

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the April 23, 2013 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:

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 March 26, 2013

A motion was made by Richard Boren and seconded by Joseph Logan to accept the minutes of the March 26, 2013 meeting as presented.

The motion carried by a vote of 5 -0.

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

Richard Allphin, and Judith Bell were not seated and Thomas Ginnerty was absent.

CORRESPONDENCE

Nothing at this time.

NEW BUSINESS

Harris & Lee

A motion was made by Joseph Logan and seconded by Richard Cribb to grant the request of Martha Harris & Richard Lee, whose property is located at 209 Beacon Ave., and further identified as Assessor's Plat 16, Lot 214 for a special use permit under Article 3, Section 314 (High groundwater table & impervious layer overlay district) and a variance under Article 3, Section 3.2 (District Dimensional Regulations) to construct an addition to an existing single family dwelling 26.32 ft. from the front lot line where 30 ft. is required.

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. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
2. The existing driveway shall remain pervious.
3. The O&M sheets referenced in #13 of the Planning Commission's Memorandum shall be recorded.
4. A minimal disturbance of grade (1 ft. max.) and no fill around the addition.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 16,992 sq. ft.
2. The Planning Commission voted unanimously to approve the plan.
3. The applicants have met all the legal requirements of the town ordinance.
4. There were no objectors.

The motion carried by a vote of 5 -0.

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

Richard Allphin, and Judith Bell were not seated and Thomas Ginnerty was absent.

ESJ, Inc.

A motion was made by David Nardolillo and seconded by Joseph Logan to grant the request of ESJ, Inc. (tenant) and JTN, LLC (owner), whose property is located at 13 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 603 for a special use permit under Sections 82-1205 and 1205.1, allowing the restaurant operated on said property to utilize shared parking to meet a capacity of 190 seats.

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. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
2. There will be no valet parking.
3. The business owner will give the Zoning Official written notice of any loss of parking spaces.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 15,377 sq. ft. of land.
2. The lessee has acquired written leases for 26 additional parking spaces in addition to on site and street parking.
3. Total parking, including shared spaces are 45, 7 in excess of required by zoning regulations.
4. Shared parking is a normal activity for business located in the town center.
5. Granting this application will not impede on the health, welfare and morals of the residents of Jamestown.
6. No one spoke in opposition. Two petitions signed by residents (26) and abutters (7) were presented in approval.

7. Employees will be directed to park in the furthest existing spaces.
8. The restaurant has been seating to the capacity of 190 in the past and has seating of 190 approved by the Fire Marshall.

The motion carried by a vote of 5 -0.

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

Richard Allphin, and Judith Bell were not seated and Thomas Ginnerty 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 8:28 p.m.

The motion carried unanimously.