

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the October 26, 2010 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:00 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty
Richard Boren
Dean Wagner
Richard Cribb
Richard Allphin

Also present: Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk
Fred Brown, Zoning Officer
Wyatt Brochu, Counsel

MINUTES

Minutes of September 28, 2010

A motion was made by Thomas Ginnerty and seconded by Richard Boren to accept the minutes of the September 28, 2010 meeting as presented.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Dean Wagner, Richard Cribb, and Richard Allphin voted in favor of the motion.

Joseph Logan and David Nardolillo were absent.

CORRESPONDENCE

No correspondence.

NEW BUSINESS

Tarbox

A motion was made by Dean Wagner and seconded by Richard Boren to grant the request of Henry & Mary Tarbox, whose property is located at 28 Clarke St., and further identified as Tax Assessor's Plat 9, Lot 798, for a variance from Article 3, Section 302 (Table 3-2 District Dimensional Regulation) to construct a duplex (addition to existing, adding one-bedroom apartment) on a 11,427 sq. ft. lot (15,000 sq. ft. required).

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition(s):

This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a R8 zone and contains 11,427 sq. ft.
2. A duplex is a permitted use in the zone. There are other duplexes in the area.
3. No dimensional variance is required.
4. The total building area, as expanded, will be less than 17% of the land area.
5. Granting of the variance will enable the applicant's family to remain on the island, which is consistent with the tenor of affordable housing principles recently incorporated into the Comprehensive Plan.
6. A duplex is consistent with the Comprehensive Plan.
7. There were no objections to the application.

The motion did not carry by a vote of 3 - 2.

Richard Boren, Dean Wagner, and Richard Cribb voted in favor of the motion.

Thomas Ginnerty and Richard Allphin voted against the motion.

Joseph Logan and David Nardolillo were absent.

Mitchell

A motion was made by Richard Allphin and seconded by Thomas Ginnerty to grant the request of Glenn & Numi Mitchell, whose property is located at 67 Howland Ave., and further identified as Tax Assessor's Plat 9, Lot 191, for a special use permit under 82-301, Table 3-1, III Agriculture, #5, Keeping and raising of livestock and poultry accessory to permitted use on less than one acre.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTIONS 600 and 602.

This Special Use Permit is granted with the following restrictions/conditions:

1. No more than 10 chickens (no roosters) be raised.
2. No slaughtering of chickens on the property.
3. The coops are to remain in the current location and retain the same dimensions.
4. The chickens will be in their coops from roughly dusk to dawn.
5. No storage of chicken waste or droppings within 20' of their property line.
6. Prevent chickens from entering the Brown property by placing two four foot poultry fences between the Mitchell home and the existing fence at the rear of the property to close in the area beside the boulder.
7. The Mitchells must appear before the Zoning Board in one year so the Board can review the approval and make any changes to the conditions that might be required.
8. No commercial activity shall be permitted.

This motion is based on the following findings of fact:

1. Said property is located in a R8 zone and contains 21,000 sq. ft.
2. The Mitchells have been raising chickens on the property for several years.
3. Ten people signed a petition in favor of the request.
4. One abutter suggested several conditions, most of which have been incorporated in this approval.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Dean Wagner, Richard Cribb, and Richard Allphin voted in favor of the motion.

Joseph Logan and David Nardolillo were absent.

Solicitor's Report

Nothing at this time.

EXECUTIVE SESSION

Nothing at this time.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:05 p.m.

The motion carried unanimously.