

**Approved As Written**  
**PLANNING COMMISSION MINUTES**  
**Sept 19, 2018**  
**7:00 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave.**

**I. Call to Order and Roll Call**

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

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

Not present – Bernie Pfeiffer

Also present:

Lisa Bryer, AICP – Town Planner  
Wyatt Brochu Esq. – Town Solicitor  
Nate Kelly – Horsley Witten Consultant  
Jeff Davis – Horsley Witten Consultant

**II. Approval of Minutes Sept 5, 2018;** review, discussion and/or action and/or vote

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

**III. Correspondence – nothing at this time**

**IV. Citizen’s Non-Agenda Item**

**V. Reports**

1. Town Planner’s Report – Purchase and Sales of 91 Carr Lane to Church Community Housing Corp. was authorized at the Town Council meeting Monday night. They will be proposing 3 single family homes and 3 rental units.

Council created a Public Art committee they would like several planning commissioners on the committee. They talked about 2 members of commission. Duncan and Mick Volunteered.

The Planning Commission canceled the meeting on November 21 since it is the day before Thanksgiving. They canceled the December 19<sup>th</sup> meeting since the Planner will be gone. They will decide whether another meeting in November or December makes sense as time gets closer. Possibly November 14.

Ms. Bryer discussed the upcoming TRC meetings on Friday and Wednesday to let the Planning Commission know what might be coming up.

2. Chairpersons report
3. Town Committees
4. Sub Committees

## VI. Old Business

### 1. Zoning Ordinance Update - review, discussion and/or action and/or vote with Horsley Witten Group representatives

#### a. High Groundwater Table Ordinance – Section 314

Nate Kelly from Horsley Witten began discussing the HGWTO and Overlay. What they tried to do was make the ordinance more readable for those that do not work with it everyday. They tried to make it flow better and there are a few technical issues they tried to correct. He will walk the commission through the changes.

It was not clear where the map was located. They believe it should be with the ordinance. They have taken the previous language of “development” and clarified it in the applicability. They made no changes to the applicability of whether a lot is in Sub District A and Sub District B. One of the issues is determination of the Sub-district. Town will presume you are in A unless you present field testing.

Town Planner Lisa Bryer gives the consultants a lot of credit for tackling this. She thinks it flows better now.

The Planning Commission is not interested in reducing the requirements.

Commissioner Swistak said if any new development you need a new septic. If I have a lot greater than 40K sq. ft. maybe we should make a requirement for those on larger lots need to go through this ordinance. Bryer said when we first developed the ordinance, it was based on protecting groundwater and stormwater issues in neighborhoods that include multiple neighborhoods of small lots upon small lots. Swistak brought up Reservoir Circle; he thinks they should be included; maybe expanding the district to those lots.

Lisa said that many of the existing conventional systems are reaching their useful life span and that DEM is most likely going to require innovative denitrification systems for all of these lots at that time. So they may be replaced eventually anyway.

Commissioner Swistak said internal review was discussed previously should that be in the ordinance? There may be many things that could be reviewed administratively. Maybe this should be part of Development Plan Review Nate Kelly said.

They discussed that the stormwater plans should be review by a professional P.E.

Commissioner Swistak brought up the letter from the Zoning Chair. Wyatt Brochu said some kind of notification even just a letter from Planning to the abutters would allow public comment in the early stages. Now Zoning relies on the Planning Commission review to make their decision. That

is when the neighbors come out and its almost too late at that point so if they are notified during planning they can give their opinions. This is not uncommon for Development Plan Review. Draft stands at certified mail for High Groundwater at DPR.

Commissioner Swistak said there is a state document that talks about drainage problems and 10 year storm. Should it be greater? Bryer said yes it should be but these small lots can only accommodate so much storage. This was the engineering recommendation when we adopted the ordinance. And they have to store that amount not just retain it.

Commissioner Swistak asked about the cost of a new system being a financial burden to the applicant. Mr. Kelly said there could be a disclaimer and make them aware that if their system fails they will have to put a new one in. You could require a septic inspection and report to planning. They may find at that point they have to get a new one. We require a basic inspection every 3 years now and maybe we could require a more functional test than what we require now.

#### **b. Development Plan Review**

There was a discussion about applications that are administrative and those that go to Planning Commission.

Smaller – Administrative

Larger – Planning Commission

You need to define exactly what the criteria or threshold is. Mr. Kelly read through a list of suggestions for what needs to be included.

A discussion ensued regarding the suggestions that were made by the consultant. Swistak said he thinks that anything smaller than 1,000 sq. ft in the Special Development Village District should be reviewed by the Planning Commission. This applies everywhere including the Village District or HGWTO.

Wyatt Brochu said it applies to 2 family but why not apply it to a house too. This would significantly increase staff work load. Mr. Kelly noted that this process is done already today, but informally between department heads. Maybe that is how you still want to proceed.

Nate Kelly asked about TRC they are voting to say yes or no? Yes, Lisa Bryer said they are voting for administrative actions. Bryer feels the TRC has worked very well in her experience, she thinks it is a broader perspective. It makes the decision more defensive in Swistak's opinion.

Bryer said today development applications speak to Chris Costa informally and then he brings them down to Planning and it is discussed and decide procedure. If every construction project over a certain square footage is automatically sent to TRC, this will increase the amount of TRC meetings and we may need to schedule them on a regular basis. Nate said to list the different things you want to review.

Cochran said this is where we invoke the Comp Plan. Nate said this discussion gives us a start. We should maybe dive into the village district next and then give more direction to Development Plan Review.

Notification of abutters is in this draft. It gives the timeline for review also. Where to put DPR, Nate Kelly said it should be in the subdivision and land development regulations. Put it in the ordinance or the regulations? They recommend putting it in the regulations. The Planning Commission can set their own timelines with regards to how long it takes to review etc.

Nate Kelly asked Lisa Bryer if she thinks it should go in Zoning or Subdivision/Land Development Regulations. Bryer says if it is all in one place it seems easier, she is in favor of having it in Zoning. The Planning Commission can still be the permitting authority. If there are no other questions we should stop here.

**VII. New Business – nothing at this time**

**VIII. Adjournment**

A motion to adjourn at 9:05 was made by Commissioner Enright and seconded by Commissioner Pendlebury. So unanimously voted.

Attest:

Lisa Bryer  
Town Planner