

PLANNING COMMISSION MINUTES

June 4, 2008

6:30 PM

Jamestown Town Hall

The meeting was called to order at 6:35 p.m. and the following members were present:

Gary Girard	Barry Holland
Jean Brown	Richard Ventrone
Nancy Bennett	Michael Swistak
Alexandra Nickol	

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Planning Assistant
Christopher Orton – Town Solicitor
Michael Gray – Town Engineer
Justin Jobin – Wastewater Management Specialist
A. Lauriston Parks – Attorney
Bruce Keiser – Town Administrator
Julio DiGiando – Town Councilor
William Kelly – Town Councilor
Bob Sutton – Town Councilor
Michael White – Town Councilor
Bruce Hagerman, Crossman Engineering
Anthony Autiello, A. Autiello Construction
Nick Robertson – Buildings and Facilities Committee
Andrea Colognese and Doriana Carrella
Mary Meagher – Designer
Victor & Lynn Bell – Owners - Environmental Packaging International

I. Approval of Minutes May 7, 2008

A motion was made by Commissioner Ventrone and seconded by Commissioner Holland to accept the minutes as written. So voted and approved. Commissioner Swistak abstains.

Approval of Minutes May 21, 2008

A motion was made by Commissioner Ventrone and seconded by Commissioner Holland to accept the minutes with the following changes:

Page 2 – 1st paragraph, add a second sentence: **It had been suggested that increasing dock space available to fishermen would increase landside uses.**

Page 2 – #4 Subcommittees add Mike Gray Town Engineer to **ask for a tree plan** delete ~~see the plans for trees~~ for the new highway barn.

Page 6 – 2nd paragraph add a 4th sentence to read: **Commissioner Bennett asked if Slice of Heaven would be allowed with the proposed setbacks, the Planner responded that the maximum front setback is 12 feet and the building is probably set back more than that today.**

Page 6 – 3rd paragraph under #3 Clinton Ave. to Green Lane, Don Powers gave Lisa Bryer some ~~taking~~ **talking** points. So voted and approved. Commissioners Girard and Swistak abstain.

II. Correspondence

1. CRMC – RI Assent – Sharon and Gary L’Europa, 57 Terrace Ave., Riverside, RI 02915; to construct and maintain a residential boating facility to consist of a 4’x154’ fixed timber pier with a 4’x20’ L shaped terminal access platform. The dock will also incorporate a 1200# boat lift system. Proposed dock extends to 84 ft. beyond MLW requiring a 34 ft length variance, located at; 33 Seaside Dr. Jamestown, RI Plat 14 Lot 14. Noted
2. FYI – CRMC Newsletter. Received
3. FYI – Review of Variance Application for Plat 16 Lot 15 Hayes Property from Kelly Whalen PE – Newfields. Received
4. FYI - Memo from Bob Sutton, Town Councilman to Jamestown Planning Commission re: Jamestown Subdivision Regulations, Private Roads. Received.

III. Citizen’s Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner’s Report

Town Planner Lisa Bryer updated the Commission on Rolling Agenda and the Land Use Plan. It will be presented at a joint Town Council/School Committee Meeting on June 9 at 6pm.

2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Fort Getty
 - c. Buildings and Facilities
 - d. Others
4. Sub Committees

Commissioner Bennett reported that Mike Gray met with the Tree Committee to discuss a Planting Plan for the Highway Garage.

Commissioner Girard stated that the Highway Garage Facility DPR under New Business would be taken first.

VI. New Business

1. **Town of Jamestown Highway Garage Facility – Plat 7, Lot 1 – Development Plan Review in Public Zone (P)**

Town Engineer Michael Gray made a power point presentation to the Planning Commission and the audience. He explained what a design built project is. He introduced Bruce Hagerman, Crossman Engineering, the engineer for the project and Anthony Autiello, Jr. from A. Autiello Construction Co. Inc., the contractor. Crossman Engineering did the site plan. The bid was awarded on May 19, 2008.

Commissioner Nickol asked if they considered shifting the building 10 feet closer to the water treatment plant? Yes Mr. Gray said but the utilities on the north side of the new building prevented that from happening.

Mike Gray said that the town received a grant to build the Salt Storage building from DEM and they just packaged this together for the site development and presentation. The goal was to keep the profile low so the building will be no taller than the waste water treatment plant.

They will be asking the Zoning Board for a variance for the 6 spaces that are needed for the salt storage building since no one will occupy the building. He explained the drainage. He went through the required local approvals that will be needed from the Zoning Board.

1. A dimensional variance for the side yard setback for the construction of the highway garage building in accordance with Table 3-2 Public Zoning District.
2. A variance from Section 82-306 for the installation of an 8' fence
3. A variance from Section 82-1203 Minimum off street parking for government, education, and institutional facility
4. A special use permit in accordance with Table 3-1, (IV), Government, Education, Institutional (10) Government Owned Utility Facility

Mr. Gray explained that the mixing of the salt and sand will be done on the pavement due to the low roof height. The building is not tall enough for the equipment to do it inside.

Commissioner Girard informed the audience that the Hayes application will be continued until the meeting July 16th 2008.

Commissioner Swistak asked if there was room for expansion if needed at a later date? Not in this space Mr. Gray said, but the building is adequately sized to accommodate many years and he does not anticipate the need for increasing the size of the department. Some residents from that neighborhood are concerned that Bay View drive will be used for access. This has been discussed extensively by the Town Council and there will be a town policy that the trucks will be prohibited on this road unless there is work needed on Bay View or Mt Hope.

Dennis Webster – Mt Hope Ave – would like to discuss what will be stored at Taylor Point and what would be stored at the Transfer Station; his recollection was that outdoor storage will be at the landfill. He is hoping that the town will be keeping this in much nicer condition and that the initial good intentions will not go by the wayside. He would like to see this as a condition of approval, No outdoor storage, to prevent people from getting sloppy. It was the sentiment of the board that they did not want any conditions in place that would hinder department operations. The “Salt Barn” has room for improvement and sense it will be very visible it should be made to look more like a new England barn by making it longer and narrower 30x80 instead of square with a steeper roof pitch. He would like to see more screening. Did the Planning Commission get the tree committees 10 page report that includes 2 pages on Taylor Point that states that it should be developed as a town recreation area? Mike Gray responded yes, he has seen it. Now there is a pedestrian path from Bay View Dr. to East Shore Rd. We should be allowing pedestrian access just south of the “barn”. The 3 material storage bins are visible from the bridge, they are not attractive, he would like a less visible place for them. They are currently stone block and can we look into something else that looks neater? The building colors should be muted and the chain link fence should be black.

Lisa Bryer asked Mr. Webster to clarify the public access comment. He said that you can now walk on Town Sewage Treatment Plant property and then along the highway right of way to get to

Conanicus Avenue; but that the Bridge and Turnpike Authority recently fenced the whole area under the bridge to prevent access. Commissioner Holland questioned whether keeping the pathway open behind the building would cause vandalism?

Mike Gray said he understands Mr. Webster's concerns, they are trying to provide what is needed and keep the height of the building lower. The way the project was bid was as a design built plan and any changes will affect the cost. The Board agreed that cost is a consideration when considering changes.

Commissioner Ventrone said the salt storage building, proportion wise is nice and the pitch for both buildings are in harmony with each other.

Commissioner Bennett asked if it would be more expensive to make it narrower and increase the roof pitch. Right now we can afford to build it said Mike Gray and a change in design would cost more, but he is unsure how much.

Commissioner Brown asked, "am I seeing a cupola on the highway garage? Maybe one on the salt storage building would make it more palatable to some?"

A discussion ensued regarding planting more trees and the different views from traveling various different streets in the area.

Bob Sutton – Town Councilor discussed the color issues. The roof is proposed as green right now. He would like to suggest a change from green to a charcoal gray, which is more of an earth tone, neutral color. He would like it changed.

Commissioner Girard said the goal tonight is to grant preliminary approval and recommend approval to the Zoning Board. A recommendation should be made from the Planning Commission to the Zoning Board.

Town Councilor Bill Kelly is asking for a positive and expeditious preliminary approval. He was not a strong proponent of this site originally. The Town voted to locate it at Taylor Point. He now supports this proposal, and suggested that we not get into a process of re designing it because of budget constraints. The Town Staff have done their due diligence on this. The new equipment needs to stored indoors. Materials are bought in bulk, if the size is redesigned it will add to the cost of materials.

Nick Robertson the Vice Chair of the Buildings and Facilities Committee stated there are large pumps in the area and has any passive solar heat been considered? They have considered translucent panels for light. A Propane direct fired heater is proposed.

Commissioner Swistak suggested that as part of the approval we recommend that the Department look into some changes as long as they are cost effective and affordable and within budget.

Commissioner Ventrone suggested approving this as it was presented.

Town Councilor Julio DiGiando asked that they don't make changes to the building that may jeopardize the efficient operation.

Commissioner Ventrone made a motion that was seconded by Commissioner Girard to Grant Preliminary Development Plan Approval for the Town of Jamestown Highway Garage Facility located at Plat 7, Lot 1 as shown on the following plans:

1. Site Plans prepared by Crossman Engineering Sheets 1-12 dated May 28, 2008
2. Zoning Plan prepared by Crossman Engineering dated May 28, 2008

3. Highway Garage Building Rendering prepared by Saccoccio & Associates, Inc. and A. Autiello Construction Co. Inc.
4. Building Elevations of the Highway Garage Building and Salt Storage Building (Sheets 1-3) prepared by Saccoccio & Associates, Inc and A. Autiello Construction Co. Inc.
5. Landscaping Plan prepared by Steve Saracino, Jamestown Tree Warden dated June 2, 2008

In addition, the Planning Commission supports the following variances and special use permit:

1. A dimensional variance for the side yard setback for the construction of the highway garage building in accordance with Table 3-2 Public Zoning District.
2. A variance from Section 82-306 for the installation of an 8' fence
3. A variance from Section 82-1203 Minimum off street parking for government, education, and institutional facility
4. A special use permit in accordance with Table 3-1, (IV), Government, Education, Institutional (10) Government Owned Utility Facility

Commissioner Swistak suggested the Town consider the following non binding suggestions as long as they are cost effective, affordable and within budget:

1. Bayview Drive Access
2. Consider change in roof color from grey to green
3. Investigate a cupola on the Salt Storage building
4. Consider change in Salt Storage building roof design
5. Change the color of the silver fence to black
6. Look at covering fence with landscaping

Commissioner Ventrone amended the motion and Commissioner Girard seconded it to include the six non binding suggestions above.

The Planner clarified that they just wanted the Town Engineer to look into the 6 issues but it is not part of the motion going to Zoning. Yes, the Board agreed as did Attorney Parks and Mike Gray.

The amended motion was withdrawn and the original motion was then voted on.

So voted:

Gary Girard - Aye

Barry Holland - Aye

Jean Brown - Aye

Richard Ventrone - Aye

Nancy Bennett - Aye

Michael Swistak - Aye

Alexandra Nickol - Aye

Motion carries by a vote of 7-0

V. Old Business

1. Evans – 2 lot Subdivision Plat 9 Lot 43, 31 Southwest Ave. Jamestown RI – Request for a 1 year extension of Final Approval

Town Planner Lisa Bryer explained the request for extension. Final Approval was given March 19th and he is unable to pay the Fee In Lieu Of Land Dedication at this time.

Commissioner Girard made a motion to grant a one year extension of final approval which Commissioner Swistak seconded. So unanimously voted.

2. Village Hearth Bakery – Andrea Colognese & Doriana Carrella – Plat 8, Lot 774 - 2 Watson Ave. – Development Plan Review – recommendation to the Zoning Board – continued

They have come back with more detailed plans that the planning commission asked for. They cut down the seating to 36. They briefly went over the changes. Commissioner Ventrone is not happy with the perspective drawing and said he knows it's a big inconvenience to keep coming back but he would like a more accurate plan to look at.

Commissioner Brown stated that the plans were complete enough for her to make her decision.

They have to do the handicap access ramp to code. Commissioner Holland asked if the bottom line is the edge of the right of way or is that the street? There is no curb there said Commissioner Swistak. It can be a condition that the ramp be noted as to where it ends and that it should not extend onto the right of way.

Commissioner Swistak said the reduction in seating changes the variance request from 8 to 7 required spaces.

Commissioner Bennett noted that a serving counter is shown in the non public area (on the left side of the building) on the plans. The applicant indicated that this was not going to be public, but just the cooking area and that the counter is on the seating side. It is a little dicey parking there already. She is concerned with the retail situation now that they are adding to the problem. She cannot support that many seats with that kind of parking. She is only comfortable with 25 seats. Either way a parking variance is required. You have a great business in a tight location. She also does not think parking on North Main Rd. is a good idea. The applicants said that the majority of their busy time is on the weekend and in the summer.

Commissioner Nickol said by not being able to pull in they are mitigating much of the problem. Commissioner Bennett agrees.

Narragansett Ave. businesses have the same parking issues the applicant stated. Village Hearth is not competing with other businesses for parking. Commissioner Girard said the plan to extend the sidewalks is going to change the whole dynamic.

Commissioner Swistak said at this point in time he is endorsing the project, and supporting the parking variance and thinks the Planning Commission should too. This is an established business that is successful and this growth is beneficial to the town. There must be consistency with Commercial and Commercial limited, other businesses on Narragansett Ave. during the height of the season are very busy, we want to nurture and encourage growth which adds to employment etc. A walkable Village is what the Charette showed that residents have asked for.

Commissioner Brown said she is excited that this is happening with the sidewalks being proposed and that more people will be walking more and riding bikes.

Commissioner Holland wants a condition that says the ramp terminate on a hard service within the property line.

Commissioner Bennett is still concerned about the number of seats. She likes it but she wants to send her concern to the zoning board, about the number of seats and she wants to let them know that she is concerned with the number of seats which is noted. She asked what would be the best venue for letting her concerns known. The Planning Commission is welcome to attend the Zoning

Board meetings too and also Town Planner Lisa Bryer reminded the Commission that votes do not have to be unanimous, only a majority to pass.

Commissioner Brown wants it noted in the minutes that Slice of Heaven has seating for 35-36 without much on site parking.

Commissioner Swistak made a motion that Commissioner Brown seconded to grant Preliminary approval to Village Hearth Bakery with the following conditions:

1. The handicap ramp cannot enter the ROW and must terminate on a hard surface within the property lines.
2. The west side interior of the building will not have public access or service.

In addition the Planning Commission supports the variance for parking due to limited on-site parking (2 spaces).

So voted:

Gary Girard - Aye

Barry Holland - Aye

Jean Brown - Aye

Richard Ventrone - Aye

Nancy Bennett - Aye

Michael Swistak - Aye

Alexandra Nickol – Aye

Motion carries by a vote of 7-0

3. **John A. Hayes -- Zoning Ordinance Section 314 Sub District A Review High Groundwater Table and Impervious Layer Overlay District and Request for Variance to Section 308 – Setback to Freshwater Wetlands - Plat 16 Lot 15, Bark and Seaside Dr. – Recommendation to Zoning Board** – This item was continued to July 16th 2008 at the request of the applicant

2. **Environmental Packaging International – 41 Narragansett Avenue, 5 Clinton Avenue – Plat 9 Lot 211 - Development Plan Review in Commercial Downtown (CD) Zone - Recommendation to Zoning Board**

Commissioner Girard stated that Commissioner Swistak has a business relationship with Mary Meagher and he is not recusing because he feels that he can vote objectively on this issue and has asked the Ethics Commission for a ruling. Commissioner Bennett checked with the Ethics Commission and they said she should recuse, so she left the table.

Victor & Lynn Bell owners of EPI began and Victor gave a description of the business and he stated he employs 6 Jamestown residents. They have proposed a green building and are working with Mary Meagher, Shahin Barzin and the Town Planner. He introduced Mary Meagher and Shahin Barzin to make a presentation.

Mary Meagher wants to talk to the Planning Commission about the 2 issues going to Zoning. The first is mixed use and also a parking variance. Putting commercial use on the bottom floor of the Narragansett Avenue building will require more parking spaces. The spaces required will vary depending upon the uses. She went through the different parking scenarios. They can come very close to providing the parking with joint easements from a neighbor but the basement, which requires parking by ordinance, will only be used for storage not offices.

Shahin Barzin made a presentation and let the board know they are leaders with the design of the building to go green. They also wanted compatibility with the architectural design so that it fits with Jamestown and used some elements from the existing house in the design of the new, more modern building. They came up with several different proposals. Expanding the existing building was shot down since it was creating a monster building. They came up with the simple L shape that is 26 feet high.

Commissioner Swistak asked about water runoff and drainage. The designer indicated that they are using green pavers instead of concrete or asphalt for walkways. This allows infiltration of water.

Mr. Bell said he generally only uses the spaces during the day and that the public could use it at night he would not be using it.

Commissioner Holland asked about his company expanding even more in the future. They are 16 in this location now and he has other locations too, Canada and overseas. He doesn't see more expansion in this location.

Commissioner Swistak asked about the mixed use now, what happens if you can't rent the first floor. He has an apartment in the small house right now. Commissioner Girard thinks they should go with the plan with 18 ft spaces on Narragansett not 20 ft. like the Town Planner suggested.

A discussion ensued regarding parking with the Planning Commissioners.

A motion was made by Commissioner Ventrone and seconded by Commissioner Brown to recommend Preliminary Approval for the Development Plan, and recommend to the Zoning Board support for a parking variance (parking as shown on site plan S1A) and a Special Use Permit for mixed use.

Commissioner Swistak he would not mind continuing this to the next meeting. There are details on the handicap spot that he thinks needs clarification. Commissioner Girard says 18 feet for the parking he feels is acceptable. There are 7 off street parking spaces. Commissioner Swistak asked if they would consider deeded shared parking. He would consider it in the future as long as it works, Mr. Bell replied.

A discussion ensued regarding signage for Restricted Parking that says EPI only. They will change that in the future if this gets built, but do not want to limit their use of the property either. As of now there is signage for their daytime use.

So voted:

Gary Girard - Aye

Barry Holland - Aye

Jean Brown - Aye

Richard Ventrone - Aye

Michael Swistak - Aye

Alexandra Nickol - Aye

Motion carries by a vote of 6-0

3. Annual Election of Officers

The Planning Commission decided to extend the meeting for 10 minutes.

Town Solicitor Chris Orton said he was asked a Point of Procedure regarding nominations and voting. Procedurally you can nominate and vote for yourself. Ethically is another thing. Ethically

there is an issue since there is an enhanced stipend for the chair position. A nominee for chair should refrain from voting for themselves. Commissioner Ventrone said the nominating committee met and recommends Commissioner Girard as chair, Commissioner Swistak as Vice chair and Commissioner Brown as secretary. Commissioner Nickol seconded the motion. Commissioner Brown nominated a separate slate which included, Commissioner Swistak as chair, Commissioner Holland as Vice Chair and Commissioner Brown as secretary. Town Solicitor Chris Orton said he thinks they should vote on positions separately. Commissioner Girard said lets take each office one by one. Commissioner Bennett made a motion to vote one at a time, office by office. Commissioner Brown seconds the motion. All in favor. So moved
The Planning Commission agreed to extend the meeting another 10 minutes also.

Commissioner Girard asks for nominations for chair.

Commissioner Ventrone nominates Commissioner Girard which was seconded by Commissioner Bennett. Commissioner Brown nominates Commissioner Swistak which was seconded by Commissioner Holland.

All those in favor of Commissioner Girard for Chair. Commissioners Bennett, Ventrone and Nickol.

All those in favor of Commissioner Swistak for Chair. Commissioners Brown and Holland.
Commissioner Girard remains chair.

Commissioner Ventrone nominates Commissioner Swistak for Vice chair which was seconded by Commissioner Nickol. Commissioner Bennett nominates Commissioner Holland for Vice Chair.

All those in favor of Commissioner Swistak for Vice Chair. Commissioners Bennett, Ventrone, Nickol, Holland, Brown and Girard.

Commissioner Swistak is Vice Chair.

Commissioner Nickol nominates Commissioner Brown for Secretary which was seconded by Commissioner Holland.

All those is favor of Commissioner Brown for secretary. Commissioners Holland, Bennett, Girard, Nickol and Swistak. Those opposed: Commissioner Ventrone.

The slate of officers for the next year is officially:

Commissioner Girard – Chair

Commissioner Swistak – Vice Chair

Commissioner Brown – Secretary

A motion to adjourn the meeting at 10:20 p.m. was made by Commissioner Ventrone and seconded by Commissioner Brown. So unanimously voted. At 10:20 p.m.

Attest:


Cynthia L Reppe

This meeting was digitally recorded