JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the April 26, 2016 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

Joseph Logan

Dean Wagner

Richard Cribb

Judith Bell

Terence Livingston

Edward Gromada

Also present: Brenda Hanna, Stenographer

Chris Costa, Zoning Officer

Pat Westall, Zoning Clerk

Wyatt Brochu, Counsel

MINUTES

Minutes of February 23, 2016

A motion was made by Joseph Logan and seconded by Richard Cribb to accept the minutes of the February 23, 2016 meeting as presented.

The motion carried by a vote of 5 –0.

Richard Boren, Joseph Logan, Dean Wagner, Richard Cribb, and Judith Bell voted in favor of the motion.

Terence Livingston and Edward Gromada were not seated.

CORRESPONDENCE

A letter from Christian Infantolino, Esq. requesting to withdraw the application Fowlers Rock, LLC without prejudice.

NEW BUSINESS

Earnshaw

A motion was made by Joseph Logan and seconded by to Richard Boren to continue the request of Donald & Marcella Earnshaw to the May 24, 2016 meeting.

The motion carried by a vote of 5 –0.

Richard Boren, Joseph Logan, Richard Cribb, Judith Bell, and Terence Livingston voted in favor of the motion.

Dean Wagner was recused and Edward Gromada was not seated.

Maccini

A motion was made by Joseph Logan and seconded by Richard Cribb to grant the request of Robert and Kristen Maccini whose property is located at 17 Friendship St., and further identified as Assessor’s Plat 9, Lot 277 for a special use permit granted under Article 6, Special Use Permits and Variances, Pursuant to Section 82-704, Alteration of a non-conforming use, and dimensional relief from Section 82-302 District Dimension Regulations, and Table 3-2-R8 Zoning District, to repair the existing shed where the proposed westerly setback will be 3 ft. where 7 ft. is required, the proposed rear setback of 6.6 ft. where 10 ft. is required.

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 submitted to the Board and will eliminate the addition to the existing shed.

This motion is based on the following findings of fact:

1. Said property is located in a R8 zone and contains 7,500 sq. ft.
2. There were 3 letters from neighbors in favor of the project.
3. There was 1 objector.
4. The applicant has agreed to eliminate the addition, so no additional setback or lot coverage relief is required.
5. The architect has incorporated materials which satisfy the desire of 1 neighbor.
6. The resulting change appears to be an improvement to the appearance of the property.

The motion carried by a vote of 5 –0.

Richard Boren, Joseph Logan, Richard Cribb, Judith Bell, and Terence Livingston voted in favor of the motion.

Dean Wagner was recused and Edward Gromada was not seated.

Metcalfe

A motion was made by Dean Wagner and seconded by Joseph Logan to grant the request of Scott et Christine L. Metcalfe, whose property is located on 11 Union St., and further identified as Assessor’s Plat 9, Lot 261 for a variance from Article 3, Section 82-302, Table 3.2 Lot coverage, and rear yard setbacks. To construct a rear deck which will result in approximately 42% lot coverage an increase of 7% where 30% is required, a rear yard setback 26’ where 30’ is required.

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 deck shall have no roof, sides, awning or pergola. However, the deck can have railings.
* The deck shall not encroach on the westerly setback.
* The deck will be 26’ from the southerly lot line.

This motion is based on the following findings of fact:

1. Said property is located in a R8 zone and contains 4791.6 sq. ft.
2. The house is a relatively small house on a small lot compared to other houses on Union Street.
3. There was one neighbor who agreed to withdraw his objection in light of the applicant’s agreement to reduce the size of the deck.
4. The applicant agreed to reduce the size of the deck on the west side so that there is no encroachment into the west side setback.
5. The applicant agreed to reduce the size of the deck SO THAT THE DECK WILL BE 26’ FROM THE SOUTH SETBACK WHERE 30’ IS REQUIRED.
6. The deck will be 12’ from the rear of the house.

The motion carried by a vote of 5 –0.

Richard Boren, Joseph Logan, Dean Wagner, Richard Cribb, and Judith Bell voted in favor of the motion.

Terence Livingston and Edward Gromada were not seated.

PP Jamestown, LLC

A motion was made by Richard Boren and seconded by Dean Wagner to grant the request of PP Jamestown, LLC, dba Preppy Pig BBQ (N. Meadow Properties LLC, owner) a tenant at the property located at 35D Narragansett Ave., and further identified as Assessor’s Plat 9, Lot 246 for a special use permit Article 3, Section 302, Table 301, 6B-3 Lunchroom or Restaurant (Alcoholic Beverages). The request is to allow us to serve beer & wine at the restaurant.

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.

All of the findings of facts and conditions of approval as set forth in the Planning Commission approval of 3/4/16 are incorporated into this grant.

This motion is based on the following findings of fact:

1. Said property is located in a CL zone and contains 1,200 sq. ft.
2. The Planning Commission has recommended Development Plan approval.
3. Alcohol beverages will be prohibited beyond a certain point per signage as set forth in Ex. #2 – the Plan Review of Architecture, LLC.
4. There were 2 residents in opposition, but the opposition was not necessarily pertinent to the applicant under Section C, 3 of Table 3 -1.

The motion carried by a vote of 5 –0.

Richard Boren, Joseph Logan, Dean Wagner, Richard Cribb, and Judith Bell voted in favor of the motion.

Terence Livingston and Edward Gromada were not seated.

ADJOURNMENT

A motion was made and seconded to adjourn at 9:20 p.m.

The motion carried unanimously.