

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the September 28, 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  
Joseph Logan  
David Nardolillo  
Dean Wagner  
Richard Allphin

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

MINUTES

Minutes of August 24, 2010

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to accept the minutes of the August 24, 2010 meeting as presented.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, David Nardolillo, and Dean Wagner voted in favor of the motion.

Richard Allphin was not seated and Richard Cribb was absent.

CORRESPONDENCE

The correspondence will be addressed with the applications.

OLD BUSINESS

79 North Road

A motion was made by David Nardolillo and seconded by Thomas Ginnerty to grant the request of 79 North Road Property Inc., whose property is located at 79 North Road, and further identified as Tax Assessor's Plat 8, Lot 97, for a special use permit from Article 3, Section 3-1 Misc. Retail #7 "Fuel Oil, Bottled Gas etc. including storage" to change the use of the property (formerly Ocean State Scuba) to an oil company (D.B.A. Island Energy) with mixed use, two apartments, office space, storage space and retail.

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 restriction/condition(s):

1. No more than 4 oil trucks are to be stored on the property. No storage of oil tanks or similar equipment. Limited to equipment of Island Energy property.
2. Owner is to submit a lighting plan acceptable to the Planning Board for approval within one year.
3. The owner must continue with landscaping with installation of arborvitaes along fencing to be planted by spring 2011.
4. If necessary the owner is to maintain existing fencing on north and rear of property.

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 CL zone and contains 32,215 sq. ft.
2. The property owner has answered questions on landscaping by performing updated landscaping, a new fence, and new gravel covering on driveway.
3. There was one objector.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, David Nardolillo, and Dean Wagner voted in favor of the motion.

Richard Allphin was not seated and Richard Cribb was absent.

NEW BUSINESS

## Livingston

A motion was made by Richard Boren and seconded by David Nardolillo to grant the request of Terence Livingston, (Paul J. Palombo & JoAnn M. Burns, owners) whose property is located at 68 Clinton Ave., and further identified as Tax Assessor's Plat 9, Lot 194, for a variance from Article 3, Sec. 82-302, Article 6, Sec. 82-601 & 82-605, and Article 7, Sec. 82-704 to construct an addition to an existing single family dwelling which does not conform to the required frontage and side yard requirements.

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 10,489 sq. ft.
2. The present residence was built in 1908 and is non-conforming to the present zoning ordinance.
3. The present residence is approximately 4 feet from the right property line.
4. The addition will not expand the property line other than a few inches, which is resulting from the configuration of the lot.
5. In essence, there will be no encroaching more than the present footprint.
6. There were no objectors.
7. The applicant testified that one neighbor; Mr. Gutierrez was in favor of the applicant.
8. The completed house, with the addition, will generally appear to be one structure.
9. Within the adjacent area, on the same side of the street, there are at least 7 other homes with similar additions.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, David Nardolillo, and Dean Wagner voted in favor of the motion.

Richard Allphin was not seated and Richard Cribb was 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.