

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the October 23, 2012 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 Cribb
Richard Allphin
Judith Bell

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

MINUTES

Minutes of July 24, 2012

A motion was made by Thomas Ginnerty and seconded by Richard Cribb to accept the minutes of the July 24, 2012 meeting as presented.

The motion carried by a vote of 5 -0.

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

Joseph Logan, Richard Allphin, and Judith Bell were not seated.

CORRESPONDENCE

Nothing at this time.

NEW BUSINESS

Knollwood

A motion was made by David Nardolillo and seconded by Richard Boren to grant the request of Knollwood Builders Corp., (Estate of Henry Kowalczak, owner), whose property is located at North Main Rd., and further identified as Assessor's Plat 1, Lot 67 for a variance under Article 3, Table 3-2, (District Dimensional Regulations) to construct a single family dwelling which will be 22' from the northerly lot line, 30' required. Also a variance under Article 3, Section 82-308, Setback from Freshwater Wetland to install an OWTS 117' from the wetland edge instead of the required 150'.

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

In particular reference to ARTICLE 6, SECTION 1, 2, & 3.

This Variance is granted with the following restriction/condition:

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

This motion is based on the following findings of fact:

1. Said property is located in a RR80 zone and contains 10,515 sq. ft.
2. Approval letters have been received from Conservation Commission, D.E.M., and Planning Commission.
3. House plans showing 2 bedrooms must be submitted to the Building Official before building permits are issued.
4. The location of wetlands and the rain garden are primary causes of the hardship under which relief is requested.
5. Construction will not alter the characteristics of the surrounding area.
6. There is in place a deed restriction for a 2 bedroom home.

The motion carried by a vote of 5 -0.

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

Joseph Logan, Richard Allphin, and Judith Bell were not seated.

Rotondo

A motion was made by Thomas Ginnerty and seconded by Dean Wagner to grant the request of Mark & Maureen Rotondo, whose property is located at 472 East Shore Rd., and further identified as Assessor's Plat 4, Lot 40 for a variance from Article 3, Section 82-302, Table 3-2 (District Dimensional Regulations) to construct a single family dwelling in which the front yard setback is 16'4" where 40' is required and the side yard setbacks on both sides are 16' where 30' 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:

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 RR80 zone and contains 9,474 sq. ft.
2. The immediate area where the property is located consists of a series of approximately 5 unique lots of unusual sizes that are between East Shore Road and the bay.
3. A neighbor constructed a house, with zoning approval, which is approximately 12 feet from the front lot line. This applicant's home will be 16 feet from the lot line.
4. The proposed house, designed by an architect, is relatively small with less than 2000 sq. ft. of living space with three bedrooms. The owners have two children and require a three bedroom home.
5. The first level contains parking and mechanicals.
6. To build a smaller house would be impractical according to the architect and the real estate expert.
7. There is 11% lot coverage.
8. The owner discussed and incorporated suggestions of neighbors and there are no objectors.
9. DEM has approved a new 3 bedroom septic system that will replace an old system that is associated with an existing house that will be demolished.

The motion carried by a vote of 4 -1.

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

David Nardolillo voted against the motion.

Joseph Logan, Richard Allphin, and Judith Bell were not seated.

Solicitor's Report

Nothing at this time.

EXECUTIVE SESSION

Nothing at this time.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:40 p.m.

The motion carried unanimously.