

Approved 4/25/17 pw

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the March 28, 2017 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:

- Joseph Logan
- Dean Wagner
- Richard Cribb
- Terence Livingston
- Marcy Coleman
- Judith Bell

Also present: Brenda Hanna, Stenographer
 Chris Costa, Zoning Officer
 Pat Westall, Zoning Clerk
 Wyatt Brochu, Counsel

MINUTES

Minutes of January 24, 2017

A motion was made by Marcy Coleman and seconded by Dean Wagner to accept the minutes of the January 24, 2017 meeting as presented.

The motion carried by a vote of 5 -0.

Joseph Logan, Dean Wagner, Richard Cribb, Terence Livingston, and Marcy Coleman voted in favor of the motion.

Judith Bell was not seated and Richard Boren and Edward Gromada were absent.

CORRESPONDENCE

1. A letter from Christian Infantolino, Esq. for Jamestown Boat Yard requesting a one year extension on the special use permit & variance granted Feb. 23, 2016.

Jamestown Boat Yard

A motion was made by Richard Cribb and seconded by Terence Livingston to grant the request of Christian Infantolino, Esq. for Jamestown Boat Yard of a one year extension on the special use permit & variance. This granting is restricted to one extension.

The motion carried by a vote of 5 -0.

Joseph Logan, Dean Wagner, Richard Cribb, Terence Livingston, and Marcy Coleman voted in favor of the motion.

Judith Bell was not seated and Richard Boren and Edward Gromada were absent.

2. A letter from Wm. Munger requesting a one year extension of time on an existing approval by the Zoning Board of Review for one boat shed located (easterly position shed) on Plat 8, Lot278, 260 Conanicus Avenue originally granted Fe. 17, 2015.

CMS

A motion was made by Terence Livingston and seconded by Richard Cribb to grant the request of William Munger for CMS requesting a one year extension on the special use permit & variance. This granting is restricted to one extension.

The motion carried by a vote of 5 -0.

Joseph Logan, Dean Wagner, Richard Cribb, Terence Livingston, and Marcy Coleman voted in favor of the motion.

Judith Bell was not seated and Richard Boren and Edward Gromada were absent.

I. NEW BUSINESS

SNOEREN

A motion was made by Richard Cribb and seconded by Terence Livingston to grant the request of Pieter C. & Michelle J. Snoeren, whose property is located at 134 Beacon Ave., and further identified as Assessor's Plat 15, Lot 292 for a variance from Article 7, Section 82-700, (Non Conforming Uses). To move a

property line for the purpose of transferring 1,884 sq. ft. to abutting lot.

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):

1. This project must be in strict accordance with the site plan duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 31,872 sq. ft.
2. The area to be transferred has been unknowingly used by the abutter for several years.
3. The transfer will result in the larger lot being a little more nonconforming while the nonconformance of the smaller lot will be significantly reduced.
4. This subdivision was approved by the Town Planner and the decision with conditions of approval is hereby incorporated as a part of this decision.

The motion carried by a vote of 5 -0.

Joseph Logan, Dean Wagner, Richard Cribb, Terence Livingston, and Marcy Coleman voted in favor of the motion.

Judith Bell was not seated and Richard Boren and Edward Gromada were absent.

LUNDY/JTC

A motion was made by Terence Livingston and seconded by Richard Cribb to grant the request of Barbara Lundy & Jamestown fitness Center, Inc., whose property is located at 36, 38, 40 South West Ave., and further identified as Assessor's Plat 9, Lot 23 for a Modification of Special Use Permit from Article 3, Table 3-1 (Special Use for Mixed Use), Article 3, 3-1 VIIB (Special Use Permit for Personal Services) pursuant to Article 6 Section 600 & Section 602, to allow approximately 1500 sq. ft. of the basement area to be used for exercise classes and storage and a variance granted under Article 6, Section 600 & 605, Special Use Permits &

Variances, for a variance from Article 12 Section 82-1203, Minimum off street parking requirements, to allow parking at the property to remain the same were the extra 1500 sq. ft. would require an additional 7.5 parking spaces.

Regarding this request, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600

Regarding the request for a Variance, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 606, PARAGRAPHS 1 through 4, and SECTION 607, PARAGRAPH 2.

Regarding the request for a Special Use Permit, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 602.

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

1. That Lundy/JFC shall submit a written agreement for parking with the owner of 44 Southwest Ave. or one other property owner for at least 8 spaces for weekend use.

This motion is based on the following findings of fact:

1. Said property is located in a CL zone and contains 21,780 sq. ft.
2. The club has 250 members; utilization of the basement will not increase the membership of the club.
3. The club is utilized more on the weekends.
4. There currently is not a parking problem at the club and the owner does not expect parking to be a problem in the future.

The motion carried by a vote of 5 -0.

Joseph Logan, Richard Cribb, Terence Livingston, Marcy Coleman and Judith Bell voted in favor of the motion.

Dean Wagner recused himself and Richard Boren and Edward Gromada were absent.

STAMOULI

A motion was made by Dean Wagner and seconded by Marcy Coleman to grant the request of Stamouli, Sean M. et Nelson, Casey, whose property is located at Schooner Ave., and further identified as

Assessor's Plat 3, Lot 328 for a variance from Article 3, Section 82-300, Table 3-2 R20 setback outbuildings, to install a 10' x 12' shed 5' from side where 10' is required & 5' from rear where 10' is 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 plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 7,200 sq. ft.
2. There is a septic system located in the rear of the property and a well in the front of the property.
3. There is limited space on the lot. There is no garage or walk-out basement.
4. There is a fence in both the rear and side yards where the shed will be built.
5. The neighboring properties have sheds on or near the property lines.
6. No one objected to the application.

The motion carried by a vote of 5 -0.

Joseph Logan, Dean Wagner, Richard Cribb, Terence Livingston, and Marcy Coleman voted in favor of the motion.

Judith Bell was not seated and Richard Boren and Edward Gromada were absent.

CONNORS

The application was taken off the agenda due to an error in the advertisement and continued to May 23, 2017 and will be re-advertised.

DRAGONLINE

A motion was made by Judith Bell and seconded by Richard Cribb to grant the request of Dragonline, LLC whose property is located at 2 Ft. Wetherill RD., and further identified as Assessor's Plat 10, Lot 124 for an amendment to the Zoning Decision of March 24, 1992, allowing the present studio building to become the residence and the Cabin (currently the residence) to be an accessory building, not a residence, pursuant to Article 6 Sections 82-600, 82-605, 82-606, & 82-607, and the inherent authority of the Board to modify, when appropriate, its decisions.

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, SECTIONS 82-600, 82-605, 82-606, and 82-607.

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

1. The Board requires that there be no cooking facilities, no bedroom, and no living quarters. Storage only.
2. That the current primary dwelling i.e. (cabin) when converted to the accessory building be stripped of the kitchen and not used as a single family dwelling - no cooking facilities, and no bedrooms, a storage facility only.

This motion is based on the following findings of fact:

1. Said property is located in a RR80 zone and contains approximately 55,757 sq. ft.
2. That the current accessory building, when converted to the primary dwelling meets all requirements of a residential dwelling.
3. That all other requirements of the March 25, 1992 Zoning Board decision be strictly adhered to.

The motion carried by a vote of 5 -0.

Joseph Logan, Richard Cribb, Terence Livingston, Marcy Coleman and Judith Bell voted in favor of the motion.

Dean Wagner recused himself and Richard Boren and Edward Gromada were absent.

CYC

A motion was made by Richard Cribb and seconded by Marcy Coleman to continue the CYC application to the April 25, 2017 meeting for lack of quorum.

The vote passed by a vote of 4 - 0.

Richard Cribb, Terence Livingston, Marcy Coleman and Judith Bell voted in favor of the motion.

Joseph Logan and Dean Wagner were recused and Richard Boren and Edward Gromada were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:20 p.m.

The motion carried unanimously.