

## PLANNING COMMISSION MINUTES

May 4, 2005

**7:30 PM**

### **Jamestown Library**

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

Gary Girard	Betty Hubbard
Victor Calabretta	Jean Brown
William Kelly	Barry Holland

Not present:

Andrew Kallfelz

Also present:

Lisa Bryer, AICP – Town Planner  
Cynthia L Reppe – Recording Clerk  
James Donnelly – Attorney  
Jack Brittain  
Barbara Szepatowski  
Frank Andres  
Magdalena Andres  
WG Boll  
Ed Sutt  
Julia Gerald - Designer

#### **I. Approval of Minutes from April 20th, 2005**

The minutes will be submitted at the next meeting due to a computer problem in the Planning Office.

#### **II. Correspondence**

1. FYI – Aquidneck Island Planning Commission – Municipal Training Sessions - Received

#### **III. Citizen's Non Agenda Item-nothing at this time**

#### **IV. Reports**

1. Town Planner's Report
2. Chairpersons report – Discussion of Upcoming Applications & PC workload – take at the end of the meeting
3. Town Committees
  - a. Harbor
  - b. Fort Getty
  - c. Buildings and Facilities
  - d. Others

4. Sub Committees

**V. Old Business**

1. Application of Jack's Electric – Assessors Plat 9, Lot 201, Clinton Avenue – Development Plan Review for new building in CD District

James Donnelly attorney representing Jack Brittain handed out a letter from Dr. Bush one of the abutters. Mr. Donnelly asked Julia Gerald to show the Planning Commission the model and drawings of the plan, which she did and then took questions from the Planning Commissioners.

Commissioner Brown asked if a building is on the ROW do they need a variance. No was the answer from the Planner, a zero setback in CD District is permitted in the Zoning ordinance.

Commissioner Hubbard asked if the fence is on the property line. Yes. Commissioner Hubbard asked Mr. Brittain some questions about the trees and shrubs abutting the property. The tree will be saved, meaning the butternut. Commissioner Hubbard would like a sidewalk from the main door to the street. She believes it would be a much nicer entry. He will need the Town's permission to cross the ROW of the town. The Public works department will be consulted about this.

Mr. Donnelly explained the drawing and the mechanical space. This will not have an affect on the parking calculations. It was stated that the mechanical space is 500 square feet. It measures more than 1000 square feet on the plan. Ed Holland, Heating Consultant stated that the heating will require 500-600 sq ft. to accommodate central air and forced hot air. The building official stated that if this is used as mechanical area it will be reported on the C.O. as a limitation.

Commissioner Hubbard said it looks like there could be a lot more office space in the break area. The building official stated that the break room is not counted in the parking calculations.

Commissioner Girard asked Town Planner Lisa Bryer about the parking calculations. There was a question about whether the mechanical space and the break room should be included in the parking calculations. If not then the space allocation of each area should be included in the approval so there will be a paper trail.

Commissioner Hubbard noted that there is no more room on the site for parking if it is determined that it is needed, Commissioner Brown you have to look at the use for what it is now. Lisa Bryer gave a demonstration on the plan of the turning radius for two different types of trucks using the loading zone. It was a little tight and the largest type of truck went over a little of the grass area, just a bit on each side of the entrance and on the northwest side of the building. Jack Brittain stated he has had one tractor-trailer delivery in the last year and a half. He has permission from Mr. Holland if he needs it to go through the Hammett Court property. It was noted that this is not an official legal document that could be passed over to the next owner. Mr. Holland asked Mr. Murphy to review a letter that he received from Mr. Brittain. At this time an 18-wheeler backs up

down Hammond Ct. Mr. Brittain asked if he had a delivery could the truck back down for Mr. Brittain's delivery, at this time it would be OK. If the grass lot behind Dr. Bush's were to be developed he would have to put a road in and then Mr. Brittain would have access to his lot. The Board says all the parking is in the rear like what is required.

Commissioner Girard noted that the roof leaders from the building were going into Clinton Avenue Drainage system but all the pavement area still runs off. There is runoff to the northwest corner of the property, he talked to Steve Goslee about it and Mr. Brittain can put a catch basin in for the drainage. The state is asking for an additional ordinance for storm water runoff so Commissioner Girard would like to see it met at this point.

Commissioner Hubbard asked about the light fixture and does not want it in the front of the building. This type of lighting is improper in that it does not shield abutting properties from light. These will be on the backside she was told. They showed the lights and the cedar shingles and the window boxes.

Commissioner Brown was not at the initial presentation. Does the traffic pattern change from what it is now? No but some of the trucks will be parked inside now.

Commissioner Hubbard asked about the sign? It is shown on the large plan. It will not be lit. Street trees? There is opportunity and the board would like to see at least 2 more street trees. Commissioner Holland stated that the applicant should talk to the Tree Committee regarding the type and size of trees for the streetscape. Two small and 1 large with roots that will not rip up the sidewalk.

Magdalena Andres - 13 Clinton Ave. – she wants different screening and a smaller building.

Commissioners Hubbard and Kelly stated this is a commercial use in a commercial district

Commissioner Brown asked if a gate was possible. It should not be encouraged. We do not live in New York City.

Development plan review is sole responsibility of the Planning Commission Lisa Bryer stated.

Commissioner Holland said this is not a bad looking building.

Magdalena Andres – It is a big building on a not so big lot.

Ed Sutt 34 Clinton Ave- I am a Scorpio. As a citizen I don't know the process, I am relying on the commissioners to uphold the spirit of Jamestown. If the planning commission is doing its job than so be it. He has concerns about the project. Clinton Ave is sometimes a single lane road. His concern is the strips on the side of the road, and

public access, maybe make Clinton Ave parking on only 1 side of the road. From the pedestrian aspect if more trees it will be harder to get off the road.

Commissioner Girard addressed his concerns and let him know if he sells the building or wants to change the use he has to go back to the planning commission for a change of use and therefore more Development Plan Review.

WG Boll 33 Clinton Ave – Is there any allowance for a sidewalk? Not much space on the road to walk.

A sidewalk could go on the town right of way. The town doesn't have a sidewalk program. None of the side streets have them now.

Commissioner Holland – the buffer is 10 feet right now so there is room to get off the street.

Commissioner Hubbard – Hydrangea will not be an issue the Inkberry and another one will be possibly a problem in terms of growing high and being a site distance issue. Do not hide this nice attractive building. Narrow but tall trees, ornamental, they are very nice and can be placed very close to the building. A taller tree will help to break up the very large roofline.

Commissioner Kelly – have you planned on the maintenance of the planted areas? The vegetation should be maintained by Jack's or the current property owner. Jack Brittain will talk to the tree warden and add the trees requested.

Frank Andres – What is the legal definition of adjoin. His opinion is put a sidewalk in. How enforceable is the maintenance? Where do people go if the street is blocked? Inhibiting public access to the public row. Incomplete application according to Mr. Andres. Turning radius should be put on the plan.

Commissioner Girard asked Lisa Bryer, Did you talk to the Town Engineer regarding this plan? Mr. Andres said this use is a construction trade. Ask the zoning enforcement officer what is this use considered. Building inspector Fred Brown already determined it does not need a variance and is a permitted use.

Commissioner Kelly speaking to Mr. Andres said, obviously you object to this project. It was an open lot used for trucks dating back to 1956 this was the use before you bought your house right? He believes that the proposed use will be an improvement to the property.

Commissioner Brown stated that Mr. Andres is insulting everyone on this board and that we know the rules of the zoning ordinance.

Mr. Andres says the parking setback is 5 feet from the property line and that is not met. The parking calculations were reviewed by the zoning officer. Mr. Andres disagrees with how Fred did his job figuring out the parking.

Commissioner Kelly drove by the property again and this will be a substantial improvement over what is there now.

Commissioner Calabretta appreciates the Andres's issue. We should not be here judging any zoning issues. He keeps going back to Tim Baker when he reminded the zoning board that this is America and a piece of commercial property in compliance with major efforts to make the front more appealing etc.

Commissioner Hubbard stated this is not what is being talked about here. It does not pertain to this property. Do we need a ruling from the zoning officer regarding the 5-foot issue? We are not the permitting authority. Should we get an answer from Mr. Brown.

Commissioner Hubbard – If the planning commission is in favor of landscaping we will run it by public works. Plant tall trees.

The planning commission will not make a recommendation at this point and they will continue it to the next meeting.

## **VI. New Business**

1. Jamestown Municipal Animal Shelter – Assessors Plat 9, Lot 22, 44 Southwest Avenue, Jamestown Town Office Site – Development Plan Review for reuse of existing animal pound building in CL District

Barbara Szepatowski is representing the Town of Jamestown and the group running the volunteer animal shelter. Paws and Claws has adopted out about 99% of the animals found. The property is zoned Commercial limited. They would like it to be approved, there will be no dogs housed there. If a dog is found during the day they transport it to North Kingstown. The volunteers will do the work and some minor construction will have to be done. The recreation department things will have to be moved. This is great for now Commissioner Hubbard stated but then what happens when the building is sold. She has contractors and volunteers now and it cannot hurt when it is sold. Are there funds committed to the project right now? Yes they are raising the money now.

Commissioner Kelly how will you clean what is being stored in there now? Ms. Szepatowski's staff inventoried all of the boxes. They want to open the shelter by the end of June. We will go to the town to raise money. Commissioner Calabretta what are we approving? Site plan review he was answered Is it adequate for us to approve? The façade can only be improved. The Town Council has already sanctioned it.

A motion was made by Commissioner Hubbard to approve the Development Plan and Commissioner Brown seconded the motion. So unanimously voted.

## **III. Reports - continued**

Town Planners report – Lisa Bryer said there is considerable backlog for high groundwater applications. There was a meeting with the Chair, the Town Engineer and myself to see if we can speed this process up. A discussion ensued regarding what we should do about speeding up this process.

By setting a policy this might be a way of speeding the process up. Take the application and if it is not what they want deny it. Commissioner Hubbard said just say it doesn't meet

the least disturbance, or run off etc. Either accept or reject. Mike Gray said it will be much easier if there is just one or two things to negotiate with. Does anyone else have a suggestion? Incomplete or revised plans need to be submitted before the packet goes out stated Commissioner Calabretta. He does not want to have to look at additional information the night of the meeting.

The last application for high groundwater was so far from being ready for approval instead of just denying it we reviewed it for an hour and a half.

A motion to adjourn at 9:56 p.m. was made by Commissioner Kelly and seconded by Commissioner Holland. So unanimously voted.

Attest:

Cynthia Reppe

*This meeting was recorded on 1 micro-cassette*