

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the December 20, 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 7:05 p.m. The clerk called the roll and noted the following members present:

Richard Boren, Chair
James King, Member
Jane Bentley, Member
Judith Bell, 1st Alternate
John Shekarchi, 2nd Alternate

Also present: Peter Medeiros, Zoning Officer
Peter Ruggiero, Counsel
Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk

MINUTES

Minutes of November 15, 2022

A motion was made by James King and seconded by Jane Bentley to accept the minutes of the Nov. 15, 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 and Terence Livingston were absent.

CORRESPONDENCE

An e-mail from Christian Infantolino dated 12/6/22 requesting to continue the application of 35 Sloop St. to the January 24, 2023 meeting.

35 Sloop St.

A motion was made by Judith Bell and seconded by John Shekarchi to continue the application of 35 Sloop Street to the January 24, 2023 meeting at their request.

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 and Terence Livingston were absent.

All other correspondence received was in reference to agenda items.

NEW BUSINESS

Ross Appeal

There was discussion by both the applicant's attorney and the Board.

A straw vote was taken that would overturn the zoning officer's opinion.

Richard Boren will write a decision and send it out. This will allow the applicant to proceed in January.

Tracey

A motion was made by John Shekarchi and seconded by James King to grant the request of William Tracey whose property is located at 15 Fowler Street, and further identified as Tax Assessor's Plat 8, Lot 467 for a dimensional relief granted under Article 6, Section 82-600, 605, 606, and 607 for relief from section 82-302, Table 3-2, District Dimensional Regulations for the CL Zoning District of the zoning ordinance. The Applicant seeks to preserve the existing structure and maintain the side-yard setback of 4.9 feet where 6 feet is required as the existing structure is currently located at 4.9 feet from the setback.

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 CL zone and contains 10,000 square feet.
2. The applicant has satisfied all the relevant burdens as created under case law precedent, the relevant state statutes and required under the Jamestown Zoning Ordinance.
3. The applicant desires to maintain the 1920s farm house feel and incorporate it into the proposed structure.
4. The condition of approval as recommended by the Planning Board are hereby incorporated by reference and are made a condition of this approval. Said recommendation is dated 10-26-22.
5. No one spoke in opposition
6. One abutter only asked for clarification.
7. Based on the testimony presented the Board has concluded that the relief requested was the "least relief necessary".

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 and Terence Livingston were absent.

Schnelle

A motion was made by Jane Bentley and seconded by Judith Bell to grant the request of James Schnelle whose property is located at 27 Topmast Ct., and further identified as Assessor's Plat 3, Lot 525 for a variance from Art. 3, Sec. 82-302 Table 3-2, to site an 8' x 12' shed inside a fenced backyard 180 ft. from the lot frontage and 8-10 ft. (20 ft. required) from the lot's east side in order to not remove a tree in the lot's backyard.

This Board has determined that this application does satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

In particular reference to Article 6, Sections 82-600, 605, 606 and 607.

This motion is based on the following findings of fact:

1. Said property is located in a RR80 zone and contains 1.94 acres.
2. The variance is requested to avoid removing a tree from the yard.
3. The neighbor sent correspondence approving of the application.
4. The shed is 180 feet from the front and 8-10 feet from the side.
5. The only reason for the variance is the removal of a tree.

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 and Terence Livingston were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:30 p.m.
The motion carried unanimously.