

Approved As Amended
PLANNING COMMISSION MINUTES
June 17, 2015
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:30 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Michael Jacquard	Bernie Pfeiffer
Michael Smith	

Also present:

Cinthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
Wendy Waller
Sydney Waller

II. Approval of Minutes June 3, 2015

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

III. Correspondence – nothing at this time

IV. Citizen’s Non Agenda Item – nothing at this time

V. Reports

1. Town Planner’s Report
2. Chairpersons report
3. Town Committees
4. Sub Committees

VI. Old Business – nothing at this time

VII. New Business

1. Sydney C. Waller & Wendy Ann Waller, Trustees – Plat 9, Lot 92 – 56 Columbia Ave. – 2 lot subdivision

This application came before the TRC on June 9, 2015. Ms. Wendy Waller is giving the presentation she stated they are not seeking any variances. They are asking for approval. The TRC decided they want the applicant to move the shed that is on the southwest corner of the property. The applicant does not want to move the shed. Mr. Fred Brown Zoning Enforcement Officer said the shed should be located in the second tier. The Waller's had second thoughts on moving the shed after the TRC meeting.

Mr. Brochu, Town Solicitor said if he is calling the shed an accessory structure then it has to meet the zoning ordinance. Brochu said if Fred Brown is saying the shed is in the front yard that is a zoning issue.

The Planning Commission decides and rules on the Jamestown Village Special Development District. Mr. Brochu agrees but the placement of an accessory structure is under zoning ordinance. Sydney Waller said it is an 8x8 shed not bigger like Fred Brown originally thought. The size of the shed does not require a permit. A discussion ensued with regards to setbacks which Commissioner Smith brought up. On High St. it shows the setback should be 18ft. She had the survey redrawn for 18 feet on each side. If it has to be moved it might have to be in the middle of the backyard.

Commissioner Cochran if this is considered an outbuilding then the side setback ~~is~~ **is** 7 feet, they set it back 10 feet. Mr. Brown said the shed does not conform to the special development district. He said the house has 18 feet of frontage on both sides. Brown said the shed must be moved or taken down. Pendlebury said it is pretty straight forward. Swistak asked since the applicant has asked do we have the purview to make a decision on this? Mr. Brochu said he thinks this is a separate issue with the subdivision. Commissioner Pendlebury asked if we can approve the subdivision as it is in front of us with a finding that the zoning officer has stated that the current placement doesn't comply with zoning. Brochu suggested that just make condition #4 state the shed needs to comply with the zoning ordinance.

Commissioner Pendlebury made a motion that was seconded by Commissioner Pfeiffer To Grant Preliminary Plan approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plans entitled "**Minor Subdivision Plan, for 56 Columbia Avenue, Jamestown, Rhode Island A.P. 9, Lot 92, Jamestown, Rhode Island; prepared by Douglas Design Group, Bay Tower, Lower Level Suite C, 101 Plain Street, Providence, RI 02903, 508-821-8721; dated June 3, 2015 revised June 9, 2015** based on the following Findings of Fact and subject to the following Conditions of Approval:

A. Findings of Fact

The Planning Commission makes the following findings:

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan;
2. Each lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance. The property is zoned R-8 and both lots will be over 8,000 square feet in size and the existing dwelling has been moved and both structures will meet the required setbacks for that zone. No building lot is designed and located in such a manner as to

- require relief from Article 3, Section 308 of the Zoning Ordinance as both lots will be serviced by public water and sewer;
3. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval;
 4. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
 5. All subdivision lots have adequate and permanent physical access to a public street, namely, Columbia Avenue and High Street;
 6. The subdivision provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community;
 7. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
 8. All lots in the subdivision have access to sufficient potable water for the intended use. Both lots will be serviced by public water.

B. Conditions of Approval

1. The approval is for a total of 2 lots;
2. That payment of a fee in-lieu-of land dedication shall be required for this subdivision for the new lot only in the amount required by Article IIID of the Jamestown Subdivision Regulations. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan.
3. Granite monuments or where granite monument are not suitable, other suitable survey markers other than concrete, shall be placed at all corner points at the new property line;
4. The Shed which is located at the west property line does not comply with the Jamestown Special Development District standards. All structures on the property must comply with zoning requirements;
5. The Planning Commission delegates final plan review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plat;
6. This approval shall be recorded with the Town Clerk within 30 days of signature; and,
7. This approval shall expire one year from the date of approval by the Planning Commission.

So voted:

Michael Swistak – Aye
Rosemary Enright – Aye
Michael Jacquard - Aye
Michael Smith - Aye

Duncan Pendlebury – Aye
Mick Cochran - Aye
Bernie Pfeiffer - Aye

Motion carries 7-0

VIII. Adjournment

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Cochran at 7:56 p.m. So unanimously voted.

Planning Commission Minutes

June 17, 2015

Page 4

Attest:



Cinthia L. Reppe
Planning Assistant

This meeting was recorded