

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the July 28, 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
Don Wineberg
Richard Boren
Joseph Logan
David Nardolillo
Richard Cribb
Richard Allphin

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

MINUTES

Minutes of June 23, 2009

A motion was made by Thomas Ginnerty and seconded by Richard Boren to accept the minutes of the June 23, 2009 meeting as presented.

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.

Richard Cribb and Richard Allphin were not seated and Dean Wagner was absent.

CORRESPONDENCE

A letter received July 23, from Joseph R. Palumbo, Jr. requesting to withdraw the appeal of V.P. Enterprises from the decision of the Planning Commission and the appeal of Janice Ryng-Dutton from decision of Jamestown Building Official.

A letter received July 28, from Joseph R. Palumbo, Jr. requesting to withdraw the appeal of Janice Ryng-Dutton decision of the Jamestown Zoning Official.

Due to the fact that both letters do not accurately reference the two items that are on the agenda, a new letter is needed.

The two items on the agenda are:

1. Janice Ryng-Dutton appeal of the decision of the Building Official.
2. Janice Ryng-Dutton request for a variance.

NEW BUSINESS

Ryng-Dutton Appeal & Variance

A motion was made by Thomas Ginnerty and seconded by Don Wineberg to continue the appeal and variance request of Janice Ryng-Dutton to the August 25, 2009 meeting.

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.

Richard Cribb and Richard Allphin were not seated and Dean Wagner was absent.

Jamestown Arts Center

After testimony was completed, it was determined that shared parking was not needed.

A motion was made by Don Wineberg and seconded by Richard Boren to grant the request of the Jamestown Arts Center (Freebody LLC, owner), whose property is located at 18 Valley St., and further identified as Tax Assessor's Plat 8, Lot 461 for variances and special use permits under Article 3, Section 82-302, District Dimensional Regulations, Table 3-1.IV.1 and 3-2 to grant a special use permit for an educational use and to allow dimensional relief from required lot size, lot coverage, and building setbacks to change the use of an existing nonconforming structure and Section

82-306 to allow a new fixed canopy to project to the front property line (to the line of existing concrete steps); Article 12, Section 82-1202 to allow a parking space to be located within 7 feet of a street where 10 feet is required and to locate parking spaces in the side yard rather than in the rear portion of the property; Section 82-1203.11 to provide 8 on-site parking spaces where 16 are required; and Article 13, Section 82-1304 to grant a special use permit for building signage.

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

Regarding the request for Variances, 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 restrictions:

1. The existing composite siding may be maintained but may only be replaced by natural materials.
2. 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 10,000 sq. ft.
2. The project does not expand the amount of dimensional relief required.
3. The applicant demonstrated the existence of adequate off-site parking.
4. Many Jamestown residents who are on the applicant's Board were present, one person spoke in favor of the application, and none opposed it.
5. The Planning Commission unanimously recommended approval.
6. Four letters of support were received from prominent Jamestown representatives including the library director, teen coordinator, school principal, and a professional town planner.

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.

Richard Cribb and Richard Allphin were not seated and Dean Wagner was absent.

Solicitor's Report

Nothing at this time.

EXECUTIVE SESSION

Nothing at this time.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:35 p.m.

The motion carried unanimously.