

received
6-28-24 pw

Notice of Hearing

Application of Steve and Jamie Munger whose property is located at 230 Conanicus Avenue, and for the appeal of a decision made by the zoning officer pursuant to Article 4, General Administration and Enforcement, Section 82-408, Appeal of a decision of the zoning enforcement officer. The applicant is aggrieved by the arbitrary and capricious decision made by the zoning officer who has decided NOT to enforce the conditions to the Special Use Permit granted to the Town of Jamestown by the Jamestown Zoning Board on March 27, 2019 for the property located at 245 Conanicus Avenue, Jamestown, RI 02835.

216 ASSOCIATES LLC
C/O WM CORBIN & ANN STRAT
216 CONANICUS AVENUE
JAMESTOWN, RI 02835-1523

CONANICUT VENTURES LLC
1366 HARBOR DRIVE
SARASOTA, FL 34239

HWANG ALAN ET UX
POTTER EMILY TE
70 WHITTIER ROAD
JAMESTOWN, RI 02835

ANDERSEN JAMES A ET
ANDERSEN LISA KASABIAN
55 WHITTIER ROAD
JAMESTOWN, RI 02835

CONANICUT YACHT CLUB
PO BOX 257
JAMESTOWN, RI 02835

KLAIMITZ LENI S ET
BERG MITCHELL L
983 PARK AVENUE APT 15D
NEW YORK, NY 10028

ANDRADE LEONEL F ET
ANDRADE MARIA L
135 NORTH RD
JAMESTOWN, RI 02835

DAVIS HELEN A
82 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

LAMAN ROBERT E ET
LAMAM DAWN M TRUSTEES
224 CONANICUS AVENUE
JAMESTOWN, RI 02835

APEL WOLFGANG A ET
SHELLY COLLEEN E TE
33 WHITTIER ROAD
JAMESTOWN, RI 02835

DRAKE JED G
49 WHITTIER ROAD
JAMESTOWN, RI 02835

MAPLE CREEK LLC
ROBERT E DUPRE JR
334 BROADWAY
PROVIDENCE, RI 02909

AUDUBON SOCIETY OF R I
12 SANDERSON ROAD
SMITHFIELD, RI 02917

FLICKINGER THOMAS TRUSTEE
674 GARLAND AVENUE
WINNETKA, IL 60093

MILLER ELMON ADAMS III ET
MILLER JANE D TE
1937 NORWOOD AVENUE
BOULDER, CO 80304

BARBERS CHARLES V TRUSTE
1683 JOHNSON RD N E
ATLANTA, GA 30306-3148

FREEBODY LLC
102 COLE STREET
JAMESTOWN, RI 02835

MISTOWSKI JOSEPH P ET
MISTOWSKI HARRIET L
265 CONANICUS AVE
JAMESTOWN, RI 02835

BEER GARY MILES
31 CALVERT PLACE
JAMESTOWN, RI 02835

GALANIN NATALIA M
GAITHER IV HORACE ROWAN T
60 EAST 96TH ST #12D
NEW YORK, NY 10128

MONTOYA ERNEST M & KAREN
60 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

BENTLEY JANE LEWIS TRUSTE
70 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

GOLDSTEIN LAURA ANNE CRES
35 CALVERT PLACE
JAMESTOWN, RI 02835

MORIARTY MATTHEW J ET UX
MORIARTY LAUREN M TE
2 WESTWIND DRIVE
JAMESTOWN, RI 02835

CHAPIN JOANNA TRUSTEE
FARRELL AMOS R TRUSTEE
75 WHITTER ROAD
JAMESTOWN, RI 02835

GOLDSTEIN LAURA ANNE CRES
C/O TOWN OF JAMESTOWN
PO BOX 377
JAMESTOWN, RI 02835

MULVEY MARTHA C & KENNETH
94 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835-1470

CLIFFORD JOSEPH C TRUSTE
CLIFFORD FAMILY TRUST
41 CALVERT PLACE
JAMESTOWN, RI 02835

HORTON JOHN G (LE)
HORTON EDWARD S ET
CAMERON MARY KIRTLEY
P O BOX 561
JAMESTOWN, RI 02835

MUNGER STEVEN S & JAMIE L
230 CONANICUS AVENUE 2
JAMESTOWN, RI 02835

ORILLAC MANUEL A ET
ORILLAC MARY R
45 E 82ND STREET
NEW YORK, NY 10028

SHULL JENNIFER B ET
SHULL JUSTIN L TE
78 WHITTIER ROAD
JAMESTOWN, RI 02835

VIEIRA LISA ANN
105 NORTH ROAD
JAMESTOWN, RI 02835

PAOLINO KATE VIEIRA
101 NORTH ROAD
JAMESTOWN, RI 02835

SNYDER MARLENE D TRUSTEE
C/O MELISSA DEAN
60 SUSAN DRIVE
WESTFIELD, MA 01085

VIEIRA PATRICK WILLIAM &
115 NORTH ROAD
JAMESTOWN, RI 02835

PARDUS SANDRA K & CHRISTO
76 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

TAYLOR COURTNEY M
36 WHITTIER ROAD
JAMESTOWN, RI 02835

WALSH NORMA L ET
C/O JOHN BARRY WALSH
41 WHITTIER ROAD
JAMESTOWN, RI 02835

PARENT ROLAND R JR ET
PARENT M BARBARA TRUSTEES
77 STANDISH ROAD
JAMESTOWN, RI 02835

THOMAS LOWELL S
54 WHITTIER RD
JAMESTOWN, RI 02835

WILCOX DIANA N TRUSTEE
55 CALVERT PLACE
JAMESTOWN, RI 02835

PLOWDEN SUSAN MAFFEI ET
PLOWDEN JOHN GABRIEL
45 CALVERT PLACE
JAMESTOWN, RI 02835

THOMAS MARILYN ET
GREENE BERNICE M TRUSTEES
79 WHITTIER ROAD
JAMESTOWN, RI 02835

YATES ANDREW TRUSTEE
52 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

POWELL J CHRISTOPHER ET U
CANDACE E
38 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

~~TOWN OF JAMESTOWN
93 NARRAGANSETT AVENUE
JAMESTOWN, RI 02835~~

YATES MARTHA O TRUSTEE
52 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

REGNUM LLC
102 COLE STREET
JAMESTOWN, RI 02835

~~TOWN OF JAMESTOWN
POLICE STATION
250 CONANICUS AVENUE
JAMESTOWN, RI 02835~~

ZEEK GREGORY K
ZEEK DEANNE I TE
11 MERCY WEEDEN CT
JAMESTOWN, RI 02835

RHODE ISLAND STATE OF
2 CAPITOL HILL
PROVIDENCE, RI 02908

TPG MARINAS CONANICUT LLC
1140 RESERVOIR AVENUE
CRASTON, RI 02920

RITTER WILLIAM B TRUST ET
C/O RITTER JACKMAN & LIVI
30 WHITTIER ROAD
JAMESTOWN, RI 02835

VALENTE JONATHAN ET
VALENTE WENDY TE
86 MOUNT HOPE AVENUE
JAMESTOWN, RI 02835

SCARTABELLO RENAE M TRUST
SCARTABELLO ALBERT C JR T
50 WHITTIER ROAD
JAMESTOWN, RI 02835

VIEIRA JASON P ET
TUTSCH ASHLEY M
125 NORTH ROAD
JAMESTOWN, RI 02835-1475

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW

Application for Appeal of Zoning Officer Decision under the Zoning Ordinance

Zoning Board of Review;

Jamestown, R.I.

Date: 6/28/2024

To Whom it may concern:

The undersigned hereby applies to the Zoning Board of Review for an appeal to the zoning officers inaction in enforcing conditions of an approved Special Use Permit in the application of the provisions or regulations of the zoning ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Appellant: Jamie and Steven Munger Address: c/o Christian Infantolino, Esq.,
77 Narragansett Avenue
Jamestown, RI 02835

Owner: Town of Jamestown

Lessee: New England Golf Course Management, Inc.

1. Location of premises: 245 Conanicus Avenue
2. Assessor's Plat 8 Lot 283
3. Dimensions of lot: frontage: +/- ____ depth: +/- ____ Area: +/-74.36 AC.
4. Zoning Districts in which premises are located: Use: OS-II Area: NA Height: NA ft.
5. How long have you owned the premises? Purchased on 12/16/1986
6. Is there a building on the premises at present? Yes
7. Size of existing building: +/- 5,900 sq. ft.
Size of proposed building or alteration: NA
8. Distance of proposed building or alteration from lot lines:
Required Accessory Structure: NA
Proposed: NA
9. Present use of premises: Golf Course, Golf Course Club House
10. Proposed use of premises: Golf Course, Golf Course Club House, Town Recreation Hall
Location of septic tank & well on lot: No Change

11. Give extent of Appeal: Zoning Officer has failed to enforce the Zoning Board Decision and conditions thereto regarding the zoning decision dated March 27, 2019 and recorded in Book 939 at Page 237, copied attached hereto and incorporated herein. Specifically the Town of Jamestown has failed to complete the Zoning Board approved landscape plan in an effort to increase the parking area and it has taken active steps to increase said parking without approval from this Board.

12. Number of families for which building is to be arranged: 0

13. Have you submitted plans for above to Inspector of Buildings? Yes

Has the Inspector of Buildings refused a permit? Yes

14. Provision or regulation of Zoning Ordinance or State Enabling Act under which application for appeal is made:

This application seeks to appeal an arbitrary and capricious decision made by the Jamestown Zoning officer pursuant Article 4 Section 82-408. Appeal of a decision of the zoning enforcement officer.

15. State the grounds for Appeal in this case:

The Zoning Officer has arbitrarily failed to enforce the condition of the Special Use Permit granted to the Town of Jamestown through the March 27, 2019 decision. Said decision clearly states that "This project must be constructed in strict accordance with the site and building plans duly approved by this Board.". The Town, through the most recent planning meeting has admitted on the record that it has not completed the approved landscaping plan. Rather the Town has taken active steps to increase parking in the exact area where the plantings were approved. (i.e. moved the existing split rail fence just this summer.)

Respectfully Submitted,

Signature: /s/ christian s. infantolino, esq., attorney for applicants

Address: 77 Narragansett Avenue
Jamestown, RI 02835

Phone: 401-423-0400

NOTE: A LOCATION PLAN AND SKETCH AND DRAWINGS NECESSARY TO GIVE FULL INFORMATION MUST BE FILED WITH THE APPLICATION

Jamestown

(Summary Data - may not be Complete Representation of Property)

Parcel: 8-283 Location: 245 CONANICUS AVENUE Owner: TOWN OF JAMESTOWN
 Account: 1620 User Acct: 28017000 LUC: 78 - Municipal Zoning: R40

Parcel Values
 Total: \$3,120,900 Land: \$2,577,100 Land Area: 74.36 AC Building: \$450,300 Assessed: \$3,120,900

Sales Information

Book and Page	Instrument Type	Date	Price	Grantor
282-135		12/31/1996	\$75,000	TOWN OF JAMESTOWN
101-215		12/22/1986	\$2,100,000	

Building Type: Country Club Year Built: 1975 **Grade:** C **Condition:** GD
Heat Fuel: Propane **Heat Type:** Forced Air-D **% Air Conditioned:** 0.00 **Fireplaces:** 0
Exterior Wall: Wood Shingle **Bsmnt Garage:** 0 **Roof Cover:** Asph/F Gls/C **# of Units:** 1
of Rooms: 0 **# of Bedrooms:** 0 **Full Bath:** 0 **1/2 Baths:** 1

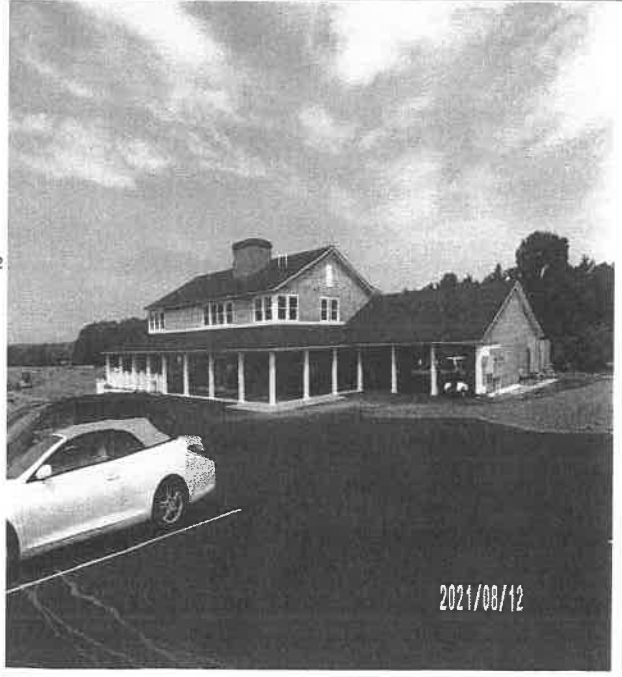
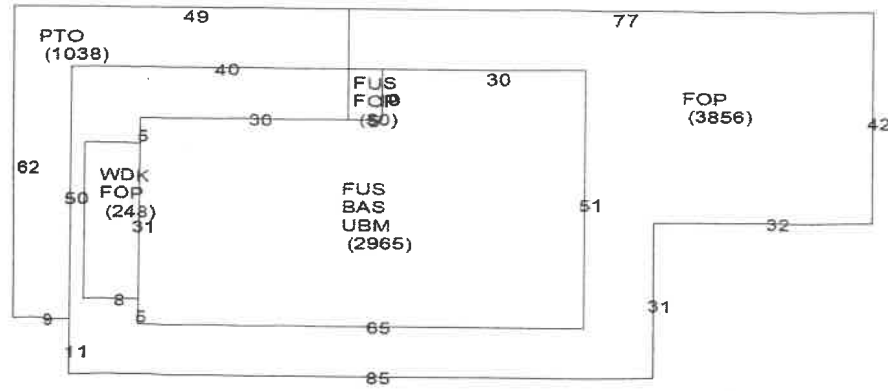
Yard Item(s)

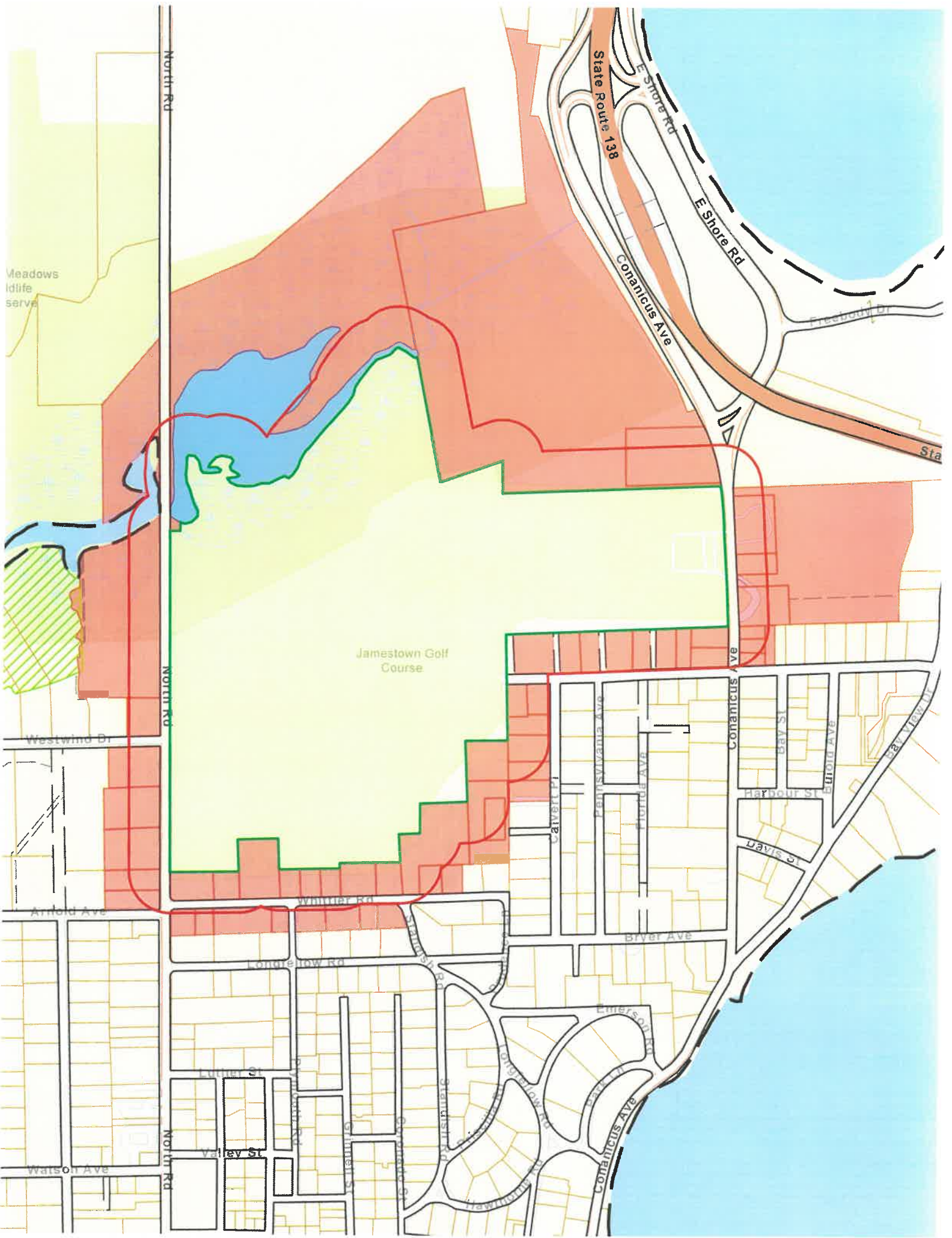
Description	Quantity	Size	Year	Condition	Quality	Value
PAVING-ASPHALT	1	30000	1975	AV	C	\$20,300.00
SHED FRAME	1	60	2012	AV	C	\$600.00
WOOD DECK	1	100	2012	AV	C	\$700.00

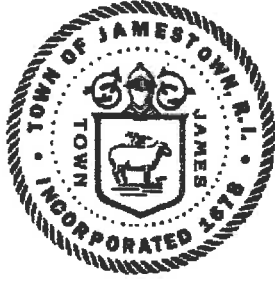
Building Areas

Area	Net Area	Finished Area
Basement, Unfinished	2,965 SF	0 SF
Deck, Wood	248 SF	0 SF
First Floor	2,965 SF	2,965 SF
Patio	1,038 SF	0 SF
Porch, Open, Finished	4,154 SF	0 SF
Upper Story, Finished	3,015 SF	3,015 SF

**Disclaimer: This information is for tax
 assessing purposes
 and is not warranted**







ZONING BOARD OF REVIEW
Town of Jamestown

Book 939
Page 237.

93 Narragansett Avenue
401-423-7200

Jamestown, Rhode Island
02835-1199

March 27, 2019

Andrew Nota
Town of Jamestown
93 Narragansett Ave.
Jamestown, RI 02835

Dear Mr. Nota,

The following is the decision on your Petition heard by the Town of Jamestown Zoning Board of Review on March 26, 2019.

After testimony was completed at the public hearing for which due notice was given and a record kept, the Town of Jamestown Zoning Board of Review, after taking into consideration all of the testimony and exhibits at the public hearing, makes the following determination:

A motion was made by Edward Gromada and seconded by Marcy Coleman to grant the request of The Town of Jamestown whose property is located at 245 Conanicus Ave., and further identified as Assessor's Plat 8, Lot 283 for a Special Use Permit from Article 3, Section 82-301, Uses & Districts, Table 3-1 VI Commercial Retail, F.1. Golf Course, including Clubhouse. Also, Article 6, Section 82-600, 601 & 602 - Relating to Special Use Permit to raze existing and construct a new Golf Course Clubhouse Facility.

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. Said property is located in an OS-II zone and contains 74.5 acres.
2. Ingress and egress to the parking lot will be through one-curb cut with parking configured to an east-west orientation.
3. Cape Cod berming added to the north & south sides of the parking lot to further direct storm water flow to the catch basins.
4. The scenic view shed to be maintained with low shrubs and planting to provide definition to the parking lot. In all cases Rhode Island native plants should be used wherever possible.
5. The proposed buildings meet all required zoning setbacks and requires no variances.
6. The existing sign will be relocated to better fit the curb cut.
7. The new golf facility must be compatible with the existing environment where that environment is paramount to its success.
8. The new golf course will not generate any unwanted electrical, electronic or noise interference.
9. The new facility will be outfitted with all new water saving devices required by building code and town regulations.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, Edward Gromada, and Marcy Coleman voted in favor of the motion.

Judith Bell and James King were not seated and Erik Brine was absent.

This variance/special use permit shall expire one year from the date of granting unless the applicant exercises the permission granted.

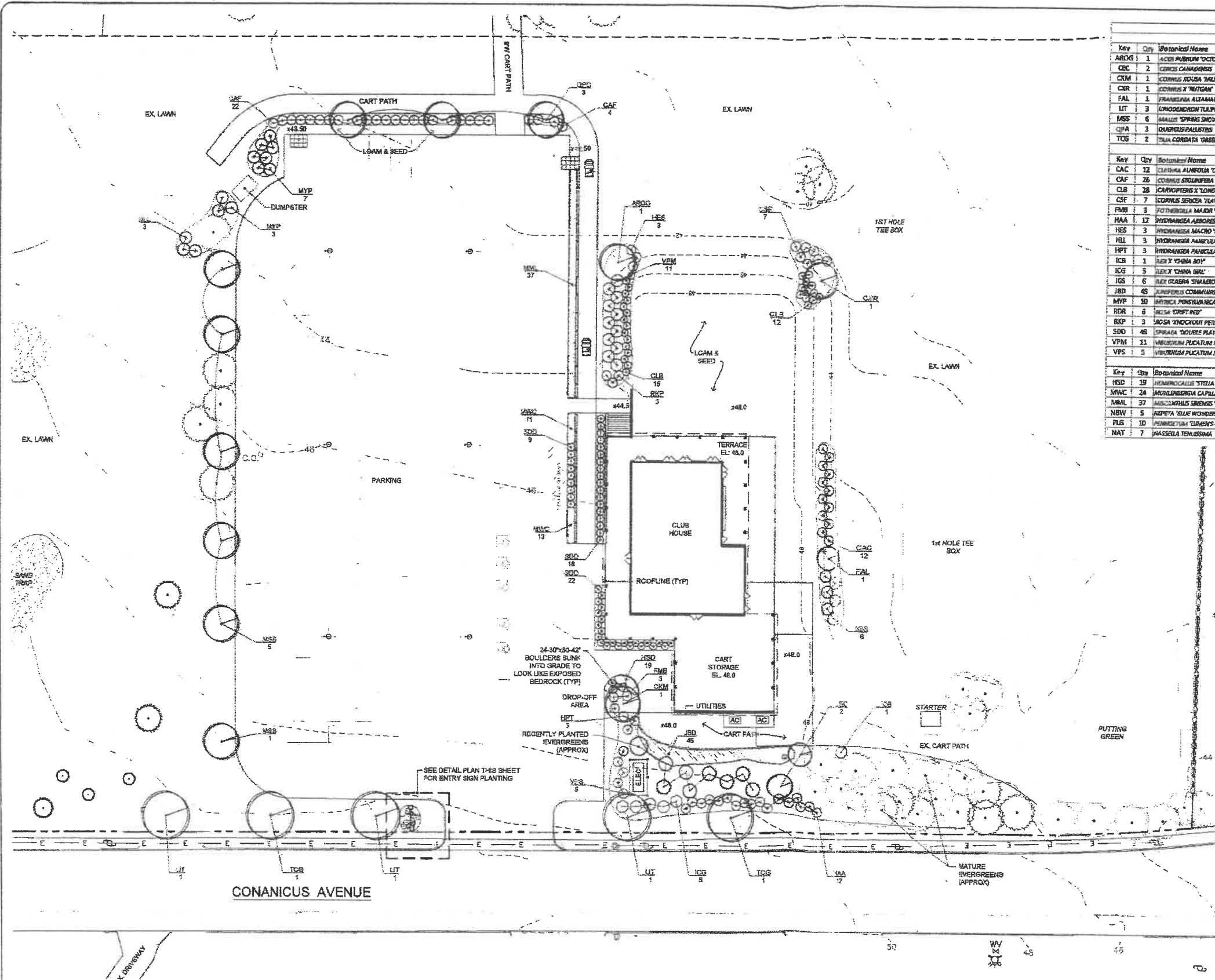
Very truly yours,



Richard Boren, Chairman
Jamestown Zoning Board of Review
RB/pw

Book 939
P. 238

2019 Approved Landscape Plan

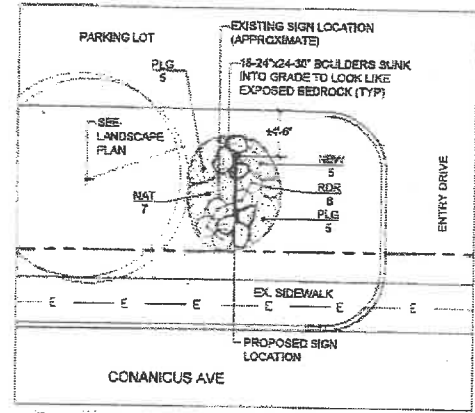


PLANT SCHEDULE (NAME KEY)

Key	Qty	Botanical Name	Common Name	Size	Notes
ARBG	1	ACER RUBRUM 'OCTOBER GLOW'	OCTOBER GLOW RED MAPLE	2-2.5" Cal	LIMIT 10'
CBC	2	CORNUS CARASSINENSIS	EASTERN REDBUD	2-2.5" Cal	
CCM	1	CORNUS ROSEA 'WILKEY WAY'	WILKEY WAY DOGWOOD	2-2.5" Cal	
CCM	1	CORNUS X 'MUTSOM'	STELLAR PINK DOGWOOD	1.5-2" Cal	
FAL	1	FRAXINUS ALABAMICA	FRANKLIN TREE	Ø7	
LIT	3	LIRIODENDRON FLAUFELII	TULIP TREE	2-2.5" Cal	LIMIT 10'
MSS	6	MALVA 'SPRING SNOW'	SPRING SNOW CRABAPPLE	2-2.5" Cal	
QPA	3	QUERCUS FALLENBERGII	PIN OAK	2-2.5" Cal	LIMIT 10'
TCG	2	TILIA CORDATA 'GREENSPARK'	GREENSPARK LINDEN	2-2.5" Cal	LIMIT 10'

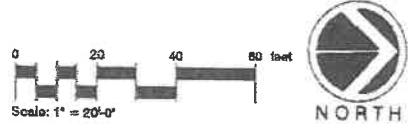
Key	Qty	Botanical Name	Common Name	Size	Notes
CAC	12	CLETHRA ALNIFOLIA 'COMPACTA'	COMPACT SUMMERSWEET CLETHRA	Ø5	
CAF	26	CORNUS STOLONIFERA 'BARROW'	BARROW PINK DOGWOOD	Ø5	48" O.C.
CLB	28	CORYLORPERIS X 'LONGWOOD BLUE'	LONGWOOD BLUE BLUE MUST SHINA	Ø5	36" O.C.
CSF	7	CORNUS SERICEA 'FLAMMANSIA'	YELLOW-THROAT CORNUS	Ø5	
FMB	3	FOTYNERGELLA MAJOR 'BLUE SHADOW'	BLUE SHADOW FOTYNERGELLA	Ø5	
HAA	17	HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE HYDRANGEA	Ø5	
HES	3	HYDRANGEA MACRO 'ENDLESS SUMMER'	ENDLESS SUMMER HYDRANGEA	Ø5	
HLL	3	HYDRANGEA FANCLAZA 'LADY LIGHT'	LADY LIGHT HYDRANGEA	Ø7	
HPT	3	HYDRANGEA FANCLAZA 'TARDIVA'	TARDIVA HYDRANGEA	Ø7	
ICB	1	ILEX X 'CHINA BOWL'	CHINA BOWL HOLLY	Ø5	
ICG	5	ILEX X 'CHINA GEM'	CHINA GEM HOLLY	Ø7	
IGS	6	ILEX GRACIA 'SHAMROCK'	SHAMROCK HOLLY	2.5-3" DBB	
JBD	45	JUNIPERUS COMMUNIS 'SILVERHAY DEWENT'	SILVERHAY JUNE	Ø5	36" O.C.
MYP	10	MIRICA PENNSYLVANICA	NORTHERN MYRTLE	3-4" DBB	
RDB	8	ROSA 'DRIFT ROSE'	DRIFT ROSE	Ø2	36" O.C.
RSP	3	ROSA 'ROCKWELL PETITE'	ROCKWELL ROSE	Ø3	
SDO	48	SPARGANEA 'DOUGLAS PLAY DOZZIE'	DOUGLAS PLAY DOZZIE SPHAEA	Ø5	36" O.C.
VPM	11	VIBURNUM PFLICATUM F. 'TOM MARRIS'	TOM MARRIS VIBURNUM	Ø7	
VPS	5	VIBURNUM PFLICATUM F. 'TOM MARRIS'	TOM MARRIS VIBURNUM	Ø7	

Key	Qty	Botanical Name	Common Name	Size	Notes
HSD	19	HEMEROCALLIS 'STELLA SUPREMA'	STELLA SUPREMA	Ø2	18" O.C.
MWC	24	MARILINBERGIA CAPILLARIS 'WHITE CLOUD'	WHITE CLOUD GRASS	Ø1	24" O.C.
MAL	37	MALCOLMTHUS SIBIRICUS 'MORNING LIGHT'	MORNING LIGHT GRASS	Ø1	30" O.C.
NBW	5	NAEPEJA 'BLUE WONDER'	BLUE WONDER GRASS	Ø1	18" O.C.
PLS	10	PENNISETUM 'LUMBER'S GOLD'	LUMBER'S GOLD GRASS	Ø1	18" O.C.
NAT	7	PALEXELLA TEMULIFERA	PALEXELLA GRASS	Ø1	18" O.C.



GENERAL NOTES:

1. THE INFORMATION ON THIS PLAN WAS COMPILED FROM DRAWINGS BY BURGIN LAMBERT ARCHITECTS AND FROM FIELD OBSERVATION. THIS IS NOT A REGISTERED SURVEY. TO THE BEST OF OUR KNOWLEDGE, THIS DRAWING IS A TRUE REPRESENTATION OF THE ACTUAL FIELD CONDITIONS.
2. CALL 1-800-DIGSAFE & LOCATE ANY AND ALL UTILITIES BEFORE CONSTRUCTION.
3. TEST EXISTING SOIL IN LAWN & LANDSCAPE AREAS & REMEDIATE AS NEEDED BEFORE PLANTING OR SEEDING.
4. PROVIDE MOCK-UP OR SAMPLE OF ANY ALL PAVING, WALLS, STAIRS, & FENCING TO LANDSCAPE ARCHITECT AND/OR CLIENT PRIOR TO CONSTRUCTION.
5. CLEAN SITE, REMOVE ALL DEBRIS AND REPAIR/COM AND SEED ALL DISTURBED AREAS WITH MIXED AREAS SEED MIX UNLESS OTHERWISE SPECIFIED.



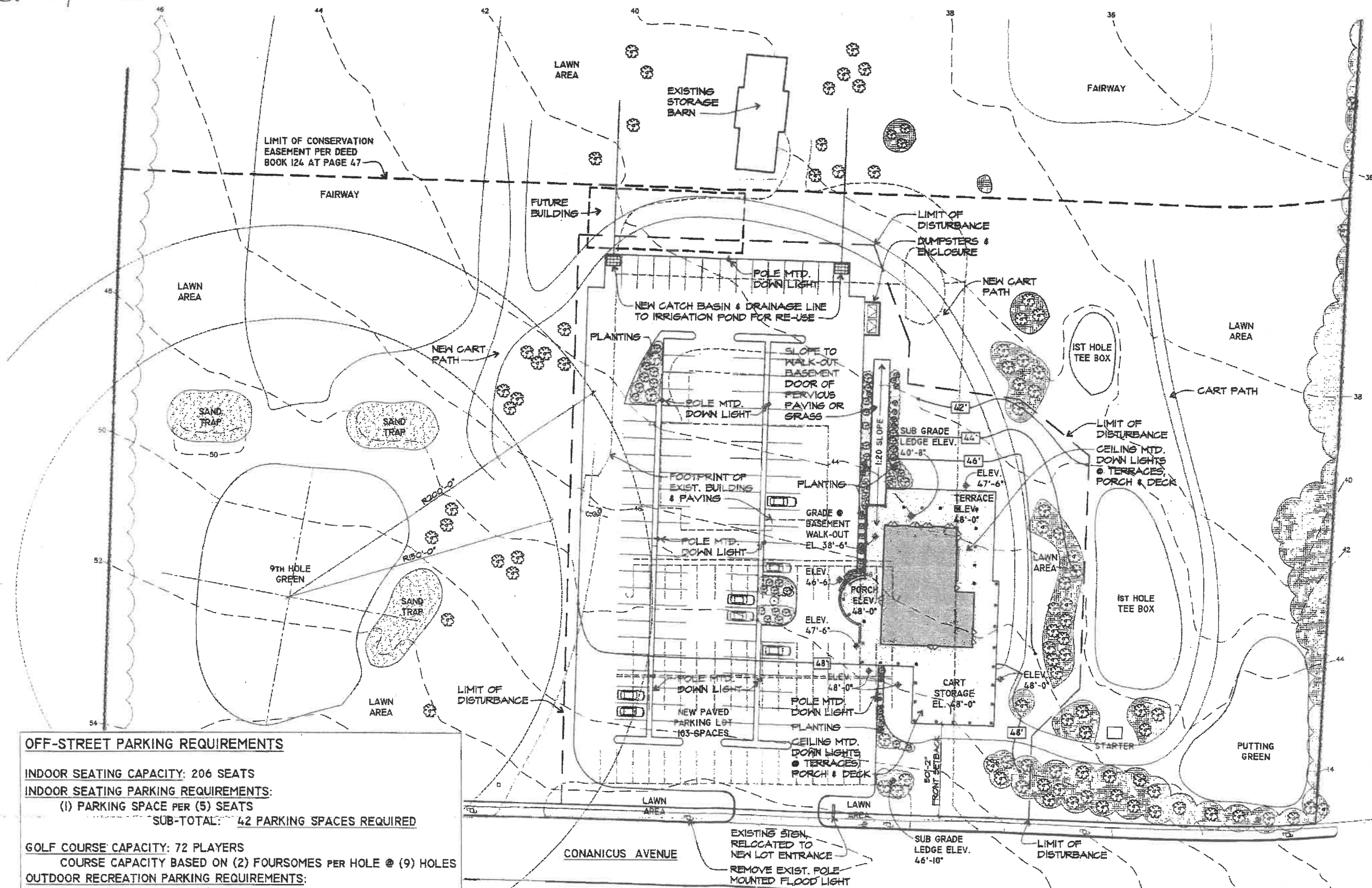
STAMP:

HALI BECKMAN, LTD.
281
Tel: 401.584.1084 • www.halibeckman.com
Landscape Architecture

LANDSCAPE PLAN
JAMESTOWN GOLF COURSE
A.P. 8, LOT 283
245 CONANICUS AVE
JAMESTOWN, RHODE ISLAND

DATE: 10/10/2021
DRAWN BY: SGG
SCALE: AS SHOWN
JOB NO: 500
SHEET NO: 1 OF 1
SHEET: L-1

2019 Approved Site Plan

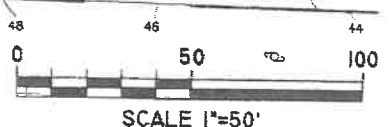


OFF-STREET PARKING REQUIREMENTS
INDOOR SEATING CAPACITY: 206 SEATS
INDOOR SEATING PARKING REQUIREMENTS:
(1) PARKING SPACE PER (5) SEATS
SUB-TOTAL: 42 PARKING SPACES REQUIRED
GOLF COURSE CAPACITY: 72 PLAYERS
COURSE CAPACITY BASED ON (2) FOURSOMES PER HOLE @ (9) HOLES
OUTDOOR RECREATION PARKING REQUIREMENTS:
(1) PARKING SPACE PER (4) PERSONS
SUB-TOTAL: 18 PARKING SPACES REQUIRED
TOTAL PARKING SPACES REQUIRED: 60 PARKING SPACES
TOTAL PARKING SPACES PROVIDED: 103 PARKING SPACES



SITE PLAN

SCALE: 1" = 50'-0"



BURGIN LAMBERT
 150 Bellevue Avenue
 Newport, Rhode Island 02840
 Tel: 401.847.3338
 Fax: 401.847.3392
 www.burginlambert.com

Jamestown Golf Course Clubhouse
 245 Conanicus Avenue
 Jamestown, RI

DATE: 2/20/2019

DRAWN BY: JB

SCALE: 1"=50'

TITLE:

SITE PLAN

A1

THIS DRAWING IS NOT TO BE USED FOR ANY REPRODUCTION OR CONSTRUCTION WITHOUT THE WRITTEN AUTHORIZATION OF BURGIN LAMBERT ARCHITECTS, INC.



Planning Commission
MEMORANDUM

TO: Jamestown Zoning Board of Review
FROM: Duncan Pendlebury, Vice Chair, Planning Commission
RE: New Jamestown Golf Course Clubhouse Facility – Special Use
Permit Application
DATE: February 21, 2019

The Planning Commission at their meeting on February 6, 2019, made a motion that the Jamestown Planning Commission accepts and approves the request for a special use permit for 245 Conanicus Ave. Jamestown Golf Course (Clubhouse Facility), with the recommendation to consider comments in the minutes of the meeting of February 6, 2019.

So unanimously voted:

Attached: February 6, 2019 Planning Commission minutes (DRAFT)



TOWN OF JAMESTOWN
P.O. Box 377
93 Narragansett Ave.
JAMESTOWN, RHODE ISLAND 02835

Planning Office - 423-7210
Fax - 423-7226

*3/6/19
all in favor
as corrected*

PLANNING COMMISSION MINUTES

February 6, 2019

7:00 PM

Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:00 p.m. and the following members were present:

Duncan Pendlebury – Vice Chair	Rosemary Enright – Secretary
Mick Cochran	Bernie Pfeiffer
Dana Prestigiacomio	Michael Smith

Not present: Michael Swistak – Chair

Also present:

Lisa Bryer, AICP – Town Planner
David Petrarca – Town Solicitor
Mike Gray – Public Works Director
Cynthia Reppe – Planning Assistant
Bill Burgin – Architect – Burgin Lambert

II. Approval of Minutes January 2, 2019 and January 16, 2019; review, discussion and/or action and/or vote

A motion was made by Commissioner Cochran and seconded by Commissioner Pfeiffer to accept the minutes of January 2, 2019 as amended:

Page 2, before new business: Commissioner Pendlebury recused for this New Business agenda proposal.

So unanimously voted.

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to accept the minutes of January 16, 2019 as amended:

Page 1, Call to Order and Roll Call:

The meeting was called to order at 7:00 p.m. and the following members were present:

<u>Michael Swistak – Chair</u>	<u>Duncan Pendlebury – Vice Chair</u>
<u>Rosemary Enright – Secretary</u>	<u>Bernie Pfeiffer</u>
<u>Dana Prestigiacomio</u>	<u>Michael Smith</u>
<u>Mick Cochran</u>	

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Nate Kelly – Horsley Witten Consultant

So unanimously voted.

III. Correspondence

1. FYI – Letter Final Approval – Christopher – Bryer Ave. - Received

IV. Citizen's Non-Agenda Item – nothing at this time

V. Reports

1. Town Planner's Report
2. Chairpersons report
3. Town Committees
4. Sub Committees

VI. Old Business

VII. New Business

1. **Jamestown Golf Course – New Facility, 245 Conanicus Ave. Plat 8 Lot 283 – Development Plan Review, recommendation to Zoning Board; review, discussion and/or action and/or vote**

Public Works Director Michael Gray presented the history and site plan to the planning commission. He gave a brief history of information that was in a summary that was included in Ms. Bryer's memo to the commission and also on the powerpoint. He explained the parking layout and showed where the building is, the orientation, and the walkways. Parking will increase with this plan.

A question by Vice Chair Pendlebury regarding an extra building that was shown on a previous plan. Mr. Gray explained that was an additional maintenance garage that is not part of this program. Currently Mr. Mistowski (current operator of the golf course) lives next door to the golf course and stores equipment at a garage on his lot. To be self sufficient as a golf course we need ~~to~~ to be in that position, if in the future to construct an additional facility and that may be part of the lease negotiations going forward.

Commissioner Enright asked about ~~sanding~~ ^{salting} the parking lot, will that be happening? Mr. Gray is not sure. We don't currently do it but we will look into that. He pointed out the spotlights and mentioned they will be downlit. Signage will be the existing sign which will move towards the entrance.

Bill Burgin explained some of the outside areas in the site plan including the terrace and decks. Commissioner Pendlebury asked about handicap parking area which Mr. Burgin showed him on the plan.

Commissioner Pfeiffer asked about the same entrance and exit. Commissioner Smith said it is proposed with one in and out and feels it will be too confusing. He thinks there should be both entrance and exit with each driveway. Pfeiffer agrees and said it seems safer.

There was an accident in the parking lot with a cart. Carts will not be allowed in the parking lot anymore and that is why there is a golf cart path around the parking lot. Mr. Mistowski said it is a liability. The consultant reviewed this issue and was involved in the design.

A full basement is being proposed so far but we have to see, it may be smaller due to budget.

Mr. Gray went over the building specs with the commission and the differences between existing and proposed. They debated a lot about the kitchen and other things involved during the design of the building. Gray said first and foremost it is a golf course.

Bill Burgin presented the design of the building to the commission. He showed the floor plans of both floors. The elevator goes all the way to the basement too for the tables and chairs. Bar and kitchen on first floor with the sales shop and front entry way.

Commissioner Pendlebury said he had a comment at the TRC meeting regarding the code allowing the horizontal railings and he thinks it needs to be something different. It's a safety issue for him.

Any questions for Mr. Gray or Mr. Burgin Commissioner Pendlebury asked. We need to make a motion to make a recommendation to zoning as an advisory opinion and include the minutes in our recommendation. Mr. Gray said they will go back after this meeting and review the comments and make amendments if it seems warranted before it goes to zoning.

Solicitor David Petrarca said planning can make a recommendation for a special use permit. Burgin asked if the Planning Commission would not hold them to the exact building plans and to please leave the door open just in case we need to make changes due to budget considerations.

Commissioner Pendlebury made a motion that the Jamestown Planning Commission accepts and approves the request for a special use permit for 245 Conanicus Ave. Jamestown Golf Course, with the recommendation to consider comments in the minutes of the meeting of February 6th, 2019. Commissioner Cochran seconds the motion.

- So unanimously voted:
- | | |
|---------------------------|------------------------|
| Duncan Pendlebury – Aye | Rosemary Enright – Aye |
| Mick Cochran - Aye | Bernie Pfeiffer - Aye |
| Dana Prestigiacommo - Aye | Michael Smith - Aye |

VIII. Adjournment

A motion was made by Commissioner Enright and seconded by Commissioner Pfeiffer to adjourn the meeting at 8:19 p.m.. So unanimously voted.

Attest:

Cynthia L Reppe
Cynthia L Reppe
Planning Assistant

MURPHY PRIOR & INFANTOLINO
ATTORNEYS AT LAW

FILE COPY

77 NARRAGANSETT AVENUE
JAMESTOWN, RI 02835-1149
(401) 423-0400 TELEPHONE
(401) 423-7059 FACSIMILE

EMILY J. MURPHY PRIOR*
CHRISTIAN S. INFANTOLINO**

*ALSO ADMITTED IN CONNECTICUT
**ALSO ADMITTED IN MASSACHUSETTS

JOHN AUSTIN MURPHY, of counsel
NEALE D. MURPHY
1904-2003

April 23, 2024

Town of Jamestown
c/o Peter Medeiros, Zoning Enforcement
93 Narragansett Ave.
Jamestown, RI 02835

Re: 245 Conanicus Avenue, Jamestown RI, 02835

Dear Mr. Medeiros,

I represent Steven and Jamie Munger, owners of the property located 230 Conanicus Avenue, Unit 2, located directly across the street from the subject property. I am writing today to file a formal complaint regarding the development on 245 Conanicus Avenue, Jamestown, RI 02835. To date, the subject property has not been completed in strict accordance with the site and building plans approved by the Jamestown Zoning Board as stated in the recorded decision dated March 27, 2019, and recorded in Jamestown Land evidence records Book 939 at Page 237. Specifically, the Town has failed to complete the required landscaping and screening necessary to define the parking area, preserve the view shed, and provide protection to the neighboring residential properties.

In addition to the Town not completing the project in strict accordance with the Plans, it has recently come to my Client's attention that the Town is attempting to alter the approved plans without the appropriate approvals. This became apparent when the Town relocated the split rail fence and publicly proposed parking in the newly created grass parking area. This new parking area is the exact location of the proposed planting, from the original application, that was intended to define the parking area, preserve the view shed, and provide protection to the neighboring residential properties. Rather than follow the approved plan, the Town is now proposing to park 25 more cars in an area where zoning board has already determined and identified as being important for accomplishing the stated goals, including the protection of the residential neighboring properties.

Due to the specific violations as noted above combined with the golf and summer season upon us and the need to protect our residents, we respectfully request that your office issue an immediate stop work order placed upon the subject property. Further, we request that the Town replace the

split rail fence in its original location, install the required landscaping and prohibit any vehicles from parking in the grassy area alongside the currently approved asphalt parking lot.

Please note, my Clients fully support the golf course and community buildings. They understand that parking is limited, however, the Town could have proposed a smaller building and more parking at the first submission or in the alternative, proposed a plan that is not in complete opposition to specified concerns in the original decision put in place to protect the community and neighboring residential properties.

Thanks for your time and consideration with this matter.

Best,

A handwritten signature in cursive script, appearing to read 'C. S. Infantolino', written in dark ink.

Christian S. Infantolino

9589 0710 5270 2081 7061 95

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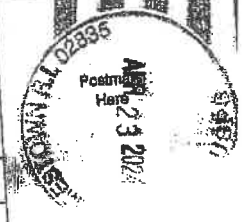
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Sent to Don O'Johnson Peter Medeiros

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City, State, ZIP+4® _____

PS Form 3800, January 2023 PSN 7530-01-000-9017 See Reverse for Instructions



Thursday, June 27, 2024 at 13:28:02 Eastern Daylight Time

Subject: RE: Golf course parking
Date: Thursday, June 27, 2024 at 11:37:46 AM Eastern Daylight Time
From: Peter Medeiros
To: Christian Infantolino, Steve Munger
CC: Edward Mello, Lisa Bryer, Michael Gray, Roberta Fagan
Attachments: image001.png

Christian,
I had never received a "formal" complaint from Mr. Munger.
There will be a Planning Board Meeting in July at which the Golf Course will be discussed, until then I will not be taking any action on alleged violations.
Thank you,

*Peter Medeiros CBO
Building & Zoning Official
Town of Jamestown, R.I. 02835
401 423 9803
pmedeiros@jamestownri.net*



From: Christian Infantolino <cinfantolino@jamestownlawyer.com>
Sent: Thursday, June 27, 2024 10:55 AM
To: Steve Munger <rijamestown@gmail.com>; Peter Medeiros <pmedeiros@jamestownri.net>
Cc: Edward Mello <emello@jamestownri.net>; Lisa Bryer <lbryer@jamestownri.net>; Michael Gray <mgray@jamestownri.net>; Roberta Fagan <rfagan@jamestownri.net>
Subject: Re: Golf course parking

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Peter,
Please advise on what your decision on this matter is. Steve has filed a zoning complaint over a month ago and there has been no answer and/or communication to any of his concerns. Please advise on what your decision is so that we can make a decision on how to move forward.
Thank you for your prompt attention to this matter.
Best,

Christian

Christian S. Infantolino
Attorney at Law
Murphy Prior & Infantolino
77 Narragansett Ave.
Jamestown RI, 02835
Tel: (401)423-0400 ext. 14
Fax: (401) 423-7059
cinfantolino@jamestownlawyer.com
<https://link.edgepilot.com/s/7179c951/FrpNYJjYaUShXnjmL0n-iA?u=http://www.murphys-law.net/>

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From: Steve Munger <rjamestown@gmail.com>
Date: Wednesday, June 26, 2024 at 9:37 PM
To: Peter Medeiros <pmedeiros@jamestownri.net>
Cc: Edward Mello <emello@jamestownri.net>, Lisa Bryer <lbryer@jamestownri.net>, Michael Gray

<mgray@jamestownri.net>, Roberta Fagan <rfagan@jamestownri.net>

Subject: Re: Golf course parking

Peter

I am following up on my last correspondence. To date I have not heard from anyone on this matter

Can you please give me a call at your earliest convenience in hopes we can come to a resolution

Thank you

Steve Munger

Black Watch Ilc Property Management & Vessel Services

230 Conanicus Ave
Jamestown RI 02835
(M) 401.418.3438
Rijamestown@gmail.com

On May 31, 2024, at 2:00 PM, Steve Munger <rijamestown@gmail.com> wrote:

Understand Peter,

Thank you for the reply, I appreciate it.

Have a great weekend.

I will follow up with you at a later date

Steve Munger

Black Watch Ilc

Property Management & Vessel Services

230 Conanicus Ave
Jamestown RI 02835
(M) 401.418.3438
Rijamestown@gmail.com

On May 31, 2024, at 1:12 PM, Peter Medeiros
<pmedeiros@jamestownri.net> wrote:

Steve,

Understand that I am not familiar with the Zoning decision, plans, etc., as I was not working for the Town when the Golf Course was permitted. I had turned this over to our Zoning Enforcement Officer, but he has been out of the Office as of late. I would need to review the Decision, and how it applies to the current events. Finding time to review the case is difficult; the Building Department is extremely busy.
Thank you for your patience.

*Peter Medeiros CBO
Building & Zoning Official
Town of Jamestown, R.I. 02835
401 423 9803
pmedeiros@jamestownri.net
<image001.png>*

From: Steve Munger <rjamestown@gmail.com>
Sent: Friday, May 31, 2024 12:55 PM
To: Peter Medeiros <pmedeiros@jamestownri.net>
Subject: Re: Golf course parking

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Morning Peter

What further research needs to be completed? There is a zoning decision and the Town has not complied with that decision and has admitted the same on the record in the last meeting.

See attached Zoning decision and Planning minutes related to the approval of the special use permit for the Jamestown Golf Course Clubhouse Facility. Also attached is a formal complaint letter sent earlier

Note under Findings of Fact #4 " The scenic view shed to be maintained with low shrubs and planting to provide definition to the parking area." . To date no shrubs have been planted along East or South side of parking area. Adding more parking is not consistent with this requirement. Adding more parking is in no way maintaining the scenic view shed.

Also note " This project must be constructed in strict accordance with the site and building plans duly approved by this board" The towns actions of moving the split rail fence , and allowing additional parking where landscaping was previously approved (to maintain the scenic view shed) appears to be a zoning violation my opinion.

Thank you for your understanding. I look forward to hearing your response on this issue, which is negatively impacting the nearby residential neighborhood.

On Wed, May 29, 2024 at 10:52 AM Peter Medeiros <pmedeiros@jamestownri.net> wrote:

Steve ,
I will have to research and get back to you.

*Peter Medeiros CBO
Building & Zoning Official
Town of Jamestown, R.I. 02835
401 423 9803
pmedeiros@jamestownri.net
<image001.png>*

From: Steve Munger <rjjamestown@gmail.com>

Sent: Wednesday, May 29, 2024 10:44 AM

To: Peter Medeiros <pmedeiros@jamestownri.net>

Subject: Golf course parking

CAUTION: This email originated from outside the Jamestown email system. Please do not click links or open attachments unless you recognize the sender and determine the content is safe.

Hi Peter

I wanted to follow up on my formal complaint letter in regards to the town golf course parking.

It is obvious to me and others that the town has not been consistent with their zoning approval for parking and has been in violation on several occasions.

Do you have any input here?

Appreciate your understanding.

Thank you

<image002.jpg>

Steve Munger

**Black Watch llc
Property Management & Vessel
Services**

230 Conanicut Ave
Jamestown RI 02835
(M) 401.418.3438
Rijamestown@gmail.com

--

Steve Munger

Black Watch LLC

Property Management & Vessel Services

230 Conanicut Ave

Jamestown, RI 02835

(M) 401.418.3438

rijamestown@gmail.com

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