersigned, attest that all the information provided on this application is true and accurate to the best of my knowledge:

Applicant's Signature: Josh SyskaDate: 11/1/2022Print Name: Josh SyskaProperty Owner's Signature: Josh SyskaDate: 11/1/2022Print Name: Josh Syska

Name of attorney or agent (engineer, architect, etc.), if any, who is authorized to represent the applicant:

Name: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Address: \_\_\_\_\_

31.Oct.22

Town of Bristol, RI

Department of Community Development Zoning Board Review

Regarding 1 Jane Lane, Bristol, RI request for a variance to install a 6' fence from the left [northern] corner of the house towards Chestnut Street, turning right and running parallel to Chestnut being 8' of the sidewalk, turning right at property corner and running along the backyard to ~Southern corner, turning right to edge of driveway, turning right to back-southern corner of house, creating an enclosed back yard.

Subject: Question #5 - *In a separate written statement, please describe the grounds for the requested variance or special use permit and how the proposal will meet the standards found in Section 28-409 of the Zoning Ordinance*

Greetings,

This application is requesting the Board to Approve a variance to install a 6 foot high, vinyl fence at 1 Jane Lane, Bristol, RI to create an enclosed back yard providing privacy, and to allow the dog some freedom outside without the concern of wandering off, or barking at a stranger walking by.

1 Jane Lane is a corner lot with Chestnut Street running down the Northern boundary and Jane Lane on the Western Side. Given it's a corner lot, we tend to have '2' front yards running alongside a street, which has a 4' high fence restriction for up to 35' from the street. So 1 Jane Lanes backyard heavily relies on the side alongside Chestnut. Chestnut is a very busy street, especially in the morning when the High School is starting, and afternoon when the High School is finishing. Having a 6' fence along the Chestnut Street boundary would ensure privacy and safety.

My family has been engaged in Bristol for 10-12 years: three of my siblings and I attend RWU, have worked at various Bristol establishments, rented apartments/houses, and own property. My brother currently lives at 1 Jane Lane and works in Bristol.

Following are some references, reasons for approving the request, samples, etc.

- **Reference A** (included, not to scale – illustration only):
  - Reference A reflects the intended lines of the fence starting at the northern corner of the house, running parallel to Chestnut, down the back property line, back along southern border to southern house corner.
    - Spoke with the backyard neighbor (on Chestnut) outlining fence plan. He responded he's all good and would support the 6' fence.
  - Fence along Chestnut would be ~8' off the sidewalk and on the house side of the telephone pole support wire (so would not interfere with that).
  - If the 35' offset of the 4' requirement is mandated, then ~ ½ the area of the back yard is impacted which tends to negate the intent of the 6' fence; which is privacy, securing an area for the dog, etc. As indicated previously, Chestnut is a very bust street.



- **Visibility** – Given 1 Jane Lane is a corner lot, a possible concern might be for a car traveling down (heading towards the HS) Chestnut, but wanting to turn into Jane Lane, or seeing a car on Jane Lane wanting to turn left onto Chestnut.
  - The fence ends at the front, norther corner of the house leaving significant side and front property for a clean line of visibility to Jane Lane. Please see pictures below for verification. You can see all the area to the right side of the boat (which is roughly where the fence would come off the house) and the mail truck at the corner of Jane Lane.







- Cars travelling the other direction, heading towards Metacomm, are not obstructed.
- **Other Properties in Bristol with 6' high fence <35' from roadway** – There are a number of residential properties in Bristol (within ½ dozen blocks of Chestnut/Jane Lane) that have fences >4' along the road, so variances have been approved. A few example snap-shots were taken and pasted below:











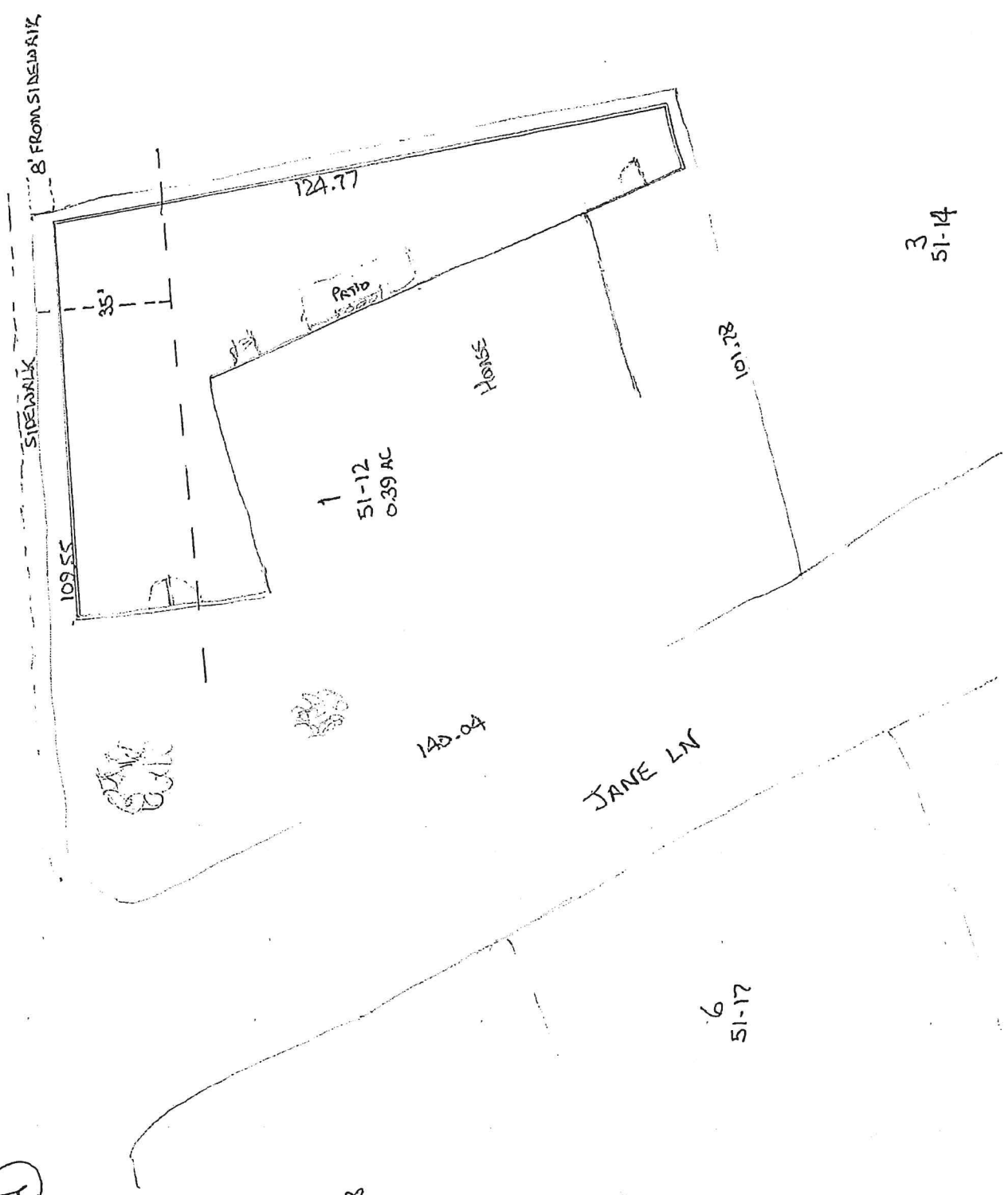


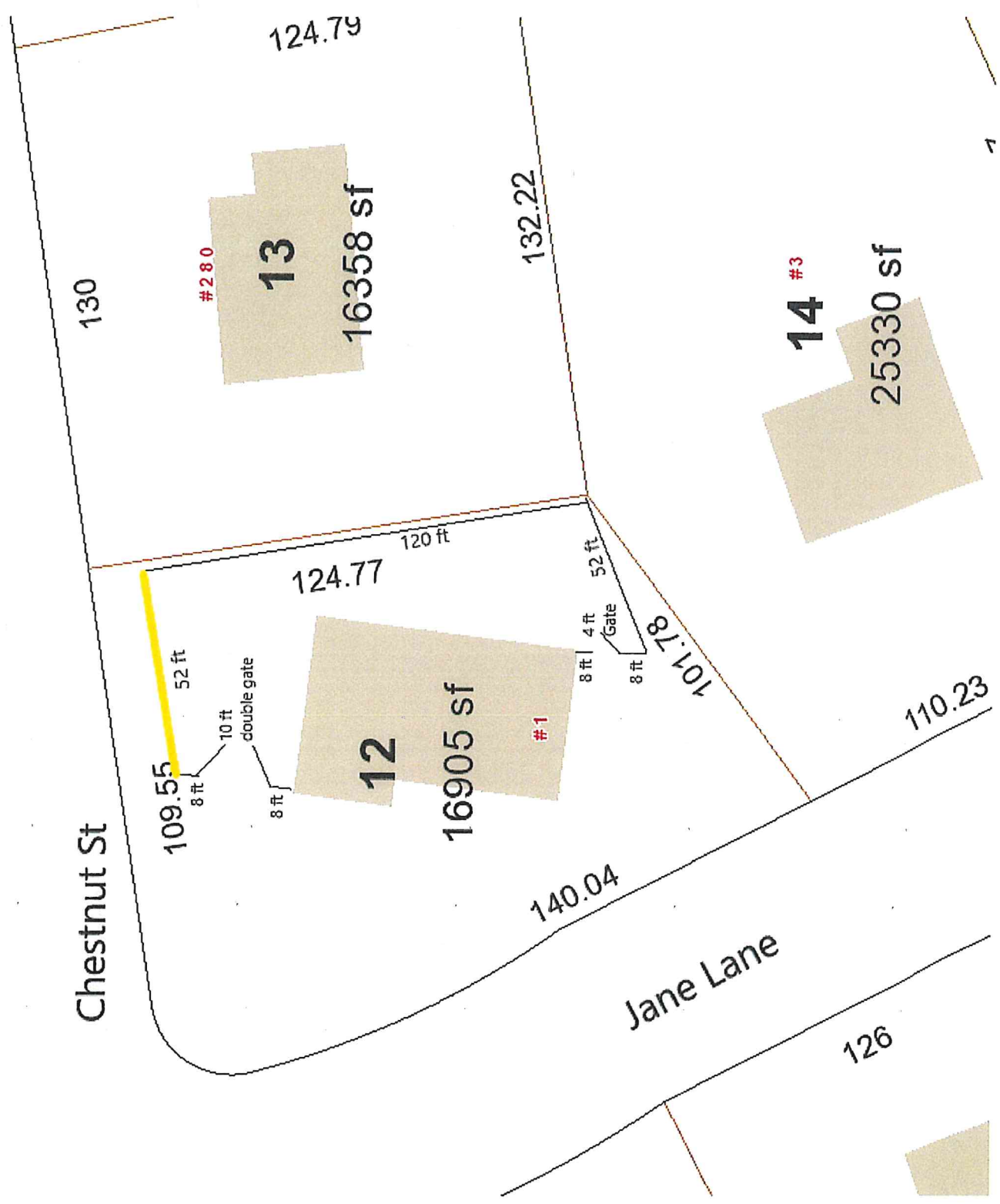
- NOT TO SCALE -

FOR ILLUSTRATION

REFERENCE **A**

CHESTNUT ST









# CAI Property Card

Town of Bristol, RI

GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR
<b>LOCATION:</b> 1 JANE LN <b>ACRES:</b> 0.3881 <b>PARCEL ID:</b> 51 12 <b>LAND USE CODE:</b> 01 <b>CONDO COMPLEX:</b> <b>OWNER:</b> SYSKA, JOSHUA D & RICHARD J JT <b>CO - OWNER:</b> <b>MAILING ADDRESS:</b> 1 PARK LANE, UNIT 402  <b>ZONING:</b> R-15 <b>PATRIOT ACCOUNT #:</b> 3378	<b>BUILDING STYLE:</b> Ranch <b>UNITS:</b> 1 <b>YEAR BUILT:</b> 1967 <b>FRAME:</b> Wood Frame <b>EXTERIOR WALL COVER:</b> Wood Shingle <b>ROOF STYLE:</b> Gable <b>ROOF COVER:</b> Asphalt Shin
	BUILDING INTERIOR
<b>SALE INFORMATION</b> <b>SALE DATE:</b> 9/21/2021 <b>BOOK &amp; PAGE:</b> 2134-61 <b>SALE PRICE:</b> 385,000 <b>SALE DESCRIPTION:</b> <b>SELLER:</b> BARLOW KENNETH & NOREEN A &	<b>INTERIOR WALL:</b> Drywall <b>FLOOR COVER:</b> Hardwood <b>HEAT TYPE:</b> BB Hot Water <b>FUEL TYPE:</b> Gas <b>PERCENT A/C:</b> False <b># OF ROOMS:</b> 7 <b># OF BEDROOMS:</b> 3 <b># OF FULL BATHS:</b> 2 <b># OF HALF BATHS:</b> 1 <b># OF ADDITIONAL FIXTURES:</b> 0 <b># OF KITCHENS:</b> 1 <b># OF FIREPLACES:</b> 1 <b># OF METAL FIREPLACES:</b> 0 <b># OF BASEMENT GARAGES:</b> 0
PRINCIPAL BUILDING AREAS	
<b>GROSS BUILDING AREA:</b> 4443 <b>FINISHED BUILDING AREA:</b> 1807 <b>BASEMENT AREA:</b> 1807 <b># OF PRINCIPAL BUILDINGS:</b> 1	
ASSESSED VALUES	
<b>LAND:</b> \$189,500 <b>YARD:</b> \$0 <b>BUILDING:</b> \$224,900 <b>TOTAL:</b> \$414,400	
SKETCH	PHOTO



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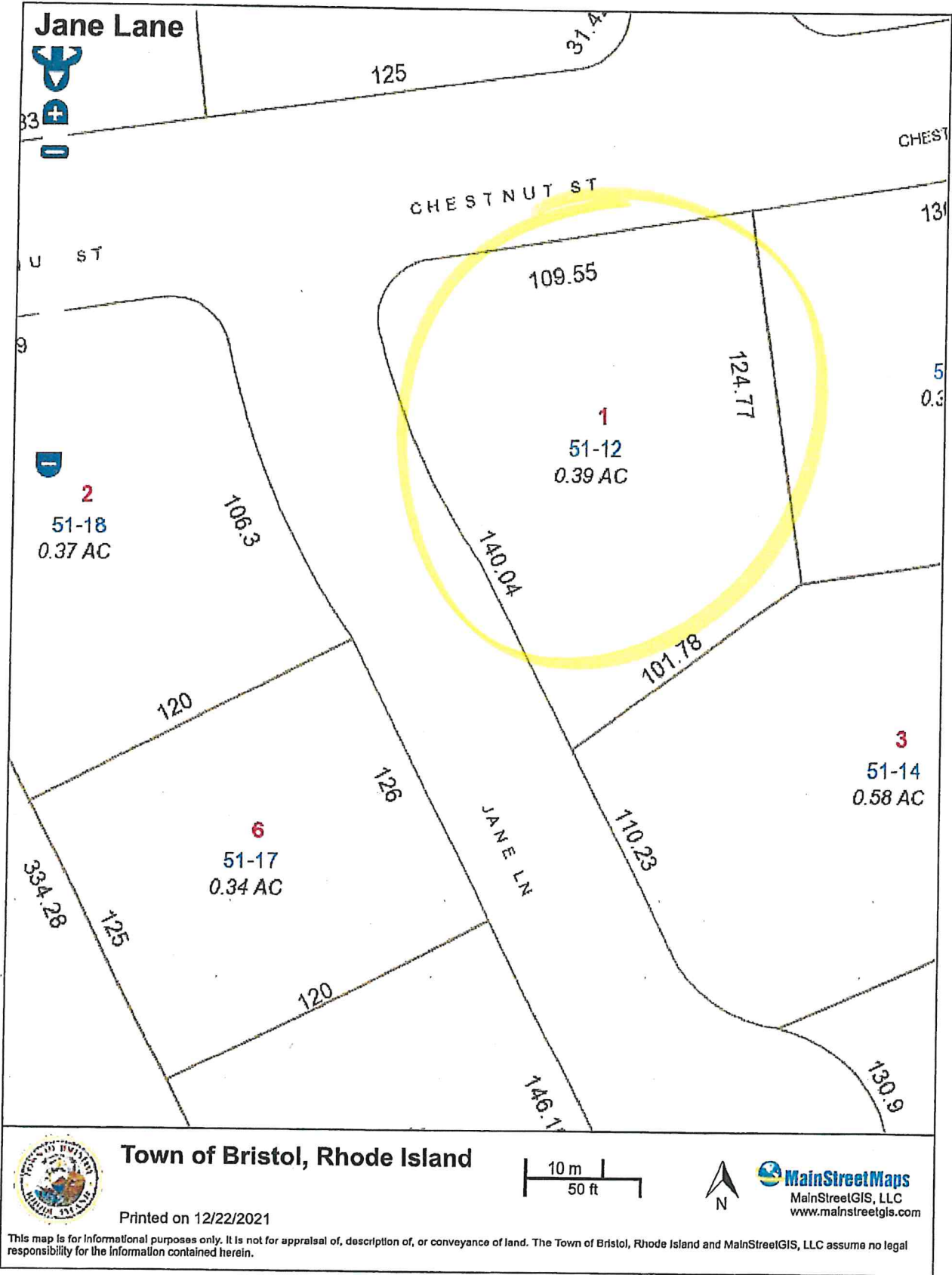
11/1/2022

Property Information - Bristol, RI

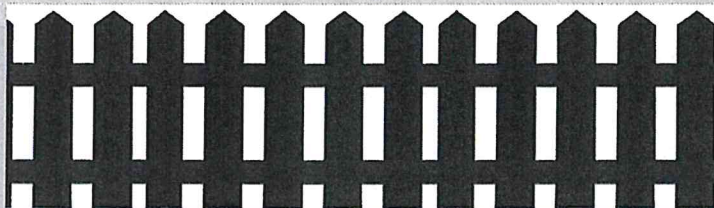
Page 1 of 1



12/22/21, 10:22 AM



**M.J. Fences**  
**215 Tripp Street**  
**Fall River, MA. 02724h**  
**Phone: 774-301-6945**



## QUOTE

**Date:** Oct, 6 2022

**Customer:** Kole Syska  
1 Jane Lane  
Bristol, RI 02809

**Work To Be Performed: Install 33 sections of 6ft high white**

Privacy fence with 1 6x4 walk gate and a 6x10 double gate

Along both side of house along back yard homeowner will pay

50% down payment \$ 4,980 then pay remainder balance \$ 4,000

When job is complete,

Labor: \$ 1,910

Materials : \$ 6,650

Cement : \$ 420

Total cost: \$ 8,980

\_\_\_\_\_  
Quote prepared by: Miguel Laboy

\_\_\_\_\_  
Accepted by: Homeowners Signature

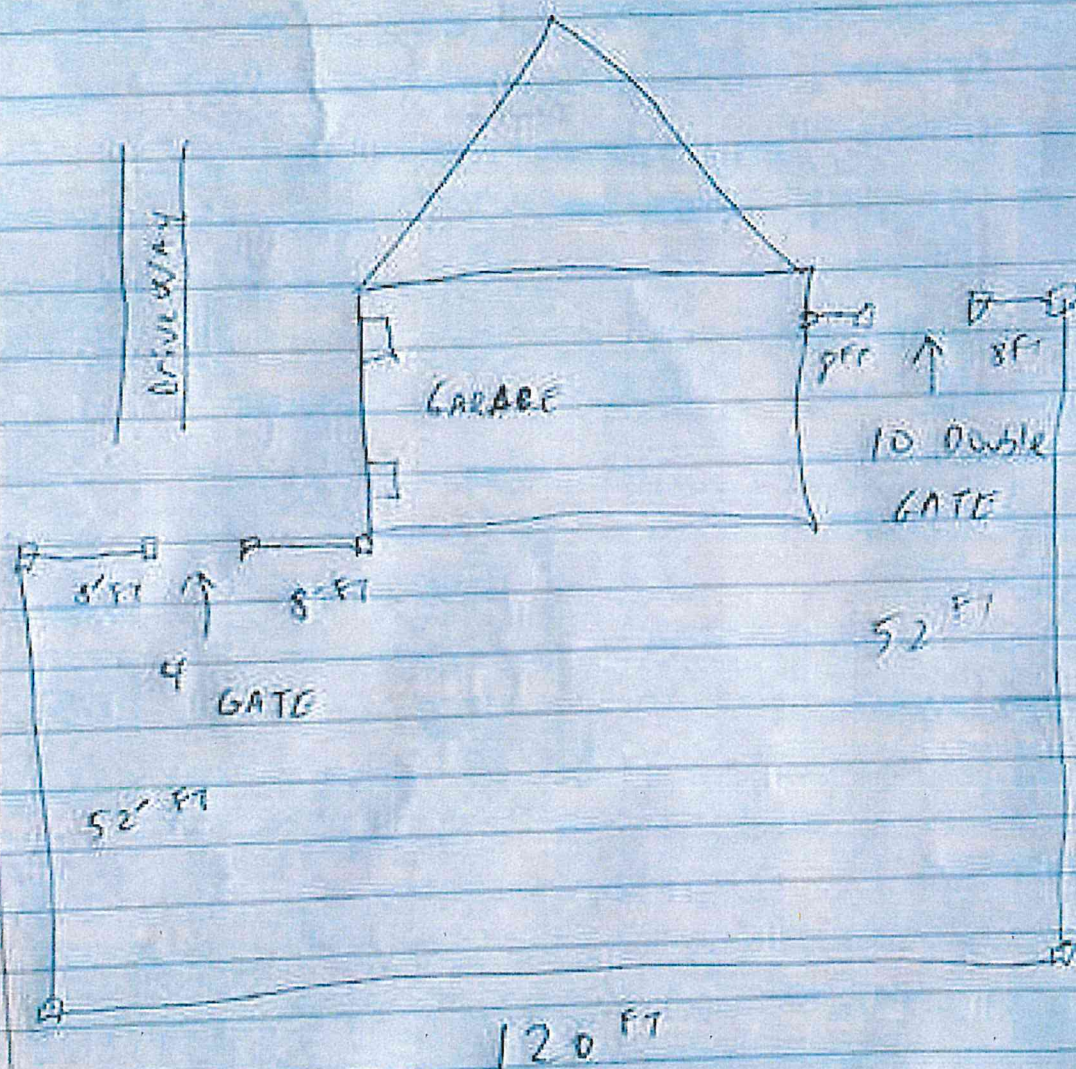
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Date



11/1/22, 3:25 PM

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1 Jane IN Bristol R.I.







Owner		Owner Account #:	% Owned
Owner 1	SYSKA, JOSHUA D & RICHARD J JT		
Owner 2			
Owner 3			
Address	1 PARK LANE, UNIT 402, BOSTON, MA 02210		

## Previous Owners &amp; Sales Information

Grantor	Date	Sale Price	Leq Ref	NAL	Deed Type
BARLOW KENNETH & NOREEN A & BARLOW, KENNETH	09/21/2021	385,000	2134-61		W
BARLOW, KENNETH & NOREEN	09/18/2014	0	1772-150	A	Q
BARLOW, KENNETH & NOREEN	03/28/2006	0	1284-213		Q
BARLOW, KENNETH & ROBIN	03/28/2006	0	1284-195		Q
BARLOW, KENNETH & NOREEN	02/17/2005	0	1184-127		Q

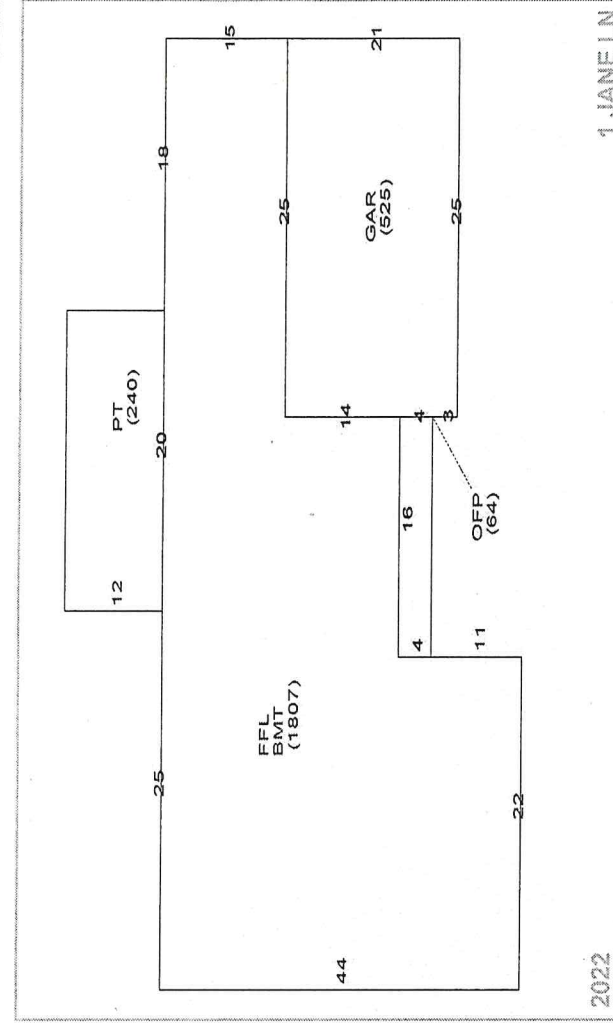
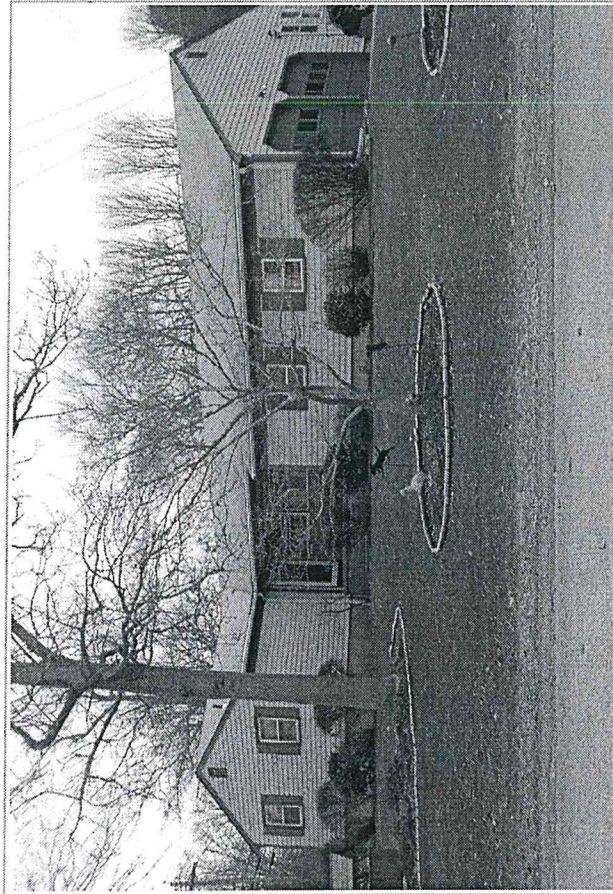
## Assessment

Use Code	Bldg Value	SF/Yr Value	Land Size	Land Value	AG Credit	Assessed Value
01	224,900	0	0.39	189,500	0	414,400
TOTAL	224,900	0	0.39	189,500	0	414,400

Source > Mkt Adj Cost VAL per SQ Unit/Card > 93.27 VAL per SQ Unit/Parcel > 93.27

## Previous Assessments

Year	LUC	Building	SF/Yr	Land Size	Land	AGR Credit	Appraised Value	Assessed Value
2022	01	224,900	0	0	189,500	0	414,400	414,400
2021	01	175,600	0	0	155,700	0	331,300	331,300
2020	01	175,600	0	0	155,700	0	331,300	331,300
2019	01	175,600	0	0	155,700	0	331,300	331,300
2018	01	135,100	0	0	148,500	0	283,600	283,600
2017	01	135,100	0	0	148,500	0	283,600	283,600



## Land Information

Use Description	Units	Unit Type	Land Type	LT Fact	Unit Price	Adjusted	Neigh	Inf 1	Inf 2	Inf 3	Inf 3 %	Appr Value	Spec Land	Juris	Fact	Use Value
01 Single Fam	0.34435	AC	P	1.00	651,000	521,272	G					179,500			1.00	0
01 Single Fam	0.04373	AC	EX	0.20	651,000	228,676	G					10,000			1.00	0
3																
4																



## Plat/Lot 51 12

Account: 3378

LUC01

Zone R-15

## Assessment

\$414,400

## Building Information

Description	Story Height	1 Story	Description
BLDG Type	Ranch	1	0
RES Units	Concrete	BMT Floor	Concrete
Foundation	Wood	Frame 2	%
EXT Wall 1	Wood Shndl	EXT Wall 2	%
Roof Type 1	Gable	Roof Type 2	%
Roof Cover 1	Asphalt Shir	Roof Cover 2	%
INT Wall 1	Drywall	INT Wall 2	%
Floors 1	Hardwood	Floors 2	%
BMT Garages		Color	
Plumbing		Electrical	
Insulation		INT vs EXT	
Heat Fuel	Gas	Heat Type	BB Hot Water
# Heat Sys		% Heated	100
% Solar HW		% A/C	
% COM Wall		% Vacuum	
Ceiling Type		Ceiling Type	
Parking Type		% Sprinkled	
EXT View			

Quantity	Quality
2	Typical
1	Typical
1	Typical
1	Typical

## Room Counts by Floor

Units	# Rooms	# Bedrooms	Floor Level
1	1	7	3
2			U
3			
4			
Totals	1	7	3

Print Date = 11/14/2022 Printed By = Counter

Year ID: 2022

Disclaimer - This information is believed to be correct, but is subject to change and is not warranted

Item 4A.

## Plat/Lot 51 12

Account: 3378

LUC01

Zone R-15

## Assessment

\$414,400

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EXT Wall 1	Wood Shndl	EXT Wall 2	%
Roof Type 1	Gable	Roof Type 2	%
Roof Cover 1	Asphalt Shir	Roof Cover 2	%
INT Wall 1	Drywall	INT Wall 2	%
Floors 1	Hardwood	Floors 2	%
BMT Garages		Color	
Plumbing		Electrical	
Insulation		INT vs EXT	
Heat Fuel	Gas	Heat Type	BB Hot Water
# Heat Sys		% Heated	100
% Solar HW		% A/C	
% COM Wall		% Vacuum	
Ceiling Type		Ceiling Type	
Parking Type		% Sprinkled	
EXT View			

Quantity	Quality
2	Typical
1	Typical
1	Typical
1	Typical

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Item 4A.

## Plat/Lot 51 12

Account: 3378

LUC01

Zone R-15

## Assessment

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EXT Wall 1	Wood Shndl	EXT Wall 2	%
Roof Type 1	Gable	Roof Type 2	%
Roof Cover 1	Asphalt Shir	Roof Cover 2	%
INT Wall 1	Drywall	INT Wall 2	%
Floors 1	Hardwood	Floors 2	%
BMT Garages		Color	
Plumbing		Electrical	
Insulation		INT vs EXT	
Heat Fuel	Gas	Heat Type	BB Hot Water
# Heat Sys		% Heated	100
% Solar HW		% A/C	
% COM Wall		% Vacuum	
Ceiling Type		Ceiling Type	
Parking Type		% Sprinkled	
EXT View			

Quantity	Quality
2	Typical
1	Typical
1	Typical
1	Typical

## Room Counts by Floor

Units	# Rooms	# Bedrooms	Floor Level
1	1	7	3
2			U
3			
4			
Totals	1	7	3

Print Date = 11/14/2022 Printed By = Counter

Year ID: 2022

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Item 4A.





# 1 Jane Lane - 300' Radius

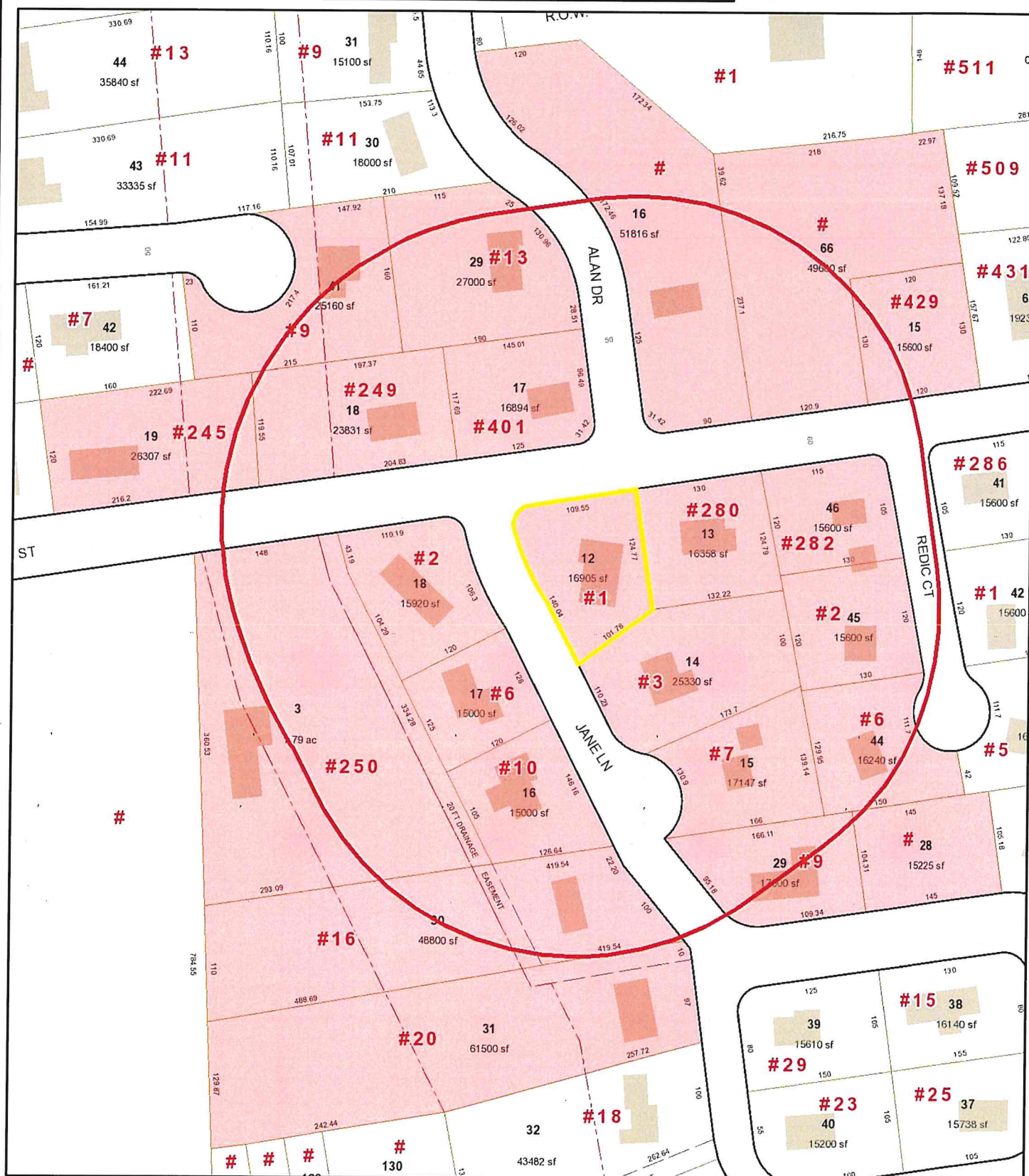
Bristol, RI



November 16, 2022

1 inch = 140 Feet

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# 300 foot Abutters List Report

Bristol, RI  
November 16, 2022

## Subject Property:

Parcel Number: 51-12  
CAMA Number: 51-12  
Property Address: 1 JANE LN

Mailing Address: SYSKA, JOSHUA D & RICHARD J JT  
1 PARK LANE, UNIT 402  
BOSTON, MA 02210

## Abutters:

Parcel Number: 108-15  
CAMA Number: 108-15  
Property Address: 429 CHESTNUT ST

Mailing Address: FAIRPOINT REALTY LLC  
3 DORIS AVE  
BRISTOL, RI 02809

Parcel Number: 108-16  
CAMA Number: 108-16  
Property Address: DAWN HL

Mailing Address: ONE DAWN HILL PROPERTY LLC  
ONE DAWN HILL ROAD  
BRISTOL, RI 02809

Parcel Number: 108-17  
CAMA Number: 108-17  
Property Address: 401 CHESTNUT ST

Mailing Address: LAFAZIA, GINO A & JILLIAN M TE  
401 CHESTNUT ST  
BRISTOL, RI 02809

Parcel Number: 108-18  
CAMA Number: 108-18  
Property Address: 249 CHESTNUT ST

Mailing Address: GARVIN, GEORGE E JR GAIL ANN JT  
249 CHESTNUT ST  
BRISTOL, RI 02809

Parcel Number: 108-19  
CAMA Number: 108-19  
Property Address: 245 CHESTNUT ST

Mailing Address: PROTO, MICHAEL J.  
245 CHESTNUT ST.  
BRISTOL, RI 02809

Parcel Number: 108-29  
CAMA Number: 108-29  
Property Address: 13 ALAN DR

Mailing Address: BLAND, CURTIS M. DEBRA L. TE  
13 ALAN DRIVE  
BRISTOL, RI 02809

Parcel Number: 108-41  
CAMA Number: 108-41  
Property Address: 9 LEILA JEAN DR

Mailing Address: CALDWELL, DUSTIN & JOANNA TE  
9 LEILA JEAN DR  
BRISTOL, RI 02809

Parcel Number: 108-66  
CAMA Number: 108-66  
Property Address: DAWN HL

Mailing Address: ONE DAWN HILL PROPERTY LLC  
ONE DAWN HILL ROAD  
BRISTOL, RI 02809

Parcel Number: 51-12  
CAMA Number: 51-12  
Property Address: 1 JANE LN

Mailing Address: SYSKA, JOSHUA D & RICHARD J JT  
1 PARK LANE, UNIT 402  
BOSTON, MA 02210

Parcel Number: 51-13  
CAMA Number: 51-13  
Property Address: 280 CHESTNUT ST

Mailing Address: COUTU, ROBERT L ET UX SANDY F  
280 CHESTNUT STREET  
BRISTOL, RI 02809



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11/16/2022

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Page 1 of 3





# 300 foot Abutters List Report

Bristol, RI  
November 16, 2022

Parcel Number: 51-14 CAMA Number: 51-14 Property Address: 3 JANE LN	Mailing Address: MARSHALL, GARY 114 PECK AVE BRISTOL, RI 02809
Parcel Number: 51-15 CAMA Number: 51-15 Property Address: 7 JANE LN	Mailing Address: MULVEY, TRACEY A TRUSTEE 7 JANE LN BRISTOL, RI 02809
Parcel Number: 51-16 CAMA Number: 51-16 Property Address: 10 JANE LN	Mailing Address: DECARVALHO, MEGHAN M 10 JANE LANE BRISTOL, RI 02809
Parcel Number: 51-17 CAMA Number: 51-17 Property Address: 6 JANE LN	Mailing Address: CIULLO, JOSEPH G JOANNE E, TRUSTEES 6 JANE LN BRISTOL, RI 02809
Parcel Number: 51-18 CAMA Number: 51-18 Property Address: 2 JANE LN	Mailing Address: PERRY, LAVINA 2 JANE LN BRISTOL, RI 02809
Parcel Number: 51-28 CAMA Number: 51-28 Property Address: JANE LN	Mailing Address: BUCOLO FAMILY TRUST 8-18-2015 BUCOLO, RICHARD A & CAROLYN F TRUSTEES 9 JANE LANE BRISTOL, RI 02809
Parcel Number: 51-29 CAMA Number: 51-29 Property Address: 9 JANE LN	Mailing Address: BUCOLO FAMILY TRUST 8-18-2015 BUCOLO, RICHARD A & CAROLYN F TRUSTEES 9 JANE LANE BRISTOL, RI 02809
Parcel Number: 51-3 CAMA Number: 51-3 Property Address: 250 CHESTNUT ST	Mailing Address: LEOCADIO, MARIA IDALINA JT LEOCADIO, GEORGEZ & VICTORIA 250 CHESTNUT ST BRISTOL, RI 02809
Parcel Number: 51-30 CAMA Number: 51-30 Property Address: 16 JANE LN	Mailing Address: SULLIVAN, PETER K & KARINA L T 16 JANE LANE BRISTOL, RI 02809
Parcel Number: 51-31 CAMA Number: 51-31 Property Address: 20 JANE LN	Mailing Address: COSTA, GILBERTO G ETUX 20 JANE LANE BRISTOL, RI 02809
Parcel Number: 51-44 CAMA Number: 51-44 Property Address: 6 REDIC CT	Mailing Address: QUINN, JOHN T. JR. KRISTEN 6 REDIC COURT BRISTOL, RI 02809
Parcel Number: 51-45 CAMA Number: 51-45 Property Address: 2 REDIC CT	Mailing Address: SYLVIA, ROBERT P 6706 OAK CLUSTER CIR SPRING HILL, FL 34606



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11/16/2022

Page 2 of 3



# 300 foot Abutters List Report

Bristol, RI

November 16, 2022

Parcel Number: 51-46  
CAMA Number: 51-46  
Property Address: 282 CHESTNUT ST

Mailing Address: BUCCI, ERNEST J. EMILY ETUX TE  
282 CHESTNUT ST  
BRISTOL, RI 02809



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11/16/2022

Page 3 of 3

BLAND, CURTIS M.  
DEBRA L. TE  
13 ALAN DRIVE  
BRISTOL, RI 02809

LAFAZIA, GINO A &  
JILLIAN M TE  
401 CHESTNUT ST  
BRISTOL, RI 02809

SYSKA, JOSHUA D & RICHARD  
1 PARK LANE, UNIT 402  
BOSTON, MA 02210

BUCCI, ERNEST J.  
EMILY ETUX TE  
282 CHESTNUT ST  
BRISTOL, RI 02809

LEOCADIO, MARIA IDALINA J  
LEOCADIO, GEORGEZ & VICTO  
250 CHESTNUT ST  
BRISTOL, RI 02809

BUCOLO FAMILY TRUST 8-18-  
BUCOLO, RICHARD A & CAROL  
9 JANE LANE  
BRISTOL, RI 02809

MARSHALL, GARY  
114 PECK AVE  
BRISTOL, RI 02809

CALDWELL, DUSTIN & JOANNA  
9 LEILA JEAN DR  
BRISTOL, RI 02809

MULVEY, TRACEY A  
TRUSTEE  
7 JANE LN  
BRISTOL, RI 02809

CIULLO, JOSEPH G  
JOANNE E, TRUSTEES  
6 JANE LN  
BRISTOL, RI 02809

ONE DAWN HILL PROPERTY LL  
ONE DAWN HILL ROAD  
BRISTOL, RI 02809

COSTA, GILBERTO G ETUX  
20 JANE LANE  
BRISTOL, RI 02809

PERRY, LAVINA  
2 JANE LN  
BRISTOL, RI 02809

COUTU, ROBERT L ET UX SAN  
280 CHESTNUT STREET  
BRISTOL, RI 02809

PROTO, MICHAEL J.  
245 CHESTNUT ST.  
BRISTOL, RI 02809

DECARVALHO, MEGHAN M  
10 JANE LANE  
BRISTOL, RI 02809

QUINN, JOHN T. JR.  
KRISTEN  
6 REDIC COURT  
BRISTOL, RI 02809

FAIRPOINT REALTY LLC  
3 DORIS AVE  
BRISTOL, RI 02809

SULLIVAN, PETER K & KARIN  
16 JANE LANE  
BRISTOL, RI 02809

GARVIN, GEORGE E JR  
GAIL ANN JT  
249 CHESTNUT ST  
BRISTOL, RI 02809

SYLVIA, ROBERT P  
6706 OAK CLUSTER CIR  
SPRING HILL, FL 34606





**Town of Bristol, Rhode Island**  
**Zoning Board of Review**

10 Court Street  
Bristol, RI 02809  
401-253-7000  
www.bristolri.gov

File #2022-37

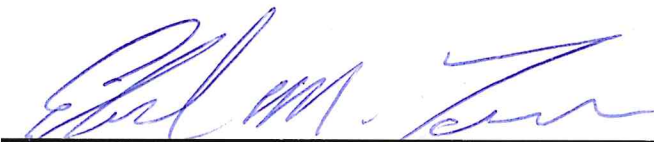
**PUBLIC HEARING**

Notice is hereby given by the Zoning Board of Review  
that a public hearing will be held on the following application:

**Monday, December 5, 2022**  
**at 7:00 P.M.**  
**Bristol Town Hall**  
**10 Court Street**

APPLICANT:           **The Malverne Trust c/o Bart Kavanaugh and Betty Saks**  
PROPERTY OWNER:   **The Malverne Trust**  
LOCATION:             **Low Lane**  
PLAT: 166                 LOT: 16  
ZONE: **R-40**

APPLICANT IS REQUESTING A SPECIAL USE PERMIT: to temporarily maintain  
four (4) prefabricated relocatable shipping / storage containers on a residential property.

  
\_\_\_\_\_  
Edward M. Tanner,  
Principal Planner / Zoning Enforcement Officer

Scanned copies of all applications and supporting materials will be available on the Town of Bristol web site at <https://www.bristolri.gov/government/boards/zoning-board-of-review/>. If you have any comments regarding this petition, but are unable to attend, you may submit your comments in writing to the Zoning Board via regular mail addressed to: Zoning Board of Review, Bristol Town Hall, 10 Court Street, Bristol, RI 02809 or via email to [etanner@bristolri.gov](mailto:etanner@bristolri.gov). Written comments should be received no later than 12:00 p.m. on Thursday, December 1, 2022.



**Town of Bristol, Rhode Island**  
**Department of Community Development**  
**Zoning Board of Review**

**APPLICATION**

File No: **2022-37**

Accepted by ZEO: **EMT 11/7/2022**

<b>APPLICANT</b>	Name: THE MALVERNE TRUST c/o BART KAVANAUGH AND BETTY SAKS		
	Address: 619 SOUTH BEACH		
	City: JUPITER ISLAND	State: FL	Zip: 33469
	Telephone #:	Home: 772-224-7964	Work/Cell:
<b>PROPERTY OWNER</b>	Name: DELEWARE TRUST COMPANY, CO TRUSTEE OF THE MALVERNE TRUST		
	Address:		
	City:	State:	ZIP:
	Telephone #:	Home:	Work/Cell:

1. Location of subject property: 0 LOW LANE

Assessor's Plat(s)#: 166

Lot(s) #: 16

2. Zoning district in which property is located: R-40

3. Zoning Approval(s) required (check all that apply):

☐ Dimensional Variance(s)

☒ Special Use Permit

☐ Use Variance

4. Which particular provisions of the Zoning Ordinance is applicable to this application?:

Dimensional Variance Section(s): \_\_\_\_\_

Special Use Permit Section(s): \_\_\_\_\_

Use Variance Section(s): \_\_\_\_\_

5. In a separate written statement, please describe the grounds for the requested variance or special use permit and how the proposal will meet the standards found in Section 28-409 of the Zoning Ordinance.

6. How long have you owned the property?: \_\_\_\_\_

7. Present use of property: VACANT RESIDENTIAL LAND

8. Is there a building on the property at present?: NO

9. Dimensions of existing building (size in feet, area in square feet, height of exterior in feet): \_\_\_\_\_

10. Proposed use of property: PLEASE SEE ATTACHED EXHIBIT "A".

2022 NOV - 7 PM 1:39  
TOWN OF BRISTOL  
COMMUNITY DEVELOPMENT



11. Give extent of proposed alterations: \_\_\_\_\_
12. Dimensions of proposed building/addition (size in feet, area in square feet, height of exterior in feet): \_\_\_\_\_
13. If dimensional relief is being sought, please state the required and proposed dimensions and setback distances between the proposed building/addition and each lot line:
- |                      |                         |                         |
|----------------------|-------------------------|-------------------------|
| Front lot line(s):   | Required Setback: _____ | Proposed Setback: _____ |
| Left side lot line:  | Required Setback: _____ | Proposed Setback: _____ |
| Right side lot line: | Required Setback: _____ | Proposed Setback: _____ |
| Rear lot line:       | Required Setback: _____ | Proposed Setback: _____ |
| Building height:     | Required: _____         | Proposed: _____         |
- Other dimensions (building size, lot coverage, lot area, parking, sign dimensions, etc.):  
 Required: \_\_\_\_\_ Proposed: \_\_\_\_\_
13. Number of families before/after proposed alterations: \_\_\_\_\_ Before \_\_\_\_\_ After
14. Have you submitted plans for the above alterations to the Building Official? \_\_\_\_\_  
 If yes, has he refused a permit? \_\_\_\_\_ If refused, on what grounds? \_\_\_\_\_
15. Are there any easements on your property?: NO (If yes, their location must be shown on site plan)
16. Which public utilities service the property?: Water: YES Sewer: YES
17. Is the property located in the Bristol Historic District or is it an individually listed property?: NO
18. Is the property located in a flood zone? NO If yes, which one?: \_\_\_\_\_

I, the undersigned, attest that all the information provided on this application is true and accurate to the best of my knowledge:

Applicant's Signature: Bruce H. Fox, Esq. Attorney in Law Date: 11/4/22

Print Name: The Madvenne Trust

Property Owner's Signature: Bruce H. Fox, Attorney in Law Date: 11/4/22

Print Name: The Delaware Trust Company

Name of attorney or agent (engineer, architect, etc.), if any, who is authorized to represent the applicant:

Name: Bruce H. Fox, Esq. Telephone #: 401 437-1100

Address: 1481 Wampanoag Trail, East Providence, RI

## Assessor Plat 166 Lot 16

## EXHIBIT "A"

The lot in question is Lot 16 on Assessor's Plat 166 and is immediately adjacent to, 13 Low Lane known as Assessor's Plat 166, Lot 5, where the Applicant is constructing a 12,000 sq. ft. residence. These two parcels are bisected by the access driveway of 15 Low Lane.

The intermodal containers on Assessor's Lot 16 are located there to facilitate the construction of the house on Assessor's Lot 5. The containers are located on Lot 16 because of natural existing conditions on the construction site, the extent of which created a hardship. The hardships are twofold. The first is caused by the constraints of use of this site by specimen trees the second being the fall-away a nature of the western topography of the lot which renders that area useless for the purposes intended.

Generally, the construction site has a relatively flat entry on its eastern boundary where the house is being built after which it falls away deeply to the west. The flat area on the eastern boundary contains a number of specimen trees as one enters the lot. The storage of supplies in units, containers and trucks on this land would damage the root system of the trees there and cause the potential loss of a number of specimen trees which would be detrimental to the property and the area. As one progresses further into the property on the upper areas where it is level the house is being constructed, the driveway is being constructed, the accessory building is being constructed and a number of onsite materials are already stored on the northern most end of this upper area.

The area to the west falls away steeply down to the water as can be seen on the topography plan attached as exhibit "A". The pitch of the land to the west is at such an angle it would be impossible to place functioning storage containers and materials on it and have reasonable access. If they were placed on the property in a north-south orientation or parallel to the water, the lower edge of the containers would have to be propped up with considerable construction or regrading in order to make them level and then access would be hampered by the ankle of the land relative to the floor of the container. Obviously, if they were placed in an east-west orientation, either all of the materials would slide to the back end of the container to the west or if they were faced with the door facing the west the materials could fall out and onto the work people. The two conditions would not be reasonable.

The use of the adjacent lot is the only logical answer. The containers themselves are placed well into back hedges of Assessor's Lot 16. They are (or will be) no closer than 25 feet to a lot line abutting a residential zoned property (2) are not located in the front yard of the property (3) are not reducing the amount of off-street parking required for the principal use of the property (4). It was believed that they were screened by hedge and growth sheilding them from public view from the road. However, an exception has been taken that they're visible from the access drive of 15 Low Lane.

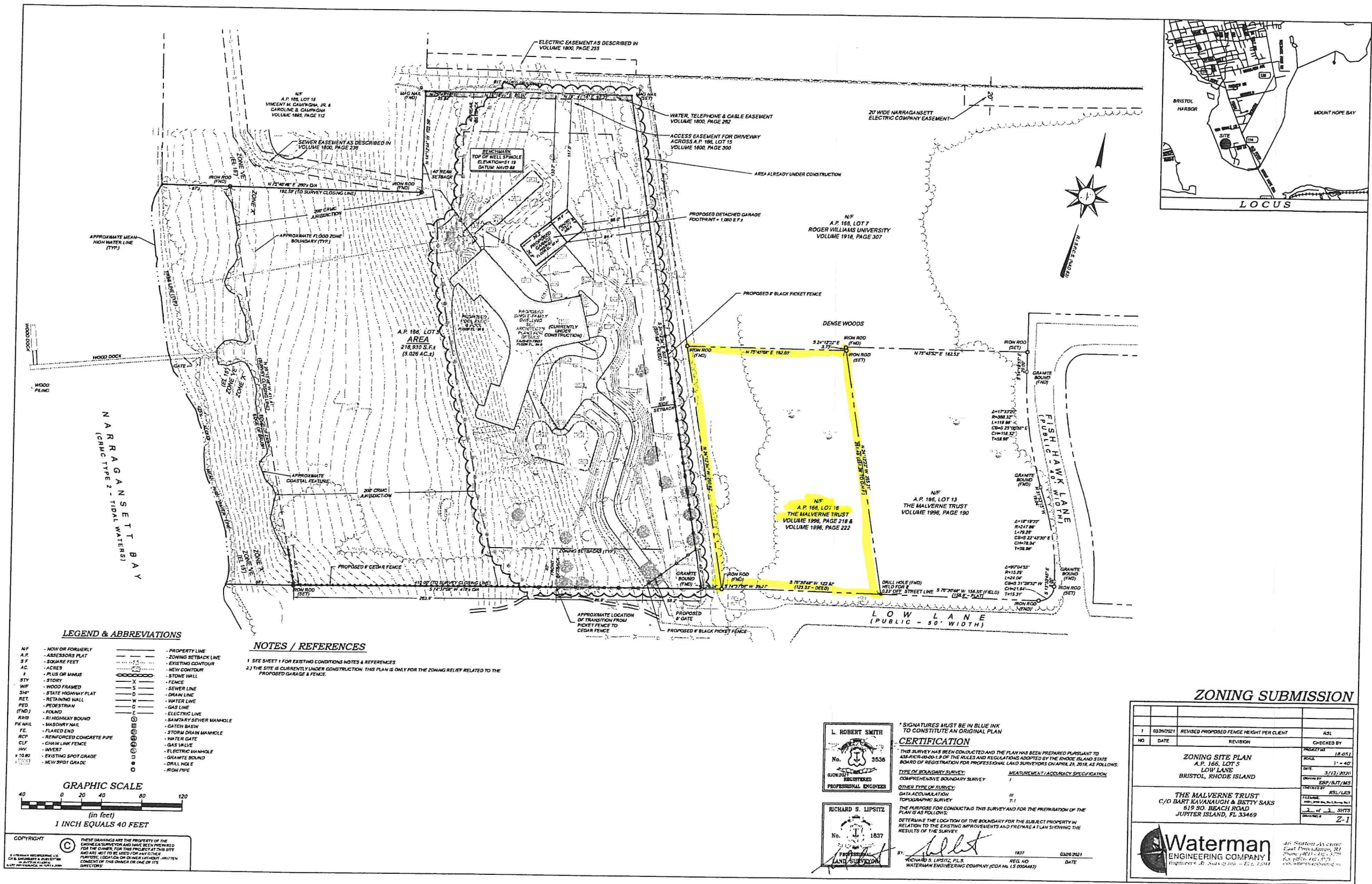
Section 28-148 allows this Board to issue a Special Use permit for storage of



prefabricated, relocatable steel buildings, box trailers or shipping or cargo containers (hereinafter “storage containers”) upon the showing or demonstrated hardship. Section 28-148 allows open storage within a residential zone or adjacent to a residential zone provided an opaque fence or compact evergreens of not less than 6 feet and height is created.

To satisfy these standards, we believe we demonstrated by virtue of the topography of the lot 5, where the construction is ongoing, prevents the placement of temporary storage containers there. It would either be damaging to the property or functionally impossible. The Applicant will in-fact install an opaque fence along the full western boundary of its lots such that the containers can not be seen from the access drive of 15 Low Lane. Additionally, fencing will be placed along the lot as it abuts Low Lane so that containers will not be visible from Low Lane.

With this done, it is respectfully requested that the Zoning Board issue a Special Use Permit to the Applicant allowing the continued placement of the intermodal storage containers on lot 16 during the construction of the house on lot 5. Once the construction is complete the containers and fencing will be removed and the lot graded.



ZONING SUBMISSION

1	03/26/2021	REVISED PROPOSED FENCE HEIGHT PER CLIENT	ASL
NO	DATE	REVISION	CHECKED BY
		ZONING SITE PLAN A.P. 166, LOT 5 LOW LANE BRISTOL, RHODE ISLAND	PROJECT NO. 18-051 SCALE 1" = 40' DATE 3/12/2021 DRAWN BY CRP/BJT/MJS CHECKED BY RSL/LCS 3 of 3 SHEETS SHEET NO. 2-1
		THE MALVERNE TRUST C/O BART KAVANAUGH & BETTY SAKS 619 90 BEACH ROAD JUPITER ISLAND, FL 33469	
		<b>Waterman</b> ENGINEERING COMPANY Engineers & Surveyors - P.E. & S.E.	



▶ Bristol

▶ LOW LN

Card of

▶ Plat/Lot 166 16

▶ Account: 9254

Zone R-40

▶ Assessment

\$649,300



▶ Owner		▶ Owner Account #:	% Owned
Owner 1	MALVERNE TRUST		
Owner 2	C/O BART KAVANAUGH &		
Owner 3	BETTY SAKS		
Address		619 SOUTH BEACH RD, JUPITER, FL 33469	

▶ Previous Owners & Sales Information

Grantor	Date	Sale Price	Leg Ref	NAL	Deed Type
NICHOLSON, PAUL C III & THOMAS H	09/05/2019	125,000	1996-222	B	T
NICHOLSON, PAUL III & THOMAS H	09/05/2019	125,000	1996-218	B	T
NICHOLSON, PAUL C. JR,	07/22/2005	0	1223-301		
NICHOLSON, PAUL C JR	07/22/2005	0	1223-298		Q
NICHOLSON, PAUL C JR &	07/22/2005	0	1223-296		Q

▶ Assessment

Use Code	Bldg Value	SF/YI Value	Land Size	Land Value	AG Credit	Assessed Value
13	0	0	0.98	649,300	0	649,300
TOTAL	0	0	0.98	649,300	0	649,300
Source > Mkt Adj Cost		VAL per SQ Unit/Card >		VAL per SQ Unit/Parcel >		

▶ Previous Assessments

Year	LUC	Building	SF/YI	Land Size	Land	AGR Credit	Appraised Value	Assessed Value
2022	13	0	0	1	649,300	0	649,300	649,300
2021	13	0	0	1	480,100	0	480,100	480,100
2020	13	0	0	1	480,100	0	480,100	480,100
2019	13	0	0	1	480,100	0	480,100	480,100
2018	13	0	0	1	377,900	0	377,900	377,900
2017	13	0	0	1	377,900	0	377,900	377,900

▶ Land Information

Use	Description	Units	Unit Type	Land Type	LT Fact	Unit Price	Adjusted	Neigh	Inf 1	Inf 1 %	Inf 2	Inf 2 %	Inf 3	Inf 3 %	Appr Value	Spec Land	Juris	Fact	Use Value
1	13 Res Vacant	0.91827	AC	P	1.00	399,000	699,032	M	Winter View	75					641,900			1.00	0
2	13 Res Vacant	0.06171	AC	EX	0.20	399,000	119,916	M							7,400			1.00	0
3																			
4																			



# 0 Low Lane - 300' Radius

Bristol, RI

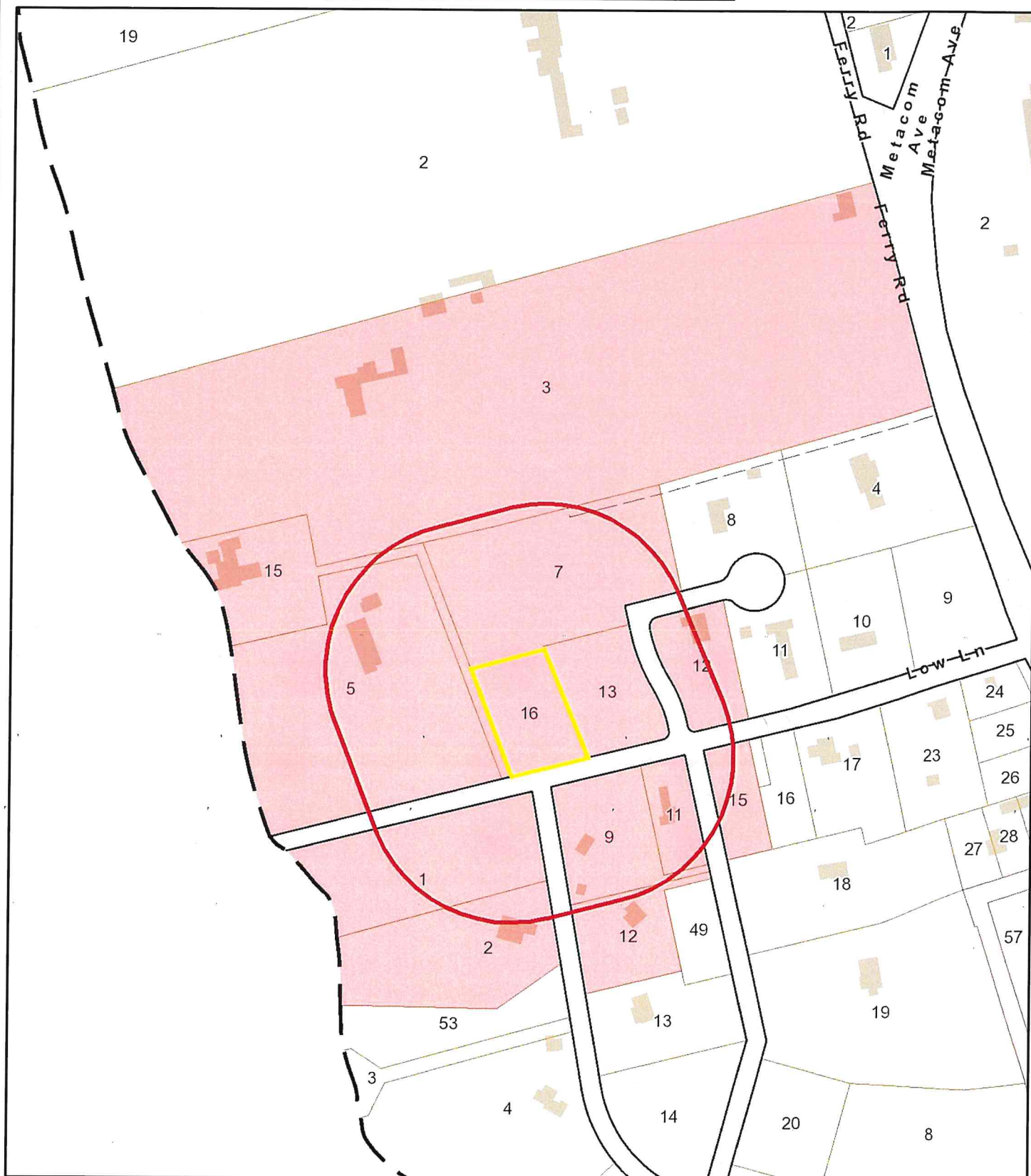


November 16, 2022

1 inch = 281 Feet

[www.cai-tech.com](http://www.cai-tech.com)

0 281 563 844



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# 300 foot Abutters List Report

Bristol, RI  
November 16, 2022

## Subject Property:

Parcel Number: 166-16  
CAMA Number: 166-16  
Property Address: LOW LN

Mailing Address: MALVERNE TRUST C/O BART  
KAVANAUGH &  
619 SOUTH BEACH RD  
JUPITER, FL 33469

## Abutters:

Parcel Number: 166-12  
CAMA Number: 166-12  
Property Address: 7 FISH HAWK LN

Mailing Address: FULTON, FRANK T. II  
7 FISH HAWK LN  
BRISTOL, RI 02809

Parcel Number: 166-13  
CAMA Number: 166-13  
Property Address: LOW LN

Mailing Address: MALVERNE TRUST  
C/O BART KAVANAUGH & BETTY SAKS  
619 SOUTH BEACH RD  
JUPITER, FL 33469

Parcel Number: 166-15  
CAMA Number: 166-15  
Property Address: 15 LOW LN

Mailing Address: CAMPAGNA, VINCENT M & CAROLINE  
TRUSTEES  
15 LOW LN  
BRISTOL, RI 02809

Parcel Number: 166-16  
CAMA Number: 166-16  
Property Address: LOW LN

Mailing Address: MALVERNE TRUST C/O BART  
KAVANAUGH &  
619 SOUTH BEACH RD  
JUPITER, FL 33469

Parcel Number: 166-3  
CAMA Number: 166-3  
Property Address: 55 FERRY RD

Mailing Address: ROGER WILLIAMS UNIVERSITY  
1 OLD FERRY RD  
BRISTOL, RI 02809

Parcel Number: 166-5  
CAMA Number: 166-5  
Property Address: 13 LOW LN

Mailing Address: MALVERNE TRUST DELAWARE TRUST  
CO -CO-TRUSTEE  
619 SOUTH BEACH RD  
JUPITER, FL 33469

Parcel Number: 166-7  
CAMA Number: 166-7  
Property Address: FERRY RD

Mailing Address: ROGER WILLIAMS UNIVERSITY  
1 OLD FERRY RD  
BRISTOL, RI 02809

Parcel Number: 167-1  
CAMA Number: 167-1  
Property Address: LOW LN

Mailing Address: LOW DOCK, LLC  
C/O KATHRYN LOW 63 HILL CREST ST  
AUBURN, ME 04210

Parcel Number: 167-11  
CAMA Number: 167-11  
Property Address: 14 LOW LN

Mailing Address: LOW, J. GILMAN TRUST (75%) LOW,  
NICHOLAS E & HARRIET P (25%)  
3758 TALKING CIR  
LANGLEY, WA 98260

Parcel Number: 167-12  
CAMA Number: 167-12  
Property Address: 3 MONKEY WRENCH LN

Mailing Address: SPARROW KATHERINE FULTON  
TRUSTEE1  
3 MONKEY WRENCH LN  
BRISTOL, RI 02809



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11/16/2022

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Page 1 of 2



# 300 foot Abutters List Report

Bristol, RI  
November 16, 2022

Parcel Number: 167-15  
CAMA Number: 167-15  
Property Address: LOW LN

Mailing Address: LOW, J. GILMAN TRUST (75%) LOW,  
NICHOLAS E & HARRIET P (25%)  
3758 TALKING CIR  
LANGLEY, WA 98260

Parcel Number: 167-2  
CAMA Number: 167-2  
Property Address: 30 MONKEY WRENCH LN

Mailing Address: MCCLAVE, WILKES  
PO BOX 247  
LYME, NH 03768

Parcel Number: 167-9  
CAMA Number: 167-9  
Property Address: 20 LOW LN

Mailing Address: LOW, WILLIAM H  
63 HILL CREST ST  
AUBURN, ME 04210



[www.cai-tech.com](http://www.cai-tech.com)

11/16/2022

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Page 2 of 2



CAMPAGNA, VINCENT M &  
CAROLINE TRUSTEES  
15 LOW LN  
BRISTOL, RI 02809

SPARROW KATHERINE FULTON  
3 MONKEY WRENCH LN  
BRISTOL, RI 02809

FULTON, FRANK T. II  
7 FISH HAWK LN  
BRISTOL, RI 02809

LOW, J. GILMAN TRUST (75  
LOW, NICHOLAS E & HARRIET  
3758 TALKING CIR  
LANGLEY, WA 98260

LOW DOCK, LLC  
C/O KATHRYN LOW  
63 HILL CREST ST  
AUBURN, ME 04210

LOW, WILLIAM H  
63 HILL CREST ST  
AUBURN, ME 04210

MALVERNE TRUST  
C/O BART KAVANAUGH & BETTY  
SAKS  
619 SOUTH BEACH RD  
JUPITER, FL 33469

MALVERNE TRUST  
C/O BART KAVANAUGH &  
619 SOUTH BEACH RD  
JUPITER, FL 33469

MALVERNE TRUST  
DELAWARE TRUST CO -CO-TRU  
619 SOUTH BEACH RD  
JUPITER, FL 33469

MCCLAVE, WILKES  
PO BOX 247  
LYME, NH 03768

ROGER WILLIAMS UNIVERSITY  
1 OLD FERRY RD  
BRISTOL, RI 02809



**Town of Bristol, Rhode Island**  
***Zoning Board of Review***

10 Court Street  
Bristol, RI 02809  
401-253-7000  
www.bristolri.gov

File #2022-38

**PUBLIC HEARING**

Notice is hereby given by the Zoning Board of Review  
that a public hearing will be held on the following application:

**Monday, December 5, 2022**  
**at 7:00 P.M.**  
**Bristol Town Hall**  
**10 Court Street**

APPLICANT: NPT Healthworks / Dr. Daniel Hatch  
PROPERTY OWNER: Matthew W. Gray  
LOCATION: 413 High Street  
PLAT: 12 LOT: 94  
ZONE: R-6

APPLICANT IS REQUESTING A SPECIAL USE PERMIT: to convert an existing nonconforming commercial music school use to a nonconforming medical clinic (physical therapy, mental health counseling, and massage therapy) use in a residential zoning district.

A handwritten signature in blue ink, reading "Edward M. Tanner", is written over a horizontal line.

Edward M. Tanner,  
Principal Planner / Zoning Enforcement Officer

Scanned copies of all applications and supporting materials will be available on the Town of Bristol web site at <https://www.bristolri.gov/government/boards/zoning-board-of-review/>. If you have any comments regarding this petition, but are unable to attend, you may submit your comments in writing to the Zoning Board via regular mail addressed to: Zoning Board of Review, Bristol Town Hall, 10 Court Street, Bristol, RI 02809 or via email to [etanner@bristolri.gov](mailto:etanner@bristolri.gov). Written comments should be received no later than 12:00 p.m. on Thursday, December 1, 2022.





# Town of Bristol, Rhode Island

## Department of Community Development Zoning Board of Review

2022 NOV 10 AM 10:36

### APPLICATION

File No: 2022-38

Accepted by ZEO: *Emt 11/10/22*

<b>APPLICANT</b>	Name:	NPT Healthworks, Dr. Daniel Hatch		
	Address:	20 Fried Ave		
	City:	Bristol	State:	RI Zip: 02809
	Telephone #:	401-318-8502	Home:	401-318-8502 Work/Cell: 401-318-8502
<b>PROPERTY OWNER</b>	Name:	Matthew W. Gray		
	Address:	79 Turner Ave		
	City:	Riverside	State:	RI ZIP: 02915
	Telephone #:		Home:	Work/Cell:

1. Location of subject property: 413 High St, Bristol  
Assessor's Plat(s)#: 12 Lot(s) #: 94
2. Zoning district in which property is located: R-6
3. Zoning Approval(s) required (check all that apply):  
☐ Dimensional Variance(s) ☒ Special Use Permit ☐ Use Variance
4. Which particular provisions of the Zoning Ordinance is applicable to this application?:  
Dimensional Variance Section(s):  
Special Use Permit Section(s): 28-409  
Use Variance Section(s):
5. In a separate written statement, please describe the grounds for the requested variance or special use permit and how the proposal will meet the standards found in Section 28-409 of the Zoning Ordinance.
6. How long have you owned the property?: owned since 9/15/2006, new owner hoping to acquire by end of 2022
7. Present use of property: Bristol Music Academy
8. Is there a building on the property at present?: Yes
9. Dimensions of existing building (size in feet, area in square feet, height of exterior in feet): 48x44, 2112 sq ft
10. Proposed use of property: Health and wellness services including physical therapy, mental health counseling, massage therapy, On Running Shoes and other specialty products sales

**11. Give extent of proposed alterations:** \_\_\_\_\_

Update signage on building and on post in front of building and change the two  
15 minute parking spaces in front of the building to two 2 hour parking spaces.

**12. Dimensions of proposed building/addition (size in feet, area in square feet, height of exterior in feet):** \_\_\_\_\_  
n/a

**13. If dimensional relief is being sought, please state the required and proposed dimensions and setback distances between the proposed building/addition and each lot line:**

Front lot line(s):	Required Setback: _____	Proposed Setback: _____
Left side lot line:	Required Setback: _____	Proposed Setback: _____
Right side lot line:	Required Setback: _____	Proposed Setback: _____
Rear lot line:	Required Setback: _____	Proposed Setback: _____
Building height:	Required: _____	Proposed: _____
Other dimensions (building size, lot coverage, lot area, parking, sign dimensions, etc.):		
Required: _____	Proposed: _____	

**13. Number of families before/after proposed alterations:** \_\_\_\_\_ Before \_\_\_\_\_ After

**14. Have you submitted plans for the above alterations to the Building Official?** \_\_\_\_\_ N/A

If yes, has he refused a permit? \_\_\_\_\_ If refused, on what grounds? \_\_\_\_\_

**15. Are there any easements on your property?:** \_\_\_\_\_ no \_\_\_\_\_ (If yes, their location must be shown on site plan)

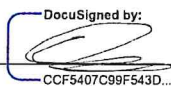
**16. Which public utilities service the property?:** Water: \_\_\_\_\_ yes \_\_\_\_\_ Sewer: \_\_\_\_\_ yes \_\_\_\_\_

**17. Is the property located in the Bristol Historic District or is it an individually listed property?:** \_\_\_\_\_ no \_\_\_\_\_

**18. Is the property located in a flood zone?** \_\_\_\_\_ no \_\_\_\_\_ If yes, which one?: \_\_\_\_\_

I, the undersigned, attest that all the information provided on this application is true and accurate to the best of my knowledge:

**Applicant's Signature:** \_\_\_\_\_

DocuSigned by:  
  
CCF5407C99F543D...

11/9/2022

**Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_ Daniel Hatch

**Property Owner's Signature:** Matthew Gray

dotloop verified  
11/09/22 8:16 PM EST  
2CZL-DBPL-R6RU-KUCZ

**Date:** \_\_\_\_\_

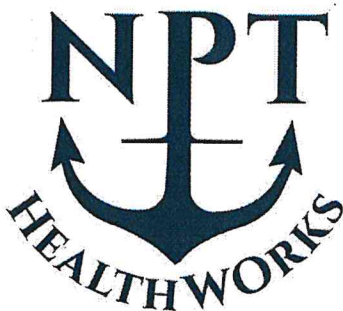
**Print Name:** \_\_\_\_\_ Matthew Gray

**Name of attorney or agent (engineer, architect, etc.), if any, who is authorized to represent the applicant:**

**Name:** \_\_\_\_\_ **Telephone #:** \_\_\_\_\_

**Address:** \_\_\_\_\_





To Whom It May Concern:

First and foremost I'd like to thank you for your time and consideration in reviewing my zoning request. Having owned a home in Bristol now since 2017, I'm excited for the opportunity to expand my current business to the East Bay area. April will be 10 years for NPT HealthWorks, currently located in Newport RI. My hope is to provide the same high quality care to our local community here in Bristol.

Here are some additional details about NPT HealthWorks:

- We provide 1 on 1, hour long physical therapy and mental health counseling, as well as speciality therapeutic products including ice packs and On Running Shoes, a high-end athletic shoe . We are hoping to potentially collaborate and sublet to other like minded health and wellness professionals who share our same values and desire to better our local community. We don't feel we will be detrimental to the character of the neighborhood in any manner. In fact, we believe we will add to the character, just as we have positively contributed to the Aquidneck Island community for almost 10 years now. As we work one to one with our clients, we anticipate 1-4 visitors per hour at our new location, requiring 1-4 parking spots per hour. Hours of operation are anticipated to be 7:30am-430pm, Monday through Friday.

- Our mission is to help individuals make better decisions about their health and to enhance the life of anyone who enters our world.
- We anticipate leaving the building primarily as it currently stands, utilizing 4 or 5 of the individual rooms as private treatment spaces with one large common area and one shared bathroom.
- More details around our company may be found at [www.npthhealthworks.com](http://www.npthhealthworks.com).

Please feel free to contact me with any questions and/or concerns which may arise. Thank you again for your consideration.

Sincerely,

Dr. Daniel Hatch, PT, DPT - Electronically signed 11.08.22, 9:07PM

P: 401-318-8502

E: drdan@newportriptide.com



► Bristol

► 413 HIGH ST

Card 1 of 1

► Plat/Lot 12 94

► Account: 733

LUC 06

Zone R-6

► Assessment

\$222,000



► Owner		► Owner Account #:	
Owner 1	GRAY, MATTHEW W.		% Owned
Owner 2			0.00
Owner 3			0.00
Address		79 TURNER AVENUE, RIVERSIDE, RI 02915-0000	

► Previous Owners & Sales Information

Grantor	Date	Sale Price	Leq Ref	NAL	Deed Type
BRISTOL FISH MARKET, INC	09/15/2006	275,000	1323-184		W
BARBOZA, EDMUNDO M.	01/24/1997	0	598-36		Q
NEWPORT SAVINGS AND LOAN	09/17/1993	0	488-244		
DECASTRO, JAMES	03/03/1993	0	466-266		
	02/20/1991	0	396-262		

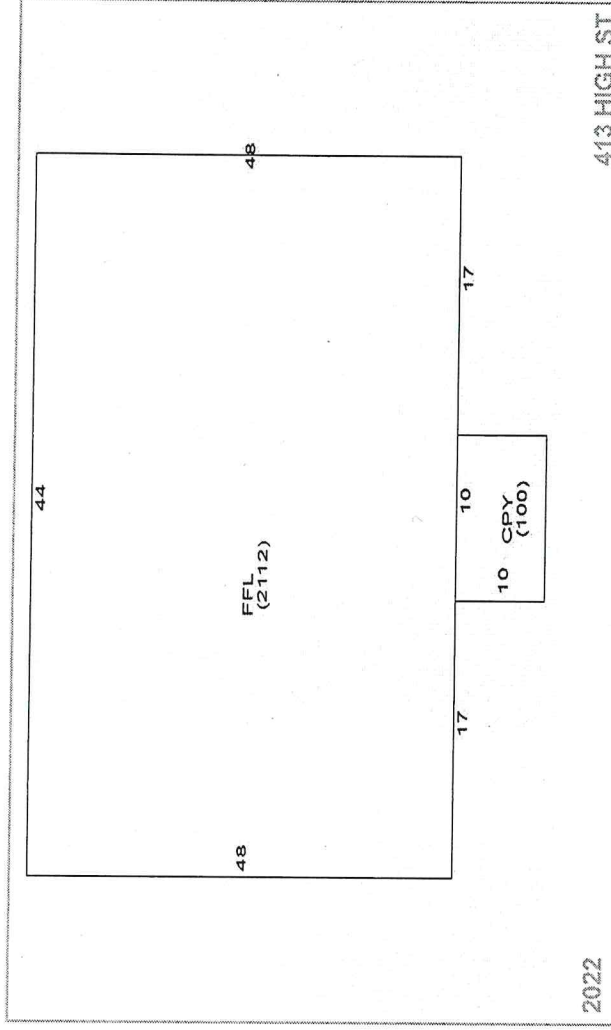
► Assessment

Use Code	Bldg Value	SF/YI Value	Land Size	Land Value	AG Credit	Assessed Value
06	118,700	0	0.07	103,300	0	222,000
TOTAL	118,700	0	0.07	103,300	0	222,000

Source > Mkt Adj Cost VAL per SQ Unit/Card > 100.36 VAL per SQ Unit/Parcel > 100.36

► Previous Assessments

Year	LUC	Building	SF/YI	Land Size	Land	AGR Credit	Appraised Value	Assessed Value
2022	06	118,700	0	0	103,300	0	222,000	222,000
2021	06	118,700	0	0	106,500	0	225,200	225,200
2020	06	118,700	0	0	106,500	0	225,200	225,200
2019	06	118,700	0	0	106,500	0	225,200	225,200
2018	06	116,300	0	0	96,500	0	212,800	212,800
2017	06	116,300	0	0	96,500	0	212,800	212,800



► Land Information

Use Description	Units	Unit Type	Land Type	LT Fact	Unit Price	Adjusted	Neigh	Inf 1	Inf 1 %	Inf 2	Inf 2 %	Inf 3	Inf 3 %	Appr Value	Spec Land	Juris	Fact	Use Value
1 06 Comm 2	0.0699	AC	P	1.00	615,950	1,477,825	C13	-20						103,300			1.00	0
2																		
3																		
4																		





## Building Information

Description	Story Height	1 Story	Description
BLDG Type	0	COM Units	1
RES Units	0	BMT Floor	1
Foundation			
Frame 1	Masonry	Frame 2	%
EXT Wall 1	Concrete Blk	EXT Wall 2	%
Roof Type 1	Flat	Roof Type 2	%
Roof Cover 1	Tar & Gravel	Roof Cover 2	%
INT Wall 1	Drywall	INT Wall 2	%
Floors 1		Floors 2	%
BMT Garages		Color	
Plumbing		Electrical	
Insulation		INT vs EXT	
Heat Fuel	Oil	Heat Type	Floor Radiant Hot
# Heat Sys		% Heated	100
% Solar HW		% A/C	
% COM Wall		% Vacuum	
Ceil HGHT	9	Ceiling Type	
Parking Type		% Sprinkled	
EXT View			

## Grade

Grade	Q4	Q4	Flood Hazard	Topography	Street	Traffic	LEVEL
Year Built	1930	EFF Year					PAVED
Alt LUC		Alt %	0.00				
Depreciation							
Code	FR	FR - Fair	40.0	Bas \$/SQ	86.00	Size Adj	1.25
Condition				Constr Adj	0.95		
Functional				Adj \$/SQ	102.13		
Economic				Other Featrs	3,000		
Special				Grade Fac	1.00		
OV				Neigh Infl	1.00		
				Land Factor	1.00		
				Adj Total	219,899		
				Depreciation	101,154		
				Depr Total	118,745		
Total Depreciation % > 46.0							

## Sub-Area Detail

Code	Description	Area	Fin. Area	Rate	Undeo V
FFL	1st FLOOR	2,112	2,112	102.13	215,699
CPY	CANOPY	100	0	12.00	1,200
Total		2,212	2,112		216,899

## Visit History

Date	Result	By
10/20/2021	REVIEW	AD
9/28/2018	REVIEW	JH
8/8/2018	MEASURED	JE
4/3/2008	MEASURE	MP
4/3/2008	LISTED	MP

## Notes

BRISTOL MUSIC ACADEMY

## Remodeling History

Additions	Plumbing	Electric	Heating	General
Interior				
Exterior				
Kitchen				
Bath(s)				

## Condo Data

Complex	Location	Tot Units	FL Level	# Floors	Bldg Seq
				0	1

## Building Permits

Issue Date	Permit #	Closed Date	BP Type	Est. Cost	% Done	Status	Description/Directions
09/26/2011	E3965		ELEC	0		Closed	INSTALL ENERGY BALLAST & BULBS
09/01/2009	B28451		BLDG	0		Closed	INSTALLATION OF 42 LINEAR FEET OF CORNICE MOLDING PRIMED AND PAI
09/26/2007	B28134		BLDG	0		Closed	APPROVED BY TOWN COUNCIL INSTALL A NOVELTY GUITAR ON TOP OF EXI
02/16/2007	B27543		BLDG	0		Closed	REPAIR WALLS, INSTALL NEW DROP CEILINGS, PAINT AND NEW CARPET
02/05/2007	E6623		ELEC	0		Closed	INSTALL LOCAL FIRE ALARM SYSTEM WITH EMERGENCY LIGHTING
09/25/2006	B32686		BLDG	0		Closed	HEADER 2 -2 X 10 REPLACE EXISTING FRONT WINDOWS

## Special Features &amp; Yard Items

Use	Description	A	Y/S	Qty	Length	Width	SF Size	Quality	Condition	Year	Assessed Value
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											

## Other Info.

AFDU	
PriorID1b	
PriorID1c	
PriorID2a	
PriorID2b	
PriorID2c	
PriorID3a	
PriorID3b	
PriorID3c	

## Room Counts by Floor

Units	# Rooms	# Bedrooms	Floor Level
1	1	0	0
2			U
3			
4			
Totals	1	0	0





# 413 High Street - 200' Radius

Bristol, RI

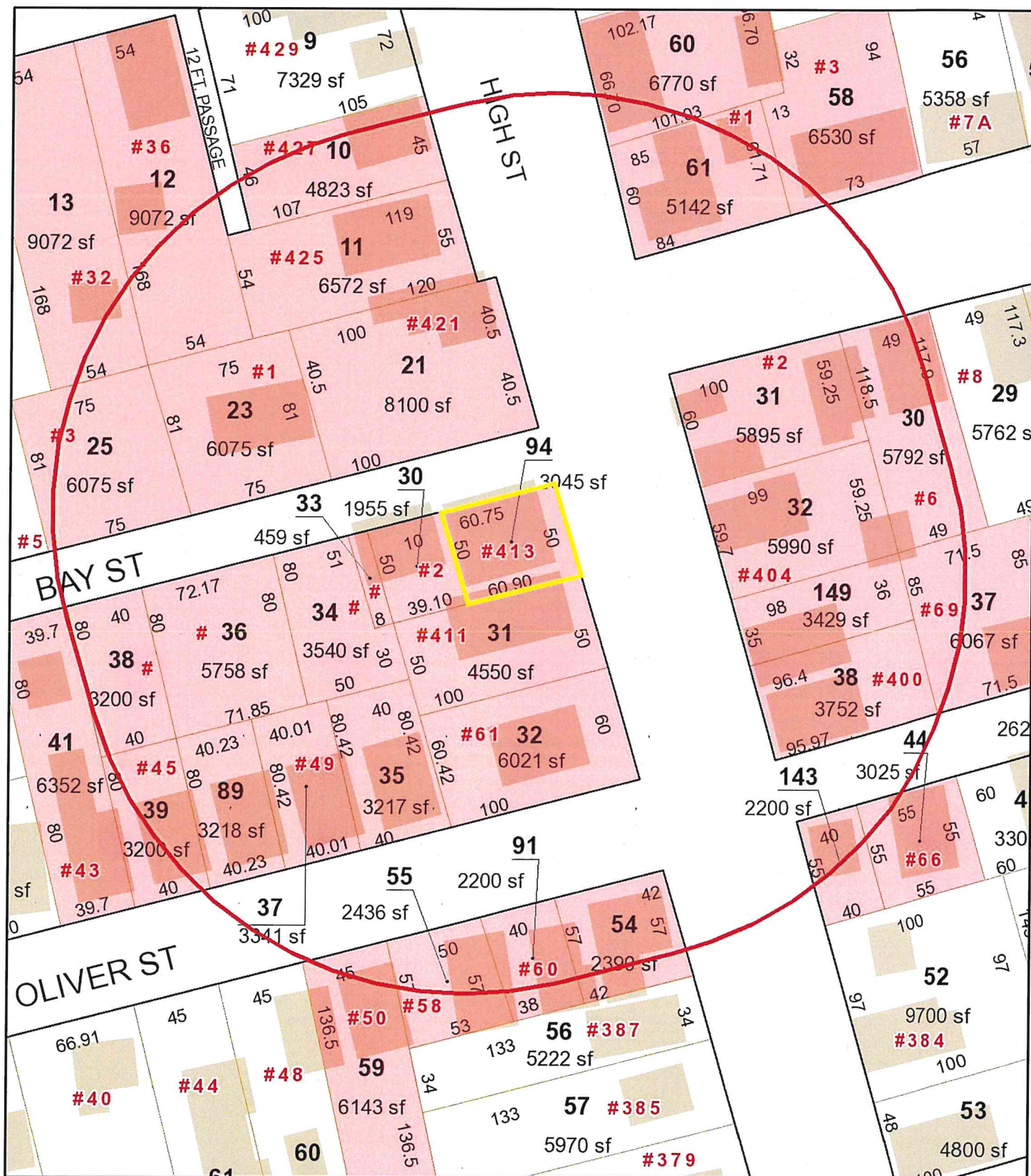


November 16, 2022

1 inch = 70 Feet

www.cai-tech.com

0 70 140 211



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



# 200 foot Abutters List Report

Bristol, RI

November 16, 2022

## Subject Property:

Parcel Number: 12-94  
CAMA Number: 12-94  
Property Address: 413 HIGH ST

Mailing Address: GRAY, MATTHEW W.  
79 TURNER AVENUE  
RIVERSIDE, RI 02915

## Abutters:

Parcel Number: 12-10  
CAMA Number: 12-10  
Property Address: 427 HIGH ST

Mailing Address: DA SILVA, JOSE F MARY LIFE ESTAT  
425 HIGH ST  
BRISTOL, RI 02809

Parcel Number: 12-11  
CAMA Number: 12-11  
Property Address: 425 HIGH ST

Mailing Address: DA SILVA, JOSE F MARY LIFE ESTAT  
425 HIGH ST  
BRISTOL, RI 02809

Parcel Number: 12-12  
CAMA Number: 12-12  
Property Address: 36 WASHINGTON ST

Mailing Address: TINKLER, HELENE & KIERAN  
16 BULL ST  
NEWPORT, RI 02840

Parcel Number: 12-13  
CAMA Number: 12-13  
Property Address: 32 WASHINGTON ST

Mailing Address: ENRIGHT-KARAM, JULIA A  
851 HIGHLAND AVENUE  
FALL RIVER, MA 02720

Parcel Number: 12-21  
CAMA Number: 12-21  
Property Address: 421 HIGH ST

Mailing Address: AG ENTERPRISES, INC.  
50 RICHMOND ST  
BRISTOL, RI 02809

Parcel Number: 12-23  
CAMA Number: 12-23  
Property Address: 1 BAY ST

Mailing Address: MCSHEA, JASON & REGINA TE  
1 BAY ST  
BRISTOL, RI 02809

Parcel Number: 12-25  
CAMA Number: 12-25  
Property Address: 3 BAY ST

Mailing Address: KOMOROSKI, BATTAGLIA DEBORAH &  
GARY H TE  
5 BAY ST  
BRISTOL, RI 02809

Parcel Number: 12-30  
CAMA Number: 12-30  
Property Address: 2 BAY ST

Mailing Address: MACHADO, DONNA L. ET AL DONALD &  
LORNA RIPPERGER  
2 BAY STREET  
BRISTOL, RI 02809

Parcel Number: 12-31  
CAMA Number: 12-31  
Property Address: 411 HIGH ST

Mailing Address: QUINLAN, EDWARD J. PELOSI, LISA A.  
20 RIVER RUN  
EAST GREENWICH, RI 02818

Parcel Number: 12-32  
CAMA Number: 12-32  
Property Address: 61 OLIVER ST

Mailing Address: CHAN, CHUN QIN  
61 OLIVER ST  
BRISTOL, RI 02809



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11/16/2022

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# 200 foot Abutters List Report

Bristol, RI  
November 16, 2022

Parcel Number: 12-33 CAMA Number: 12-33 Property Address: BAY ST	Mailing Address: MACHADO, DONNA L. ET AL DONALD & LORNA RIPPERGER 2 BAY STREET BRISTOL, RI 02809
Parcel Number: 12-34 CAMA Number: 12-34 Property Address: BAY ST	Mailing Address: MACHADO, DONNA L. ET AL DONALD & LORNA RIPPERGER 2 BAY STREET BRISTOL, RI 02809
Parcel Number: 12-35 CAMA Number: 12-35 Property Address: 51 OLIVER ST	Mailing Address: CONTE, ANDREW JR. WC 51 OLIVER STREET BRISTOL, RI 02809
Parcel Number: 12-36 CAMA Number: 12-36 Property Address: BAY ST	Mailing Address: ORRELL, LAURA 29 BELVIDERE AVE FRAMINGHAM, MA 01702
Parcel Number: 12-37 CAMA Number: 12-37 Property Address: 49 OLIVER ST	Mailing Address: ORRELL, LAURA & SEBILIAN, CHRISTOPHER J JT 29 BELVIDERE AVE FRAMINGHAM, MA 01702
Parcel Number: 12-38 CAMA Number: 12-38 Property Address: OLIVER ST	Mailing Address: ALL PEOPLE RE INVESTMENT, LLC 1830 NW 80TH CT CLIVE, IA 50325
Parcel Number: 12-39 CAMA Number: 12-39 Property Address: 45 OLIVER ST	Mailing Address: ALL PEOPLE RE INVESTMENT, LLC 22 Harding St Apt 1 Pawtucket, RI 02861
Parcel Number: 12-41 CAMA Number: 12-41 Property Address: 43 OLIVER ST	Mailing Address: HOLTZ, ALFRED PEYTON TYREE & KAYLA ANN CO-TRUSTEES, HOLTZ TRUST 43 OLIVER ST BRISTOL, RI 02809
Parcel Number: 12-54 CAMA Number: 12-54 Property Address: 62 OLIVER ST	Mailing Address: VIERLING, MELISSA ANN MCCLLENATHAN, GAIL A 14 Julie Ann Circle Riverside, RI 02915
Parcel Number: 12-55 CAMA Number: 12-55 Property Address: 58 OLIVER ST	Mailing Address: COSTA, STEVE S 58 OLIVER ST BRISTOL, RI 02809
Parcel Number: 12-59 CAMA Number: 12-59 Property Address: 50 OLIVER ST	Mailing Address: PIETTE, RICHARD J 50 OLIVER ST BRISTOL, RI 02809
Parcel Number: 12-89 CAMA Number: 12-89 Property Address: 47 OLIVER ST	Mailing Address: LAPRE, LORI E 19 ANNAWAMSCUTT DR BRISTOL, RI 02809



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11/16/2022

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# 200 foot Abutters List Report

Bristol, RI  
November 16, 2022

Parcel Number: 12-91 CAMA Number: 12-91 Property Address: 60 OLIVER ST	Mailing Address: BRETL, VALERIE H & SILVEIRA, TONY A JT 60 OLIVER ST BRISTOL, RI 02809
Parcel Number: 12-94 CAMA Number: 12-94 Property Address: 413 HIGH ST	Mailing Address: GRAY, MATTHEW W. 79 TURNER AVENUE RIVERSIDE, RI 02915
Parcel Number: 17-143 CAMA Number: 17-143 Property Address: 398 HIGH ST	Mailing Address: GOMES, HUGH 398 HIGH ST BRISTOL, RI 02809
Parcel Number: 17-149 CAMA Number: 17-149 Property Address: 402 HIGH ST	Mailing Address: DASILVA, ERICA 402 HIGH ST BRISTOL, RI 02809
Parcel Number: 17-30 CAMA Number: 17-30 Property Address: 6 BAY VIEW AVE	Mailing Address: DELLEMONICO, MICHAEL C 6 BAY VIEW AVE BRISTOL, RI 02809
Parcel Number: 17-31 CAMA Number: 17-31-001 Property Address: 2 BAY VIEW AVE	Mailing Address: DRAPEAU, MAE ETAL DRAPEAU, PHILIPPE J. & DORIS 2 BAY VIEW AVE BRISTOL, RI 02809
Parcel Number: 17-31 CAMA Number: 17-31-002 Property Address: 4 BAY VIEW AVE 2	Mailing Address: TORRES, DEBRA DUFF & ROBERT J TE 1194 ANTHONY RD PORTSMOUTH, RI 02871
Parcel Number: 17-31 CAMA Number: 17-31-003 Property Address: 4 BAY VIEW AVE 3	Mailing Address: TORRES DEBRA D & ROBERT J TE 1194 ANTHONY RD PORTSMOUTH, RI 02871
Parcel Number: 17-32 CAMA Number: 17-32 Property Address: 404 HIGH ST	Mailing Address: MCMULLER, WILLIAM, TRUSTEE WILLIAM M MCMULLER REVOCABLE TRUST 404 HIGH ST BRISTOL, RI 02809
Parcel Number: 17-37 CAMA Number: 17-37 Property Address: 69 OLIVER ST	Mailing Address: BOTELHO, CAROL A 69 OLIVER ST BRISTOL, RI 02809
Parcel Number: 17-38 CAMA Number: 17-38 Property Address: 400 HIGH ST	Mailing Address: HAKEEM, NOEL C PO BOX 1005 BRISTOL, RI 02809
Parcel Number: 17-44 CAMA Number: 17-44 Property Address: 66 OLIVER ST	Mailing Address: MEDINA, KYLE M. CAROLYN P. ETUX 15 CLIFF DR BRISTOL, RI 02809



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11/16/2022

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# 200 foot Abutters List Report

Bristol, RI  
November 16, 2022

Parcel Number: 6-58 CAMA Number: 6-58-001 Property Address: 3 BAY VIEW AVE 1	Mailing Address: SOUSA, MICHAEL PAUL 249 HOPE ST UNT 6 BRISTOL, RI 02809
Parcel Number: 6-58 CAMA Number: 6-58-002 Property Address: 3 BAY VIEW AVE 2	Mailing Address: FITZGERALD, CHRISTINE C TRST CHRISTINE FITZGERALD REV TRST 3 BAY VIEW AVE UNIT #2 BRISTOL, RI 02809
Parcel Number: 6-58 CAMA Number: 6-58-003 Property Address: 3 BAY VIEW AVE 3	Mailing Address: SOUSA, MICHAEL PAUL 249 HOPE ST UNT 6 BRISTOL, RI 02809
Parcel Number: 6-58 CAMA Number: 6-58-004 Property Address: 3 BAY VIEW AVE 4	Mailing Address: CASTRO, MARYELLEN - TRUSTEE MARYELLEN CASTRO TRUST 151 BAY VIEW AVE BRISTOL, RI 02809
Parcel Number: 6-58 CAMA Number: 6-58-005 Property Address: 3 BAY VIEW AVE 5	Mailing Address: SOUSA, MICHAEL PAUL 249 HOPE ST UNT 6 BRISTOL, RI 02809
Parcel Number: 6-58 CAMA Number: 6-58-006 Property Address: 3 BAY VIEW AVE 6	Mailing Address: SOUSA, MICHAEL PAUL 249 HOPE ST UNT 6 BRISTOL, RI 02809
Parcel Number: 6-60 CAMA Number: 6-60 Property Address: 426 HIGH ST	Mailing Address: BRUM, JOSEPH LOPES & EVARISA REGO PINHEIRO-TRUSTEE BRUM HIGH STREET TRUST 426 HIGH STREET BRISTOL, RI 02809
Parcel Number: 6-61 CAMA Number: 6-61 Property Address: 1 BAY VIEW AVE	Mailing Address: ONE BAY VIEW AVE BRISTOL LLC C/O WILLIAM P DENNIS 576 METACOM AVE, Unit 2 BRISTOL, RI 02809



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11/16/2022

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AG ENTERPRISES, INC.  
50 RICHMOND ST  
BRISTOL, RI 02809

DA SILVA, JOSE F  
MARY LIFE ESTAT  
425 HIGH ST  
BRISTOL, RI 02809

KOMOROSKI, BATTAGLIA DEBO  
5 BAY ST  
BRISTOL, RI 02809

ALL PEOPLE RE INVESTMENT,  
1830 NW 80TH CT  
CLIVE, IA 50325

DASILVA, ERICA  
402 HIGH ST  
BRISTOL, RI 02809

LAPRE, LORI E  
19 ANNAWAMSCUTT DR  
BRISTOL, RI 02809

ALL PEOPLE RE INVESTMENT,  
22 Harding St Apt 1  
Pawtucket, RI 02861

DELLEMONICO, MICHAEL C  
6 BAY VIEW AVE  
BRISTOL, RI 02809

MACHADO, DONNA L. ET AL  
DONALD & LORNA RIPPERGER  
2 BAY STREET  
BRISTOL, RI 02809

BOTELHO, CAROL A  
69 OLIVER ST  
BRISTOL, RI 02809

DRAPEAU, MAE ETAL  
DRAPEAU, PHILIPPE J. & DO  
2 BAY VIEW AVE  
BRISTOL, RI 02809

MCMULLER, WILLIAM, TRUSTE  
WILLIAM M MCMULLER REVOCA  
404 HIGH ST  
BRISTOL, RI 02809

BRETL, VALERIE H & SILVEI  
60 OLIVER ST  
BRISTOL, RI 02809

ENRIGHT-KARAM, JULIA A  
851 HIGHLAND AVENUE  
FALL RIVER, MA 02720

MCSHEA, JASON &  
REGINA TE  
1 BAY ST  
BRISTOL, RI 02809

BRUM, JOSEPH LOPES & EVAR  
BRUM HIGH STREET TRUST  
426 HIGH STREET  
BRISTOL, RI 02809

FITZGERALD, CHRISTINE C T  
CHRISTINE FITZGERALD REV  
3 BAY VIEW AVE UNIT #2  
BRISTOL, RI 02809

MEDINA, KYLE M.  
CAROLYN P. ETUX  
15 CLIFF DR  
BRISTOL, RI 02809

CASTRO, MARYELLEN - TRUST  
MARYELLEN CASTRO TRUST  
151 BAY VIEW AVE  
BRISTOL, RI 02809

GOMES, HUGH  
398 HIGH ST  
BRISTOL, RI 02809

ONE BAY VIEW AVE BRISTOL  
C/O WILLIAM P DENNIS  
576 METACOM AVE, Unit 2  
BRISTOL, RI 02809

CHAN, CHUN QIN  
61 OLIVER ST  
BRISTOL, RI 02809

GRAY, MATTHEW W.  
79 TURNER AVENUE  
RIVERSIDE, RI 02915

ORRELL, LAURA  
29 BELVIDERE AVE  
FRAMINGHAM, MA 01702

CONTE, ANDREW JR. WC  
51 OLIVER STREET  
BRISTOL, RI 02809

HAKEEM, NOEL C  
PO BOX 1005  
BRISTOL, RI 02809

ORRELL, LAURA & SEBILIAN,  
29 BELVIDERE AVE  
FRAMINGHAM, MA 01702

COSTA, STEVE S  
58 OLIVER ST  
BRISTOL, RI 02809

HOLTZ, ALFRED PEYTON TYRE  
CO-TRUSTEES, HOLTZ TRUST  
43 OLIVER ST  
BRISTOL, RI 02809

PIETTE, RICHARD J  
50 OLIVER ST  
BRISTOL, RI 02809

QUINLAN, EDWARD J.  
PELOSI, LISA A.  
20 RIVER RUN  
EAST GREENWICH, RI 02818

SOUSA, MICHAEL PAUL  
249 HOPE ST UNT 6  
BRISTOL, RI 02809

TINKLER, HELENE & KIERAN  
16 BULL ST  
NEWPORT, RI 02840

TORRES DEBRA D &  
ROBERT J TE  
1194 ANTHONY RD  
PORTSMOUTH, RI 02871

TORRES, DEBRA DUFF &  
ROBERT J TE  
1194 ANTHONY RD  
PORTSMOUTH, RI 02871

VIERLING, MELISSA ANN  
MCCLLENATHAN, GAIL A  
14 Julie Ann Circle  
Riverside, RI 02915





## Town of Bristol, Rhode Island *Zoning Board of Review*

### STAFF REPORT FOR:

FILE NO. 2022-36

APPLICANT: Joshua Syska

LOCATION: 1 Jane Lane

PLAT: 51

LOT: 12

ZONE: R-15

### APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE TO:

Install approximately 270 linear feet of six foot high privacy fencing, portions of which are at a height greater than permitted in the front yard on a corner lot.

### COMPREHENSIVE PLAN REVIEW:

As this application is for a dimensional variance, it does not require review by the Planning Board per Section 28-409(b) of the Zoning Ordinance.

### FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting a dimensional variances to install several lengths of six-foot-high vinyl privacy fencing within the front yard setback on this corner lot located on the southerly side of Chestnut Street and easterly side of Jane Lane. The proposed fence would extend along an approximate 109 foot length of the northerly front property line at Chestnut Street. The fence would then turn southerly with additional fencing running along the easterly rear property line and with a gated section running to the northwest corner of the existing dwelling. Portions of the proposed fence, including the entire northerly section and approximately 30 foot portions of the easterly and westerly sections, would be located within the 35 foot front yard setback from Chestnut Street. The zoning ordinance permits fencing within the front yard to a maximum height of four feet.

11/29/2022

Edward M. Tanner, Zoning Officer



## Town of Bristol, Rhode Island

### Zoning Board of Review

#### STAFF REPORT FOR:

FILE NO. 2022-37

APPLICANT: The Malverne Trust c/o Bart Kavanaugh and Betty Saks

LOCATION: Low Lane

PLAT: 166 LOT: 16 ZONE: R-40

#### APPLICANT IS REQUESTING A SPECIAL USE PERMIT TO:

Temporarily maintain four (4) prefabricated relocatable shipping / storage containers on a residential property.

#### COMPREHENSIVE PLAN REVIEW:

As this application is for a special use permit, it requires review by the Planning Board or the Technical Review Committee (TRC) per Section 28-409(b) of the Zoning Ordinance. The TRC reviewed this application at a meeting on November 28, 2022, and they made a recommendation to approve the request for a special use permit subject to conditions (see attached memorandum from Diane Williamson).

#### FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting a special use permit to temporarily maintain four (4) metal storage / shipping containers on this property located on the northerly side of Low Lane. Lot 16 is a primarily undeveloped parcel that is currently being utilized as a staging area for construction of a new residential dwelling at the nearby 13 Low Lane property to the west. The applicant's proposal is to maintain four 40-foot long containers for use in storing building supplies during house construction. These containers are currently located on the property. Lot 16 is separated from the 13 Low Lane parcel (lot 5) by an approximate 20 foot wide strip of land that provides driveway access to the property at 15 Low Lane.

The applicant recently submitted additional information, identified as Exhibit B (see attached), which depicts the location of the storage containers and notes the location of proposed "green opaque fencing". This fencing is to be located along the westerly property line of lot 16 as well as along portions of the northerly and southerly property lines to shield view of the containers from the public street and from neighboring properties. During the TRC meeting noted above, the applicant was asked to provide additional information on the design and style of proposed fencing.

The Zoning Ordinance permits the keeping of "prefabricated relocatable steel buildings, box trailers, or shipping or cargo containers" as an accessory in the R-40 zone only with a special use permit. In addition to the standards for relief for a special use permit found in Section 28-409(c)(2) of the Zoning Ordinance, the proposed use is also subject to the four specific standards found in Section 28-150(i).

  
 Edward M. Tanner, Zoning Officer

11/29/2022





## Town of Bristol, Rhode Island

### *Department of Community Development*

10 Court Street  
Bristol, RI 02809  
[www.bristolri.us](http://www.bristolri.us)  
401-253-7000

November 29, 2022

TO: Zoning Board of Review Members

FROM: Diane M. Williamson, Administrative Officer  
Technical Review Committee

RE: **Special Use Permit Application, File No. 2022-37**  
**Low Lane, Plat 166, Lot 16**  
**Temporary Use of four (4) Storage / Shipping Containers**

*Diane M. Williamson*

The Technical Review Committee (TRC) met on November 28, 2022 to review the above application and provide a recommendation to the Board on the Special Use Permit.

After review of the application materials, and discussions with the applicant's representatives, a motion was unanimously passed to recommend approval of the Special Use Permit subject to the applicant presenting a detailed design of the proposed fencing / screening to the Board. Representatives for the applicant were present at the TRC meeting and described the proposed location and design of fencing and screening to block view of the storage containers from Low Lane and neighboring properties. The TRC recommended that the applicant submit detailed sketches and photos of the site to the Board for review at the public hearing.

This recommendation is advisory, and is in no way binding on the Zoning Board in their decision making.

Thank you.

**Ed Tanner**

---

**From:** Christina Vieira <christina@slepkowlaw.com>  
**Sent:** Monday, November 28, 2022 3:14 PM  
**To:** Ed Tanner  
**Subject:** Bart Kavanaugh and Better Saks  
**Attachments:** ed tanner.pdf

**Caution:** CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,  
Attached please find a copy of Exhibit B for the Malverne Trust Application

Thank you

Christina A. Vieira for Bruce H.

Cox

Slepkow, Slepkow & Associates, Inc.

1481 Wampanoag Trail

East Providence, RI 02915

T: (401) 437-1100

F: (401) 433-5066

[christina@slepkowlaw.com](mailto:christina@slepkowlaw.com)

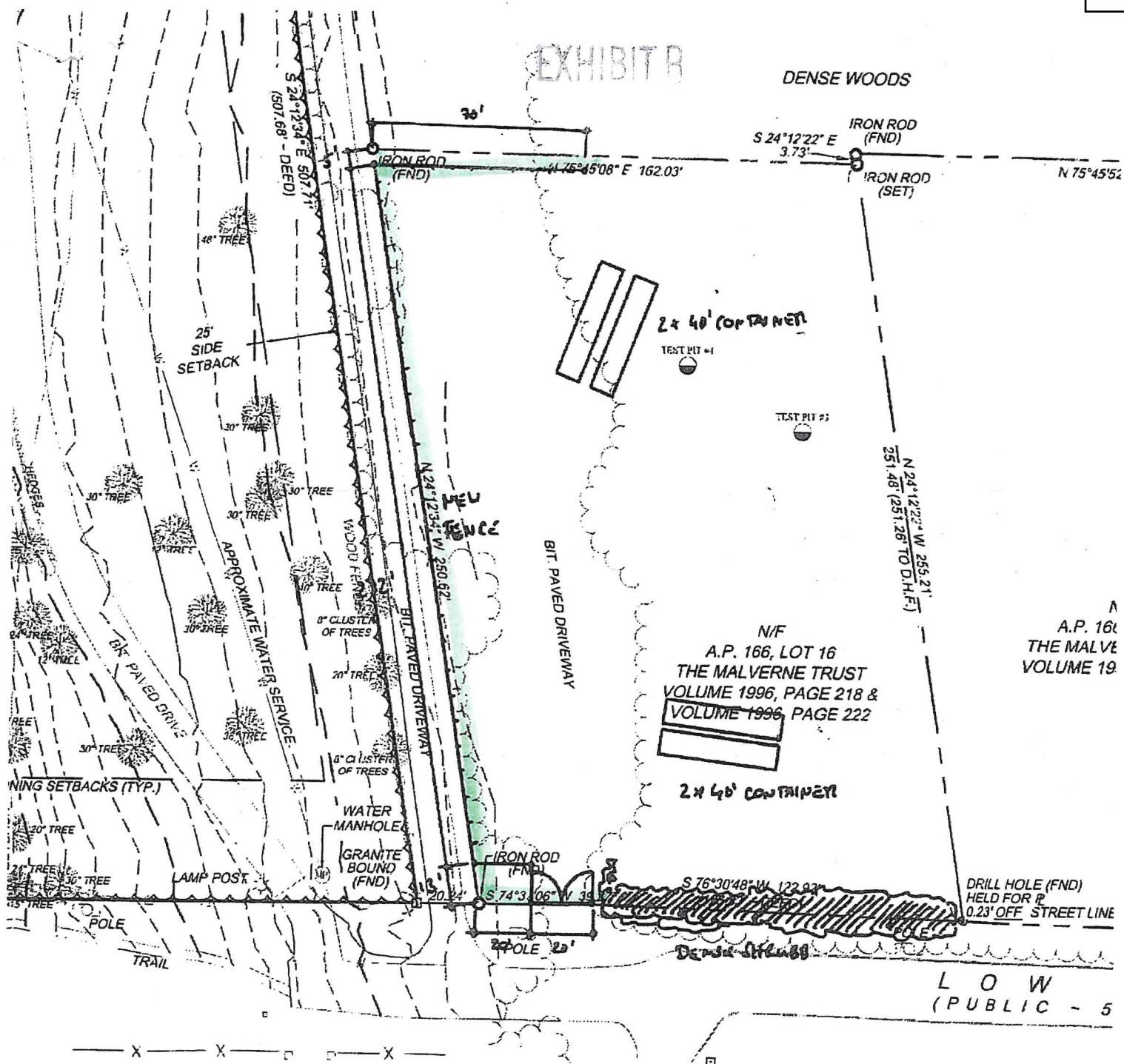
**Welcome back! We are now allowing real estate agents and loan originators to attend closings. We look forward to seeing you soon.**

This e-mail message is confidential and is intended only for named recipient(s). It may contain information that is subject to the attorney-client privilege or the attorney work-product doctrine or that is otherwise exempt from disclosure under applicable law. If you have received this e-mail message in error, or are not the named recipient(s), please immediately notify the sender, delete this message from your computer and destroy all copies. Thank you.



**EXHIBIT "B"**  
**OF THE MALVERNE TRUST APPLICATION**  
**c/o BART KAVANAUGH AND BETTER SAKS**  
**Special Use Permit Application 0 Low Lane AP166 AL 16**

Attached as Exhibit "B" is an enlargement of the lot in question as shown on Exhibit "A" to the application. It locates the current containers and the proposed positioning of the green opaque fencing that will be installed to shield the offending view.



4N 'R-40 ZONE'.

- = 40,000 SQ.FT.  
 = 150 FT.  
 = 40 FT.  
 = 40 FT.  
 = 25 FT.  
 = 35 FT.  
 = 20%

**TURES**

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2% ANNUAL CHANCE FLOODPLAIN) AS DESIGNATED  
CE PROGRAM, FIRM FLOOD INSURANCE RATE MAP BRISTOL  
DICTIONS) PANEL 18 OF 18 TOWN OF BRISTOL MAP NUMBER  
2014. FEDERAL EMERGENCY MANAGEMENT AGENCY".**

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## Town of Bristol, Rhode Island Zoning Board of Review

### STAFF REPORT FOR:

FILE NO. **2022-38**

APPLICANT: NPT Healthworks / Dr. Daniel Hatch  
 LOCATION: 413 High Street  
 PLAT: 12 LOT: 94 ZONE: R-6

#### APPLICANT IS REQUESTING A SPECIAL USE PERMIT TO:

Convert an existing nonconforming commercial music school use to a nonconforming medical clinic (physical therapy, mental health counseling, and massage therapy) use in a residential zoning district.

#### COMPREHENSIVE PLAN REVIEW:

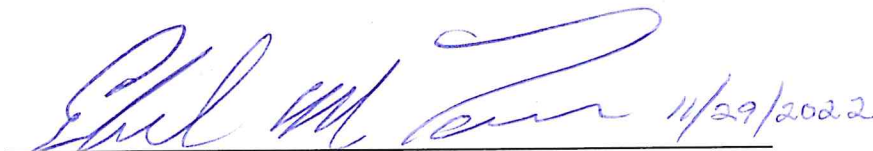
As this application is for a special use permit, it requires review by the Planning Board or the Technical Review Committee (TRC) per Section 28-409(b) of the Zoning Ordinance. The TRC reviewed this application at a meeting on November 28, 2022, and they made a recommendation to approve the request for a special use permit (see attached memorandum from Diane Williamson).

#### FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting a special use permit to change an existing legal nonconforming commercial use to another nonconforming commercial use on this property located on the westerly side of High Street and southerly side of Bay Street. This property is located within the Residential R-6 zoning district, and it is improved with a single-story block building that has historically been occupied by commercial businesses.

Section 28-218 regulates buildings and structures that are nonconforming by use. Section 28-218(8)(a) specifically addresses the change of nonconforming use in residential zones. This section states that an existing nonconforming use may be changed to another nonconforming use within the same use code of the Permitted Use Table, or it may be changed to another nonconforming use by special use permit from the zoning board. I have determined that the existing music school is a "recreational school" under the Recreation category of the Permitted Use Table. The proposed use of a physical therapy/mental health counseling/massage therapy facility appears to most closely fit the "medical clinic" use within the Institutional and Governmental Services category of the Permitted Use Table. Thus, a special use permit is required to change from the existing to proposed nonconforming use. Please note that existing music school received a special use permit from the zoning board in 2006 (File #2006-62), as the use was changed from a previous nonconforming fish market retail use.

The proposed change of use is subject to the general standards for a special use permit found in Section 28-409(c)(2) of the Zoning Ordinance. There are no specific standards in Section 28-150 for this proposed change of use.

  
 Edward M. Tanner, Zoning Officer



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401-253-7000

November 29, 2022

TO: Zoning Board of Review Members

FROM: Diane M. Williamson, Administrative Officer  
Technical Review Committee

RE: **Special Use Permit Application, File No. 2022-38**  
**413 High Street**  
**Nonconforming Medical Clinic Use in the R-6 Zone**

*Diane*

The Technical Review Committee (TRC) met on November 28, 2022 to review the above application and provide a recommendation to the Board on the Special Use Permit.

After review of the application materials, and discussions with the applicant, a motion was unanimously passed to recommend approval of the Special Use Permit.

The TRC noted that the proposed medical clinic / physical therapy office use would likely have less impact on the surrounding neighborhood from clients and traffic than the existing music school use.

This recommendation is advisory, and is in no way binding on the Zoning Board in their decision making.

Thank you.