

Approved As Written 11-2-11
PLANNING COMMISSION MINUTES
October 19, 2011
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright	Michael Jacquard
Richard Lynn	Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia L Reppe – Planning Assistant

I. Approval of Minutes October 5, 2011

A motion to approve the minutes as written was made by Commissioner Pendlebury and seconded by Commissioner Enright. 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
2. Chairpersons report
Commissioner Swistak asked Town Planner Lisa Bryer if she presented the TIP at the council meeting. The Planner indicated that she and Mike Gray presented the projects at the TC Public Hearing. The Town Council is keeping all of the proposed projects on the original list that was provided in a Memorandum to the Town Administrator presented at the previous meeting.
3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities – The Town Council has given the committee a new charge, to look at options for replacement of the building at golf course or remodel.
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee
4. Sub Committees

V. Old Business

1. Amendments to the Comprehensive Plan

a. Natural and Cultural Resources – Final Draft

Town Planner Lisa Bryer has incorporated all of the changes, Commissioner Enright sent in some changes mostly regarding terminology of ISDS and OWTS and consistently throughout the document. A discussion ensued regarding the Water Protection Committee and Resources. The Commissioners agreed that there should be a Water Study Committee. Mike Smith said, we should talk about what the committee did by adding another paragraph. The goal of the committee should be to plan for future water needs on the island. It should be tied into the maximum buildout. If the water needs of the current buildout are being met then we need to incorporate this with the potential buildout. Town Planner Lisa Bryer said, every 3 years Pare Engineering develops updates in detail for our Water Supply Management Plan and gives recommendations to the town. Commissioner Smith does not think that the town is addressing the North End resident's water supply. Town Planner Lisa Bryer disagrees with Smith because the town has a very comprehensive Wastewater Management Plan and program and is now working with URI to test private wells for a second round. The Town has been developing this program for over a decade.

VI. New Business

1. The Island Heron – 42 Narragansett Ave. – Yoga & Wellness Center Development Plan Review per article 11 of the Zoning Ordinance – recommendation to the Zoning Board for Development Plan and Parking Variance

Town Planner Lisa Bryer gave an update on this application. They had a site visit on Monday with Mike Gray, Fred Brown and building owner Jeff McDonough. Commission Chair Michael Swistak gave a brief update to the Planning Commission about what their charge is for this application. This application is also before the Commission for Development Plan Review. The Planning Commission will also send the Zoning Board a recommendation for a Parking Variance. The commission will develop the Findings of Fact if they approve this application. A majority vote one way or the other is needed.

Commissioner Swistak asked the applicants to introduce themselves.

Karla Bartley lives in Wakefield and grew up in Jamestown and still has family on the Island. Heidi Steele lives in Narragansett and has a business background. They gave a brief presentation of what will happen at the Yoga and Wellness Center. 15 students maximum will be there for classes. They will also provide holistic massage, reflexology and a small area for retail sales. They will be offering yoga; they are aware there are yoga classes offered in Jamestown. This is more than just classes; it is a wellness and holistic center. They feel it will compliment Jamestown nicely.

Commissioner Smith asked what they will do about the parking. There 5 spaces are required. There is one space currently behind the building. The municipal lot next to the fire station is available for customers or students to park. An average of 2 employees, 3 max. Fire occupancy is 30 stated Lisa Bryer. Commissioner Smith asked how many volunteer fire department cars show up when the fire department gets a call; the number varies depending on the incident.

They need a handicap ramp and would like to locate it at the side entrance on Coronado Street since that will be the main entrance. Zoning Enforcement Officer/Building Inspector Fred Brown measured and it will work on the side. They will put the handicap ramp where it works best.

In addition to retail sales they might occasionally have art displayed and a possible musician.

Commissioner Swistak has a few questions. He is wondering why this is considered Personal Services since there is a recreation category, is there precedent for that? Mr. Brown determined the use and he noted it is consistent with his other determinations. Commercial indoor recreation would be more like bowling or an indoor pool where there is a facility dedicated to that use.

Jeff McDonough of 33 Standish Rd., the owner of 42 Narragansett Ave said historically the building has been an office since 1990. When asked how many people worked there, he said as many as 6 or 7 staff. Commissioner Swistak asked when and if this use changes will another variance be needed to go back to an office. Ms. Bryer said no as long the parking requirement does not change and noted the new clause that was added in Article 11 when we amended the ordinance. Their variance will be for 4 spaces since 5 are required.

A motion was made by Commissioner Smith and seconded by Commissioner Enright to recommend approval to the zoning board for the application for DPR under Article 11 Section 82-1103 for 42 Narragansett Ave., for Karla Jean Bartley and Heidi Steele doing business as the Island Heron –based on the following findings of fact:

1. This application complements other commercial uses in the CD Special Development District
2. The building function - personal service and retail was determined and approved by Building Inspector/Zoning Enforcement Officer Fred Brown
3. Building has been inspected by Jamestown fire marshal and meets the current fire requirements
4. A handicap ramp is required and does encroach the Right of Way and does not limit the sidewalk use
5. They have only one parking place and this will require a variance from zoning for 4 parking spaces
6. Applicant will obtain Water and Sewer approval
7. Final design and location of signage needs to be approved by the Zoning Officer
8. Products for retail sale are not specifically defined and appropriate licensing needs to be reviewed and the responsibility of the applicant
9. Building had been occupied as an office since approximately 1990 with an average daily occupancy of 6 employees
10. The basement is not included in occupancy

So voted:

Michael Swistak – Aye

Rosemary Enright - Aye

Richard Lynn- Aye

Duncan Pendlebury – Aye

Michael Jacquard - Aye

Michael Smith- Aye

Motion carries 6-0

A motion was made by Commissioner Enright and seconded by Commissioner Pendlebury to recommend approval to the Zoning Board for a variance for 4 parking spaces with the following Findings of Fact:

1. There is only 1 parking space on site and 5 are required per zoning ordinance and determined by the zoning enforcement officer.
2. Adequate additional parking is available in nearby public parking lots and on street parking
There are no on street parking spaces available in front of building to count toward the requirement of 5
3. There currently is no variance related to parking.
4. Currently there are no parking spots available on Coronado St.
5. Maximum expected occupancy of the property is 20 people at any one time.

So voted:

Michael Swistak – Aye

Rosemary Enright - Aye

Richard Lynn- Aye

Duncan Pendlebury – Aye

Michael Jacquard - Aye

Michael Smith- Aye

Motion carries 6-0

A motion to adjourn was made by Commissioner Lynn and seconded by Commissioner Enright at 9:20 p.m. So unanimously voted.

Attest:



Cynthia L Reppe
Planning Assistant

This meeting was digitally recorded