

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the February 25, 2003 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Library, 26 North Road. The meeting was called to order by the Chairman at 7:02 p.m. The clerk called the roll and noted the following members present:

Richard Allphin  
Thomas Ginnerty  
Raymond Iannetta  
Richard Boren  
Joseph Logan  
Kathleen Managhan  
David Nardolillo

Also present: Brenda Hanna, Stenographer  
Pat Westall, Zoning Clerk  
Fred Brown, Zoning Officer  
Bruce Leach, Counsel

Newly appointed alternate member David Nardolillo was sworn in by Councilwoman Norma Willis.

MINUTES

Minutes of the January 28, 2003 meeting.

A motion was made by Thomas Ginnerty and seconded by Richard Boren to accept the minutes of the January 28, 2003 meeting as presented.

The motion carried by a vote of 5 – 0.

Minutes of the February 4, 2003 meeting.

A motion was made by Thomas Ginnerty and seconded by Kathleen Managhan to accept the minutes of the February 4, 2003 meeting as presented.

The motion carried by a vote of 5 – 0.

CORRESPONDENCE

A copy of a letter to RI DEM from Jeanne and Mark Girard dated Feb. 12, 2003 re: ISDS Application #0115-2029.

## NEW BUSINESS

### Dutton

A motion was made by Thomas Ginnerty and seconded by Richard Boren to continue the appeal and variance of Michael P. Dutton and Janice Ryng-Dutton to the March 25, 2003 meeting at the request of the applicant due to a medical condition.

The motion carried by a vote of 5 – 0.

### Liebhauser

A motion was made by Thomas Ginnerty and seconded by Richard Boren to continue the application of Steven and Maria Liebhauser to the March 25, 2003 at the request of the applicant waiting for approval from the Board of Water and Sewer.

The motion carried by a vote of 5 – 0.

### Swett

A motion was made by Joseph Logan and seconded by Kathleen Managhan to continue the application of Bradford N. Swett to the March 25, 2003 meeting at the request of the applicant.

The motion carried by a vote of 5 – 0.

### Fantoli

Seated: Richard A., Thomas, Raymond, Richard B., and Joseph

A motion was made by Richard Boren and seconded by Thomas Ginnerty to **deny** the application of John and Joyce Fantoli, whose property is located at 64 Lawn Ave., and further identified as Tax Assessor's Plat 8, Lot 70 for a variance from Article 3, Table 3-2 and Section 311 (District Dimensional Regulations and Maximum Size of Accessory Structures) to construct an addition to an existing workshop for a combined total of 1,704 sq. ft., where in 600 sq. ft. is allowed. Proposed addition will be 12' from the front property line, 30' being the requirement.

This Board has determined that this application does not satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 30,600 sq. ft.
2. For this property, the allowed size of accessory buildings is about 660 sq. ft. The total for the requested accessory buildings would be 1,704 sq. ft.
3. The principal residence is 1,248 sq. ft.
4. Section 311 states "In no case shall any combination of accessory structures have a gross floor area which is greater than 50% of the gross living area of the principal structure".
5. In this application, the accessory structures will be 36% greater than the principal structure.

The motion to deny carried by a vote of 4 – 1.

Raymond Iannetta voted against the motion to deny.

### Ingari

Seated: Thomas, Raymond, Richard B., Joseph, and Kathleen

A motion was made by Joseph Logan and seconded by Richard B. to grant the request of James and Barbara Ingari, whose property is located at 36 Bonnet View Dr., and further identified as Tax Assessor's Plat 12, Lot 149 for a variance from Article 3, Section 302 (District Dimensional Regulations) to build a second story 9.5 ft. from the side lot line instead of the required 10 ft., a front porch 26.5 ft. from the front lot line instead of the required 30 ft. and a deck 7 ft. from the side lot line instead of the required 10 ft.

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 restriction that the granting of an ISDS permit for a 2 bedroom system must be obtained.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 9,827 sq. ft.
2. The south side setback encroachment will increase only 6 inches.
3. The west side setback encroachment will be reduced to 3 feet from 7 feet.
4. The new height of the structure will be approximately 31.5 ft.
5. There will be no additional bedrooms.
6. There were no objectors.

The motion carried by a vote of 5 – 0.

### Reardon

Seated: Thomas, Raymond, Richard B., Joseph, and Kathleen

A motion was made by Kathleen Managhan and seconded by Joseph Logan to grant the request of David Reardon, whose property is located at 30 Bonnet View Dr., and further identified as Tax Assessor's Plat 12, Lot 151 for a variance from Article 3, Section 302 (District Dimensional Regulations) to construct a front porch 33 ft. from the front lot line instead of the required 40 ft.

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 restriction of obtaining necessary ISDS approvals for 4 bedrooms

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 21,474 sq. ft.
2. The proposed new porch will be located 33' from the front lot line instead of the required 40'.
3. The proposed new porch will provide access from both the front driveway and garage area.
4. Many houses on Bonnet View Drive are located closer than 40' from the front lot line.
5. Existing stairs already encroach 2 ft. into the required setback.

The motion carried by a vote of 5 – 0.

### Smeraldi

Seated: Richard A., Thomas, Raymond, Richard B., and Joseph

A motion was made by Richard Boren and seconded by Thomas Ginnerty to grant the request of Christopher Smeraldi, whose property is located at 12 Union St., and further identified as Tax Assessor's Plat 9, Lot 254 for a variance from Article 3, Section 302 (District Dimensional Regulations) to renovate an existing 2 family residence that is 1.5 ft. from the side lot line instead of the required 15 ft.

This Board has determined that this application does satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 3,725 sq. ft.
2. That there is no change to the building footprint.
3. That there is no change to the square footage of the floor space.
4. That the applicant seeks in part to renovate a stairway to comply with Building Code which stairway is presently only 18 inches wide.
5. That the height of the new portion of the roof is within the zoning requirements.
6. No objections were presented.

The motion carried by a vote of 5 – 0.

Bradley

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to continue the application of Michael and Gretchen Bradley to the March 25, 2003 meeting at the request of the applicant to allow time to redesign the request.

The motion carried by a vote of 5 – 0.

ADJOURNMENT

A motion was made and seconded to adjourn at 9:30 p.m.  
The motion carried unanimously.