

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the July 27, 2021 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, Chair
Terrence Livingston, Member
Edward Gromada, Member
James King, Member
Judith Bell, 1st Alt.
John Shekarchi, 2nd Alt.
Alex Finkelman, 3rd Alt.

Also present: Jamie Hainsworth, Town Administrator
William L. Moore, Zoning Officer
Wyatt Brochu, Counsel
Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk

MINUTES

Minutes of June 22, 2021

A motion was made by Edward Gromada and seconded by James King to accept the minutes of the June 22, 2021 meeting as presented.

The motion carried by a vote of 5 -0.

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

John Shekarchi and Alex Finkelman were not seated and Dean Wagner was absent.

CORRESPONDENCE

A request from Christian Infantolino, Esq. attorney for CMS requesting a continuance to the August meeting awaiting Planning Commission approval.

A motion was made by Terence Livingston and seconded by Edward Gromada to continue for one month the application of CMS to the August 24, 2021 meeting.

The motion carried by a vote of 5 -0.

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

John Shekarchi and Alex Finkelman were not seated and Dean Wagner was absent.

The remaining correspondence was in reference to the other items on the agenda.

NEW BUSINESS

King

A motion was made by Edward Gromada and seconded by Terrence Livingston to grant the request of James and Amber King whose property is located at 29 Walcott Avenue, and further identified as Tax Assessor's Plat 9, Lot 293 for a Variance granted under Article 6, Special Use Permits and Variances, Section 600 and 606. This application is made pursuant to the provisions of section 82-302, Table 3-2, District Dimensional Regulations for the R40 Zoning District of the zoning ordinance. The Applicant seeks front yard setback relief of 11.3 feet where 40 feet is required in order to construct a new garage.

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:

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 R-40 zone and contains 24,851 square feet.
2. The driveway is to remain on the High Street side of the property.
3. The hedges are to remain and kept trim on the Walcott Avenue side of the property.
4. The larger shed on the southeast area of the property is to be removed.
5. Kyle Mache, a design engineer, represented the architectural firm.

6. Six abutters wrote letters in support of the matter.

The motion carried by a vote of 5 -0.

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

Alex Finkelman was not seated and Dean Wagner was absent.

James King recused himself.

Gaynor

A motion was made by Terrence Livingston and seconded by James King to grant the request of Grace D. Gaynor (Trustee), whose property is located at 100 Southwest Ave., and further identified as Assessor's Plat 9, Lot 28 for a variance from Article 3, Section 82-302 entitled "District Dimensional Regulations", Table 3-2 for the Village Special Development District Zones R8, R20, CL & CD authorized by this Ordinance, and Article 6, Section 82-605 entitled "Variances Authorized by this Ordinance" to build a single-family residence, abutting Lot 406, Plat 9, where 10 ft. is required on the north side and 30 ft. on the west side of the property and abutting Lot 806/Plat 9 where 10 ft. is required on the south side.

A variance is also requested from Article 11, entitled "Jamestown Village Special Development District", Section 82-1106 C.3.A-F and Section 82-1107A.

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:

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 R20 zone and contains 14,601 sq. ft.
2. Replacing a 2-story residence with a 1 story residence to live in while they age.
3. Moving the residence back is the cause causing for the requirement for the setbacks, so that they could have a drive around driveway.
4. The house is designed for rear corridor view of the water and placed in an area with the least amount of setbacks required.

5. The house is moved to the rear of the property due to safety concerns of backing out onto Southwest Avenue.
6. If not placed in the particular area, then it would have to be a two-story building and narrower.

The motion carried by a vote of 5 -0.

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

John Shekarchi and Alex Finkelman were not seated and Dean Wagner was absent.

J. Beer

A motion was made by James King and seconded by Judith Bell to Grant the request of Jamestown Beer Holdings, LLC, (Okemo Properties, 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, VI B and Article 6, Section 82-601 to expand seating for outdoor service and alcohol consumption on rear building patio. To modify previously granted special use permit dated November 28, 2018.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTIONS 600 and 602.

This Special Use Permit is granted based on the with following findings of fact:

1. Said property is located in a CD zone and contains 900 sq. ft.
2. All stipulations of the current licenses will remain in force.
3. They will have 4 to 6 tables to be put away at the close of business.
4. Close of business will be 8:00 in accordance with their current license.
5. Servers will use the side ally way to service patrons.

The motion carried by a vote of 5 -0.

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

John Shekarchi and Alex Finkelman were not seated and Dean Wagner was absent.

Waterman

A motion was made by Judith Bell and seconded by Edward Gromada to grant the request of George & Cynthia Waterman, whose property is located at 5 Fox Run, and further identified as Assessor's Plat 9 Lot 824 for a variance from Article 82-302, Table 3-2 Outbuilding Rear Setback, to locate a tool shed approximately 1 foot from the northern property line where 10' is required (145-foot leg, along the un-named paper road), at the north-west corner of the property. Proper setback from the west property line of the adjacent lot, 1 Fox Run (Plat 9, Lot 68) will be met.

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:

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 15025 sq. ft.
2. There were no objections from neighbors.

The motion carried by a vote of 5 -0.

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

John Shekarchi and Alex Finkelman were not seated and Dean Wagner was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:33 p.m.
The motion carried unanimously.