

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the June 28, 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  
Terence Livingston, Member  
James King, Member  
Jane Bentley, Member  
Judith Bell, 1<sup>st</sup> Alternate  
Alex Finkelman, 3<sup>rd</sup> Alternate

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

MINUTES

Minutes of May 24, 2022

A motion was made by Jane Bentley and seconded by Judith Bell to accept the minutes of the May 24, 2022 meeting as presented.

The motion carried by a vote of 5 -0.

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

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

CORRESPONDENCE

A request for a one-year extension of a previously granted variance, granted July 27, 2021, 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. Said property is located in a R-40 zone and contains 24,851 square feet.

A motion was made by Terence Livingston and seconded by Jane Bentley to grant the request for a one-year extension of James and Amber King.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Jane Bentley, Judith Bell and Alex Finkelman voted in favor of the motion.

James King was recused and Dean Wagner and John Shekarchi were absent.

#### We Dig

A request from John O. Mancini, Esq. representing We Dig to withdraw the application. He stated that the plans have been changed and they may not need a variance.

The Board accepted the request to withdraw the application of We Dig without prejudice.

#### NEW BUSINESS

##### Knowles

A motion was made by Terence Livingston and seconded by James King to grant the request of Alexander B & Linda D. Knowles, whose property is located at 108 Southwest Ave., and further identified as Assessor's Plat 9, Lot 26 for a variance from Article 3, Section 82-302, Table 3-2 (District Dimensional Regulations) and Sec. 82-605/606 and 82-705 to replace an existing outbuilding that will utilize the same north side setback of 2 ft. where 10' is required. The new structure will increase the square footage from 264 sq. ft. to 528 sq. ft.

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(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 R20 zone and contains 87,700 sq. ft.
2. The applicant proposes to increase the square footage of a non-conforming structure from 264 sq. ft. to 528 sq. ft.
3. The structure will be built to add 12 feet to the south side.
4. The north side of the structure is currently 2 feet from side setback, where 10 ft. is required.
5. The structure will be 4 feet higher than currently.
6. If the structure was moved 8 feet more off the north side setback it would not be in line with the current driveway and would require cutting down at least one mature tree.
7. The building goes higher for esthetic reasons.
8. One person testified in favor of the applicants and none against.
9. One person, Mike O'Neil, had concerns regarding workers on his property during construction.

The motion carried by a vote of 5 -0.

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

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

### Pendlebury

A motion was made by James King and seconded by Terence Livingston to grant the request of Susan & Duncan Pendlebury, whose property is located at 56 Wright Lane, and further identified as Assessor's Plat 4, Lot 143 for a variance from Article 3, Section 82-302, Table 3-2 (District Dimensional Regulations) to 38.5 ft. front yard for existing building where 40 ft. is required of extension of existing accessory structure as per 82-605, 606 and 82-705.

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(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 RR80 zone and contains 80,074 sq. ft.
2. The accessory will be changed to an accessory family dwelling unit.
3. There were no objectors.
4. The stepson is the occupant of the accessory family dwelling unit.

The motion carried by a vote of 5 -0.

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

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

#### Carlson

Testimony was heard and the Chairman stated that revisions may be made to the Zoning Ordinance that would allow dog grooming in this zone.

A motion was made by Terence Livingston and seconded by Jane Bentley to continue the appeal of Laura Carlson to the August 23, 2022 meeting at the request of her attorney Mark Liberati.

The motion carried by a vote of 5 -0.

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

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

#### ADJOURNMENT

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