

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the February 22, 2005 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Melrose School, 76 Melrose Avenue. The Chairman called the meeting to order at 7:05 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty
Don Wineberg
Joseph Logan
Elizabeth Brazil
Dean Wagner

Also present: Brenda Hanna, Stenographer
Pat Westall, Zoning Clerk
Fred Brown, Zoning Officer
Carolyn A. Mannis, Counsel

MINUTES

Minutes of the January 25, 2005 meeting.

A motion was made by Don Wineberg and seconded by Joseph Logan to accept the minutes of the January 25, 2005 as presented.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Joseph Logan, Elizabeth Brazil, and Dean Wagner voted in favor of the motion.

Raymond Iannetta, Richard Boren, and David Nardolillo were absent.

CORRESPONDENCE

CRMC Coastal Features Volume 12, Issue 2, Special Issue.

RI DEM Notice Dated 2/8/05 Re: Application No. 02-0459.

CRMC Coastal Features Volume 12, Issue 3, Special Issue.

OLD BUSINESS

Reynolds

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to move to dismiss the present appeal of Edward Reynolds, Nancy Wharton, and Ellen Reynolds on the grounds that the appellant does not have a right to appeal the decision of the zoning officer regarding an application for a zoning certificate. Incorporate by reference the February 10, 2005 letter of attorney Parks, Town Solicitor.

The motion carried by a vote of 4 – 1.

Thomas Ginnerty, Don Wineberg, Joseph Logan, and Elizabeth Brazil voted in favor of the motion.

Dean Wagner voted against the motion.

Raymond Iannetta, Richard Boren, and David Nardolillo were absent.

Gouveia

A motion was made by Dean Wagner and seconded by Thomas Ginnerty to continue the application of Alan Gouveia II to the March 22, 2005 meeting as no one was there to represent the applicant.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Joseph Logan, Elizabeth Brazil, and Dean Wagner voted in favor of the motion.

Raymond Iannetta, Richard Boren, and David Nardolillo were absent.

NEW BUSINESS

O'Farrell

A motion was made by Don Wineberg and seconded by Thomas Ginnerty to grant the request of William and Noreen O'Farrell (O'Farrell & Sons, LLC, owner) whose property is located at 951 Fort Getty Rd., and further identified as Tax Assessor's Plat 11, Lot 7 for a variance from: 1) Article 3, Section 82-303 – Number of Residential Structures Per Lot – in order to allow an additional residence to be constructed on the lot; and, 2) Article 3, Section 82-302 – District Dimensional Regulations – to build such structure with a smaller rear setback than mandated.

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 following restrictions:

1. None of the dwellings shall have more than one (1) kitchen.
2. None of the dwelling units may be rented to tenants who are not working on the farm at least 10 hours per week, six (6) consecutive months.
3. Neither the "Annex" nor the "Farmhouse" described in the application may be expanded without additional review and approval by the Board or its successor.

This motion is based on the following findings of fact:

1. Said property is located in a RR-80 zone and contains 10.06 acres.
2. The applicants renovation and reconstruction of the farm at their own substantial expense has created a visual and cultural benefit for all town residents and visitors that is consistent with the highest priorities of the Town's Comprehensive Plan.
3. The proposal would result in 3 residences on about 55 acres, about 44 of which are permanently non-developable.
4. The building plan would concentrate the dwellings away from the treescape and preserve public views of the farm's open space.
5. Construction of a third dwelling would enable the owner to offer housing to farm workers who would otherwise not be able to afford to work on the farm.

O'Farrell cont.

6. The Jamestown Farm Committee supported granting the application especially noting that making housing available for workers is essential for sustainability and viability of agriculture on the island.
7. No one spoke against the request.
8. The Board considers retail operations to sell agricultural products raised on the property to be a permitted use in the RR80 zone.

The motion carried by a vote of 5 – 0.

Thomas Ginnerty, Don Wineberg, Joseph Logan, Elizabeth Brazil, and Dean Wagner voted in favor of the motion.

Raymond Iannetta, Richard Boren, and David Nardolillo were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:29 p.m.

The motion carried unanimously.