



## Z-25-3

### Zoning Board of Review Application

Status: Active  
Submitted On: 4/11/2025

### Primary Location

450 EAST SHORE ROAD  
Jamestown , RI 02835

### Owner

MKC JAMESTOWN LLC  
15 HUMBOLDT AVE  
PROVIDENCE , RI 02906

### Applicant

 Nathan Chofay  
 401-816-5385  
 nathan@principeengineering.com  
 27 Sakonnet Ridge Drive  
Jamestown, RI 02878

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## Administrative Information

### Hearing Date

05/27/2025

### Hearing Time

7 pm

### Relief Sought

Dimensional Variance - Front yard setback relief being requested for an installed generator

### Number of Abutters

5

### Is this an Appeal?

No

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## Applicant

I hereby certify that I am the owner/authorized agent of the subject property. I further certify that I am the owner/authorized agent of the developmental rights for this property. By acknowledging this application, the Applicant(s) and Landowner(s) give permission to the City/Town staff and members of the Zoning Board of Review to access the property individually or as a group for purposes of a site inspection.

**Name of Applicant\***

Nathan Chofay

**Who is Submitting this Application?\***

Other

**Other Relation Description\***

Engineer

**Owners Name\***

David Martirano

**Owner Affidavit\***



Permission email.pdf

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## Location for Application

**Please Note - The Address and/or Plat/ lot is required to continue with this application**

**Property Location Type\***

Physical Address

**Address\***

450 East Shore Road

**City/Town\***

Jamestown

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## Type of Application

**Application Type\***

Dimensional Variance

**Proposed\***

Other (Lot coverage, Parking, etc.)

**Propose Other Detail\***

Dimensional Variance for a generator

**Total Square Footage\***

43

**Width in Feet\***

3.67

**Length in Feet\***

11.5

**Height Above Grade\***

5.5

**Number of Stories\***

0

**Setbacks:**

Indicate the amount of Dimensional Relief being sought from the property boundaries (if none please indicate 0)

**Front Yard in Feet\***

27.5

**Rear Yard in Feet\***

0

**Side Yard in Feet\***

0

**Corner Side Yard in Feet\***

0

**Height in Feet\***

0

**Provision(s) of the Zoning Ordinance (if known)**

**Describe the extent of the proposed alterations and the reasons for the requesting relief\***

Setback relief being requested for an installed generator

Survey, to scale, prepared by a licensed professional  
land surveyor



D-2022-1\_450 East Shore\_Ja  
mestown\_ZONING VARIANCE  
GEN-page 1 of 1.pdf

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## Existing Lot Specifications

**Current Use of Premises\***

**Lot Area\***

Residential

65884

**Lot Frontage\***

**Lot Depth\***

297.92

243

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## Applicant Sign off

I , the UNDERSIGNED, swear that all information provided in this APPLICATION is to  
the best of MY knowledge complete and correct in every detail.

**Digital Signature\***

✓ Nathan Chofay  
Apr 11, 2025

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## Attachments



**Site Plan**

D-2022-1\_450 East Shore\_Jamestown\_ZONING VARIANCE GEN-page 1 of 1.pdf  
Uploaded by Nathan Chofay on Apr 11, 2025 at 1:14 PM

**NOTICE OF ZONING VIOLATION- Generator.pdf**

NOTICE OF ZONING VIOLATION- Generator.pdf

Uploaded by Nathan Chofay on Apr 11, 2025 at 1:17 PM

**300 FT ABUTTERS MAP.pdf.png**

300 FT ABUTTERS MAP.pdf.png

Uploaded by Nathan Chofay on Apr 17, 2025 at 11:56 AM

**300 FT ABUTTERS LIST.pdf**

300 FT ABUTTERS LIST.pdf

Uploaded by Nathan Chofay on Apr 17, 2025 at 11:56 AM

**Legal Notice\_rev.pdf**

Legal Notice\_rev.pdf

Uploaded by Nathan Chofay on Apr 22, 2025 at 9:09 AM

**Letter from abutter\_440.pdf**

Letter from abutter\_440.pdf

Uploaded by Nathan Chofay on Apr 30, 2025 at 10:17 AM

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## Record Activity

Nathan Chofay started a draft Record	04/10/2025 at 9:37 am
Nathan Chofay added file 200 FT ABUTTERS LIST.pdf	04/11/2025 at 1:13 pm
Nathan Chofay added file 200 FT ABUTTERS MAP.pdf.png	04/11/2025 at 1:13 pm
Nathan Chofay added file D-2022-1_450 East Shore_Jamestown_ZONING VARIANCE GEN-page 1 of 1.pdf	04/11/2025 at 1:14 pm
Nathan Chofay added file NOTICE OF ZONING VIOLATION- Generator.pdf	04/11/2025 at 1:17 pm
Nathan Chofay submitted Record Z-25-3	04/11/2025 at 1:30 pm
OpenGov system altered approval step Application Completeness Review, changed status from Inactive to Active on Record Z-25-3	04/11/2025 at 1:30 pm
OpenGov system assigned approval step Application Completeness Review to Suzanne Enser on Record Z-25-3	04/11/2025 at 1:30 pm
Nathan Chofay added a guest: david@pjc.vc to Record Z-25-3	04/11/2025 at 1:31 pm

Nathan Chofay added a guest: joe@shekarchilaw.com to Record Z-25-3	04/11/2025 at 1:31 pm
Nathan Chofay added a guest: tom@principeengineering.com to Record Z-25-3	04/11/2025 at 1:31 pm
Suzanne Enser approved approval step Application Completeness Review on Record Z-25-3	04/11/2025 at 2:25 pm
OpenGov system altered approval step Zoning Official Review, changed status from Inactive to Active on Record Z-25-3	04/11/2025 at 2:25 pm
OpenGov system assigned approval step Zoning Official Review to Dennis Begin on Record Z-25-3	04/11/2025 at 2:25 pm
Dennis Begin approved approval step Zoning Official Review on Record Z-25-3	04/15/2025 at 11:10 am
OpenGov system altered payment step Zoning Board Review Fee, changed status from Inactive to Active on Record Z-25-3	04/15/2025 at 11:10 am
OpenGov system completed payment step Zoning Board Review Fee on Record Z-25-3	04/15/2025 at 1:25 pm
OpenGov system altered approval step Zoning Board Hearing Scheduled, changed status from Inactive to Active on Record Z-25-3	04/15/2025 at 1:25 pm
OpenGov system assigned approval step Zoning Board Hearing Scheduled to Suzanne Enser on Record Z-25-3	04/15/2025 at 1:25 pm
Suzanne Enser changed form field entry Is this an Appeal? from "" to "No" on Record Z-25-3	04/15/2025 at 3:38 pm
Suzanne Enser changed form field entry Number of Abutters from "" to "6" on Record Z-25-3	04/15/2025 at 3:38 pm
Suzanne Enser changed form field entry Relief Sought from "" to "Dimensional Variance - " on Record Z-25-3	04/15/2025 at 3:38 pm
OpenGov system reactivated payment step Zoning Board Review Fee on Record Z-25-3	04/15/2025 at 3:38 pm
Suzanne Enser changed form field entry Number of Abutters from "6" to "5" on Record Z-25-3	04/15/2025 at 3:42 pm
Suzanne Enser reactivated approval step Zoning Official Review on Record Z-25-3	04/15/2025 at 3:42 pm
OpenGov system completed payment step Zoning Board Review Fee on Record Z-25-3	04/15/2025 at 6:18 pm
Suzanne Enser reactivated approval step Application Completeness Review on Record Z-25-3	04/16/2025 at 9:54 am

Nathan Chofay added file 300 FT ABUTTERS MAP.pdf.png to Record Z-25-3	04/17/2025 at 11:56 am
Nathan Chofay added file 300 FT ABUTTERS LIST.pdf to Record Z-25-3	04/17/2025 at 11:56 am
Nathan Chofay added file Legal Notice.pdf to Record Z-25-3	04/17/2025 at 11:57 am
Dennis Begin removed file 200 FT ABUTTERS LIST.pdf from Record Z-25-3 from Record Z-25-3	04/21/2025 at 4:08 pm
Dennis Begin removed file 200 FT ABUTTERS MAP.pdf.png from Record Z-25-3 from Record Z-25-3	04/21/2025 at 4:09 pm
Nathan Chofay added file Legal Notice_rev.pdf to Record Z-25-3	04/22/2025 at 9:09 am
Dennis Begin approved approval step Zoning Official Review on Record Z-25-3	04/22/2025 at 11:10 am
Dennis Begin reassigned approval step Application Completeness Review from Suzanne Enser to Dennis Begin on Record Z-25-3	04/22/2025 at 11:10 am
Dennis Begin approved approval step Application Completeness Review on Record Z-25-3	04/22/2025 at 11:10 am
Suzanne Enser changed form field entry Hearing Date from "" to "05/27/2025" on Record Z-25-3	04/22/2025 at 11:13 am
Suzanne Enser changed form field entry Relief Sought from "Dimensional Variance - " to "Dimensional Variance - Front yard..." on Record Z-25-3	04/22/2025 at 11:13 am
Suzanne Enser changed form field entry Hearing Time from "" to "7 pm" on Record Z-25-3	04/22/2025 at 11:13 am
Suzanne Enser approved approval step Zoning Board Hearing Scheduled on Record Z-25-3	04/22/2025 at 11:13 am
OpenGov system completed document step Notice of Public Hearing on Record Z-25-3	04/22/2025 at 11:13 am
OpenGov system altered approval step Zoning Board Decision, changed status from Inactive to Active on Record Z-25-3	04/22/2025 at 11:13 am
OpenGov system assigned approval step Zoning Board Decision to Suzanne Enser on Record Z-25-3	04/22/2025 at 11:13 am
OpenGov system reactivated payment step Zoning Board Review Fee on Record Z-25-3	04/23/2025 at 1:13 pm
OpenGov system completed payment step Zoning Board Review Fee on Record Z-25-3	04/23/2025 at 1:18 pm

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Dennis Begin removed file Legal Notice.pdf from Record Z-25-3 from Record Z-25-3

04/30/2025 at 9:13 am

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Dennis Begin removed attachment Legal Notice.pdf from Record Z-25-3

04/30/2025 at 9:13 am

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Nathan Chofay added file Letter from abutter\_440.pdf to Record Z-25-3

04/30/2025 at 10:17 am

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## Timeline

Label	Activated	Completed	Assignee	Due Date	Status
✔ Application Completeness Review	4/11/2025, 1:30:14 PM	4/22/2025, 11:10:41 AM	Dennis Begin	-	Completed
✔ Zoning Official Review	4/11/2025, 2:25:52 PM	4/22/2025, 11:10:21 AM	Dennis Begin	-	Completed
💰 Zoning Board Review Fee	4/15/2025, 11:10:03 AM	4/23/2025, 1:18:41 PM	Nathan Chofay	-	Completed
✔ Zoning Board Hearing Scheduled	4/15/2025, 1:25:47 PM	4/22/2025, 11:13:41 AM	Suzanne Enser	-	Completed
📄 Notice of Public Hearing	4/22/2025, 11:13:42 AM	4/22/2025, 11:13:42 AM	-	-	Completed
✔ Zoning Board Decision	4/22/2025, 11:13:42 AM	-	Suzanne Enser	-	Active
✔ Review of Record	-	-	-	-	Inactive



NOTICE IS HEREBY GIVEN THAT THE JAMESTOWN ZONING BOARD OF REVIEW WILL HOLD A PUBLIC HEARING MAY 27, 2025, AT THE JAMESTOWN TOWN HALL 93 NARRAGANSETT AVENUE, JAMESTOWN, RHODE ISLAND AT 7:00 P.M. UPON THE FOLLOWING:

Application of MKC Jamestown LLC whose property is located at 450 East Shore Road, and further identified as tax assessor's plat 4, lot 15 for a dimensional variance from article 3, section 82-302, district dimensional regulations. To seek relief for the installation of a generator within the front yard setback. This requires a front yard setback relief of 27' 6". Said property is located in a RR-80 zone and contains 65,884 square feet.



# Office of Code Enforcement

Zoning  
Building Codes  
Minimum Housing  
Property Maintenance

93 Narragansett Avenue  
Jamestown, Rhode Island 02835-1199  
401-423-9803

## Notice Of Violation

To: MKC Jamestown LLC

21 February 2025

15 Humbolt Ave.

Providence RI. 02906

Subject Property: 450 East Shore Road

Assessors Plat/Lot 4-15

*The above referenced property has been flagged as out of compliance with the 2018 IMC Rhode Island Mechanical Code with amendments.*

*This violation is as per R.I. General law: (Section 23-27.3-122.1 Notice of Violation).*

*You have installed a Generator on the property without a permit. The project is within CRMC jurisdiction and will require an assent for the project. This is also a violation of the towns front yard setback ordinance.*

*Please apply for a variance for the front yard setback in that this requires a 40' front yard setback for the R80 zoned residence. Obtain the CRMC assent required to perform the work. Apply for the Mechanical permit and get the proper inspections for the work.*

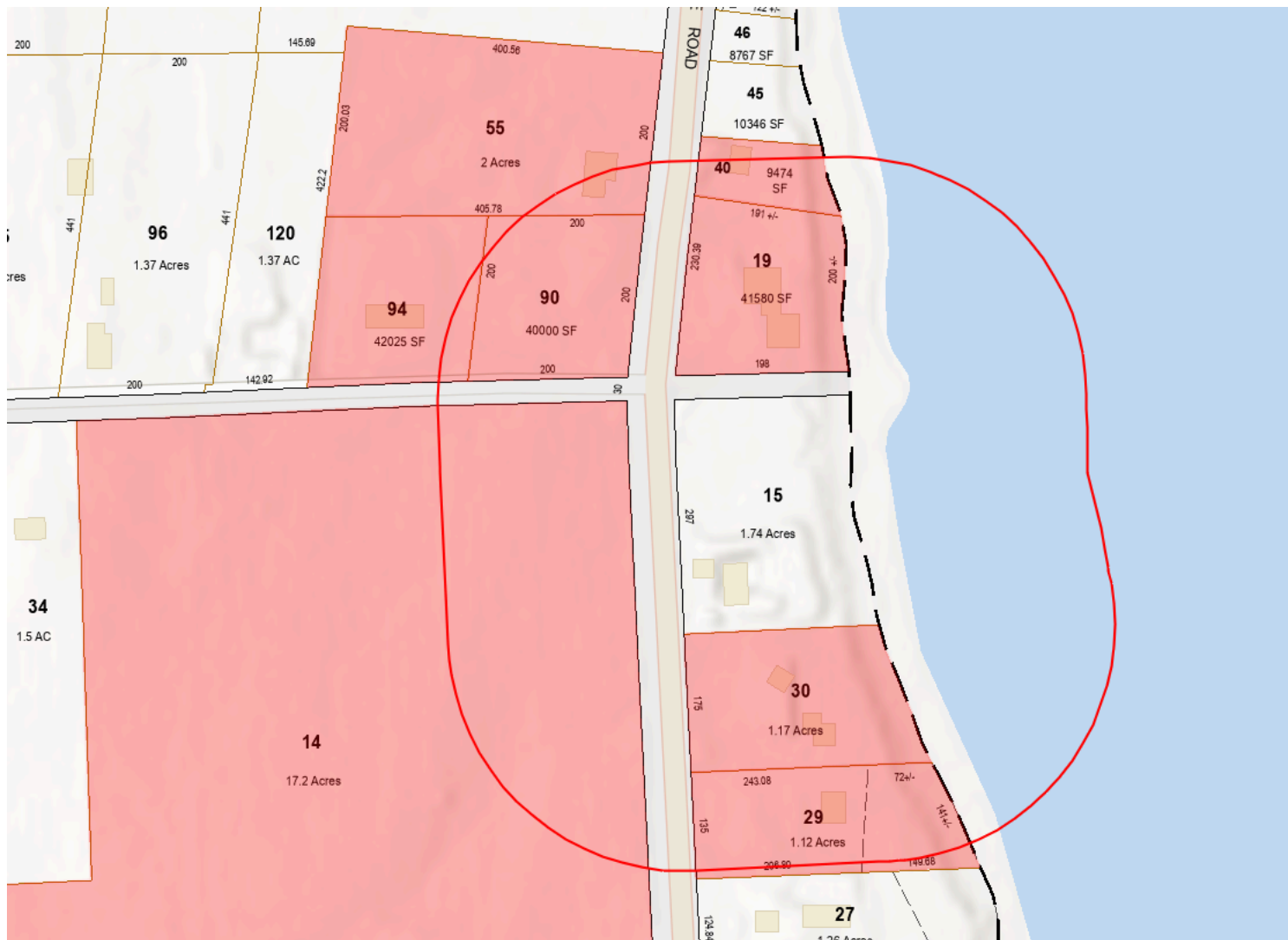
*You are hereby directed to undertake immediate action to comply with the building code (section 106 permits 106.1 Where required)*

*Failure to comply with this order within 30 days may result in an assessment of penalties and fines as per RI General Law Section (23-27-122.2 Prosecution of Violation).*

*You have the right to appeal this notice as outlined in R.I. General law: (R.I. 23-27.3-127.1 Appeals)*

Respectfully,

Dennis Begin



ALEXANDER LINDA E IRREV.  
ROSEN JARED ESQ TRUSTEE  
440 EAST SHORE ROAD  
JAMESTOWN, RI 02835

ANDERSON CAROL TRUSTEE  
P O BOX 42  
JAMESTOWN, RI 02835

ANDERSON CAROL TRUSTEE &  
SWISTAK DEBORAH A ET AL T  
432 EAST SHORE ROAD  
JAMESTOWN, RI 02835

BYRNE THOMAS M & DEBORAH  
965 BANNOCK COURT  
CONCORD, CA 94518

RICHARDSON CHARLES C JR  
RICHARDSON JULIA LYNN  
466 EAST SHORE ROAD  
JAMESTOWN, RI 02835

ROTONDO MAUREEN F TRUSTEE  
472 EAST SHORE ROAD  
JAMESTOWN, RI 02835

WILCOX MARCIA R ET  
WILCOX DANNY J TRUSTEES  
8552 S DANSKIN LANE  
MERIDIAN, ID 83642

WRIGHT DAVID G ET UX SUSAN  
30 CARR LANE  
JAMESTOWN, RI 02835

4/29/2025

Attn: Jamestown Zoning Board of Review

Dear Jamestown Zoning Board of Review,

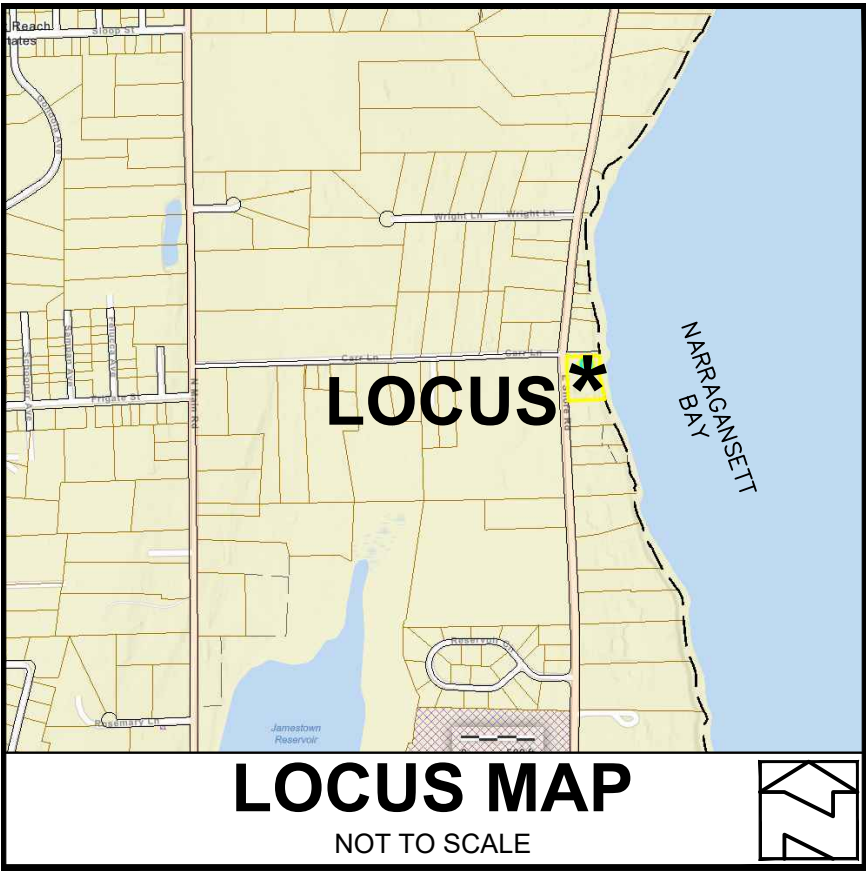
This letter is to inform you that we, the residents of 440 East Shore Road, Jamestown RI 02835, have no objections to the dimensional variance requested for the generator at 450 East Shore Road.

We understand that the generator is enclosed within a fenced area. From our perspective, it does not create any visual or audible issues.

Sincerely,

  
Linda Alexander





**GENERAL NOTES:**

1. THE LOCATION AND DEPTH OF EXISTING UTILITIES ARE APPROXIMATE AND HAVE BEEN PLOTTED FROM THE LATEST AVAILABLE INFORMATION. THE UTILITY LOCATIONS ARE APPROXIMATE AND MAY NOT BE ALL INCLUSIVE. THE CONTRACTOR SHALL CHECK AND VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES, BOTH OVERHEAD AND UNDERGROUND, AND "DIG-SAFE" MUST BE NOTIFIED PRIOR TO COMMENCING ANY CONSTRUCTION OPERATIONS. RESTORATION AND REPAIR OF DAMAGE TO EXISTING UTILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR WITH NO ADDITIONAL COST TO THE OWNER. NO EXCAVATION SHALL COMMENCE UNTIL ALL INVOLVED UTILITY COMPANIES AND/OR TOWN WHOSE FACILITIES MIGHT BE AFFECTED BY ANY WORK TO BE PERFORMED BY THE CONTRACTOR ARE NOTIFIED AT LEAST 72 HOURS IN ADVANCE.

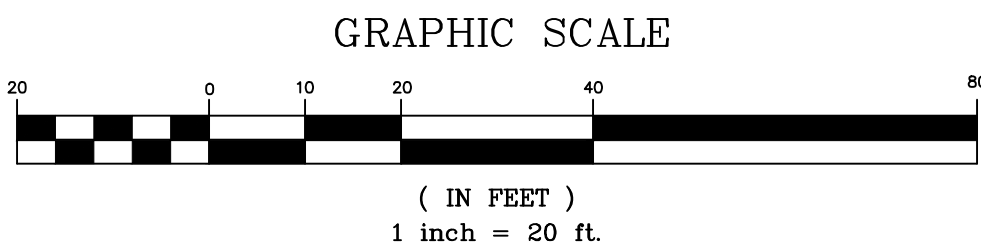
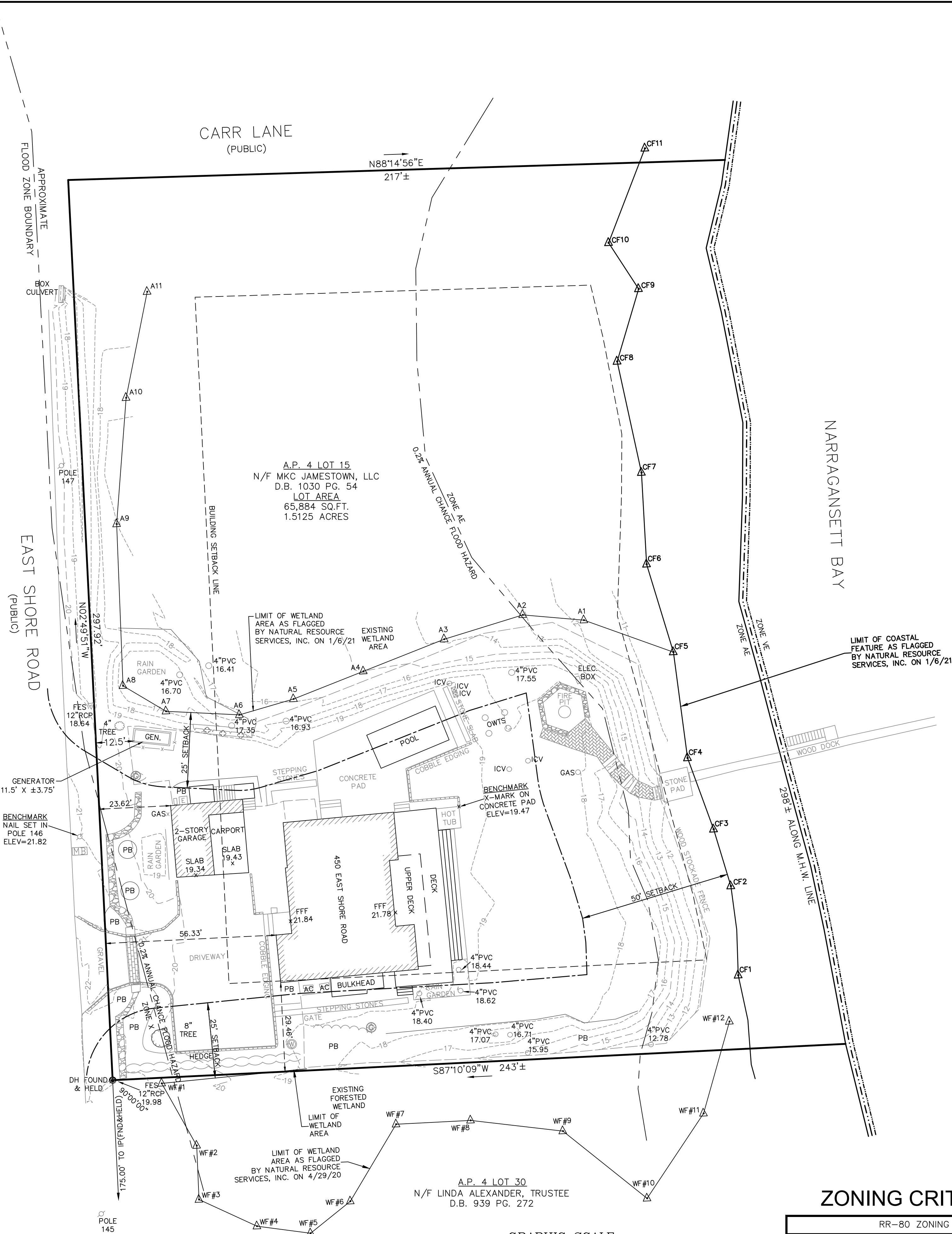
2. THIS SITE LIES WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD), THE 0.2% ANNUAL CHANCE FLOOD HAZARD AREA, ZONE AE (SPECIAL FLOOD HAZARD AREA, ELEV=13 FEET), AND ZONE VE (SPECIAL FLOOD HAZARD AREA, ELEV=15 FEET) ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF SMITHFIELD, RI MAP NUMBER 4400SC0086J WITH AN EFFECTIVE DATE OF SEPTEMBER 4, 2013.

3. THE CONTOURS SHOWN HEREIN ARE BASED UPON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

**REFERENCES:**

1. DEED BOOK 1030, PAGE 54  
2. EXISTING CONDITIONS BY PRINCIPE COMPANY - SURVEY DIVISION

- LEGEND**
- A.P. ASSESSOR'S PLAT
  - N/F NOW OR FORMERLY
  - SQ.FT. SQUARE FEET
  - DH DRILL HOLE
  - FES FLARED END SECTION
  - ICV IRRIGATION CONTROL VALVE
  - MB MAIL BOX
  - UTILITY POLE
  - PB PLANTER BED
  - ELEC BOX
  - WELL
  - UNDERGROUND PROPANE TANK



RR-80 ZONING	
ZONING DISTRICT	RR-80
MINIMUM LOT AREA	80,000 SQ.FT.
MINIMUM LOT WIDTH	200'
MINIMUM FRONT YARD SETBACK	40'
MINIMUM CORNER YARD SETBACK	40'
MINIMUM SIDE YARD SETBACK	30'
MINIMUM REAR YARD SETBACK	40'
MAXIMUM LOT BUILDING COVERAGE	20%
MAXIMUM BUILDING HEIGHT	35'

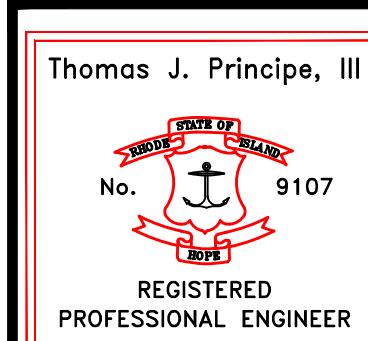
STREET INDEX  
EAST SHORE ROAD  
CARR LANE



**PLAN PURPOSE:**  
ZONING VARIANCE PLAN FOR EXISTING GENERATOR

- DRAWING ISSUE:**
- ☐ DRAFT
  - ☐ CUSTOMER APPROVAL
  - ☒ PERMITTING
  - ☐ CONSTRUCTION
  - ☐ AS-BUILT
  - ☐ OTHER:

OWNER / APPLICANT:  
MKC JAMESTOWN, LLC  
15 HUMBOLDT AVENUE  
PROVIDENCE, RI 02906



**PRINCIPE COMPANY, INC.**  
ENGINEERING DIVISION  
27 SAKONNET RIDGE DRIVE  
TIVERTON, RI 02878  
401-816-5365  
www.PrincipeCompany.com

REVISIONS			
No.	DATE	DRWN	CHKD

**ZONING VARIANCE PLAN**  
for  
**AP 4 LOT 15**  
**450 EAST SHORE ROAD**  
in  
**JAMESTOWN, RHODE ISLAND**

SCALE: 1" = 20'  
DRAWN BY: CJB/NEC  
DATE: 04/04/25  
SHEET NO: 1 OF 1  
DESIGN BY:  
PROJECT NO.: D-2022-1  
CHECKED BY: TJP