

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the June 27, 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
James King, Member
Jane Bentley, Member
James Sisson, 3rd Alternate

Also present:

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

MINUTES

Minutes of May 23, 2023

A motion was made by Jane Bentley and seconded by Dean Wagner to accept the minutes of the May 23, 2023 meeting as presented.

The motion carried by a vote of 4 – 0.

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

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

CORRESPONDENCE

A letter from Christian Infantolino, Esq. requesting a one-year extension of a previously granted variance, granted July 27, 2021, of James and Amber King.

A motion was made by Dean Wagner and seconded by Jane Bentley to grant the request of 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.

The motion carried by a vote of 4 – 0.

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

James King was recused. Terence Livingston and John Shekarchi were absent.

NEW BUSINESS

Zainyeh

A motion was made by Jane Bentley and seconded by James King to grant the request of George A. Zainyeh and Ann M. Zainyeh whose property is located at 433 Seaside Drive, Jamestown, RI, and further identified as Tax Assessor's Plat 3, Lot 127 for a Variance from Article 3, Section 82-314, High Groundwater Table and Impervious Overlay District, Sub District B, to construct two small additions to the existing home. As part of this work, the existing main house entry and rear porch/second story deck will be removed, and an existing impervious patio will be converted to a pervious patio. No increase in impervious coverage is proposed, however the existing impervious coverage exceeds the 15% allowable impervious cover, and a variance is required.

This Board has determined that this application does satisfy the requirements of Article 6, Section 600, 606, & 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.

The recommended conditions from the Planning Commission are incorporated and made part of the approval.

This motion is based on the following findings of fact:

1. Said property is located in a R-40 zone and contains 15,262 square feet.
2. The proposed impervious cover on the site is 3935 (26.6%).
3. The overall percentage is unchanged.
4. No additional bedrooms are allowed.
5. Maintenance & inspection of the existing OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance.
6. The Planning Commission unanimously approved the plans.
7. Jean Lambert, the Town Engineer, approved the application.
8. Subdistrict "B" is the location.

The motion carried by a vote of 4 – 0.

Richard Boren, James King, Jane Bentley and James Sisson voted in favor of the motion.

Dean Wagner was recused. Terence Livingston and John Shekarchi were absent.

Brooks

A motion was made by James Sisson and seconded by Jane Bentley to grant the request of Brooks, William Matthews Trustee whose property is located at 16 Walnut St., and further identified as Tax Assessor's Plat 10, Lot 46 for Variance/Special Use Permit from Article 3, Section 82-302, District dimensional regulations, the structure is existing non-conforming regarding front setbacks along Walnut St, (40' required, 32' – 2" existing), to renovate existing house on property, add full width front porch providing a 47'- 7" front setback (40' req'd) and 105' side setback (30' req'd), enlarge later addition to south of house providing a 43'-5" front setback (40' req'd) and side setback of 83'-1" (30' req'd), construct new garage providing 50'9" front setback (40' req'd) and side setback of 20'-3" (20' req'd) & create raised patio off west sun porch The new max roof ridge height is proposed at 34'-11" (max height 35'). With proposed additions and new construction, the lot coverage will increase from 2,145sf (2.1%) to 5,865sf (5.9%), lot coverage allowed is 20%.

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 RR-80 zone and contains 99,270 square feet.
2. There were no objectors.
3. The house was built in the 30's. The aim is to keep the character of the house requiring restoration and renovation, adding an elevator and modernizing.
4. The existing nonconforming portion of the house will remain unchanged.
5. Additions to the main house and construction of the garage will meet all zoning requirements.

The motion carried by a vote of 4 – 0.

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

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

Aquino

A motion was made by Dean Wagner and seconded by Jane Bentley to grant the request of John Aquino (Aquino John G Trustee, Owner) whose property is located at 74 Seaside Dr, Jamestown RI 02835, and further identified as Tax Assessor's Plat 14, Lot 27 for a Variance from Article 3, Section 82-302, District Dimensional Regulations, Table 3-2 for R-40 Zoning District allowing for a front setback of 26.9 feet where 40 feet is required and a corner side setback of 19.2 feet where 30 feet is required, and

from Article 2, Section 82-314, High Groundwater Table and Impervious Overlay District, Paragraph C, a Special Use Permit to construct a new dwelling on an existing foundation.

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.

The findings of fact and conditions of approval are hereby incorporated herein and are made conditions of approval of this Board.

This motion is based on the following findings of fact:

1. The property consists of a large lot over 29,000 sq. ft. in area.
2. The existing house was built in 1962 and is 600 sq. ft.
3. The existing house will be demolished and the new house will be built on the existing foundation and the new house will add a roof top over the rear porch.
4. The existing paved driveway will be removed and replaced with a pervious crushed stone driveway.
5. Town Engineer, Jean Lambert, found that the proposed project complies with the requirements of the Highwater Ordinance.
6. There were no objectors.
7. The Planning Commission voted unanimously to recommend approval.

The motion carried by a vote of 4 – 0.

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

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

ADJOURNMENT

A motion was made and seconded to adjourn at 8:00 p.m.
The motion carried unanimously.

