

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the September 27, 2022 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  
Dean Wagner, Vice-chair  
James King, Member  
Jane Bentley, Member  
Judith Bell, 1<sup>st</sup> Alternate  
John Shekarchi, 2<sup>nd</sup> Alternate

Also present: Wyatt Brochu, Counsel  
Brenda Hanna, Stenographer  
Pat Westall, Zoning Clerk

MINUTES

Minutes of August 23, 2022

A motion was made by James King and seconded by Jane Bentley to accept the minutes of the August 23, 2022 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, James King, Jane Bentley, Judith Bell and John Shekarchi voted in favor of the motion.

Dean Wagner was not seated and Terence Livingston was absent.

CORRESPONDENCE

An e-mail stating that the Carlson application will be withdrawn from Mark Liberati, Esq. their attorney.

All other correspondence received was in reference to agenda items.

OLD BUSINESS

McGivney

The McGivney decision could not be acted on because there was not a quorum for this matter.

A motion was made by Richard Boren and seconded by Dean Wagner to continue the application of Mark & Betty Lou McGivney to the Oct. 25, 2022 meeting for the decision only.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, James King, Jane Bentley and Judith Bell voted in favor of the motion.

John Shekarchi was not seated and Terence Livingston was absent.

CYC

A motion was made by Richard Boren and seconded by James King to grant the request of Conanicut Yacht Club whose property is located at 24 Whittier Rd., and further identified as Assessor's Plat 8, Lot 352 for a variance from Article 3, Section 82-312, Lighting, Article 6, 82-605, 606, & 607 to the installation of new paddle court pole lighting system at a height of 23 feet instead of the required 15 feet.

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 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 R20 zone and contains 2.32 acres.
2. The paddle courts were built approximately 24 years ago.
3. The present lighting is antiquated.

4. The present lighting can't be replaced.
5. The present lighting consists of 8-foot fluorescent tubes that are light polluters.
6. The paddle courts are used from October to April each year.
7. The courts shut off by timers at 9:00 pm.
8. The present lighting system is obsolete.
9. Replacement diffusers are no longer available.
10. The first option of replacing the current lighting system with LED lights will not reduce the light pollution into the neighbor's yard.
11. Based upon the credible testimony of Charles Beale, Commodore of CYC and a paddle tennis player, and Raymond Russell a senior sales professional in the lighting industry, the replacement of the lighting system with 23-foot poles with LED lights is the least relief necessary.
12. The new system will decrease light pollution by about 50%.
13. 20 feet above the playing surface is industry standard (23 feet above grade).
14. Any lower will interfere with play.
15. Two neighbors testified that the new lighting system will be an improvement in reducing light pollution.

The motion carried by a vote of 5 -0.

Richard Boren, James King, Jane Bentley, Judith Bell and John Shekarchi voted in favor of the motion.

Dean Wagner recused and Terence Livingston was absent.

#### New Business

#### Clancy

A motion was made by Dean Wagner and seconded by Jane Bentley to grant the request of David and Jennifer Clancy whose property is located at 382 North Main Road, Jamestown, Rhode Island, and further identified as Tax Assessor's Plat 7, Lot 22 for a variance from Article 3, Section 82-302 entitled " District Dimensional Regulations", Table 3-2 and Article 6, Section 82-605 entitled " Variances Authorized By This Ordinance" to construct an addition to an existing dwelling which adds storage space, a bedroom and bath 2.2 feet from the westerly property line along North Main Road (fifty feet required) and 36.4 feet from the southerly property line (40 feet required).

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 R200 zone and contains 65,340 sq. ft.
2. On June 22, 2021 this Board granted the applicants request for variances to construct an addition to an existing dwelling located 5 feet from the westerly property line along North Road and 38 feet from the southerly property line/
3. The Boards decision dated June 22, 2021 is incorporated herein by reference. The restrictions/conditions of the June 22, 2021 decision are incorporated herein by reference.
4. Prior to construction the applicant had a survey done which revealed that the existing dwelling was actually 2.2 feet from the westerly property line (not 5 feet) and 36.4 feet from the southerly property line (not 38 feet).
5. The Jamestown Historical Society has reviewed the new survey and indicated that the variance request is a technical correction of the lot dimensions in the earlier variance and does not change in any way the dimensional or visual relationship between the windmill and the new structure.
6. No one has objected to the application.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, James King, Jane Bentley and Judith Bell voted in favor of the motion.

John Shekarchi was not seated and Terence Livingston was absent.

ADJOURNMENT

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