

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the January 27, 2004 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 7:07 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty
Don Wineberg
Joseph Logan
Kathleen Managhan
David Nardolillo
Elizabeth Brazil

Also present: Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk
Fred Brown, Zoning Officer
J. William W. Harsch, Counsel

Elections

Chairman

A motion was made by Don Wineberg and seconded by Joseph Logan to nominate Thomas Ginnerty Chairman of the Zoning Board.

The motion carried by a vote of 5 – 0.

Don Wineberg, Joseph Logan, Kathleen Managhan, David Nardolillo, and Elizabeth Brazil voted in favor of the motion.

Thomas Ginnerty was not seated and Raymond Iannetta and Richard Boren were absent.

Vice-Chairman

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to nominate Don Wineberg Vice-Chairman of the Zoning Board.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Joseph Logan, Kathleen Managhan, David Nardolillo, and Elizabeth Brazil voted in favor of the motion.

Don Wineberg was not seated and Raymond Iannetta and Richard Boren were absent.

MINUTES

Minutes of the December 16, 2003 meeting.

A motion was made by Joseph Logan and seconded David Nardolillo to accept the minutes of the December 16, 2003 meeting as presented.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Joseph Logan, Kathleen Managhan, and David Nardolillo voted in favor of the motion.

Elizabeth Brazil was not seated and Raymond Iannetta and Richard Boren were absent.

NEW BUSINESS

Snell

A motion was made by Don Wineberg and seconded by Joseph Logan to continue the application of Starlet O. Snell to the February 24, 2004 meeting, as they have not completed developmental plan review.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Joseph Logan, Kathleen Managhan, and David Nardolillo voted in favor of the motion.

Elizabeth Brazil was not seated and Raymond Iannetta and Richard Boren were absent.

Godena

A motion was made by Joseph Logan and seconded by Kathleen Managhan to grant the request of Anita Godena (John Perrotti, owner), whose property is located at 38 E. Narragansett Ave., and further identified as Tax Assessor's Plat 8, Lot 391 for a Special Use Permit from Article 3, Table 3-1 Permitted Uses, VII, Commercial Services. B. Personal Services, #6 Beautician, Barber Shop, etc. to do haircutting as shown on plans submitted.

This Board has determined that this application does satisfy the requirements of Article 6, Section 600 and 602.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 8,890 sq. ft.
2. The application conforms to the parking requirements.
3. There were no objectors.
4. The requested use is appropriate under the zoning ordinance.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Joseph Logan, Kathleen Managhan, and David Nardolillo voted in favor of the motion.

Elizabeth Brazil was not seated and Raymond Iannetta and Richard Boren were absent.

Italiano

A motion was made David Nardolillo and seconded by Joseph Logan to grant the request of Charlene Italiano, whose property is located at 1 Circuit Ave., and further identified as Tax Assessor's Plat 1, Lot 146 for a variance from Article 7, Section 82-706 (Reconstruction of a nonconforming structure) and Article 3, Section 82-302 (District Dimensional Regulations) to demolish an existing two bedroom residential dwelling and replace it with a new two bedroom residential dwelling as shown on plans submitted.

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

In particular reference to Article 6, Section 607, Paragraph 2.

This variance is granted with the following restrictions:

1. The new dwelling will be used specifically for use as a single family dwelling with the same number of bedrooms, i.e. two.
2. The applicant must obtain an approved System Suitability Determination from DEM-ISDS.
3. The set back at the westerly lot line shall be increased from the proposed 3.67' to 10', utilizing the same foot print as shown in applicant's site plan S-4.

This motion is based on the following findings of fact:

1. Said property is located in a RR80 zone and contains 6,350 sq. ft.
2. The new structure will not encroach any further into the nonconforming areas as it does presently.
3. The applicant has agreed to move the structure approximately 6'3" further east to increase the westerly setback to 10'.
4. The letter received from the westerly neighbor stating further encroachment is incorrect because the 6'3" movement improves the setback near this property.
5. The new construction will be an improvement to the neighborhood.
6. The present structure was inspected by two contractors who found the house unsafe and basically unrepairable.
7. The current house has no foundation.

The motion carried by a vote of 4 – 1.

Don Wineberg voted against the motion.

Thomas Ginnerty, Joseph Logan, Kathleen Managhan, and David Nardolillo voted in favor of the motion.

Elizabeth Brazil was not seated and Raymond Iannetta and Richard Boren were absent.

Reynolds

A motion was Don Wineberg and seconded by Joseph Logan to accept the withdrawal without prejudice of the application of Edward P. Reynolds at the request of his attorney because it was determined that the advertisement was insufficient legally.

Thomas Ginnerty, Don Wineberg, Joseph Logan, Kathleen Managhan, and David Nardolillo voted in favor of the motion.

Elizabeth Brazil was not seated and Raymond Iannetta and Richard Boren were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:31 p.m.
The motion carried unanimously.