

PLANNING COMMISSION MINUTES

August 1, 2007

7:30 PM

Jamestown Library

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

Gary Girard	Victor Calabretta
Betty Hubbard	Barry Holland
Jean Brown	Richard Ventrone
Michael White	

Also present:

Lisa Bryer, AICP – Town Planner
Cynthia Reppe – Recording Clerk
Christopher Ornton – Town Solicitor
Donald Packer – Attorney
Jack Brittain – Windrigdge Properties
Peter Brockmann – Attorney
Bob Cournoyer – RCC Enterprises

I. Approval of Minutes July 18th, 2007

A motion was made by Commissioner Brown and seconded by Commissioner White to accept the minutes with the following changes:

Page 2 – middle of page add after Jack's **Electric** for shared parking.

Page 4 - 4th line from bottom Commissioner Brown said let's **hear** ~~here~~ him out...

Page 5 – second paragraph at end of first sentence add a question mark to read: if he should go forward?

So unanimously voted.

II. Correspondence

1. FYI – Administrative Subdivision – Candice Noll and Executive Lodging. LLC, Plat 8, Lots 190 and 357 – Priscilla Rd. and Standish Rd., Jamestown, RI. - Received

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report
Downtown Charette is going to be changed to an October meeting at the Consultants request.
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Fort Getty

- The 5 new tent sites are going to start this weekend as a trial run
- c. Buildings and Facilities
The inventory is continuing.
- d. Others
- 4. Sub Committees

Master Plan Informational Meeting

Allan & Nancy Randall – 61 Narragansett Ave. Plat 9 Lot 179
Major Land Development Project

Chair Gary Girard opened the Master Plan Informational Meeting and asked the applicant to present the project for the benefit of the Board and the public. John Murphy attorney for Alan and Nancy Randall that own property on the corner of Narragansett and Howland Ave. shall present the proposed development of the project.

The building to be moved is the residence next to the Art Gallery which will be moved to the Howland frontage of the property. The project is being designed by Bill Burgin, Architect and the professional engineer is John Lawless.

Mr. Murphy explained to the audience why the applicant is before planning for this application. It is a Major Land Development Project in the Commercial District and this is a mixed use project which is encouraged in the Comprehensive Plan. A Special Use permit is needed but no variances. There is existing municipal water, there may be cuts and tie ins for utilities and drainage but the applicant will be working with the public works department. The Randall's have done extensive research on size comparison of the existing buildings in area. The commercial structure will be 4320 sq ft. Mr. Burgin went through all the details of the new building.

John Lawless was introduced to explain the drainage. Irrigation of proposed landscaping will include a cistern on the property. The impervious surface has increased so they will attempt to handle the post development run off. This will be connected to the towns systems. The cisterns are located next to the building.

The Engineer will coordinate with RIDOT for curb cuts etc. for the work on Narragansett Ave.

Alan Randall made a photographic presentation on the scale of the building.

Notice was sent to all of the abutters for this public hearing and the notices have been provided to the Planning Office.

Commissioner Girard opened up comments from the audience. None being heard. Commissioner Girard closed the public Hearing. The Planning Commission has directed the Town Planner Lisa Bryer to prepare a motion for the next meeting.

V. Old Business

1. Windridge Properties LLC - Jacks Electric – Plat 9 Lot 201, 14 Clinton Ave.
 - a. Request for Modification to Approved Development Plan
 - b. Special Use Permit for Shared Parking, - Recommendation to Zoning Board

Attorney Donald Packer representing the applicant Windridge Properties stated the applicant has submitted a second application since the previous one was rejected. The proposal is for Shared Parking for 2 Spaces which will need Zoning Board approval. Commissioner Ventrone asked for a list of the numerous items that have changed during the construction project. It is Mr. Packers understanding that most if not all of the significant changes were agreed upon. The attic is being removed and will include only a 4 ft catwalk to access the fire alarm equipment. Fred Brown said this meets with his approval. The Planning Commission asked where the inventory that was stored upstairs now be located. The applicant Jack Brittain explained that it will be stored in the mechanical room and the shelving in the back part of his garage. Commissioner Ventrone asked and said that is full already and questioned whether or not it will fit there. There is shelving in the bay area and that will be there also.

Commissioner Hubbard explained that sometimes even though you have the square footage for parking and storage and it does not always work. She was concerned about the change from 4 to 2 doors and the efficiency of the parking inside. Mr. Brittain said that they put 4 vehicles in there to try it out. Mr. Packer stated the bottom line is the 3rd floor will be removed and it will be up to Mr. Brittain to find the storage. Commissioner Ventrone said what he wanted to see was all the changes not just what was constructed. This is not what Commissioner Ventrone and the Planning Commission wanted to see. An easement was discussed. The Ordinance does not require an easement. Commissioner Girard understands this but shared parking is not a permanent solution and is revocable at any time which does not solve the parking problem and then it is out of compliance with Zoning.

The Town Planner Lisa Bryers report, listed all of the items that were accepted by the applicant but still not completed, and he listed each one.

Jack Brittain stated that Mr. Holland does not want the fence as was approved. Don Packer stated that the Fire Department does not want the fence either because it would obstruct in the case of a fire. The Planning Chair asked the Planner if she had any knowledge of this. The Planner stated that she was approached by Deputy Chief Tighe and he stated that he was approached by Jack but that it was not a formal request and that he did not feel that a fence is an impediment to fire fighting and offered to formally address it in writing if asked.

There appears to be a question on if there is sufficient area for parking at the west (rear) part of the property. They thought that the plan complied and they are asking the Planning Commission to accept it as it is shown. The issue was clarified and it appears that the plan for the administrative subdivision and the plan submitted for this project are in discrepancy and that there does not appear to be enough space for

all the parking spaces shown. Attorney Packer stated that they had intended for the loading area of the handicap space to be in the 5 foot buffer area.

The applicant noted that it is drawn wrong on the plan. Mr. Packer said he scaled it and it does have enough room. Commissioner Calabretta questioned the parking spaces and a discussion and measurement took place at the table. The administrative subdivision has different dimensions than the shared parking plan. The Windridge plan is the correct plan that shows the 100 feet. There is no 10 foot discrepancy it is correct now. The Hammett plan is no longer accurate. The new one is accurate. Commissioner Ventrone asked what tells him that. Commissioner Calabretta stated there is still a discrepancy as it stands right now, it is not accurate right now. Go back to the surveyor and ask him to redo it or show it on the plan. It is drawn wrong but where are you going to get the feet from. There is not enough space to accommodate the parking spaces shown. Commissioner Ventrone wants to continue this meeting with a Class 1 registered land survey presented to show the actual footage.

This is the first time the issue came up with the handicap space using part of the buffer. The Planning Commission should weigh in now on whether or not it is acceptable because it will require a variance. Ask for the 3 spaces now. The site plan is again inaccurate stated Commissioner Calabretta and should say that 2 spaces are provided by shared parking and have the condition on the site plan. Commissioner Calabretta wants all parking to be in perpetuity. He will vote no as is.

Mr. Packer will recite the 2 items needed by his client right now.

1. A recommendation on shared parking for the zoning board now that they can recommend 3 spaces with irrevocable easement or perpetuity.
2. They would like to see them vote on the modifications to the Development Plan Review now accept the plans as presented and separately vote on the parking issue. Commissioner Girard said we are going over this over and over again and he wants it all submitted at once and accurate. That has not happened yet. That is why we are still discussing this. The information requested has not been submitted. Commissioner Ventrone stated the last time they requested it all be done at the same time. All t's crossed and I's dotted. He will vote no until he sees it done.

Commissioner Calabretta stated this whole thing is getting very complex over 2 parking spaces. Did you ever think of mixed use?

Jack Brittain did not think he was asking for anything that hasn't been asked for anyplace else. If the church pulls shared parking for the Town Hall then what? Commissioner Brown asked if we do not vote on all these different items can we at least give them an idea on what we want?

Mr. Packer stated they need some answers on some of these things.

Commissioner Calabretta wants to know why the pressure is on the Planning Commission because the Building Official said it does not comply. It gives anyone

a license to build what they want and then come back and ask for forgiveness. Jack Brittain said that if her converts the storage area on the second floor into mechanical as originally planned then they do not need shared parking. Originally there was mechanical and storage on the second floor. We cannot determine right now whether that would work. It is your business to make a proposal to solve the parking issue, but we need to see it on paper because it seems to keep changing.

Commissioner Girard asked our solicitor, he said the board has to be comfortable on what the board wants. The applicant has to state I am asking for a modification and this is what I am asking for, there are inconsistencies to the Plans. We ask for one thing and then get something a little different. Commissioner Calabretta said make sure that we do not mislead anyone. The Building Official must show us the square footage and has to tell them what the gross usable square feet are and if they change the interior use again, it should be calculated and signed off on by the Building Official so we know the parking shown is accurate. The other option Mr. Brittain asked about is making an option of having a residential loft upstairs and then he may not need the extra spaces. Commissioner Brown said it is more about the issues that were agreed upon. Jack Brittain wants them to go through these. The applicants would like Number 2, 4 & 5 commented on.

Windridge Properties, Jacks Electric did agree to these items #2, 4 & 5 but the Bush's (neighbors) are objecting to these issues.

Mr. Brittain said the fence on the south side of the building would affect the abutters parking. The original intention of the fence was for buffering and that the electrical panels were not shown on the original plan.

Dr. John Bush 20 Clinton Ave. does not want the fence. The Planning Commission feels that if the neighbor does not want it then it could be.

Jean Scott – Attorney representing Andres- It would be less intrusive if they have 2 meters instead of 6. She has only seen a class 2 survey never a class 1.

Pam Bush – Clinton Ave. -They want the pole light kept there for security reasons and they use it to grill at night. They feel it is an asset to the neighborhood. They wanted the building in the neighborhood. Commissioner Hubbard said that originally it was discussed that the light would remain until the building was being constructed and the light replaced by on site lighting.

Chris Ornton said the Planning Commission cannot design it for them. The applicant will come back and the application was continued until the applicant submits the information requested.

VI. New Business

1. Martha Harris -- Zoning Ordinance Section 314 Sub District A Review – High Groundwater Table and Impervious Layer Overlay District - Plat 16 Lot 65, Frigate Street – Recommendation to Zoning Board

Attorney Peter Brockmann presented the plan for the applicant Martha Harris with her agent Richard Lee, Bob Cournoyer and Kevin Fetzer with Ecotones.

They are 120 feet away from the wetlands so they are asking for a 30 foot variance. There is a one bedroom deed restriction. They have presented a 1 bedroom and 1 bath house. They went through the site plan and ISDS design and stormwater controls.

The Planning Commission does not want any change in flow Commissioner Calabretta stated. The 600 sq ft you are using is figured in there now. A discussion between Commissioner Calabretta and Bob Cournoyer ensued regarding the runoff. It says there is going to be a 4 inch pipe set in six inch stone. Commissioner Calabretta wants to see a perforated pipe. This is a beautiful house I do not think the owner wants to drive over a 4 inch pipe in the driveway. He suggested 16 inches of stone and perforated pipe in the driveway so it restores the groundwater. Commissioner Calabretta and Bob Cournoyer got into a disagreement over the runoff. They are asking for relief.

Peter Brockmann will read the ordinance to show Commissioner Ventrone that the Planning Commission and Town Planner shall recommend, and the zoning board must consider. It is very clear on the 308 issue that the town planner will recommend.

Commissioner Calabretta asked if the soils evaluator includes the 10 inches of wood chips on the property, are the elevations included of the wood chips. The evaluator said there are 10 inches of chips. They will put 10 inches more of gravel. He presented Professors report. Kevin Fetzer from Ecotones gave a brief description. Railroad ties may not solve the problem with the 16 inches of gravel.

A Motion to continue for 10 more minutes was made by Commissioner Holland and Calabretta. So unanimously voted.

Commissioner Hubbard asked about the significant slope. Everyone is satisfied with the house plan.

Add the 10 inch water table to the plan too. Test holes 1 & 5 were the ones used for the ISDS. Mr. Brockmann said they are not trying to hide anything. Change detail to 98 show groundwater system to try to fit in 16 inches of stone. Show piping under driveway as a detail of groundwater recharge system, add test hole that shows 10 inches of groundwater test hole 2 & 4, correct finish grade to foundation and re grade to accommodate the 16 inches of stone.

A motion to adjourn was made by Commissioner Ventrone and second by Commissioner White at 10:15 p.m.. So unanimously voted.

Attest:

Cynthia Reppe
Recording Clerk

This meeting was recorded on 1 micro-cassette