

14 Newport Street  
Jamestown, RI 02835

November 18, 2021

Email Only

JAMESTOWN ZONING BOARD OF REVIEW  
c/o Mr. William Moore, Building and Zoning Official  
Town of Jamestown  
93 Narragansett Ave.  
Jamestown, RI 02835

Re: Application of Safe Harbors Jamestown Boat Yard, 60 Dumpling Drive

Dear Zoning Board Members,

My name is Charlene Heintz. I live at 14 Newport St. My property runs adjacent to the Safe Harbor Jamestown Boat Yard.

As you are aware, the boat yard is a pre-existing non-conforming, commercial entity operating in a residential area. This poses a myriad of questions and concerns. When changes in intensification, duration or frequency of the boat yard activities or alterations to the buildings occur there can be a significant cascading effect to the quality-of-life conditions to my property and in my neighborhood in terms of noise, heightened traffic, and beauty. Over the years, my neighbors and I have seen that happen. We all speak from our individual and collective experiences with the changes at the boat yard.

Many of the changes that are being requested pose a continuation of this sort of thing. If you peruse the SHJB website, it highlights the many amenities that are available to customers: bathrooms, showers, kitchen, dog run. They are also requesting to increase the footprint of one of the buildings to accommodate accessibility. This brings us to the realization that our beautiful neighborhood is heading in the direction of a potential yachting center instead of continuing as a small, New England boat yard. My understanding is that Safe Harbor has this sort of reputation in other States along the Eastern Seaboard. That is, changing the complexion and character of these boatyards in a manner that negatively affects their neighbors.

I and my neighbors are asking for your protection. Please assist us and deny this unjustified and unreasonable commercial expansion.

Respectfully Yours,

/s/ Charlene Heintz

Charlene Heintz  
14 Newport St.  
Jamestown, Rhode Island 02835

Mr. William Moore

Page 1 of 2

16 November 2021

William L Moore  
Building and Zoning Official

Town of Jamestown  
93 Naragansett Ave  
Jamestown RI 02835

RE: Application of SHM Jamestown Boat Yard  
60 Dumping Drive  
Tax Assessor's Plat 10, Lots 141, 143, 20  
Modification to a Special Use Permit...  
Alteration of a non-conforming use...etc.

Mr. Moore:

I'm a partner owner of 4 Ft. Wetherill Rd. Jamestown (Plat 10 Lot 121 and 125) and it has come to my attention that the above captioned business has applied for a modification to a Special Use Permit granted under Article 6, Special Use Permits and Variances, pursuant to Section 82-704, Alteration of a non-conforming use, and Article 3 Section 82-301/Table 3-1 Section IV. Commercial Retail, subsection F.8 and F.9, and dimensional relief from Section 82-302- District Dimensional Regulations, and Table 3-2, for setback relief and lot coverage relief, to remove an existing stairway and replace with a stairway that meets code and an ADA complaint access ramp and to make interior modifications which include relocating the kitchen area and bathroom, add a shower and add a 1/2 bathroom upstairs.

I understand that this application is intended to enhance the facilities that SHM Jamestown Boat Yard offers to the users of the marina and moorings maintained by SHM Jamestown Boat Yard. As you may be aware this business enterprise is the subject of ongoing appeals of the approval recently granted by the CRMC for the purpose of expanding the marina. While the merits of this application and the appeals are unknown at this point the expansion of this non-conforming use by virtue of this application is premature.

As has been established by public testimony at the CRMC hearings the SHM Jamestown Boat Yard expansion presents a threat to public safety and public health. This threat takes the form of increased large boat traffic which threatens the safety of swimmers and small boaters in the vicinity of the marina; increased exposure of toxic sediment from the dredging operations; and congested traffic and parking which restricts access of fire and ambulance vehicles on Dumping Drive.

Notwithstanding the actions of the CRMC this public safety threat will be increased by allowing improvement of the onshore facilities of this marina business. These proposed improvements will encourage increased use which will increase dangerous large boat operations, increase parking congestion both of which are detrimental to public safety.

Mr. William Moore

Page 2 of 2

The core function of Zoning Regulations is to protect the public from undue hazards that maybe created by inappropriate land use. The SHM Jamestown Boat Yard is an incompatible use and is recognized as such by the consideration of "Special Use Permits" that have been granted. As the public official charged with enforcing the letter and intent of the Zoning Code it is incumbent on your office to deny this application. Furthermore the continued use of non complaint facilities by SHM Jamestown Boat Yard should be restricted due to the inherently dangerous conditions that exist.

Thank you for your consideration of this request.

Sincerely,

George M. Hutchinson  
4 Ft. Wetherill Rd.  
Jamestown RI 02835

November 18, 2021

Mr. William Moore  
Building & Zoning Official  
Jamestown Zoning Board of Review  
93 Narragansett Avenue  
2<sup>nd</sup> Floor  
Jamestown, RI 02835

Dear Members of the Zoning Board of Review,

As residents of Jamestown and neighbors of the Dumplings, we oppose the zoning request from Safe Harbor Marina /Jamestown Boat Yard. We do not oppose required ADA modifications to comply.

We have spent countless years enjoying the Dumplings neighborhood and have witnessed numerous transfers of ownership. With each transfer, comes the desire to change/expand/increase to "make more money". For decades neighbors and the boatyard have co-existed with the boatyard mindful of the fact their operation was "grandfathered" in a residential neighborhood.

Unfortunately, their past expansions are not enough...they keep wanting more. That's what billion-dollar firms do... when allowed. These expansions provided additional space to service and store more boats, which means more employees, which means more cars, trucks, cranes, and large boat trailers, which in turn attracted Safe Harbor Marina to buy them...Bingo! Now our RD80 neighborhood must contend with endless sounds of power washers, noisy diesel engines, the incessant beeping of machinery in reverse, and the constant hammering and clanking.... dawn to dusk. So here we are again, being asked to "give in" to the boatyard, let them expand, let them create a marina destination that will further increase profits at the expense of compromising our standard of living.

We ask the Zoning board to deny their request for unnecessary expansion and upgrades. We ask Safe Harbor Marina/ Jamestown Boatyard to be a good neighbor and work within the original parameters given. There is much to be said for "less is more".

Respectfully,

Clay and Jeff Boden  
36 Newport Street and 71 Howland Avenue

18 November 2021

William L Moore  
Building and Zoning Official

Town of Jamestown 93 Naragansett Ave Jamestown RI 02835

RE: Application of SHM Jamestown Boat Yard 60 Dumpling Drive

Tax Assessor's Plat 10, Lots 141, 143, 20 Modification to a Special Use Permit... Alteration of a non-conforming use...etc.

Mr. Moore:

As a resident of Jamestown, member of the Dumplings Association, and owner of property at 4 Fort Wetherill Road, I am writing to voice my objections to the SHMJBY permit sited above. The reasons for my objection are many. While I recognize that the specific purview of this application is limited, the history of this facility should be understood and used to inform the zoning boards decisions to the degree possible.

The boat yard was originally built to literally build and service the neighborhood on this end of the island. Yes, it eventually morphed into a small scale independent boat yard but its service was small and still very locally oriented. Nevertheless, some tension and conflict has always existed between the boatyard and the neighbors, as one would expect with an industrial operation within a residential neighborhood.

The ownership previous to the purchase by SHM ended up pushing these boundaries on a number of fronts that included violations of permits and zoning with new buildings and parking. In addition, the CRMC permit for expansion of the boat yards waterfront, including dredging and dock extension provoked litigation against the CRMC decision and is still in process in the court system. This CRMC dispute did not/does not involve the town directly but it "should" have. Over 500 people from town objected and 26 testified against it during the hearings. Support? Maybe a couple. Also, there is at least one current property boundary dispute and there is the possibility of additional

property line disputes. Bottom line is that there is deep resistance to the expansion of this facility and this business for many, many legitimate and local reasons, only some of which I have touched on.

There are also specific zoning issues in question. I am terrible at the technical aspect of researching and presenting these but I believe they include: parking, percentage of lot coverage, setbacks, expansion of nonconforming uses, and ?.

Safe Harbor, a national multibillion dollar corporation that is monopolizing the marina business, wants to expand their JBY facility into a full service marina that attracts transient clients with larger boats. They will naturally want to maximize this operation. Yet the operation is already too large for a grandfathered in, non-conforming, industrial operation in a residential neighborhood. I firmly believe that if the Town of Jamestown considered the scope creep this operation has already enjoyed in the past 15 years as well as the larger ramifications of this expanding operation that it would apply its zoning ordinances in the most conservative manner possible.

Thank you for your consideration in these matters.

Respectfully.

William Hutchinson  
79 Hamilton Ave & 4 Fort Wetherill Rd  
Jamestown.

To the Zoning Board of Review:

We write as owners of 30 Dumpling Drive in Jamestown. Our home is just above the Jamestown Boat Yard and we routinely walk or drive by the boat yard.

It comes as no surprise to families driving around Jamestown that Dumpling Drive and the area adjacent to the boat yard can be quite an active space, especially in the summer. What started out many years ago as a modest boat repair shop has expanded to a much larger operation.

The activity at the boat yard is relentless in the summer. In addition to residents driving through the area, this activity on Dumpling Drive includes parking, both legally and illegally, by some combination of boat yard customers, boat yard workers and visitors. Presently, without further upgrading customer and visitor experience, the boat yard creates intermittent challenges with traffic, congestion and noise. The boatyard already violates the required number of parking spaces required for an operation of that size, and it will only get worse as they plan further expansion. As you know, the boatyard is a non-conforming use in a R80 zone. Over time they have claimed land as their own that is owned by the town, built buildings over the required height, refused to abide by proper parking regulations, and more. Our understanding is that their current lot coverage well above the 20% maximum (we've heard as high as 37%) that it is supposed to meet. With each small change they are adding to that over time. While we have absolutely no objection to the boatyard becoming ADA compliant, we think it can be achieved without some of the additions they are proposing.

Improving traffic flow and reducing noise and congestion is a neighborhood residential priority. A recent announcement that the boat yard intends to expand and upgrade its internal and external amenities and customer offerings has understandably generated neighborhood concern. Are these upgrades going to attract more customer, workers and visitors to this periodically congested area? It's hard to imagine that they would not. It seems as though this additions would be needed for visitors, not merely workers. On their own web site they tout the boatyard amenities for visitors. This sounds to us like they envision this boatyard becoming a destination marina. This was taken directly from their web site:

Safe Harbor Jamestown Boatyard is peacefully nestled among the scenic granite bluffs and gorgeous coastal landscapes of Narragansett Bay's East Passage. Block Island, the Cape, and Newport Harbor are all within easy reach, while a premier marine service facility, first-class amenities, and summer days abundant in lively cookouts, acclaimed music festivals, and thrilling regattas give boaters a truly all-inclusive waterfront experience.

Further down, they list the amenities of the boatyard to include: BBQ grill, community leisure space, complimentary parking, courtesy bikes, dog park, fire pit, kitchenette, lawn games, restrooms, and showers

These are not amenities normal for a boatyard that is merely repairing and storing boats.

This increased traffic and congestion not only impacts the quality of life for boat yard neighbors but it further negatively impacts off-street parking, emergency vehicle access and public safety for pedestrians and cyclists alike. It seems to us that a better path forward would be to organize the boat yard property to better meet the needs of the surrounding residential area before updating, expanding, improving and extending non conforming uses.

As owners of a nearby property we encourage the Board to consider these factors and take whatever measures that it can to reduce, not increase, the burden on residential neighborhoods who live next to a working boat yard which is already straining to avoid further negatively impacting the neighborhood. We ask that it is not lost that what started as a place for Clingstone to launch and store a boat has turned into a very large operation asking to expand further, which they've achieved by slowly asking for relief in small increments over time.

Thank you for considering the issues presented in our letter.

Megan and Michael T Renaud  
30 Dumpling Drive  
Jamestown RI