

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the November 26, 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 chair 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

John Shekarchi, 1st Alternate

James Sisson, 2nd Alternate

Robert Maccini, 3rd Alternate

Also present:

Wyatt Brochu, Counsel

Dennis Begin, Zoning Officer

Brenda Hanna, Stenographer

Keith Ford, Clerk

MINUTES

Minutes of October 22 , 2024

A motion was made by Jane Bentley and seconded by Dean Wagner to accept the minutes of the October 22, 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.

John Shekarchi, James Sisson and Robert Maccini were not seated.

CORRESPONDENCE

- A. An email from Daniel & Nadine Mendelsohn requesting a one extension of a previously granted variance granted Nov. 28, 2023.

A motion was made by Dean Wagner and seconded by Jane Bentley to grant the request of DANIEL & NADINE MENDELSON, for a one-year extension of a previously granted variance granted November 28, 2023, whose property is located at 29 Marine Avenue, and further identified as Tax Assessor's Plat 9, Lot 442 for a dimensional variance from Article 3, Section 82-302 and Table 3-2. The property is located in the R-20 zoning district and contains approximately 9,000s.f. of area. Applicants propose to construct an accessory building 198s.f. in size, within the side-yard setback proposing 5.7' wherein 10' is required. An Accessory Structure (588s.f.) is also proposed within the front yard along Pierce Ave proposing a front yard setback of 16.7' wherein the building official determined 50' is required due to the lot having two front yards and no rear yard. Relief is also sought to allow accessory structures in the front yard to the extent deemed necessary.

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.

John Shekarchi, James Sisson and Robert Maccini were not seated.

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

NEW BUSINESS

Our Table

A motion was made by Terence Livingston and seconded by Dean Wagner to grant the request of Our Table, LLC whose property is owned by Gino Difante and located at 53 Narragansett Avenue, and further identified as Tax Assessor's Plat 9, Lot 207 for a Special Use Permit granted under Article 3, Special Use Permits and Variances, Section 82-300, 82-301, and 82-302. This application is made pursuant to the provisions of Article 6, Section 82-601, Table 6-1, Section VI (c) (3), Lunchroom or Restaurant (Alcoholic Beverages). The Applicant seeks to expand its current beer and wine liquor license to a full BV license allowing them to sell spirits as well as beer and wine.

This Board has determined that this application does satisfy the requirements of Article 3, Sections 300 and 302.

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 a CD zone and contains 16,632 square feet.
2. The applicant has owned the business entering their third year.
3. The applicant has beer and wine license currently.
4. The Business is open from noon to 10:00 PM, Monday through Sunday.
5. This is the only restaurant business in Jamestown without a full liquor license.
6. By offering a full liquor license the applicant can offer their guests a full restaurant experience.
7. The applicant will still need Town Council Approval.
8. The expansion will not negatively impact public health, safety, morals, and welfare non substantially on permanently harm the appropriate use of the property in the surrounding areas.

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.

John Shekarchi, James Sisson and Robert Maccini were not seated.

Duva

A motion was made by Dean Wagner and seconded by Terence Livingston to grant the request of Christopher and Maria Duva whose property is located at 509 Seaside Drive, and is further identified as Tax Assessor's Plat 3A, Lot 14 for a Variance pursuant to Sec. 82-305 entitled "Variances authorized by this ordinance[chapter], Special Use Permit pursuant to 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 house and to construct a new single-family home. The property falls under Sub-District "A". The depth to high groundwater is 10" (18" required) and the depth to impervious soil is 68" (42" required). Also, impervious coverage of 24.96% exceeds the code requirement of 9%.

Regarding this request, this Board has determined that this application does satisfy the requirements of Article 3, Section 300

Regarding the request for a Variance, this Board has determined that this application does satisfy the requirements of Article 3, Section 306, Paragraphs A through D, and Section 307, Paragraph B.

Regarding the request for a Special Use Permit, this Board has determined that this application does satisfy the requirements of Article 3, Section 302.

This Variance and Special Use Permit 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 incorporates the conditions of approval set forth in the memorandum of Office of the Town Planner dated October 7, 2024.

This motion is based on the following findings of fact:

1. Said property is located in an R-40 zone and contains 6706 square feet.
2. The new home will be superior to the existing house regarding environmental impacts.
3. Existing impervious coverage is 24.96%.
4. A new advanced treatment OWTS will be installed.
5. Extensive stormwater runoff mitigation and treatment will be provided.
6. The property slopes from east to west and into the bay, so there will be no impact from runoff to neighboring properties
7. The new home will be constructed in compliance with FEMA regulations governing the height of the structure from base flood elevation.

The motion carried by a vote of 4 – 1. Richard Boren, Dean Wagner, Terence Livingston, and James King voted in favor of the motion and Jane Bentley voted against of the motion.

John Shekarchi, James Sisson and Robert Maccini were not seated.

ADJOURNMENT

A motion was made Terence Livingston and seconded Dean Wagner to adjourn at 7:56 p.m.

The motion carried unanimously.