

PLANNING COMMISSION MINUTES

August 4th, 2004

7:30 PM

**Jamestown Library**

The meeting was called to order at 7:35 p.m. and the following members were present:

Gary Girard                      Betty Hubbard  
William Kelly                     Barry Holland

Not present:

Victor Calabretta  
Jean Macgregor-Brown  
Andrew Kallfelz

Also present:

Lisa Bryer, AICP – Town Planner  
Cinthia Reppe – Recording Clerk  
Mike Gray – Deputy Public Works Director – Town Engineer  
Dr. Daniel Urish  
John Murphy – Attorney  
Andrew Johnston – Engineer – NE&C Inc.  
Paul Aldinger – Hydrogeologist  
Joseph Manning  
Jack Brittain – Jacks Electric  
Wendy Waller – Attorney  
David Martland – Attorney  
Frank and Magdalena Andres  
Edward Sutt  
Julio DiGiando

**I. Approval of Minutes from July 7,2004**

A motion was made by Commissioner Holland and seconded by Commissioner Kelly to accept the minutes as written. So unanimously voted. Commissioner Hubbard abstains.

Commissioner Kallfelz arrives at 7:37 p.m.

**II. Correspondence**

1. FYI – Zoning Board Agenda July 27, 2004. Received
2. CRMC – Assent- Lois Mariorezzi and Priscilla Szneke 84 Bay View Dr., Jamestown, RI 02835; to construct modifications to an existing residential boating facility by installing a boat lift system. Plat 8 Lot 271.  
Received

3. CRMC – Assent – RI DEM, 235 Promenade St., Providence, RI 02908; to construct and maintain: define/establish a marina perimeter limit, install an 8'x64' float, and a 4'x150' +/- (total) floats, to maintain five research vessels. Fort Wetherill Marine Base, Fort Wetherill Rd., Jamestown, RI. Received

### **III. Citizen's Non Agenda Item- nothing at this time**

### **IV. Reports**

1. Town Planner's Report

Lisa Bryer Town Planner will give updates when the issues come up on the agenda

2. Town Committees

- a. Harbor-nothing at this time

- b. Fort Getty

Working on current uses and proposed uses. Meeting tomorrow at 2:00.

- c. Buildings and Facilities- proposal by Sept

- d. Others

3. Sub Committees

### **V. Old Business**

1. Manning - 9 Lot Major Subdivision - Cedar Lane – Master Plan Review – Discussion of Groundwater Study

Attorney John Murphy introduced Andrew Johnston, Paul Aldinger and Joseph Manning. The applicant has requested a 90 day extension for the master plan review. Including decision until November 3<sup>rd</sup>. Andrew Johnston PE gave a brief presentation on the scope of work for the hydrogeologic study and Mr. Aldinger will answer questions.

Commissioner Hubbard asked how frequently will the wells be tested in terms of water quality? One time for water quality. The water elevations will be tested more than that.

Mike Gray asked how many wells will be tested for water quality, Mr. Aldinger answered probably 3 . They discussed that it is more important to test the water elevations and they are sending letters to the abutting neighbors to request access to their wells.

How will they select which wells to test? They will determine when they get responses back. Andrew Johnston asked if no one to volunteers can they do wells on the property line? Commissioner Hubbard questioned where will the wells be put and also if the volunteers will received a copy of the well reports. Mr. Aldinger stated yes it can be done.

Commissioner Kallfelz asked if the scope of work that was handed out at tonight's meeting incorporated the scope of work that Dr. Urish had suggested and Dr. Urish replied that yes it did and in greater detail. The Planning Commission is voting on details to be worked out with the staff. A motion was made by Commissioner Kallfelz, that further details on the scope of work will be worked out with the Town Planner and the applicant, Commissioner Kelly seconded the motion. So unanimously voted. A motion was made to extend the master plan review by 90 days until November 3<sup>rd</sup> 2004 by Commissioner Hubbard and seconded by Commissioner Girard. So unanimously voted.

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### **VI. New Business**

1. Application of John Brittain – Development Plan Review – Clinton Ave. – Plat 9 Lot 201

Lisa Bryer Town Planner added that she spoke to the building official Fred Brown. The parking is supposed to be in rear of building, so it requires a variance from the Zoning board.

It's not clear in a case like this, if the interior parking is ok to count for the total spaces. The ordinance doesn't address if inside parking should be counted. The applicant does not know what will be done with the second floor yet at this time. Attorney Wendy Waller, representing the applicant Jack Brittain introduced him. David Martland representing Frank and Magdalena Andres stood up and introduced himself. Jack Brittain presented the commission with his plans and stated that he has lived in Jamestown since 1974, and has been in business since the 1980's, and he has rented and leased space all over the island. He has 9 employees working out of storage containers on the site right now. The office will be moved to the new building, when Jack retires his son will take over business. He explained the proposed mezzanine area, 1/3 of sq ft of 1<sup>st</sup> floor, office space on second floor. He would like to use the 2<sup>nd</sup> floor for storage. Mr. Brittain handed out some paperwork from the last year, of the business that he had done, this will be attached to the minutes. Commissioner Holland questioned if the building was all open for parking vehicles since the storage unit things must be stored somewhere inside. Some of the trucks are 10-12 feet high. The commissioners asked if Mr. Brittain has customers that come to the office and he answered that rarely does that happen. The building will be used for storage of vehicles and supplies. The commissioners asked if there is a large delivery will there still be enough room to store everything inside, Mr. Brittain answered that yes that's why he needs a large building and that is why it is facing the way it is. He has 9 vehicles, 6 bays, 2 per bay, he has 11 pieces of equipment. What type of construction, metal trusses. He changed the pitch of the roof to bring it up higher to a 6-12. Vinyl shingles siding. Commissioner Hubbard asked if the garage doors need to be 14 feet high since the highest truck is 11 ft.? A discussion ensued regarding the roofline and the metal building between Mr. Brittain and the commissioners. A discussion regarding the future use of the building if Jack retires ensued and Mr. Brittain stated that if the use is changed they will have to come before the Planning Commission again. Commissioner Hubbard stated that there are 11 spaces outside, 2 more than the number of people employed. There is also parking spaces on Clinton Ave. according to Mr. Brittain. Commissioner Hubbard stated that they should not be parked on street. Commissioner Kallfelz questioned the ability to use the inside as parking for the employees. A discussion ensued regarding the size of the building, the sheer mass of it is out of character with the neighborhood stated Commissioner Girard. Mr. Brittain stated that it is the same size as Bakers, Central Garage etc. There will be a gravel parking area. The commissioners were asked if they want more asphalt and a smaller building. If the building is shrunk down the trucks will be kept outside. Commissioner Hubbard states that in commercial downtown it should be a pedestrian friendly business. The applicant will provide a buffer. All of the planting would be on town property. Turning it halfway around, ample room to do that Lot is 115 feet wide. If turned the back is facing the street and it is not appealing. Do we want 50 ft facing Clinton or 90 ft facing Clinton. Gail Sheehan owns building next to Jacks building; Consistent Care, she is familiar with zoning issues in Jamestown, and she said that originally Jack told her he was going to do something different than what is proposed now, a small office and an apartment. That property has had a number of restrictions

throughout the years. She has drainage issues and she has sump pump problems now. Why are you talking about a well? Is there going to be people living there? There is not a lot of property there and a building this size would take up all the property. She is stuck in the middle. She feels this is not consistent with the comprehensive plan in Jamestown.

Mr. WG Boll - 33 Clinton Ave. - values his property and does not like the way the lower street looks, the butternut tree will not survive very long if moved. He knows about arboretum. Wants tree kept in present state. Cannot be transported easily.

David Martland – Attorney - Is this a conceptual review or is this DPR? He feels the checklist is incomplete. There is no traffic report, drainage report, engineers report, list provided the applicant is required to provide, what about drainage for the parking. If you want to approach it in a more strict interpretation the 12 spots inside don't conform.

The applicants intention is for lot 201. On Zoning map 201. Issue as to where the actual boundary line is. Lisa Bryer explained the utility easement. Town Clerk Arlene Petit has all the information on that. There are grandfathered uses. Attorney Mr. David Martland wants clarification on the restrictions. Mr. Martland stated there are other deficiencies noted, located hydrants and street lights not shown.

Existing features like the storage containers that are on the property now are not shown, the circulation pattern, and a side walk is not shown. Commissioner Holland asked if a sidewalk is appropriate on 1 lot of Clinton Ave when there are no other sidewalks down the street. Lighting and illumination plans are not complete, the light pollution flowing off of their lamps. The Landscape plan shows only 10 of those in the list. Underground stream? The Butternut tree is not shown on the streetscape plan. Mr. Martland stated that until clarification for parking and everything else mentioned is noted its unfair for the neighbors to have it go forward at this point.

Mr. Gara - 19 Clinton Ave. Building is to big to look at and noise pollution, gravel with diesel and hydraulics. The town put in a special drain for a sump pump. Doesn't like size and height of building, property bought from HV Holland. He asked Commissioner Holland if he is related the answer is no.

Judy Grisovich - Clinton Ave. – the size of the lot to small for the building, trucks going back and forth, apartments too a concern.

Frances Goode - 27 Clinton Ave. she is worried about the traffic with several small children in the neighborhood.

Pam Lis - 31 Clinton Ave. She has 4 children and is concerned but nothing specific.

Robert Dupre - 16 Green Lane – he looks across at the property on Clinton, not a great looking building, big for where it is located. Window only 3 feet tall bigger would be better. What could he do to make the building look better, industrial building and shouldn't be in Jamestown. This is an industrial use not commercial use.

Ed Sutt 34 Clinton Ave, 2 small children, full lane is what a stroller takes, submitted a letter which he read to the planning commission that is attached at the end of the minutes. He urges the planning commission and planner to take a good look at this before it is approved.

Georgia Marsh – Jack's business has already become industrial. If the operation changes hands what would the next use be of this to large metal building. The noise pollution is of concern, and also the physical pollution.

Magdalena Andres – Clinton Ave. read letter. Attached at end of minutes.

Mr. Gara, what effect will this building have on his house?

Commissioner Holland asked Mr. Brittain what the size are of most of the trucks? Box 10 ft high 2 buckets boom 41 feet 21 feet long height 11 feet clearance. The trucks leave in the morning and come back at night. If down stream this building was converted, there are restrictions that the planning board can put on the use. Mr. Brittain answered Commissioner Holland that he has had 3 deliveries from tractor trailer trucks since he has been there when asked that question. Steve Goslee, Director of Public Works has done a review on the drainage plan that has been submitted.

Commissioner Girard is concerned with the drainage water issue. Mr. Brittain stated that Dr. Bush was given permission to tie into the street drainage with the sump pump. Commissioner Kelly is perplexed by the issue of it being built on Clinton Ave. He says it is an eyesore right now. The Planning Commission is looking at a building that the neighbors are not happy with. Is there a compromise? What is the best use for that piece of property? The Neighbors need to ask themselves is a full blown commercial use better than this or not. Attorney Mr. Martland stated he thinks there is a misunderstanding about what his clients are interested in. Open to discussions, Mr. Brittain only needs 1500-2000 sq ft of storage and office and he can put cars and trucks in the back. Mr. Brittain stated lets work together, is the building going to face sideways or forward? He wants guidance as to what everyone wants. When the landscaping is done you cannot see the garage doors. He tried to design it with the neighbors in mind too. The Planning Commission urged the applicant to go back and look at different ideas and alternatives. Commissioner Kallfelz made a motion to continue the meeting past 10:00 p.m. Commissioner Girard seconded the motion. So unanimously voted. Mr. Brittain stated this is a service and a trade not industrial use. Commissioner Girard stated there should be more discussion with Mr. Brittain and the community for guidance. Commissioner Holland stated the basic issue seems to be size and orientation of building. If the building is to big are you willing to leave the vehicles outside? Will the neighbors be happy? There could be more traffic if it's a different use that is permitted.

Commissioner Hubbard stated when she was talking about parking around back she would like to see parking around back and a smaller building would be more acceptable to her. Mr. Brittain stated he followed the zoning codes to the letter. Did not go outside, a little under. Commissioner Kelly stated that it is an eyesore now and it is grandfathered and can be used the way it is being used now. Commissioner Kallfelz said to look outside the box. He also asked the Town Planner if there is a budget for an architect that the planning commission had asked for during the Baptist Church review. Ms Bryer stated yes there is. A Motion to continue to the next appropriate meeting was made by Commissioner Kallfelz and seconded by Commissioner Kelly. A discussion ensued and it was suggested that the applicant come back with a conceptual drawing to show to the Town Planner and an architect and then proceed. So unanimously voted.

2. Review of petition at the Town Councils request – Re: Boogie Boards at Mackerel  
This item is a safety issue that the planning commission wants to refer back to the recreation department. Town Councilor Julio DiGiando recalls it should not have been sent to the Planning Commission to his knowlegde. A motion was made by

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Commissioner Kallfelz to defer to the recommendation of the Recreation Director it was seconded by Commissioner Girard. So unanimously voted.

A motion to adjourn was made by Commissioner Girard and seconded by Commissioner Kelly at 10:25 p.m. So unanimously voted.

Attest:

Cynthia Reppe

*This meeting was recorded on 1 micro-cassette*