

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the March 26, 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:

Thomas Ginnerty
Richard Boren
Joseph Logan
David Nardolillo
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 November 27, 2012

A motion was made by Thomas Ginnerty and seconded by Richard Boren to accept the minutes of the November 27, 2012 meeting as presented.

The motion carried by a vote of 5 -0.

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

Richard Allphin, and Judith Bell were not seated and Dean Wagner was absent.

CORRESPONDENCE

Nothing at this time.

NEW BUSINESS

COTTER

A motion was made by Thomas Ginnerty and seconded by Richard Boren to grant the request of Timothy M. Cotter & Holly Cromwell, whose property is located at 29 Seaside Dr., and further identified as Assessor's Plat 14, Lot 15 for a special use permit from Article 3, Section 314 (High groundwater table & impervious layer overlay district) to construct a single family home with an OWTS.

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:

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 R40 zone and contains 13,496 sq. ft.
2. The existing structure shall be demolished.
3. The proposed new structure has 3 bedrooms and contains 2,600 sq. ft. exclusive of the basement and has the same foot print as the demolished structure.
4. The proposal is in compliance with the setback requirements of the town.
5. A well variance granted by DEM, exhibit #6, shall be incorporated by reference and recorded.
6. The rain garden plans, identified as exhibit #7, shall be incorporated and recorded.
7. The Planning Commission memo containing conditions shall be incorporated by reference and recorded (exhibit #4).
8. The right of way shall not be obstructed, and granite monuments shall be installed marking it.
9. No objections were presented.

The motion carried by a vote of 5 -0.

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

Richard Allphin, and Judith Bell were not seated and Dean Wagner was absent.

Knollwood

A motion was made by Thomas Ginnerty and seconded by Richard Boren to continue the request of Knollwood Building Corp. & Donna M. Perry to the May 28, 2013 meeting and that we remand the application to Planning and Mike Gray with notice to abutters.

The motion carried by a vote of 5 -0.

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

Richard Allphin, and Judith Bell were not seated and Dean Wagner was absent.

Solicitor's Report

Nothing at this time.

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to adjourn and to go into executive session at 8:30 p.m.

The motion carried by a vote of 5 -0.

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

Richard Allphin, and Judith Bell were not seated and Dean Wagner was absent.

EXECUTIVE SESSION

Present: Thomas Ginnerty
Joseph Logan
David Nardolillo
Richard Cribb
Richard Allphin
Judith Bell

Also present: Pat Westall, Zoning Clerk
Wyatt Brochu, Counsel

Pursuant to RIGL 42-46-5 (a) (2) Litigation (Tarbox v Zoning Board of Review of Jamestown Decision) was discussed

No vote was taken.

A motion to adjourn from executive session was made by Thomas Ginnerty and seconded by Richard Allphin at 8:43

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Joseph Logan, David Nardolillo, Richard Cribb, and Richard Allphin voted in favor of the motion.

Judith Bell was not seated and Richard Boren and Dean Wagner were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:45 p.m.

The motion carried unanimously.