

Approved As Amended 11-5-08  
PLANNING COMMISSION MINUTES  
October 22nd, 2008

**7:00 PM**

**Jamestown Town Hall  
93 Narragansett Ave.**

The meeting was called to order at 7:05 p.m. and the following members were present:

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

Not present: Jean Brown – arrived at 7:50 p.m.

Also present:

Lisa Bryer, AICP – Town Planner  
Cinthia Reppe – Planning Assistant  
Jack Brittain  
John Bush  
Bill Munger  
Gail Sheehan  
Nick Robertson

**I. Approval of Minutes September 17, 2008**

A motion to approve the minutes with the following amendments was made by Commissioner Swistak and seconded by Commissioner Ventrone.

Page 2 – 2<sup>nd</sup> paragraph: strike

~~Commissioner Bennett also stated that the board is made up of lay people and we should not be making some of these decisions. It should be left up to the professionals.~~

Page 3 add

She feels that we are discussing only opinions in a piecemeal fashion **is concerned that we are not tying some of the things we are doing to goals we are trying to achieve. She would like the Commission to be clearer about what specific goals we have for changing the zoning and then when we make a change what goal we are trying to achieve and what would be the projected impacts**

**It (the Vision statement) says protect the village character of downtown and yet we're putting something in – the maximum setback – that will not allow downtown to be what it is any more than the current zoning would if everything were destroyed (by a hurricane). So what is the character we're trying to preserve?**

**Another example, are we protecting or changing the character of the street environment? Look at Vision statement picture of Vets Office which has a setback of 18'. The caption says "pedestrians walk along cherished portion of Narragansett Ave. which is well defined...". But we're saying 18' is not OK, it has to be 12'. She is confused by that. What goal are we trying to achieve?**

**Another concern is mixed use by right. Mixed use by right is something we could project numbers for. Mixed Use by Right could encourage X number more units. What are our goals? If we want more units, that should be one of our goals. Action plan is very general. We have to come down to a more specific realm. Why are we even changing our zoning? This particular action is to achieve that goal. That would be helpful instead of getting everything piece meal and then just giving opinions.**

Page 4 – add and strike:

Commissioner Brown is concerned and asked Commissioner Bennett what the Planning Commission can do to help get her up to speed because we need to all be on the same page going forward.

**Commissioner Bennett replied she saw a lot of changes were not just translating current zoning into new zoning but were intensifying the downtown area by a considerable amount. If that is one of the goals to greatly intensify downtown – then it needs to be more clearly stated.**

Commissioner Girard stated **in response to Commissioner Bennett’s concern of the boards being made up of non professionals, relative to the composition of boards, that** the whole idea of having a Board made up of residents is to get diverse input on how the town should be developed. We do need to make some decisions and they may be difficult.

So unanimously voted.

#### **Approval of Minutes October 15, 2008**

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

#### **II. Correspondence – nothing at this time**

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

#### **IV. Reports**

##### **1. Town Planner’s Report**

Town Planner Lisa Bryer informed the Planning Commission that the Dutton subdivision is being appealed at the Zoning Board next Tuesday October 28<sup>th</sup> and the Chair will be out of Town and the Vice Chair recused from that application. For Anyone from the PC wishing to attend it is at 7:00 in the Town Council Chambers. The Town Engineer will be there. The Hayes application recommendation has been appealed to the Zoning Board in November. Commissioner Bennett wants to know why they are appealing? The Solicitor has to decide if it is appeal-able. Commissioner Bennett will go to the meeting.

##### **2. Chairpersons report**

At the next meeting we will be talking about zoning.

##### **3. Town Committees**

###### **a. Harbor**

###### **b. Fort Getty**

The next meeting will be on the 29<sup>th</sup> of October next week.

###### **c. Buildings and Facilities**

###### **d. Tree Preservation and Protection**

Commissioner Bennett reported they will be starting the tree inventory with Trees New England and Melissa LeVangie. There is also a project on Walcott Ave to remove invasive trees. There will be a State informational meeting on Thurs Dec 4<sup>th</sup> at 10:00 a.m. to discuss the Asian long horn beetle that has been attacking trees.

e. Wind – The Town Planner reported that the Feasibility Study is ½ over and we are waiting to hear if we received the State grant to finalize the more detailed study.

f. Others

4. Sub Committees

The Wind Energy Committee has been working with a consultant discussing the 3 sites that have been proposed. They will be narrowing down their choices and also they will be coming before us for a change in use.

## V. Old Business

1. Jamestown Zoning Ordinance Amendments – Continued Discussion –  
**Affordable Housing**

Town Planner Lisa Bryer stated because of the state mandate regarding affordable housing we developed an Affordable Housing Plan to help us achieve the 10% goal. Increasing density is the primary way to meet the 10% requirement.

The 3 requirements that make it “affordable” are a subsidy either municipal state or federal, income qualified and permanently affordable.

Discussed 82-1106 Special Requirements

2 & 3

A discussion ensued regarding Design Guidelines for affordable housing. Are they suggestions or is this mandatory? If they clearly do not meet the design guidelines then an architect or the planning commission is called in.

Commissioner Holland said its not clear to him that this section applies strictly to affordable housing. He is right Ms. Bryer said, you cannot have specific design considerations or guidelines on affordable housing; this provision says all undersized lots that are not developed.

Commissioner Brown arrives at 7:50 p.m.

The Planning Commission had decided they wanted a minimum pitch at 22.5 % or 6 over 12. Commissioner Bennett asked why do we want that to be unlimited height? Let’s make it consistent. Keep the area underlined in **F of Section 1108**. Get rid of the rest regarding exemptions to height limits. Keep existing language in ordinance.

82-1700 – Comprehensive Permit for low and moderate income housing.

Commissioner Nickol asked how accessory units will be verified for income eligibility. Commissioner Nickol said a municipality usually provides the service of income eligibility. Commissioner Bennett wants to know the same thing that

Commissioner Swistak asked about who decides the subsidies. Giving away money should not be determined by the TRC.

82-1704 – Affordable Housing Incentives

Commissioner Holland is D mandatory? Yes. Board agreed to change it to “may”.

82-1705 – Inclusionary Zoning

Commissioner Ventrone wants to know if they can approve this tonight with exception of the subsidy answers.

The Chair asked Lisa Bryer what happens if we do not meet our 10%. The Planner responded, the reason for the affordable housing plan is the state wants to know how we are going to achieve our 10%? The state wants to know how we are going to accomplish it. 140 additional affordable units are needed. We are showing that we hope to accomplish this by 2035. If we do not meet our goal or we do not look like we are attempting to meet our goal they can withhold CDBG funds, or a developer can come in with a plan that is higher density than we want and appeal our decision at the state level and we could end up with a project that has not been locally controlled.

The Board agreed that in 1106 1. f. that “should” in the first sentence should be changed to are “strongly encouraged” and “and” in the last sentence should say “to”.

Mark Swistak – the people sitting here took a big risk 30 years ago but we are sitting here today when years ago their wasn’t a lot of business here and not lots of traffic we have worked hard for what we have and he wants the Planning Commission to know that. What he is trying to say is we appreciate the hard work that the Planning Commission does, but they also have worked hard and they do not want to be advised as to what to do with their property.

The Planning Commission agreed with the provisions in the affordable housing amendments and asked for clarification on subsidies.

## **VI. New Business – nothing at this time**

A motion to adjourn at 9:00 p.m. was made by Commissioner Ventrone and seconded by Commissioner Girard. So unanimously voted.

Attest:



Cynthia L Reppe

*This meeting was digitally recorded*