

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the June 23, 2009 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:00 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty  
Richard Boren  
Joseph Logan  
Dean Wagner  
Richard Cribb  
Richard Allphin

Also present: Brenda Hanna, Stenographer  
Pat Westall, Zoning Clerk  
Fred Brown, Zoning Officer  
Wyatt Brochu, Counsel

MINUTES

Minutes of May 19, 2009

A motion was made by Thomas Ginnerty and seconded by Richard Cribb to accept the minutes of the May 19, 2009 meeting as presented.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, Dean Wagner, and Richard Cribb voted in favor of the motion.

Richard Allphin was not seated and Don Wineberg and David Nardolillo were absent.

CORRESPONDENCE

CRMC Coastal Features Volume 15 Issue 4.

A letter from Joseph R. Palumbo, Jr. requesting to continue the Dutton petitions to the next regular meeting.

NEW BUSINESS

Ryng-Dutton Appeal & Variance

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to continue the appeal and variance request of Janice Ryng-Dutton to the July 28, 2009 meeting.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, Dean Wagner, and Richard Cribb voted in favor of the motion.

Richard Allphin was not seated and Don Wineberg and David Nardolillo were absent.

Thompson

A motion was made by Richard Boren and seconded by Dean Wagner to grant the request of James A. Thompson, whose property is located at 32 Pemberton Ave., and further identified as Tax Assessor's Plat 8, Lot 84 for a special use permit from Article 3, Table 3-1, VII B (Personal Services, 6. Beautician, Barbershop, Shoe Repair, and similar services, and a dimensional variance from Article 3, Table 3-2 (District Dimensional Regulations) for lot size and building setbacks, in order to change the use of the premises from 3 offices to two offices and a beauty salon.

Regarding this request, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600

Regarding the request for a Variance, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 606, PARAGRAPHS 1 through 4, and SECTION 607, PARAGRAPH 2.

Regarding the request for a Special Use Permit, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 602.

This Variance is granted with the following restriction:

1. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a CL zone and contains 12,300 sq. ft.
2. There are presently 3 commercial units.
3. The building is approximately 2,400 sq. ft.
4. The Beauty Salon will use approximately 900 sq. ft.
5. There will be no changes to the building footprint
6. The present parking meets the zoning ordinance.
7. There will be 2 beautician chairs and there will probably be no more than 2 customers at a time.
8. No one testified in opposition to the application.

The motion was amended to add finding of fact #9. The Jamestown Town Council sitting as the Board of Water & Sewer Commissioners approved the application of the lessee.

A motion was made by Richard Boran and seconded by Dean Wagner to approve the amended motion.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, Dean Wagner, and Richard Cribb voted in favor of the motion.

Richard Allphin was not seated and Don Wineberg and David Nardolillo were absent.

#### Solicitor's Report

Nothing at this time.

#### EXECUTIVE SESSION

Nothing at this time.

#### ADJOURNMENT

A motion was made and seconded to adjourn at 7:12 p.m.

The motion carried unanimously.