JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the January 26, 2021 Meeting

# A regular meeting of the Jamestown Zoning Board of Review was held JANUARY 26, 2021.

# THIS MEETING Was TELECONFERENCED VIA ZOOM AND VIA TELEPHONE:

The Chairman called the meeting to order at 7:00 p.m. The Host called the roll and noted the following members present:

Richard Boren, Chair

Dean Wagner, Vice-chair

Terence Livingston, Member

Edward Gromada, Member

Judith Bell, 1st Alt.

John Shekarchi, 2nd Alt.

Alex Finkelman, 3rd Alt.

Also present: Host Cinthia Reppe, Planning Assistant

Brenda Hanna, Stenographer

Lisa Bryer, AICP

Interim Zoning Enforcement Officer

Wyatt Brochu, Counsel

Pat Westall, Zoning Clerk

MINUTES

Minutes of Dec. 15, 2020

A motion was made by Terence Livingston and seconded by Dean Wagner to accept the minutes of the December 15, 2020 meeting as amended to add Edward Gromada to the roll call.

The motion carried by a vote of 5 –0.

Richard Boren, Dean Wagner, Terence Livingston, Edward Gromada, and Judith Bell voted in favor of the motion.

John Shekarchi and Alex Finkelman were not seated and James King was absent.

CORRESPONDENCE

All correspondence was in reference to items on the agenda.

NEW BUSINESS

West Reach 539 & 540

A motion was made by Terence Livingston and seconded by Richard Boren to grant the request of West Reach Estates Associates (West Reach Associates, owner) whose property is located at Tefft Pond, and further identified Assessor’s Plat 3, Lot 539 and Rosamond Pond, and further identified Assessor’s Plat 3, Lot 540 for a variance from Art. 13, Sec. 82-1302, Exempt Signs to install a 2’ high x 3’ wide pond sign.

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 RR80 zone and contains 7.24 acres for Plat 3, Lot 539.
2. Said property is located in a RR80 zone and contains 4.58 acres for Plat 3, Lot 540.
3. Brad Parsons, engineer testified that as to Rosamond Pond there will be (1) 2 x 3 sign, and 2 signs under the 2 sq. ft. and are exempt.
4. That on Rosamond Pond 2 signs and 2 post and chains with signs will be removed.
5. Tefft property there will be (1) sign 2 x 3, 1 smaller exempt sign and 4 – 5 signs will be removed.
6. The Board (WREA) voted at the annual meeting 28 – 11 to approve the project.
7. The purpose of the proposal is to make the pond & signage more esthetically pleasing & will remove a clutter of signs.
8. Two people testified in favor of Tefft. Two people testified in opposition of Rosamond.
9. Both witnesses who testified in favor and opposition said there is a problem with trespassing & some signage appropriate.
10. Other similar signs in the neighborhood such as East Passage are greater in size as well as the playground.
11. This is the least relief necessary for the proposal.
12. There was testimony that the current signs are out of character with the neighborhood.

The motion carried by a vote of 5 –0.

Richard Boren, Dean Wagner, Terence Livingston, Edward Gromada, and Judith Bell voted in favor of the motion.

John Shekarchi and Alex Finkelman were not seated and James King was absent.

St. Mark

A motion was made by Dean Wagner and seconded by Terence Livingston to grant the request of St. Mark Cemetery/St. Mark Church, whose property is located at East Shore Rd., and further identified as Assessor’s Plat 4, Lot 7 for a variance from Art. 13, Sec. 1302 Exempt Signs No.9, to allow for one 18.3 sq. ft. and one 15.8 sq. ft. sign to be installed to replace existing 32 sq. ft. sign.

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

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 R80 zone and contains 25+ acres.
2. The 32 sq. ft. existing sign is 20 years old, is broken and needs to be replaced.
3. The proposed signs allow the applicant to have the “Cemetery Regulations” on a separate sign for clearer visibility.
4. The proposed signs are an improvement.
5. There was no opposition to the application.

The motion carried by a vote of 5 –0.

Richard Boren, Dean Wagner, Terence Livingston, Edward Gromada, and Judith Bell voted in favor of the motion.

John Shekarchi and Alex Finkelman were not seated and James King was absent.

Johnson

A motion was made by Edward Gromada and seconded by Judith Bell to grant the request of Richard C. & Sandra D. Johnson, whose property is located at 36 High St., and further identified as Assessor’s Plat 9, Lot 287 for a variance from Art. 3, Sec. 82-302 Table 3-2 to construct a carriage style 3 car garage located 9 ft. from the front lot line instead of the specified offset of 18 ft., plus 20 ft. behind the house front. Art. 3, Sec. 82-311, to build a garage which is 45 sq. ft. larger than the 900 sq. ft. size specified and Art. 6, Sec. 82-605, 606 & 607.

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 0.7577 acres.
2. A stream runs behind the house making positioning the garage there an impossible location.
3. Although large in size, the garage compliments the home.
4. The location is the only acceptable location without disturbing the general appearance of property and the neighborhood.
5. Three abutters supported the project.

The motion carried by a vote of 5 –0.

Richard Boren, Dean Wagner, Terence Livingston, Edward Gromada, and Judith Bell voted in favor of the motion.

John Shekarchi and Alex Finkelman were not seated and James King was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:25 p.m.

The motion carried unanimously.