

Approved As Written 9-15-10
PLANNING COMMISSION MINUTES
September 1, 2010
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:

Rosemary Enright	Dan Lilly Jr.
Susan Little	Richard Lynn
Duncan Pendlebury	Michael Smith
Michael Swistak	

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
John Murphy – Attorney
Michael Darveau – Professional Land Surveyor – Darveau & Associates

I. Approval of Minutes August 4, 2010

A motion was made by Commissioner Lilly and seconded by Commissioner Little to accept the minutes as written. All in Favor. Commissioner Pendlebury abstains.

II. Correspondence

1. FYI – Regnum LLC. - Administrative Subdivision – Plat 8 Lots 166 & 175. Received
2. FYI – Church Community Housing Corporation Inc.- Preliminary Comprehensive Permit Approval Letter. Received

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 money for the downtown improvement project is there but we are waiting for DOT to give us the go ahead and start. The September 13th start date will be postponed. Ms. Bryer introduced Rosemary Enright the new planning commission member.
2. Chairpersons report
3. Town Committees
 - a. Harbor – Commissioner Little reported that the Harbor Commission went to the Town Council for approval to submit plans for the boat ramp repair at Fort Getty.
 - b. Buildings and Facilities
 - c. Affordable Housing Committee

- d. North Rd. Bike Path Committee – met today they are going to attempt to get design funding from DOT for the East West portion down North Rd.
4. Sub Committees

V. Old Business – nothing at this time

VI. New Business

- 1. Stephen Evangelista – 4 lot Minor Subdivision – Plat 4, Lots 9 & 37 – East Shore Rd.**

Commissioner Pendlebury recused and left the table.

Town Planner Lisa Bryer would like them to make a presentation and then she will provide oral comments in lieu of a written report.

Michael Darveau, Professional Land Surveyor who has been recognized as an expert witness several times by this board at previous meetings was again recognized by a motion made by Commissioner Lilly and seconded by Commissioner Smith. So unanimously voted.

This application is here for pre-application. Attorney John Murphy is representing the applicant Stephen Evangelista. Both lots total 9 acres; they would like to subdivide the 2 lots into 4 lots. They will need a variance from the Zoning Ordinance and a waiver from the Subdivision Regulations because the lots will be situated on private roads or driveways depending upon what the planning commission decides.

Michael Darveau Professional Land Surveyor made a presentation and told the commission the new lots and homes will meet all zoning setbacks. The buildings are sited to maintain the view corridors to Narragansett Bay. There is one curb cut on the two properties now and two homes. Both homes are served by driveways on East Shore Rd. The plan is to service the additional lots by new driveways.

Town Planner Lisa Bryer said the application is a 4 lot minor subdivision. Because it needs both waivers from the subdivision regulations for road configuration and zoning variance for frontage it will come here for preliminary approval then go to zoning for variance and then back here for final approval. The existing lot line is not shown on the plan. She would like to challenge the applicant to reduce the number of curb cuts on East Shore Rd; three new ones are shown on the plans.

A discussion ensued regarding proposed and existing docks and easements which the planning commission has no jurisdiction over. Commissioner Little who is also the Harbor Commission liaison stated parcel one will be non riparian.

The plan shows that parcel 2 has 2 septic systems; the applicant noted that one is for the garage. The plan should have a note on it showing the “No build zone”, which was put on privately. Town Planner Lisa Bryer asked if the wetland on the abutters property is more than 200 feet away. Mr. Darveau will check into that.

A discussion ensued regarding the driveways and curb cuts. Commissioner Smith stated the proposal shows 4 driveways where there is now one.

They will need a class 1 survey when they get to the next phase. It looks from the aerial photo that there is encroachment which will be cleared up in the next plan also the site features should be shown, the pond for instance.

When the applicant goes to zoning they look at the planning commission recommendations which hold a lot of weight according to Mr. Murphy. Mr. Brochu wants Mr. Murphy to speak to the building inspector Mr. Brown regarding full relief from frontage.

Commissioner Swistak said prior to the next time this is on the agenda he would like to schedule a site visit and also schedule TRC first for comments. Attorney John Murphy said he hopes when they come back they will have a plan that at least the staff likes.

Commissioner Swistak asked about drainage issues since it slopes from west to east and will it impact the driveways or buildings? Mr. Darveau responded No.

The shed on parcel 4 can be removed if needed and it will be addressed in the plan. Attorney John Murphy thanked the planning commission for the feedback. They will go back to the owners with the suggestions.

Commissioner Pendlebury rejoined the commission.

With no further business, a motion to adjourn at 8:39 p.m. was made by Commissioner Lilly and seconded by Commissioner Little. So unanimously voted.

Attest:



Cynthia L. Reppe

This meeting was digitally recorded