

Approved As Written  
PLANNING COMMISSION MINUTES  
March 6, 2013  
**7:30 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave.**

The meeting was called to order at 7:33 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Michael Jacquard	Michael Smith

Not present:

Richard Lynn

Also present:

Lisa Bryer, AICP – town Planner  
Cynthia Reppe – Planning Assistant  
Wyatt Brochu – Town Solicitor  
Betty Hubbard  
Paul Andrews  
Barbara Hermann

**I. Approval of Minutes February 20, 2013**

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to accept the minutes as written. So unanimously voted. Commissioners Pendlebury and Swistak Abstain.

**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 reported the town council meeting from Monday was postponed until tomorrow evening. Accessory dwelling units will be on the agenda if some of the Planning Commissioners would like to attend. The Fort Getty Landscape design is on the Town Council agenda for award of contract.
2. Chairpersons report
3. Town Committees
  - a. Harbor
  - b. Buildings and Facilities
  - c. Affordable Housing Committee
  - d. North Rd. Bike Path Committee

4. Sub Committees

**V. Old Business**

**1. Shoreby Hill Historic District – Proposed Zoning Ordinance – per request of the Jamestown Town Council**

Commissioner Swistak gave a brief update on the proposed Shoreby Hill Historic District zoning ordinance. The group came to the town in 2009 to request historic district zoning for Lower Shoreby Hill. There are 2 separate neighborhood governing bodies, one for lower Shoreby Hill and one for upper Shoreby Hill. It did not go anywhere at that time. The Planner noted that in 2010 a grant was available from RI HPHC and the applied for funds that would allow the submission of Shoreby Hill for National Register nomination. A consultant from Bristol Arnold Robinson was hired. He did extensive research in Shoreby Hill and he applied to the national park service for National Register nomination. It was approved in September 2011.

Commissioner Swistak asked if this was for both upper and lower Shoreby Hill. Both Upper and Lower Shoreby Hill were nominated to the National Register. But just lower Shoreby has asked for historic district zoning; but the planning commission can make a recommendation for both if they want stated Town Planner Lisa Bryer.

Town Planner Lisa Bryer gave a power point presentation to the Planning Commission.

Chair Swistak noted that this new zoning ordinance will require a governing body. This could be a new Historic District Commission (HDC) or we could utilize an existing board such as the Planning Commission. We could expand the Technical Review Committee (TRC) which could include members of the Planning Commission, an architect and a few residents of Shoreby Hill to provide recommendations to the new HDC.

Commissioner Enright asked about buildings of value. Shoreby Hill resident and former Planning Commissioner Betty Hubbard said there were 6 buildings of value (as listed in the state “purple book”) that have been torn down so far. Residents are concerned about what gets built when the buildings are torn down. Some of these new homes are massive and do not fit the character of the neighborhood.

Commissioner Cochran asked what designates a building of value? It can be any number of things. Commissioner Swistak said it is already in the proposed ordinance.

Paul Andrews - 5 Alden Rd. Jamestown. One of the things they are concerned about is contractors that are trying to buy the smaller homes and tear down them down and rebuild, they want the ordinance to retain its character the way it is currently.

Commissioner Swistak said, “In 2009 there was less support in upper Shoreby than in lower Shoreby; has that changed now?” Betty Hubbard responded that Upper 71.49% in favor, Lower 76.4% so average is 74 % in favor of this in both upper and lower Shoreby.

Adoption of an ordinance will also require a map amendment for both the Historic District and the Buildings of Value.

Currently there are 4 property owners in upper Shoreby that do not want to be in the district. Their biggest concern was their individual rights to be able to do what they want to their own homes. Those that want this ordinance feel they are preserving the character of Shoreby Hill.

Commissioner Smith finds it to be over reaching. The houses surrounding the green he feels they fit historic. There are many houses there that do not fit into historic.

Commissioner Smiths understanding of this ordinance is that any home in that district that wants to do something to their houses, like change the color, will need to go through zoning and a historic screening. The Commission recognized that this ordinance does not regulate color.

A discussion ensued regarding the members of this historic board being professionals with architecture and historic background. Paul Andrews agrees about the expertise of those on the board, it needs to be reviewed by professionals.

Commissioner Pendlebury does not have any objections the Planning Commission needs to go through the ordinance and make comments. RI general law states that the Historic District Commission prepares the guidelines and Rules and Regulations for the board.

A discussion ensued regarding the Planning Commissions involvement on this board and some Planning Commissioners think the commission should be the governing board. Town Solicitor Wyatt Brochu said he does not think this is possible by charter but needs to take a look at this with Mr. Rugeiro regarding the make up of the historic board.

Betty Hubbard did not think that it was going to work this way, she thought that you have a separate Commission specifically for Historic, she thinks this is making it more complicated by using the TRC and the Planning Commission.

Quorum issues could come up too and it has been difficult filling all seats for the commissions in town. This issue will be on the first meeting in April to continue the discussion and give time for our solicitors to review this again.

Commissioner Swistak asked if there is anyone on the board that may not be in favor of this. Commissioner Smith said he might not be but will not stand in the way of it.

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

A motion to adjourn at 9:25 p.m. was made by Commissioner Cochran and seconded by Commissioner Enright. So unanimously voted.

Attest:



Cynthia L Reppe

This meeting was digitally recorded