

Approved As Written
PLANNING COMMISSION MINUTES
May 20, 2015
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

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 – Secretary	Mick Cochran
Bernie Pfeiffer	Michael Smith

Not present – Michael Jacquard

Also present:

Cinthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
Michael Darveau – Darveau Land Surveying
Bob Bailey – Realtor

II. Approval of Minutes May 6, 2015 – continued until June 3rd meeting

III. Correspondence – nothing at this time

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

V. Reports

1. Town Planner’s Report
2. Chairpersons report
3. Town Committees
4. Sub Committees

Commissioner Swistak recused and left the table.

VI. New Business

1. George and Susan Fazio - Plat 8, Lot 14 - 119 Watson Ave. - 2 lot subdivision

Michael Darveau is representing the Fazio’s. He made a presentation to the Planning Commission. Mr. Fazio in subdividing this property and both lots will be conforming. He noted that a few years ago there was another lot that was subdivided. This is a minor

subdivision. The lot will be buildable and conforming without any zoning variances. There is public water available. The sewer runs north south. They have 3 options for sewer that they have been studying. They will be running a force main.

Economically using the pump is the best option. Extending the main for 1 house is not as economical. A single family home is being proposed. Commissioner Enright asked about the stone wall is there a plan to maintain it? Mr. Darveau said if it needs to be repaired both parties need to agree, she wants the stone wall maintained. Commissioner Pendlebury asked if it is a historic wall she said she is not sure.

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to Grant Preliminary Plan approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plans entitled "**Minor Subdivision Site Plan for George J. and Susan E. Fazio; Assessors Plat 8 Lot 14; 119 Watson Avenue, Jamestown, RI; prepared by Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864; dated April 17, 2015** based on the following Findings of Fact and subject to the following Conditions of Approval:

A. Findings of Fact

The Commission makes the following findings:

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan;
2. Each lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance;
3. No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance the application is proposing to connect to the public sewer system;
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval;
5. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
6. All subdivision lots have adequate and permanent physical access to a public street, namely, Watson Avenue. Lot frontage on a public street without physical access shall not be considered compliant with this requirement;
7. The subdivision provides for safe circulation of pedestrian and vehicular traffic with the proposed road improvements, for adequate surface water runoff with the proposed drainage improvements, and for a suitable building site that contribute to the attractiveness of the community;
8. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion. The applicant is proposing a rain garden to handle the increase in runoff due to development;
9. All lots in the subdivision have access to sufficient potable water for the intended use. The application will connect to public water in Watson Avenue and is located in the Urban Water District. The applicant has proposed connecting to a sewer line with a force main.
10. The approval is for a total of 2 lots, one existing and one new lot;

D. Conditions of Approval

1. That payment of a fee in-lieu-of land dedication shall be required for this subdivision for the new lot in the amount required by Article IIID of the Jamestown Subdivision Regulations. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan.
2. Granite monuments, or where granite monuments are not suitable, other suitable survey markers, other than concrete shall be placed at all corner points at the new property line prior to final approval;
3. The Planning Commission delegates final plan review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plat;
4. This approval shall be recorded with the Town Clerk within 20 days of receipt of approval; and,
5. This approval shall expire one year from the date of approval by the Planning Commission unless final approval is received within that time.

So voted:

Duncan Pendlebury – Aye

Rosemary Enright – Aye

Mick Cochran - Aye

Bernie Pfeiffer - Aye

Michael Smith - Aye

Motion carries 5-0

Commissioner Swistak returned to the table.

2. Reamer - Norton H. Reamer 2002 Trust – Plat 12, Lot 29 - Hull Cove Farm Rd. & Beavertail Rd. – 2 lot Minor Subdivision – Final Release of Bond

Commissioner Swistak said the applicant is looking for a final release of the bond (security in the form of cash).

Mr. Darveau, representing Mr. Norton Reamer, said they created a new road with a cul de sac and part of the approval was to put in a new water line. They did some of the road in the winter but decided to do the final grading in the spring which was a good decision. Mr. Darveau said considering the winter we had.

Commissioner Swistak asked about the water line and the other road improvements. They were installed by Mr. Reamer and then once complete ownership of the water line was transferred to the town.

In our subdivision regulations per section VII.C.5. – “Maintenance Guarantees” of the Subdivision Regulations we would hold \$5,000 for 1 year. A discussion ensued regarding when the year starts. Mr. Michael Gray Public Works Director said a great percentage of the work was done before September of 2014, the clean up or touch up was done after December. We will use the date of Dec 31 for the final release of the \$5000 at Quentin Anthony’s (Mr. Reamer’s attorney) request. Town Solicitor Wyatt Brochu said the regulations say 1 year and it doesn’t matter when that year starts. The water line is what is conveyed to the town the road remains private. December 31 is reasonable agreed Mr. Brochu. The road maintenance is now responsibility of owners.

A motion was made by Commissioner Swistak and it was seconded by Commissioner Cochran “to release the remaining \$30,000 security funds (cash bond) for improvements to Hull Cove Farm Road based on the following findings and conditions:

1. The Planning Commission has received a memo from Public Works Director Michael Gray recommending approval of the final release of bond, related to the improvements.
2. The applicant received a partial release of bond on December 17, 2014.
3. Receipt of final certification from the Project Engineer, was received on May 6, 2015,
4. Current as-built plans for the water line have been received,
5. The final release is conditioned on the posting of a \$5,000.00 maintenance guarantee for the water line for a period of one year per section VII.C.5. – “Maintenance Guarantees” of the Subdivision Regulations. The guarantee period will be 12-31-2014 through 12-31-2015,
6. The water line has been officially transferred to the Town.

So voted:

Michael Swistak – Aye
Rosemary Enright – Aye
Bernie Pfeiffer - Aye

Duncan Pendlebury – Aye
Mick Cochran - Aye
Michael Smith - Aye

Motion carries 6-0

VII. Old Business – nothing at this time

VIII. Adjournment

A motion was made by Commissioner Pendlebury and seconded by Commissioner Enright to adjourn at 8:10 p.m. So unanimously voted.

Attest:



Cynthia L. Reppe
Planning Assistant

This meeting was recorded