

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the July 27, 2004 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Library, 26 North Road. The Chairman called the meeting to order at 7:03 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty  
Don Wineberg  
Raymond Iannetta  
Joseph Logan  
David Nardolillo  
Elizabeth Brazil  
Dean Wagner

Also present: Brenda Hanna, Stenographer  
Pat Westall, Zoning Clerk  
Fred Brown, Zoning Officer  
Richard M. Bianculli, Counsel

MINUTES

Minutes of the June 22, 2004 meeting.

A motion was made by Joseph Logan and seconded Raymond Iannetta to accept the minutes of the June 22, 2004 meeting as presented.

The motion carried by a vote of 5 – 0.

CORRESPONDENCE

A letter from James A. Donnelly on behalf of Michael and Elizabeth Perik requesting a one-year extension of a previously granted special use permit.

A motion was made by Don Wineberg and seconded by Joseph Logan to grant a one-year extension of the special use permit of Mr. & Ms. Perik.

Perik cont.

The motion carried by a vote of 5 – 0.

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

Elizabeth Brazil and Dean Wagner were not seated and Richard Boren was absent.

## NEW BUSINESS

### Balloch

A motion was made by Joseph Logan and seconded by Don Wineberg to grant a one-year extension of a previously granted variance of Mr. & Mrs. Hugh Balloch.

The motion carried by a vote of 5 – 0.

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

Elizabeth Brazil and Dean Wagner were not seated and Richard Boren was absent.

### DeMedeiros

A motion was made by Don Wineberg and seconded by Raymond Iannetta to grant the request of Anthony and Lorana DeMedeiros, whose property is located at Bark Ave., and further identified as Tax Assessor's Plat 16, Lot 40 for a use variance as required by Jamestown Ordinance 82-314C.2. (High ground water table and impervious overlay district) to allow the installation of a new individual sewage disposal system (ISDS) in order to construct a single-family house on the site as approved under development plan review by the Jamestown Planning Commission. The details of the proposed ISDS installation and this application are on file in the office of the Clerk of the Town of Jamestown Zoning Board of Review.

### DeMedeiros cont.

This Board has determined that this application does satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2, and section 82-314C.2 of the Jamestown Ordinance.

This variance is granted with the following restrictions:

1. The condition of approval set forth in the July 6, 2004 Planning Commission memorandum to the Zoning Board are incorporated by reference as conditions to the Zoning Board's approval.
2. The height of the wall or balusters and rail between the "Den" and stairs shown on the 2<sup>nd</sup> floor plan submitted with the application shall not exceed the maximum height required by the building code for the railing at the top of the stairs.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 15,360 sq. ft.
2. The planning Commission unanimously recommended approval.
3. The site plan involves minimal grading and storm water control devises that appear to be adequate to have minimal effect on existing water flow at the site.
4. Two people spoke in favor of the application; one person wrote in favor and one person opposed on behalf of the Jamestown Shores Association.

The motion carried by a vote of 4 – 1.

Don Wineberg, Raymond Iannetta, Joseph Logan, and David Nardolillo voted in favor of the motion.

Thomas Ginnerty voted against the motion.

Elizabeth Brazil and Dean Wagner were not seated and Richard Boren was absent.

### ADJOURNMENT

A motion was made and seconded to adjourn at 8:38 p.m.

The motion carried unanimously.