

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the January 25, 2005 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 7:04 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty
Don Wineberg
Richard Boren
Joseph Logan
David Nardolillo
Elizabeth Brazil
Dean Wagner

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

MINUTES

Minutes of the November 23, 2004 meeting.

A motion was made by Don Wineberg and seconded by Joseph Logan to accept the minutes of the November 23, 2004 as amended to read on page #2 “this is the second continuance, and the new groundwater ordinance has been enacted since this application was first submitted”.

The motion carried by a vote of 5 – 0.

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

Elizabeth Brazil and Dean Wagner were not seated and Raymond Iannetta was absent.

NEW BUSINESS

DiBiase

A motion was made by Thomas Ginnerty and seconded by David Nardolillo to grant Peter DiBiase a one-year continuance of a previously granted variance.

The motion carried by a vote of 5 – 0.

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

Elizabeth Brazil and Dean Wagner were not seated and Raymond Iannetta was absent.

Reynolds

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to continue the application of Edward Reynolds, Nancy Wharton, and Ellen Reynolds to the next regular meeting at the request of the attorney for the applicant. This will allow time for Counsel to respond to the Board to Mr. Anthony's Motion to Dismiss and for Mr. Brockmann to respond within 10 days

The motion carried by a vote of 5 – 0.

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

Elizabeth Brazil and Dean Wagner were not seated and Raymond Iannetta was absent.

Controneo

A motion was made by Joseph Logan and seconded by David Nardolillo to grant the request of Stephen Controneo, whose property is located at Spindrift St., and further identified as Tax Assessor's Plat 5, Lot 277 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.

This Board has determined that this application does satisfy the requirements of Article 6, Sections 600, Section 606, and Section 607, Paragraph 1 and section 82-314C.2 of the Jamestown Ordinance.

This use variance is granted with the restriction that the storm water management system grading plan be recorded with the deed for the property as recommended by the Planning Commission.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 7,200 sq. ft.
2. No dimensional relief was requested.
3. The Planning Commission has recommended approval.
4. Requirements of the High Water Ordinance have been met by the submitted plan.

The motion carried by a vote of 5 – 0.

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

Elizabeth Brazil and Dean Wagner were not seated and Raymond Iannetta was absent.

Wright

A motion was made by Thomas Ginnerty and seconded by Elizabeth Brazil to grant in part, and deny in part, the request of Rod & Natalie Wright, whose property is located at 20 Whittier Rd., and
Wright cont.

further identified as Tax Assessor's Plat 8, Lot 412 for a variance from Article 3, Section 82-302 Table 3-2 (District Dimensional Regulations) to have a side & rear set back of 3'-6" for the garage where 10' is required and a front set back of 28'-6" for the house addition where 30' is required.

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

This variance is granted as to the request to the enclosure of the existing screened porch located on the east side of the house, but denied as to construction of the proposed garage.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 16,185.1 sq. ft.
2. That the proposed enclosure of the screened porch area does not create any further encroachment to any setback.
3. That there are many reasonable alternatives to the construction of the garage without zoning relief.

The motion carried by a vote of 4 – 1.

Thomas Ginnerty, Richard Boren, David Nardolillo, and Elizabeth Brazil voted in favor of the motion.

Joseph Logan voted against the motion.

Don Wineberg was recused, Dean Wagner was not seated, and Raymond Iannetta was absent.

Gouveia

A motion was made by Don Wineberg and seconded by Joseph Logan to continue the request of Alan Gouveia II to the next regular meeting due to the fact that we have not received a decision letter from the Planning Board.

The motion carried by a vote of 5 – 0.

Gouveia cont.

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

Elizabeth Brazil and Dean Wagner were not seated and Raymond Iannetta was absent.

Corredora

A motion was made by Don Wineberg and Joseph Logan to grant the request of Lino Corredora, (Beatrice C. Burns, owner) whose property is located between Hull and Stern Streets, and further identified as Tax Assessor's Plat 14, Lot 80 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.

This Board has determined that this application does satisfy the requirements of Article 6, Sections 600, Section 606, and Section 607, Paragraph 1 and section 82-314C.2 of the Jamestown Ordinance.

This use variance is granted with the restriction that the applicant must provide an as built grading plan to the building official prior to the issuance of a certificate of occupancy.

This motion is based on the following findings of fact:

1. This property is located in the R40 zone and contains 14,400 sq. ft.
2. This 3-bedroom house on a double lot as recommended for approval by the Planning Commission has a very low pervious coverage rate of about 7% and a low lot coverage area.
3. The Planning Commission unanimously recommended approval.
4. An Advantex System for a 2-bedroom house would only be about 15% smaller.
5. The overall size of the house is modest.

The motion did not carry by a vote of 2 – 3.

Corredora

Don Wineberg and Joseph Logan voted in favor of the motion.

Thomas Ginnerty, Richard Boren, and David Nardolillo voted against the motion.

Elizabeth Brazil and Dean Wagner were not seated and Raymond Iannetta was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 9:05 p.m.

The motion carried unanimously.