

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW

Application for Exception or Variation under the Zoning Ordinance

Zoning Board of Review:

Jamestown, Rhode Island

Date

6/18/21

Gentlemen/Ladies:

The undersigned hereby applies to the Zoning Board of Review for an exception or a variation in the application of the provisions or regulations of the zoning ordinance affecting the following described premises in the manner and on the ground hereinafter set forth.

Applicant Jamestown Beer Holdings LLC Address 34 Narragansett Avenue

Owner Okeana Properties LLC Address 16 Walcott Avenue

Lessee _____ Address _____

1. Location of premises: No. 34 Street Narragansett Avenue
2. Assessor's Plat 7 Lot 453
3. Dimensions of the lot: Frontage 60 ft Depth 140 ft Area 8712 acres/sq ft
4. Zoning District in which premises is located: CD
5. How long have you owned above premises? n/a
6. Is there a building on the premises at present Yes
7. Size of existing building 5736 Size of proposed building or alteration 900
8. Distance of proposed building or alteration from lot lines:
Front _____ Rear _____ Left Side _____ Right Side _____
9. Present use of premises: brewery and taproom
10. Proposed use of premises: Same

11. Location of septic tank and well on lot n/a
12. Give extent of proposed alterations: to allow for outdoor service and alcohol consumption on back patio
13. Number of families for which building is to be arranged: n/a
14. Have you submitted plans for above to Inspector of Buildings? Yes

Has the Inspector of Building refused a permit? Yes

15. Provision or regulation of Zoning Ordinance or State Enabling Act under which application for exception or variance is made:

Article 3, Section 82-301 Table 3-1 VI B Tavern/Bar
Article 6, Section 82-601 Special Use Permit

16. State grounds for exceptions or variation in this case:

Please see attached Statement and supporting documentation.

Respectfully submitted,

Signature

Signature

Address 113 Hurdal Avenue

Janestown, RI 02835

Telephone No. 516-902-9065

NOTE: A LOCATION PLAN AND SKETCH AND DRAWINGS NECESSARY TO GIVE FULL INFORMATION MUST BE FILED WITH THE APPLICATION.

**STATEMENT IN SUPPORT OF APPLICATION OF
JAMESTOWN BEER HOLDINGS LLC
FOR MODIFICATION TO SPECIAL USE PERMIT**

TO: Zoning Board of Review

FROM: Thomas McNiff and William Tuttle, Owners

DATE: June 18, 2021

HEARING DATE: July 23, 2021

Based upon standards of review, we respectfully provide the following statement in support of the application of Jamestown Beer Holdings LLC for a modification of a special use permit to allow service and consumption of alcohol on the back patio of 34 Narragansett Avenue:

1. Our business will not be harmful to the public health, safety, morals and welfare of Jamestown. To wit:
 - a. We opened to the public in late August of 2019 and have been in continuous operations since that time (COVID shut-downs excepted).
 - b. We have remained open throughout the pandemic, following all protocols and receiving marks for full compliance at each inspection by the Department of Business Regulation.
 - c. We plan to continue to operate 5 to 7 days per week from 4pm to 8pm on weekdays and 2pm to 8pm on weekends.
 - d. We are one of the few consumer facing companies in Jamestown which is open 12 months of the year.
 - e. In almost 2 full years of operation, we have not engaged in any activity harmful to the public health, safety, morals or welfare of Jamestown.

2. That the granting of such modification to our special use permit will not substantially or permanently injure the appropriate use of the property in the surrounding area or district:
 - a. The premises have previously been approved by this board for both restaurant and tavern use
 - b. Previous finding of the Zoning Board of Review have recorded ample parking available to our use of the building and the additional seating will not alter that finding.
 - c. The building is located within the commercial district of the town and the use is fully compatible with existing businesses.

Attached with this Statement, please find the following documentation:

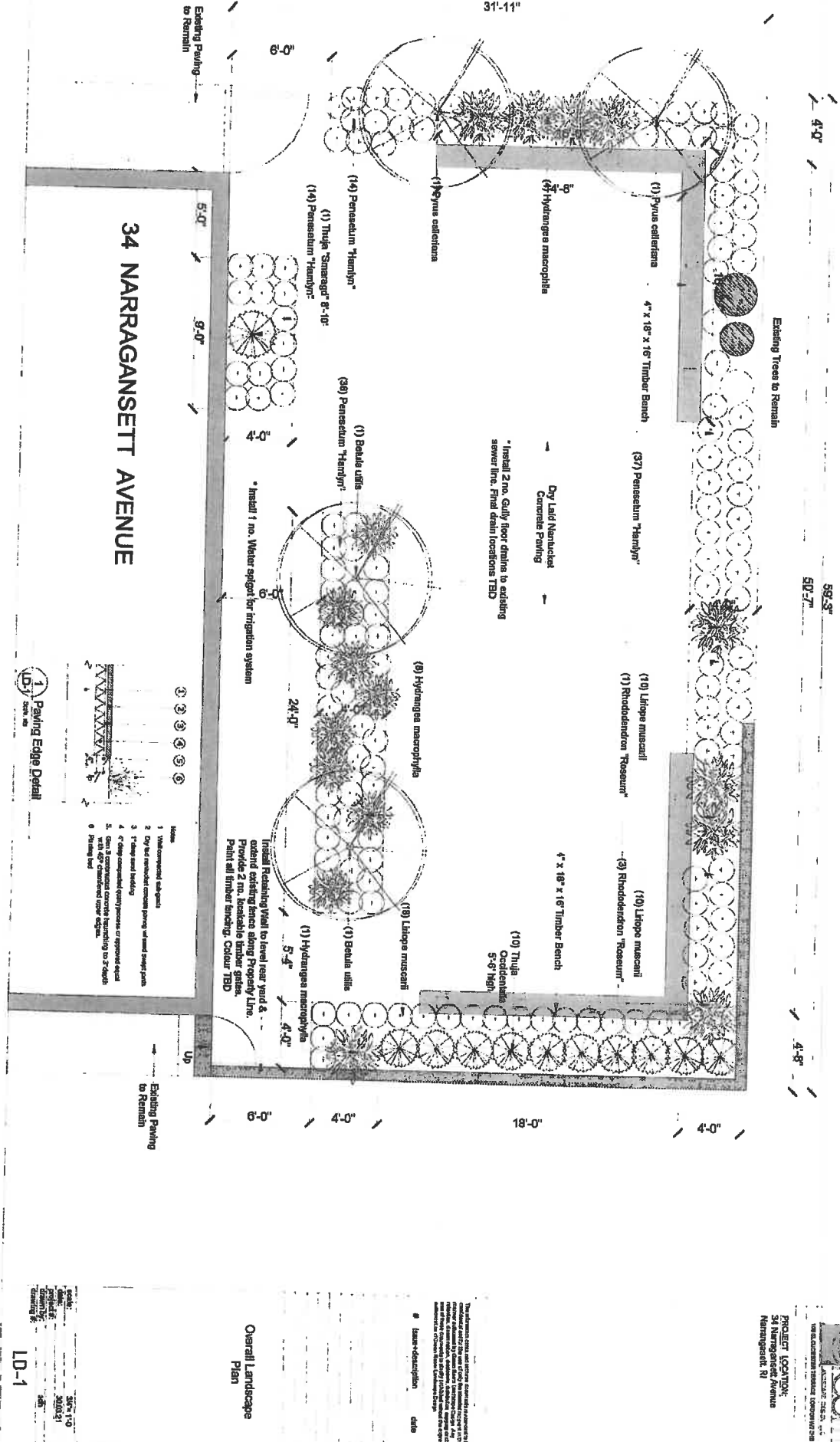
1. Site plan
2. Zoning Certificate
3. Grant of Special Use Permit by Zoning Board of Review
4. Memorandum of Planning Commission in connection with initial Special Use Permit which sets forth findings on availability of parking spaces.

PLANT SCHEDULE

Key	Qty	Common Name	Botanical Name	Size
TREES				
1	2	Multi-stemmed Hemlock	<i>Betula utilis</i> 'Vacqueantii'	6'-10" High
2	2	Chantrelle Pear	<i>Pyrus callidota</i> 'Charidier'	7'-2.5' caliper
3	1	Emerald green Abnortia	<i>Thuja occidentalis</i> 'Emerald'	6'-10" High
4	1	Emerald green Abnortia	<i>Thuja occidentalis</i> 'Emerald'	5'-6' High
SHRUBS				
5	13	Big Leaf Hydrangea	<i>Hydrangea macrophylla</i>	36" - 42" High
6	5	Rhododendron Roseum Elegans	<i>Rhododendron Roseum Elegans</i>	36" - 35" High
PERENNIALS				
7	101	Fountain Grass 'Hamlyn'	<i>Pennisetum setaceum</i> 'Hamlyn'	3 Galon
8	38	Big Blue Lily Turf	<i>Lilium muscari</i>	3 Galon

NOTES:

- * Nurbated concrete pavers, paving size 24" x 36". Dry laid with sand sweep but joints, attached at 2/16 slope to floor slabs, typical. Samples to be approved prior to installation.
- * Appropriate line art of masonry retaining wall required to level garden space. Levels to be determined from finished floor height confirmed.
- * Provide two gully floor drains to existing sewer line
- * Provide water septic for each step irrigation system
- * Provide 6" depth of shredded bark mulch to all planting beds
- * Provide 5" min. depth of shredded bark mulch to all planting beds
- * Provide slope draining of timber bench prior to installation
- * Provide min. of 12" deep gravel base to all planting beds
- * All planting beds to be level with field grade
- * Contractor to provide linings of plant material to be approved prior to installation



PROJECT LOCATION:
34 NARRAGANSETT AVENUE
NARRAGANSETT, RI

DATE: 3/24/21

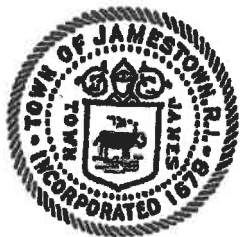
PROJECT NO: LD-1

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

Cherrell Landscape Plan

LD-1



Town of Jamestown
90 Narragansett Ave • Jamestown, RHODE ISLAND 02842

BUILDING INSPECTIONS AND ZONING
OFFICE: (401) 423-9803 • FAX: (401) 423-7230

ZONING CERTIFICATE

This is to certify that the property located at: 34 Narragansett Ave

Plat: 8 Lot: 453

Property Owner: Okema Properties LLC

Zoning District: Commercial Downtown

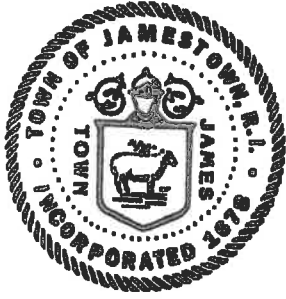
Use of this property as a:

Remarks: Tavern/Bar, Business

Date of Issuance:

July 9, 2019


Building/Zoning Official
Chris N. Costa



ZONING BOARD OF REVIEW
Town of Jamestown

93 Narragansett Avenue
401-423-7200

Jamestown, Rhode Island
02835-1199

November 28, 2018

Jamestown Beer Holdings
34 Narragansett Avenue
Jamestown, RI 02835

Dear Sir or Madame,

The following is the decision on your Petition heard by the Town of Jamestown Zoning Board of Review on November 27, 2018.

After testimony was completed at the public hearing for which due notice was given and a record kept, the Town of Jamestown Zoning Board of Review, after taking into consideration all of the testimony and exhibits at the public hearing, makes the following determination:

A motion was made by Terence Livingston and seconded by Edward Gromada to grant the request of Jamestown Beer Holdings LLC (Okema Prop. LLL, owner) whose property is located at 34 Narragansett Ave., and further identified as Assessor's Plat 8, Lot 453 for a special use permit from Article 3, Section 82-301, Table 3-1 VIB Tavern/Bar, Article 6, Section 82-601 special use permit to operate a nanobrewery and taproom.

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. That the alcohol consumption will be interior only.
2. The applicant shall use advanced technology to minimize water use.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 1,373 sq. ft.
2. The applicant shall use advanced technology to minimize water use.
3. The alcohol consumption will be interior only.
4. The nano-brewery economic vitality to the village district.
5. There is ample parking for the establishment.

The motion carried by a vote of 5 -0.

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

Lisa Hough and Dean Wagner were absent.

This variance/special use permit shall expire one year from the date of granting unless the applicant exercises the permission granted.

Very truly yours,



Richard Boren, Chairman
Jamestown Zoning Board of Review
RB/pw

RECEIVED FOR RECORD
JAN 17 2019 09:52A
JAMESTOWN TOWN CLERK
CHERYL A. FERGUSON CMC



Planning Commission MEMORANDUM

TO: Jamestown Zoning Board
Chris Costa, Zoning Enforcement Officer

FROM: Michael Swistak, Chair
Jamestown Planning Commission

RE: Jamestown Beer Holdings, LLC, William Tuttle and Tom McNiff
– New Use in the Jamestown Village Special Development District
Development Plan Review, Recommendation to the Zoning Board
for Special Use Permit

DATE: October 19, 2018

At the October 17, 2018 Planning Commission meeting, the Planning Commission voted to the approve the Development Plan of Jamestown Beer Holdings, LLC for 34 Narragansett Avenue, Plat 8 Lot 453. This application was reviewed by the Planning Commission under Zoning Ordinance Article 11, as a change in use in the Jamestown Village Special Development District for the multi-use Bomes Theatre building. The Planning Commission also discussed the request for a Special Use Permit to serve beer. This will also need a liquor license from the Town Council sitting as the Alcohol Licensing Review Board. The recommendation for approval is based on the following findings of fact and subject to the following conditions of approval:

Findings of Fact – Development Plan Review

1. The applicant proposes to open a 28 seat “nano-brewery” as an additional use in the space that is currently occupied by Conanicut Brewing in the Mall at 34 Narragansett Avenue. This has been determined to be a new use that requires Development Plan Review;
2. The TRC met on September 26, 2018 and October 5 to discuss this application. The minutes are attached;
3. The following Variances for parking have been granted by the Zoning Board of Review:
 - a. February 15, 1983 Bernard Dutra – Parking Variance for 25 parking spaces conditioned that he provide 10 spaces at 24 Narragansett Avenue or closer.
 - b. March 11, 1985 John Dennis Flynn (Town Council approval for victualing and restaurant license) – also Special Use permit granted for liquor at the café in the mall with a condition that 5 spaces be developed in back of the building.
Note: This use never went in to operation and it is undetermined if the spaces were ever developed.
 - c. March 23, 1993 – Parking Variance granted for a 15-seat restaurant because it was a change in use that needed greater parking spaces than the previous use; this use received a variance for 4 spaces.
4. Therefore a total of 29 parking spaces have been granted by variance since 1983 for multiple uses with the initial condition that 10 spaces be provided at 24 Narragansett Avenue or closer. A permanent parking easement was provided at 24 Narragansett

- Avenue in favor of 34 Narragansett Avenue that provides up to 10 parking spaces. 3 additional public spaces exist for the use of the Bomes Theatre building on Narragansett Avenue.
5. The existing building is 5,650 square feet in size. The proposed business will occupy approximately 961 square feet of the total 1373 square feet occupied currently by Conanicut Brewing Company. Based on this, it has been calculated that the proposed use of a 28 seat "tavern" requires 3.5 parking spaces and the retail use requires approximately 1.05 parking spaces for a total of 5. The total building requires 14 spaces for the existing and proposed uses combined.
 6. Development Plans have been reviewed for the building at 34 Narragansett Avenue as follows:
 - a. April 10, 2009 – Administrative Development Plan Review and approval for exterior renovations to the façade. Included removing clapboard and returning back to the brick façade underneath. Also included new signage and lighting.
 - b. June 23, 2016 – primarily interior changes to the building with minor exterior changes to the side of the building entrances for separate spaces. This was reviewed administratively under the provision that any significant change in use may be subject to further Development Plan Review.
 7. The Planning Commission concluded that available parking at Narragansett Avenue is 32 spaces as follows:
 - Parking Variance granted in 1983 – 15 spaces
 - Parking Variance granted in 1993 - 4 spaces
 - Public Spaces on Narragansett Ave – 3 spaces
 - and
 - An easement for 10 spaces at 24 Narragansett Avenue.
 8. The current tenant configuration of the building includes 5 office spaces, 1 yoga studio, 1 business incubator/retail space and the applicant operating as a brewing supply retail store. Total square footage of the building is approximately 5,650 sq. ft and current Parking requirement – including the new nano-brewery operation is 15 spaces.
 9. The Planning Commission approval is based on the testimony of the applicant related to the planned scope of business and hours of operation.
 10. The applicant testified that a denial of the application would force the business to seek a facility outside of Jamestown.

Findings of Fact – Special Use Permit

1. The applicant testified that microbreweries are becoming popular and can be a destination venue.
2. The applicant testified that the nano-brewery would add to the economic vitality of the village commercial district.
3. The applicant testified that the business expects to be open from 12 to 8 pm; 5 to 7 days per week. Retail sales of home brewing supplies will continue.
4. The applicant testified that they will use advanced technology to minimize water use and will donate/recycle a substantial percentage of the food waste from the brewing process.
5. In alignment with the Planning Commission's responsibility to encourage Economic Development – the Planning Commission recommends approval of the Special Use Permit required to serve alcohol.

**Attachments:
TRC Minutes**

**C: Planning Commission
William Tuttle, Conanicut Brewing Co.
Tom McNiff, General's Crossing Nano-Brewery**



Office of the Town Planner
MEMORANDUM

TO: Technical Review Committee
FROM: Lisa W. Bryer, AICP, Town Planner
RE: William Tuttle and Tom McNiff - New Use in the Village Special Development District - Nanobrewery and taproom at the Bomes Theatre Mall, 34 Narragansett Avenue, Plat 8 Lot 453
DATE: October 4, 2018

The TRC met on September 26, 2018 to discuss this application. The only outstanding issue was parking. Because it is a change of use, it was questioned whether they should calculate the parking for the entire Mall property? I have produced the entire record for this property in terms of Zoning approvals and Development Plan Reviews over the years since 1983 as follows (see attached):

1. 1983 Bernard Dutra – Parking Variance for 25 parking spaces provided that he provided 10 spaces at 22 Narragansett Avenue or closer.
2. March 11, 1985 Flynn (Town Council approval for victualing and restaurant license) – also Special Use permit granted for liquor at the café in the mall with a condition for 5 spaces out back.
3. March 23, 1993 – Parking Variance granted for a 15-seat restaurant because it was a change in use that needed greater parking spaces than the previous use; 4 spaces.
4. April 10, 2009 – Administrative Development Plan Review and approval for exterior renovations to the façade. Included removing clapboard and returning back to the brick façade underneath. Also included new signage and lighting.
5. June 23, 2016 – primarily interior changes to the building with minor exterior changes to the side of the building entrances for separate spaces. This was reviewed administratively under the provision that any significant change in use may be subject to further Development Plan Review

The square footage of the building is approximately 5,650 square feet.



Office of the Town Planner MEMORANDUM

TO: Planning Commission
FROM: Lisa W. Bryer, AICP, Town Planner
On behalf of the Technical Review Committee
RE: Proceedings of September 26, 2018 TRC Meeting
William Tuttle and Tom McNiff - New Use in the Village Special
Development District - Nanobrewery and taproom at the Bomes
Theatre Mall, 34 Narragansett Avenue, Plat 8 Lot 453
DATE: September 28, 2018

The meeting was called to order at 9:00 a.m.

Lisa Bryer – Town Planner, Jean Lambert - Public Works Dept, Chris Costa – Zoning Official
Michael Swistak – Planning Commissioner, Duncan Pendlebury – Planning Commissioner.

Also present:

Cynthia Reppe – Planning Assistant, William Tuttle – Applicant, Tom McNiff - Applicant

Tom McNiff said Generals Crossing is planning a nanobrewery offering a 1 barrel brewing system. There will be 2 staff members and a total capacity of about 30 people. 5 batches per week. They will not be kegging. Will is the Master Brewer. Growlers can be filled from tanks to go. They will not be bottling or canning from the premises at this time. Everything sold will be made on premises.

Town Planner Lisa Bryer asked about parking. The Bomes mall has an easement with 24 Narragansett Avenue; Tom said it was 10 spaces. Bryer asked whether it specified 10 spaces, that was not her recollection? It was a dimension. This particular space in the Mall has been a restaurant, jewelry store, and office space in the past. The owner did not know what all the uses were when the mall was redone. Currently the Yoga studio is there and office space. Given previous uses Ms. Bryer thinks it is a was comparable to what it was previously. Bryer noted that the building was reviewed under Development Plan review previously when the exterior of the building was changed and then again when the minor side exterior changes and interior reorganization occurred several years ago. At that time, it did not meet the criteria of Planning Commission review and since they did not know what all the interior uses would be, it was approved and noted that any significant change in use may be subject to further Development Plan Review.

Duncan Pendlebury said we cannot double claim the parking spaces. A little in a jam because it did not come back to planning commission when the space was filling up. Shared parking down the street is not shared parking if is an easement; it is a permanent parking easement for the entire mall.

The change from the current store to the nanobrewery is a change in use. What is the expectation at this point, are they are hoping for more foot traffic asked Mr. Swistak. Mr. McNiff said he is

happy to present any information that is needed. Existing business of homebrew supply will be in smaller portion of the rented space. They will be submitting a site plan. Mr. Swistak wants to know what you will have on the inside. 4 or 5 large kettles with taps and some seating with a bartender. You can access both sides from the front.

Hours and days 5 or 6 days 11 or noon to 8 p.m. People can bring in food they will not be serving food. This will support the local food establishments. They will go to zoning for a special use permit and also liquor license approval. The zoning use classification will be "tavern". This is change of use according to Chris Costa. So it will also go to the Planning Commission for full Development Plan Review this time around.

Lisa Bryer said occupancy is full. Mike Swistak wants to know who is responsible to provide parking for the uses, partially town and property owner? It is the buildings responsibility to provide parking Bryer said. Lisa Bryer said we have to look at it holistically not individually otherwise the last person in is responsible and it should not be handled on piecemeal basis. The spaces vary in terms of use. Bryer noted that when this was approved the last few times for minor exterior changes and interior changes, it was assumed that there were no changes in parking since they have had varied uses over the years; 2 restaurants, real estate office, retail etc. There have been many turnovers since the last formal approval in 1993.

Swistak asked Ms. Bryer do you want more research as far as parking? This is coming to planning so they need to be able to defend the parking. We will meet again next week to be better prepared for planning then it will require less time at the planning meeting. It has to be for the overall building. Uses may change over time. Remember we are trying to be business friendly. What is easiest way to get close to the mark. This is no different than the past with full occupancy.

The applicant provided an estimate on water use. Summertime water is contentious They will limit the water use and waste they will be using a glycol based brewing process. Submersion is a waste of water so you lose a lot of gallons, they will be using glycol to activate and chill the water down. That should save them 200 gallons per week. 266 gallons of water per week is what they think they will be using. Very little water is going down the drain. The grains will be donated; there will be a bi-weekly pick up and stored in a closed container out back, Mr. Tuttle said and so outside storage and frequent pick up.

Mike Gray asked if this takes off do you plan on canning in the future? We may but we are not there today, it is too small and too costly. They will need to go to the water and sewer board. Mr. Swistak asked about any special events to draw a crowd. No initial thoughts of entertainment. If there are musicians that want to put on a small thing then they could possibly at a later date. This would need an entertainment license.

This will be continued until next week.

SAMPLE ZONING ADVERTISEMENT

*MUST BE FILLED OUT BY THE APPLICANT

Application of Jamestown Beer Holdings LLC (Coker Properties, owner) whose property is located at 34 Narragansett Avenue, Jamestown RI, and further identified as Tax Assessor's Plat 8, Lot 453 for a Variance/Special Use Permit from Article 3, Section 82-501 Table 3-1 to VI B and Article 6, Section 82-501 To: expand seating for outdoor service and alcohol consumption on rear building patio. And to modify previously granted special use permit dated November 28, 2018.

Said property is located in a CD zone and contains 900 acres/ square feet.

HOW TO WRITE YOUR AD

- Name of owner must be advertised exactly as it appears on the most recent deed for the property. If the applicant's name differs from the owner, the ad must read, for example: "Application of John R. Smith et ux Mary, (Jane Doe, Owner), whose property...etc"
- The exact street address must be included in the advertisement, as well as the Tax Assessor's Plat and Lot numbers. Cross out "Variance" or "Special Use Permit" if one does not apply to what you are seeking.
- List the exact Article(s) and Section(s) numbers from the Zoning Ordinance from which you are seeking relief, followed by the title of the section as it appears in the Ordinance.
- Then, briefly describe what you wish to do, example: "to construct a tool shed five feet from the side lot line instead of the required ten feet."
- List what zone the property is located in: R8, R40, RR80, RR200, CL, CD, CW or OS.
- Finally, enter the total acreage or square footage of the lot, crossing out the term that does not apply: acres or square feet.



Town of Jamestown, Rhode Island
Web GIS Maps and Online Property Information

by MainStreetGIS, LLC [Town Website](#)
[User Guide](#) [Feedback](#) [Disclaimer](#)

Base Map:

GIS Map | Street View | Tax Maps | Other Maps | GIS Links

Layers | **Property** | Selection

34 NARRAGANSETT AVENUE
8-453



- Zoom To
- Property Card
- Abutters List
- Tax Map
- Property List
- Report an Issue

