

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the March 28, 2023 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 7:04 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
John Shekarchi, 2nd Alternate
James Sisson, 3rd Alternate

Also present:

Wyatt Brochu, Counsel
Peter Medeiros, Zoning Officer
Brenda Hanna, Stenographer
Pat Westall, Clerk

The Chair welcomed new member of the Board James Sisson.

MINUTES

Minutes of February 28, 2023

A motion was made by James King and seconded by Dean Wagner to accept the minutes of the February 28, 2023 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.

John Shekarchi and James Sisson were not seated. Terence Livingston was absent.

CORRESPONDENCE

All correspondence was in reference to items on the agenda.

OLD BUSINESS

Knowles

A motion was made by James King and seconded by Dean Wagner to grant the request of Alexander and Linda Knowles, whose property is located at 108 Southwest Ave., and further identified as Assessor's Plat 9, Lot 26, seek to construct an outbuilding with a 20'3" roof height. A height of 20'3" meets the requirements of Article 3, Section 82-302, Table 3-2 of the Revised Code of Ordinances for the Town of Jamestown, as that ordinance applies to properties designated in R20.

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. The owner is trying to make the building more aesthetically pleasing and more resemble the primary structure on the property.
2. There were no objectors.
3. The Zoning Board had previously approved the same structure with a lower roof line.
4. The building height is still within the zoning regulations.
5. The building is to be used as a shop/garage and will not be permitted to be converted into an accessory residential structure/building at any time in the future.

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 and James Sisson were not seated. Terence Livingston was absent.

Harvey

A motion was made by Jane Bentley and seconded by Judith Bell to grant the request of Wendy Warner Harvey whose property is located at 4 Fowler St., and further identified as Assessor's Plat 8, Lot 409 for a variance from Article 3, Section 82-302, District Dimensional Regulations, to construct a new single- family residence that is 17 feet from the rear lot line instead of the required 30 feet and whose footprint represents 35% lot coverage instead of the required 30%.

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 R8 zone and contains 4225 sq. ft.
2. The proposed conditions plan shows that the footprint is being increased to 1399 sq. ft. with a total lot coverage of 33.1 % where 30% is required.
3. Three people spoke in favor of the plans- Dorothy Delessio, Theresa Littlefield, and Deborah Homer.
4. The north side is 11.6 feet from the side, the rear is 22 feet, and the south is 15 feet.
5. This property is located at Plat 8, Lot 409, 4 Fowler Street.
6. The Board accepts this plan and must be followed as approved.
7. The architect, Mr. Barzin testified that these plans were the least relief necessary.

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 and James Sisson were not seated. Terence Livingston was absent.

NEW BUSINESS

Sanborn

A motion was made by Dean Wagner and seconded by James King to continue the request of Mary Lou Sanborn to the April 25, 2023 meeting at the request of her attorney.

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 and James Sisson were not seated. Terence Livingston was absent.

Chew

A motion was made by Jane Bentley and seconded by Dean Wagner to continue the request of Franklyn Y. Chew to the April 25, 2023 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.

John Shekarchi and James Sisson were not seated. Terence Livingston was absent.

Our Table

A motion was made by Richard Boren and seconded by Dean Wagner to grant the request of Our Table, LLC which subject property is located at 53 Narragansett Avenue, and further identified as Tax Assessor's Plat 9, Lot 207 for a Special Use Permit granted under Article 6 Section 82-600 and 602, pursuant to Article 3 Section 82-301, Uses and Districts, Table 3-1 Permitted Uses, section VI.C.3, Lunchroom or Restaurant serving alcohol. This application also seeks a dimensional variance granted under Article 6 Section 82-600, 605, and 606 from Article 12 Section 82-1203, Minimum Off Street Parking, where the entire site will require 33 parking spaces and there are 25 parking spaces available.

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(s):

1. The lines for each parking space within the lot be clearly delineated and demarcated.
2. Jersey Barriers, whether concrete or sand enclosed, be set within each planter.
3. The 2 spaces between spaces 5 and 4 remain open, except for bicycle parking.
4. The conditions of approval set forth in the 2/16/23 memorandum of the Town Planner is incorporated by reference as if set forth in full.
5. To the extent that the 8/24/21 Zoning Board decision is not inconsistent with this decision (i.e. no outdoor dining) the decision shall remain in full force and effect.

This motion is based on the following findings of fact:

1. The subject property is located in a CD zone.
2. Christopher Arno, architect credibly testified that the travel aisle in the parking lot meets the zoning ordinance requirement of 23 feet.
3. The 25 parking spaces available are sufficient.
4. 2 parking spaces will be eliminated to provide space for 5 tables, each sitting 4 seats.
5. The concerns were concentrated on the parking available in Town.

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 and James Sisson were not seated. Terence Livingston was absent.

Johnson

A motion was made by Dean Wagner and seconded by Richard Boren to grant the request of Richard C Johnson and Sandra D Johnson whose property is located at 36 High St Jamestown RI 02835, and further identified as Tax Assessor's Plat 9, Lot 287 for a Variance from Article 3, Section 82-302. Table 32. To construct a carriage style 3 car garage located 11 ft. from the front lot line instead of the 20 ft minimum plus building setback requirement. Article 3 Section 82-311, to build a garage which is 40 sq. ft. (940 sq. ft.) larger than the size specification and Article 6 Sec 82-605, 606, 607.

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 R8 zone and contains 0.7577 acres.
2. This Board previously approved a very similar application in 2021.
3. There is a stream located in the rear of the property and because of the topology of the lot there is no other place for the garage.
4. The neighbor to the west who is the closest to the proposed garage supports the application.
5. There were no objectors.

The motion carried by a vote of 5 – 0.

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

James King recused himself, James Sisson was not seated and Terence Livingston was absent.

Rallis

A motion was made by Judith Bell and seconded by James King to grant the request of John G. Rallis Trustee of the John G. Rallis Revocable Living Trust and Sharon F. Rallis Trustee of the Sharon F. Rallis Revocable Living Trust of 86 Blueberry Lane, Jamestown, RI 02835 Platt # 12, Lot 61 request a variance from Article 3, section 82, 302 of Table 3-2 of Article 3 Application of District Regulations to Section 82-302 District Dimensional Regulations Table 3-2. Applicants desire to construct a walkway 43 feet by 4 feet along the rear (North) section of the existing structure that will connect the existing deck to a stairway leading to the new proposed garage (which falls within the required setback) and to add a small section (approximately 20 sq. ft.) that will connect existing dwelling to the new garage. Both the walkway and stairs will be 25.8 feet from the rear lot line. The new small section of the building (20 sq. ft.) will not extend beyond

the existing rear of the dwelling, which is a legal non-conforming structure. The required rear lot restriction is 40 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 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. Property is zoned RR-80. Total square footage of lot is 23,540 square feet.
2. The variance requested is technically an alteration of a non-conforming use.
3. The impervious lot coverage is decreased by 475 sq. ft.
4. The proposed walkway will allow access from an existing deck and rear entrance to a new garage as well as allowing emergency egress.

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 and James Sisson were not seated. Terence Livingston was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 9:25 p.m.
The motion carried unanimously.