

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the April 25, 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 7:00 p.m. The clerk called the roll and noted the following members present:

Richard Boren, Chair
Dean Wagner, Vice-Chair
Terence Livingston, Member
James King, Member
Jane Bentley, Member
Judith Bell, 1st Alternate
James Sisson, 3rd Alternate

Also present:

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

MINUTES

Minutes of March 28, 2023

A motion was made by Jane Bentley and seconded by James King to accept the minutes of the March 28, 2023 meeting as presented.

The motion carried by a vote of 5 – 0.

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

Judith Bell and James Sisson were not seated and John Shekarchi was absent.

CORRESPONDENCE

All correspondence was in reference to items on the agenda.

NEW BUSINESS

Sanborn

After testimony was completed the request of Mary Lou Sanborn was continued to the May 23, 2023 meeting for a reading of a written decision.

Chew

A motion was made by Jane Bentley and seconded by Terence Livingston to grant the request of Franklyn Y. Chew and Gwendolyn M. Lupinek whose property is located at 6 Middle Street, Jamestown, RI, and further identified as Tax Assessor's Plat 1, Lot 331 for Variances from Article 82, Section 302 and 314 and a Special Use Permit granted under Article 6, Special Use Permits and Variances, Section 600 and 602. Property located in RR-80 Zone. Lot consists of 17,889 sq. ft. This application is made pursuant to the provisions of Section 82-314, High Groundwater Table and Impervious Overlay District. The Applicant seeks to construct a dwelling to replace the existing dwelling. Variances needed for Front Setback 25' requested where 40' required; Side Yard Setback (west) 19.7' requested where 30' required; Rear Setback (north) 32.2' requested where 40' required; and lot coverage 11.17% requested where 8% required. Special Use permit needed for High Groundwater Table and Impervious Overlay District – Subdistrict "A".

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(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 variance is for 11.17% where the maximum is 8%.
2. The home has a number of issues and needs to be demolished to be able to build a new home.
3. The relief is necessary due to the constraints of the lot.
4. The home will need approval of CRMC before the house can be built.

The motion carried by a vote of 5 – 0.

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

James King and James Sisson were not seated and John Shekarchi was absent.

Wynn

A motion was made by Terence Livingston and seconded by Dean Wagner to grant the request of Scott W. Wynn and Susan H. Wynn, whose property is located at 71 Carr Lane (& 73), and further identified as Assessor's Plat 4, Lot 32 for a Special Use Permit pursuant to Article 7, Section 82-705, Alteration of Nonconforming Structure and Article 3, Section 82-303, Number of Residential Structures per lot. The applicants seek to add a 1,240 square foot addition to the rear of 73 Carr Lane consisting of a main bedroom, main bathroom, family room, finished basement and a swimming pool. The solitary relief sought with respect to the proposed addition and swimming pool is to allow the continued use of the property with two residences. The 2nd building, the cottage, has always been a year-round rental. This said property is in a RR200 zone and contains 80,586 square feet. All of the structures on this property, including the proposed addition and the swimming pool, are within all of the required setbacks and do not require a dimensional variance.

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):

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. This said property is in a RR200 zone and contains 80,586 square feet.
2. The applicant proposes to continue the same use of the property that is 2 houses.
3. That one property is 73 Carr Lane.
4. The proposal is to increase the property by 1204 sq. ft. to make it more livable and conventional.
5. That there are other properties on Carr Lane that have multiple houses, namely 91 Carr Lane and 63 Carr Lane.
6. The property is 2 acres in total.
7. That the other house on the lot is listed as 71 Carr Lane.
8. That the proposal is to build a living room and bedroom.
9. The alterations to the house will be built entirely within the setbacks, therefore no dimensional variance will be needed.

The motion carried by a vote of 5 – 0.

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

James King and James Sisson were not seated and John Shekarchi was absent.

TPG Marinas

After testimony was completed Christian Infantolino, attorney for the applicant, requested that the application be withdrawn without prejudice.

A motion was made by Dean Wagner and seconded by Richard Boren to accept the withdrawal of TPG Marinas without prejudice.

The motion carried by a vote of 3 – 2.

Richard Boren, Dean Wagner, and Terence Livingston voted in favor of the motion.

Jane Bentley and Judith Bell voted against the motion.

James King was recused; James Sisson was not seated and John Shekarchi was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 9:50 p.m.
The motion carried unanimously.