

## PLANNING COMMISSION MINUTES

December 17, 2003

7:30 PM

### **Jamestown Library**

The meeting was called to order at 7:38 and the following members were present:

Gary Girard                      Andrew Kallfelz  
Betty Hubbard                  Jean Magregor – Brown  
Barry Holland

Also present:

Cynthia Reppe – Recording Clerk  
A. Lauriston Parks, Town Solicitor  
Dick Pastore, PE – Town Engineering Consultant  
Quenton Anthony – Attorney  
Jim Estes – Architect  
Mrs. Bradford Swett  
Anita Godena  
John Murphy – Attorney  
Andrew Johnston – Engineer - Northeast Engineers & Consultants  
George Gifford – Landscape Architect - Gifford Design Group  
Joe Manning

#### **I. Approval of Minutes from December 3, 2003**

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

#### **II. Correspondence**

1. FYI – Letter to Mr. Munger Re: DPR Approval. Received
2. FYI – Zoning Board of Review Agenda December 16, 2003. Received
3. FYI – Letter to Chairman Re: The “Rural character of Jamestown” from Thomas Todd, FAIA, AICP Received
4. FYI – Survey from the Conanicut Island Land Trust for the Planning Commission. Received

#### **III. Citizen’s Non Agenda Item – nothing at this time**

#### **IV. Reports**

1. Town Planner’s Report
2. Town Committees

Commissioner Kallrelz reported that at the last Harbor Management Committee meeting they discussed a Touch and Go Dock to be put in at East Ferry.

3. Sub Committees

Commissioner Barker arrives at 7:40 p.m.

Commissioner Girard stated that we will take Old Business 2, before 1.

**V. Old Business**

1. Zoning Ordinance – article 314 - protection of critical lands containing freshwater wetlands, high ground water table and/or shallow impervious layer – Discussion regarding Amendment

A discussion ensued with the Planning Commissioners and Mr. Pastore, Town Engineering Consultant regarding the proposed amendment regarding perc test holes and averaging. Commissioner Holland asked Mr. Pastore if anything would be gained by going to 6 holes. Mr. Pastore answered No. The planning commission discussed 2 holes versus 6 holes and decided to go with the DEM requirements which is 2 holes. The planning commission asked if the applicants can do more test holes without reporting it to the town, and then using the 2 best holes. Town Solicitor Larry Parks informed the planning commission that the applicants are required to furnish the results of all tests done on the property and if the records are falsified that is breaking the law. The commissioners agreed to the DEM requirement of 2 test holes, fixing the definition of impervious layer, adding that the test hole will determine which sub-district the area will be in. Mr. Parks will have this to the Planning Commission by the next meeting, January 7, 2003.

2. Bradford Swett – 45 Walcott Ave. 2 Lot subdivision with waivers requested – Master Plan/Preliminary Review

Mr. Richard Pastore, engineer representing Mr. And Mrs. Swett discussed the engineering aspects of this subdivision with the planning commission. The applicant is requesting a waiver from the standard surface treatment of 20 foot wide pavement including berms. Since a waiver cannot be granted to minor subdivisions the planning commission must reassign this subdivision to major review status. The commission discussed the proposed driveway that will consist of gravel underlay with diffusers and two, 2ft. wide tire runs that will run down either side of a four ft. swale. Mr. Quenton Anthony, attorney representing Mr. And Mrs. Swett stated that there will be a maintenance easement regarding the private road. A motion was made by Commissioner Kallfelz and seconded by Commissioner Girard to reassign to major review status this application and to combine the master plan and preliminary phases of review. So unanimously voted. Commissioner Hubbard made a motion that was seconded by Commissioner Girard to approve the waiver from the standard surface treatment of a 20 foot wide paved road and to include the following conditions for the presentation at the public hearing;

The landside house will be removed within 6 months to 1 year of the subdivision and legal language for the maintenance of the private road to be included. So unanimously voted.

## VI. New Business

1. Anita Haircut– 38 Narragansett Ave. - Development Plan Review-  
Recommendation to Zoning Board

Applicant Anita Godena presented the planning commission with her plan for her hair studio. The current use of the existing space is professional service and she is asking for a use variance from professional services to personal services.

Commissioner Hubbard asked if the barber pole would be outside or inside, and Ms. Godena stated that she would like to have it outside. After a brief discussion a motion was made by Commissioner Kallfelz and seconded by Commissioner Girard to recommend to the Zoning Board of Review approval of this application. So unanimously voted.

2. Manning Subdivision – Cedar Lane – 9 lot Major Subdivision – Pre-Application Review

Attorney John Murphy representing the Manning family introduced Andrew Johnston engineer from Northeast Engineer Consultants to the audience and Mr. Johnston gave a brief overview to the commission. The town ordinances require this subdivision to be a cluster development. Mr. George Gifford, landscape architect told the commission about the tree's on the property. Commissioner Hubbard asked for an inventory of every tree over 6 inches diameter the last time a similar subdivision from this applicant for this property was presented. Mr. Murphy replied that asking for that information would be an undue burden on the applicant. Commissioner Hubbard asked why the lots could not be shifted further to the north side of the property to have a bigger buffer on the street side (south) of the property. Mr. Murphy stated that the abutting property owners complained the last time a proposed application for this piece of property was presented so this is an adjustment to that proposed plan. Commissioner Kallfelz asked if there could be a more organic look to the lot shapes instead of just straight rectangular lots. Commissioner Girard asked if the applicant had considered a request to be released from the cluster zoning requirement which might make for more attractive lot lines. Attorney John Murphy stated that it would be more work for his client with nothing to gain.

A motion to adjourn was made by Commissioner Kallfelz and seconded by Commissioner Girard at 10:00 p.m. So unanimously voted.

Attest:

Cynthia Reppe

*This meeting was recorded on 1 micro-cassette*