

JAMESTOWN ZONING BOARD OF REVIEW

Wyatt Brochu, Counsel held a work session with members of the ZBR at 6:30 pm before the regular meeting of the ZBR. Discussion of power and duties of the ZBR and review of standards of review. The work session adjourned at 7:00 pm.

Minutes of the July 23, 2024 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
- James Sisson, 2nd Alternate
- Robert Maccini, 3rd Alternate

Also present:

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

MINUTES

Minutes of June 25, 2024

A motion was made by Jane Bentley and seconded by Dean Wagner to accept the minutes of the June 25, 2024 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.

James Sisson and Robert Maccini were not seated and John Shekarchi was absent.

CORRESPONDENCE

A memorandum to the Board from Peter Medeiros, Zoning Enforcement Officer re: Haskell dated 7/12/24.

The application of Brian Haskell at 66 Seaside Dr. has been reviewed as per Article 8. Special Regulations, Section 82-800, F-2 High Groundwater and impervious layer overlay district, and has been administratively approved under Development Plan Review, Therefore, the application of Brian Haskell does not have to be heard.

All other correspondence was in reference to items on the agenda.

NEW BUSINESS

Kirmil

A motion was made by Terence Livingston and seconded by Jane Bentley to grant the request of Scott and Adrienne Kirmil and Patricia R. Perry whose property is located at 213 Seaside Drive, and is further identified as Tax Assessor’s Plat 15, Lot 210 for a Special Use Permit under Sec. 82-301 entitled “Special use permits authorized by this ordinance [chapter]” and Sec. 82-800 entitled “High groundwater table and impervious layer overlay district” to raze the existing home and to construct a new single family home.

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.

1. Recommendations in the Town of Jamestown engineer, Jean Lambert’s April 26, & June 18, 2024 reports shall be incorporated into this decision as well as the recommendations of the Town Planner dated June 21, 2024.

This motion is based on the following findings of fact:

1. Said property is located in an R-40 zone and contains 17,405 square feet.
2. All setbacks are met.
3. The applicant will raze the current octagonal structure and build a new rectangular structure.

4. The current building's electric, septic bedrooms are outdated.
5. There will be a 1135 sq ft reduction in the impervious coverage.
6. New OWTS 4 bedroom is being installed.
7. No freshwater wetlands on the property.
8. There is a 50' CRMC coastal buffer.
9. Site falls within the subdistrict "A" requirements of the High Groundwater Table & impervious Overlay District with 24" to the seasonal highwater table and 26" to impervious soil.
10. Spencer Macomb, expert architect testified & the Board accepts his testimony & finds him credible.
11. Mike Russell, expert engineer testified & the Board accepts his testimony & finds him credible.
12. The swimming pool is a raised pool.

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.

James Sisson and Robert Maccini were not seated and John Shekarchi was absent.

Kuchar

A motion was made by Dean Wagner and seconded by Terence Livingston to grant the request of Kuchar Realty (Jennifer Kuchar, DMD) whose property is located at 20 & 20A Clinton Ave, and further identified as Tax Assessor's Plat 9, Lot 708 for a Variance from Article 6, Section 82-602, District Dimensional. To allow a constructed tool shed, to remain 1 foot from the south property line, instead of the required 10 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.

The applicant shall cut back the existing corrugated plastic roof at least 6 inches so there is no overhang.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 8,944 sq ft.
2. The applicant replaced an existing rotting shed with a new shed on substantially the same location.
3. A new shed could not be placed in the back yard due to the small size and existing setback requirements.
4. There are many sheds located on lot lines in the area.
5. The granting of the variance will not alter the general characteristics of the surrounding area.
6. The hardship that would be suffered by the applicant if the variance is not granted shall amount to more than a mere inconvenience.

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.

James Sisson and Robert Maccini were not seated and John Shekarchi was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:10 p.m.
The motion carried unanimously.