

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the May 24, 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, 1st Alternate
Alex Finkelman, 3rd Alternate

Also present: William L. Moore, Zoning Officer
Roberta Fagen, Town Clerk
Peter Ruggiero, Counsel (via zoom)
Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk

MINUTES

Minutes of April 26, 2022

A motion was made by Jane Bentley and seconded by Dean Wagner to accept the minutes of the April 26, 2022 meeting as presented.

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.

Alex Finkelman was not seated and Terence Livingston and John Shekarchi were absent.

CORRESPONDENCE

All correspondence was in reference to items on the agenda.

NEW BUSINESS

CYC

CYC Commodore Charles Beal requested a continuance of the CYC variance application as an essential witness was not available tonight and CYC is in communications with some of the neighbors addressing their concerns.

A motion was made by James King and seconded by Judith Bell to continue the application of CYC to the July 26, 2022 meeting at their request.

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.

Alex Finkelman was not seated and Terence Livingston and John Shekarchi were absent.

WELCH

A motion was made by Dean Wagner and seconded by Judith Bell to grant the request of John Welch whose property is located at 11 Bay View Drive North, and is further identified as Tax Assessor's Plat 1, Lot 221 for a Variance from Article 3, Section 82-302 entitled "District Dimensional Regulations", Table 3-2 for RR 80 District, and Article 6, Section 82-605 et seq. entitled "Variances Authorized by this Ordinance" to build a single family residence where a front setback of 17.8 feet is proposed and 40 feet is required, and where a side setback of 13.8 feet is proposed and 30 feet is required. And a Special Use Permit and/or Variance is also requested under Article 3, Section 82-314 entitled "High Groundwater and Impervious Layer Overlay District" for development in Subdistrict A and Article 6, Section 82-601 et seq. entitled "Special Use Permits Authorized by this Ordinance" and Article 6, Section 82-605 et seq. entitled "Variances Authorized by this Ordinance".

Regarding this request, this Board has determined that this application does satisfy the requirements of Article 6, Section 600

Regarding the request for a Variance, this Board has determined that this application does satisfy the requirements of Article 6, Section 606, Paragraphs 1 through 4, and Section 607, Paragraph 2.

Regarding the request for a Special Use Permit, this Board has determined that this application does satisfy the requirements of Article 6, Section 602.

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 an R-80 zone and contains only 10,866 square feet.
2. The existing house will be razed and replaced with a new house in substantially the same location.
3. The existing obsolete septic system will be replaced with a new advanced treatment system.
4. The well will be relocated to provide 100-foot separation from existing and proposed septic systems.
5. The footprint of the new house will exceed the footprint of the old house by only 99 square feet but will be cantilevered and elevated to allow stormwater to infiltrate below it.
6. The side setback is improved by increasing its separation by one foot.
7. The impervious coverage is being improved by reducing the property's impervious surfaces.
8. The applicant is reducing storm water runoff.
9. The "proposed conditions" and "recommended conditions of approval" set forth in the Planning Memorandum dated April 8, 2022 are adopted and incorporated as conditions of the decision with one exception: "Proposed Condition" No. 4 is modified to state that all four (4) of the existing sheds will be removed as a condition of this approval.
10. The Planning Commission voted unanimously to recommend approval of 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.

Alex Finkelman was not seated and Terence Livingston and John Shekarchi were absent.

CORREDORA

A motion was made by Jane Bentley and seconded by James King to grant the request of Lino & Mildred S. Corredora whose property is located at 86 Stern St., and is further identified as Assessor's Plat 14, Lot 80 for a special use permit under Article 3, Section 82-314 entitled "High Groundwater and Impervious Layer Overlay District" for development in Subdistrict A and Article 6, Section 82-601 et seq. entitled "Special Use Permits Authorized by this Ordinance.

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:

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 an R40 zone and contains 14,400 sq. ft.
2. It is a double lot in the Jamestown Shores.
3. The existing building is a two-story house 37' wide x 26' deep.
4. The proposal is to build a 24' x 24' garage which is a fairly standard size garage.
5. The property is 14,400 sq. ft.
6. The Planning Commission unanimously voted to approve the application.
7. The Zoning Board incorporates all the recommended conditions from the Planning Commission.
8. It is in compliance with all setbacks.
9. 3 people testified to certain concerns about the use of the garage.
10. 13% pervious is allowed and it is a little over 11% (576 sq. ft.).
11. No plumbing or water will be in the garage.

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.

Alex Finkelman was not seated and Terence Livingston and John Shekarchi were absent.

BELSHAW

A motion was made by James King and seconded by Dean Wagner to grant the request of Samuel and Carol Belshaw whose property is located at 9 Brig Avenue, and further identified as Tax Assessor's Plat 16, Lot 49 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 28.4 feet where 40 feet is required and the existing setback is 28.4 feet. Said relief is requested in order to remodel and reconstruct the property.

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 R-40 zone and contains 23,040 square feet.
2. The septic system was inspected by Ken Boyer a licensed inspector on 1-18-22 and found to be in good working order.
3. The property does not qualify for jurisdiction under the HGW Sub Sec. A as it is to be considered a renovation.

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.

Alex Finkelman was not seated and Terence Livingston and John Shekarchi were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:55 p.m.
The motion carried unanimously.