

Approved As Written
PLANNING COMMISSION MINUTES
July 5, 2017
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:31 p.m. and the following members were present:

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

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Andy Nota – Town Administrator
Hali Beckman – Landscape Architect
Bill Munger – Conanicut Marine Services
Marilyn Munger – Conanicut Marine Services
Donald Richardson
Chris Powell
Blake Dickinson
Nancy Semco

II. Approval of Minutes June 21, 2017

A motion was made by Commissioner Enright and seconded by Commissioner Cochran 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

1. East Ferry Improvement project – Development Plan Review and Approval within the Jamestown Village Special Development District – Recommendation to the Town Council

Lisa Bryer Town Planner told the audience this is the 4th Planning Commission meeting discussing East Ferry. She discussed the three schemes that we have reviewed over that time and we are now back to scheme 3, the hybrid scheme that the planning commission asked for at the last meeting but was never really reviewed because you favored the green on the water at the time. She will go over the general changes to that plan based on comments from that meeting.

The green has been moved back to Conanicus Avenue side, the sidewalk is 8 feet with a 4-foot green area including benches with a wooden guardrail at the edge of the parking area and they have added tire stops. The guardrail and tire stops will be for safety of those in benches and on sidewalk. There will be stone walls and the crosswalks. The “fly-by drop off” is still there and the crosswalks will also serve that purpose. They talked about moving the pumphouse later and that will provide another loading/unloading space and a permanent turn around was added. Another space was gained by taking away a bit of the green area on the left when you enter the parking area. Two bike racks were added in the veteran’s square area. The plan shows a 22-foot isle width and it should be 24 feet so this will be changed. It was never intended to be 22 feet.

Commissioner Cochran asked about the handicap access. Lisa responded that it is at grade towards the end of the pier and handicap accessible. Today and with the proposed plans there are 30-minute drop offs and there will be a permanent space for a turnaround also.

Commissioner Pendlebury asked about the benches facing the street; can we reverse those? Hali Beckmann our consultant on this project said the wall is a high wall for people to sit. Additional benches can be put there.

Commissioner Smith said the existing distance from curb to curb is 64 feet and the reduction is 4 feet to 60 feet. He would like to see it the same. Bryer noted that the proposed 24-foot isle width meets code for a two-way parking isle and this will only be one way. She pointed out where if the isle was expanded that we would possibly lose a space or there would be no buffer between the parking spaces and the sidewalk along Conanicus Avenue. This will not meet code. They will look at the possibility of widening the isle width again.

We looked at two scenarios of angled parking since it was discussed at the last meeting; 60% and 45% angled parking. In both scenarios spaces would be lost, 4 and 6 respectively.

Bill Munger – Conanicut Marine Services – he is thrilled at what he is seeing in terms of the new plan and said we are headed in right direction. Going back to scheme 2 there was a petition to the town council that he gathered signatures on. They respectfully request that we go back to the original which is the way it is now and avoid scheme 2. He gathered 128 signatures and that will be forwarded to the town council. Mr. Munger presented additional pictures of the parking area. He can support this plan and would like to refine it at the seaward end. Commissioner Swistak

thanked him for the photos. Also, he created a petition on the Conanicut Marina website and he read the petition. 167 people online responded to petition from CMS.

Chris Powell – started town Christmas tree 20 years ago and he reviewed scheme 2. He handed out a letter addressing the scheme 2 plan. Moving trees and green things to the saltwater is not a good idea.

Donald Richardson – 12 Davis St. - it looks to him like the planning board is re-inventing the wheel. The plan before you today is the same as it currently exists. Sidewalk is wider now on the waterfront. Will Andy and staff will take care of this? How much is it going to cost the taxpayers to do this?

Andy Nota – Town Administrator - we are looking at natural native species that require little effort and making it maintenance friendly without out much watering over time. We feel comfortable in making minimal changes and at the same time make it more attractive and pedestrian friendly. Hali Beckman has picked out plantings that will need minimal care.

Andy Nota asked Mr. Richardson if he waters the grass on Bayview Dr. and Andy noted that it still remains green most of the summer even though it is cut very short?

Bruce Dickinson – 18 Mount Hope Ave. – He drives around the square every day. As a consumer in the town you usually drop off people if you cannot find a space. People are cutting through. Narragansett Ave. seems much narrower since it was redone, it could be a perception but he thinks the town should not be proud of that project. He thinks this is typical form over function. Is this a real goal? If this is parking lot is shrunk we will be pushing people into the neighborhoods to park. He is asking as a Jamestowner please do not from a traffic perspective, not to make it narrower.

Commissioner Swistak said we are gaining 1 parking space not reducing it. If you look at this plan there are 47 spaces and if we do not need the turnaround we can gain another.

Marilyn Munger – 20 Knowles Court. – currently right now what is the width of the parking lot? 64' currently and 60' proposed. She objected to that. She wants to maintain the ability of trucks to park in the fire lane and at the corner of that space (the “fly by parking space”). She wanted to know what would happen if people parked there. Bryer noted that if they were parked illegally, they may be ticketed now and after this is reconstructed. She noted that people’s bumpers hang over the sidewalk now and she feels that is necessary in order to accommodate the isle space. Bryer referred to the photographs that were handed out by Munger, showing that there is ample isle width and people do not have to pull over the sidewalk. Commissioner Pendlebury said we should not be designing parking lots for the worst-case scenario; the extended cab and extended bed pickup truck or the service vehicle. They may have to find a more accommodating spot since all spaces are designed with the same dimension all over the world. They should not be parking illegally this way and they are doing it because there are no tire stops and it is unsafe and does not provide the type of walking environment that we want to be presenting.

Peter Gadoury – Weeden Lane - parking spaces on Conanicus Ave. they are not marked can we mark them.

Bill Munger – He said we are losing spaces, today's count he said there are 50 today Andy Nota showed him that there are still the same amount of spaces and we are saying the same thing. Andy stated again that we are not losing spaces.

Tom Gadoury – 1 Sail St. – if you have the tire stop and wooden guard rail on either side you lose more than what the proposed plan is showing.

Commissioner Pendlebury said he noted in the last meeting that if this space is to be successful for everybody there needs to be compromise which means you cannot have it exactly the way you want it. We all have to compromise. We do not want to encourage people to go at a fast pace through there. Everybody has a right to use the water front, not just cars, and we need to make some changes, minor changes. It is a compromise. Everyone sitting up here would like more green on the water but he is willing to compromise for everyone's use. 24 feet is substantial for 1-way traffic. People will adapt and use it. Let's make some improvements and broaden the user group. Subdivision regs require 23 feet for 2-way traffic, we have more than that. He apologized for being tense.

Commissioner Enright said the curbstop is not going to change it by that much.

Commissioner Cochran asked about the east to west part of the parking lot, it is 60 feet across. The one-way issue is important to make. He asked Mr. Munger, is there a reason why those service vehicles cannot park on the concrete pier? Mr. Munger said it is quite a hike for a service person with tools.

Gary Girard – Seaside Dr. – eliminate the benches and you will have more parking.

Commissioner Enright said we would like the benches and some green space on the waterside. She watches from the Deli how the people circulate at the waterfront from Memorial Square and we are hoping to connect those 2 spaces. Currently people feel they are walking through a parking lot because of the way the cars park over the sidewalk. People do not walk that piece of property (the green). The idea was to bring the waterfront into a single green unit, not just cars and not just people. We have taken what we can from the square. The whole point was to increase the pedestrian friendliness of the area.

Anita Girard - Seaside Dr.– she wants feedback she obtained 64 of the signatures, leave it alone and repair what needs to be repaired she said that is what the 64 people told her.

Nancy Semco – Gondola – Can I make that turn when I come into the parking lot still? Yes Commissioner Swistak said it has not changed in fact it is the turning radius for a city bus.

Donna Wood – 51 Southwest Ave – reiterate what Anita Girard said and many of the people have said leave it the way it is, if it's not broke don't fix it. Make it more handicap accessible.

Blake Dickinson- length of the parking lot and width this Bay View Dr. is easily 2 lanes when people access the Bay Voyage. I implore you to not change the functional aspects of this parking lot.

Donald Richardson – there is an electric car space. Why do we need that space for just electric cars? There is one at the Bridge and Turnpike Authority, they can use that. Swistak said it is a smaller space so it would be compact anyway and we have to plan for the future. We will be looking for a grant to make it an electric car only space.

Tom Gadoury – he sees Caito park to get his lunch or coffee and he will not be able to with big vehicles.

Commissioner Pendlebury said it seems to him that if we compromise can we slide the west curb 4 feet to the west. Bumpers will stay within the curblines. Compromise on the plan from the vegetation.

Donna Wood – curb stops has anyone talked about how they would navigate snow removal during the winter months?

Lisa Bryer said there are some devices now that are roll out that could be used but you do not need to plow behind the wheel stops.

Nancy Semco asked about moving it west.

Commissioner Enright – is interested in the historic signage down there. She would like a sign that talks about the original east ferry boats.

Commissioner Swistak made a motion that was seconded by Commissioner Cochran to recommend to the Town Council to approve the proposed improvements to East Ferry, as shown on the attached plan, Scheme 3 as presented by the Town of Jamestown staff. Also attached are the minutes from the four Planning Commission meetings where this project was discussed in addition to the Technical Review Committee meeting. The preferred scheme includes a wider sidewalk and pedestrian area along the waterfront, more organized drop-off area and overall improvement and beautification. The approval is based on the following findings of fact and recommendations:

Findings of Fact:

1. The Planning Commission reviewed the various plan schemes at their April 19, May 17 June 21 and July 5 meetings (minutes attached). The East Ferry Improvements were reviewed under Zoning Ordinance Article 11. Jamestown Village Special Development District – Section 82-1101B Applicability – Development Plan Review; and the consistency with the Jamestown 2014 Comprehensive Community Plan;

2. A Technical Review Committee meeting was held on June 16 at 10am (minutes attached);
3. The Planning Commission reviewed several different schemes before selecting preferred Scheme 3; which provides the best opportunity to balance the interests of various user groups; i.e. boaters, retail, office, restaurant, tourists etc;
4. Scheme 3 is considered the best functional compromise in view of circulation, available parking, and the configuration which best meets peak demand;
5. In addition to opening the public view towards the wood pile pier and to the south, Scheme 3 also fulfills the following project goals:
 - a. Preserves the existing 46 parking spaces (increased to 47) and at least 3 loading/unloading/turn-around spaces;
 - b. Provides for an improved pedestrian space along the public waterfront;
 - c. Protects water and bridge views;
 - d. Provides for seasonal and holiday uses;
 - e. Provides for additional site furniture and amenities; and,
 - f. Considers paving and other site surfaces.

In addition, Scheme 3 includes the relocation of the pump out building, which will additional area for user and pedestrian flow;

6. Several business owners (Spinnakers, Conanicut Marine Services, Grapes and Gourmet) provided valuable input into this project at the Planning Commission and TRC meetings. Staff also had several meetings with those business owners as well as Island Realty;
7. The number of parking spaces has increased from 46 to 47 plus 3 loading/unloading/turn-around spaces;
8. The Town has committed to utilizing native and/or drought/seaside tolerant plantings at East Ferry as well as continued maintenance to insure success of the landscaping;
9. The Town has committed to coordinating, consolidating and/or replacing traffic signs to make the area more visually appealing with special emphasis on traffic and pedestrian safety;

Recommendations (please note language in (parenthesis) indicates how the recommendation has been addressed since the Planning Commission meeting on July 5):

1. Provide some benches along Conanicus Avenue that face towards the water. (two backless benches have been added along Conanicus Avenue that are set back two feet from the stone walls so they can face either way);
2. Make every attempt to retain the current 64 feet, curb to curb distance in the northern parking area. (The plan is shown as 60 feet curb to curb. This allows for 90-degree parking spaces that are regulation size of 9' x 18' and an isle width of 24', where there is currently 28'. Jamestown's regulations require 23' isle width for two-way traffic in parking lots where this is one way. Widening the isle to 28 feet requires moving the

parking lot towards Conanicus Avenue which brings the northernmost space into the sidewalk and requires the southernmost space in that isle to touch the new electric charging space, cutting off the planted island from the green. Every attempt will be made to widen that isle during construction while maintaining safety for pedestrians and vehicles);

3. Continue to work with East Ferry business owners during the construction process;
4. Remove vegetation and allow the sidewalk to continue to the parking lot at the “fly by” drop off area near the emergency space. (done);
5. Work with the Historical Society to develop historical and educational signage related to the use of historic use of Ferry Wharf;
6. Maintain a minimum of 30 feet for the holiday tree (done);
7. Any significant change in the proposed plan (parking and landscaping) such as a decrease in parking, shall be reviewed and approved by the Technical Review Committee.

Mary Lou Sanborn – 32 Dumpling Dr. - asked about the cost.

Andy Nota said It is in the range of 250K-300K won't know until it is bid out. We can take out some of the landscaping if the cost is too high once we receive the bids.

II. New Business.

1. Election of Planning Commission Officers

Commissioner Swistak said at the last meeting we discussed the election of officers. The current officers when asked if they would like to stay in their current positions said they would.

Commissioner Enright nominated Commissioner Swistak for Chair, Commissioner Smith seconded the nomination. So unanimously voted.

Commissioner Smith nominated Commissioner Pendlebury for Vice Chair, Commissioner Enright seconded the nomination. So unanimously voted.

Commissioner Smith nominated Commissioner Enright for Secretary, Commissioner Cochran seconded the nomination. So unanimously voted.

2. Discussion of Marijuana Regulation

Town Planner Lisa Bryer said the Town Council adopted a 6-month moratorium which will allow us time to study the issue and to develop zoning to regulate marijuana uses. Swistak asked if we can go through the list of uses.

There was a short discussion of uses. Wyatt Brochu says look at the state law first. Our purview will be to comply with local zoning. Some towns may have adopted the state board definitions. A discussion ensued regarding the different ordinances from the different towns. It is a matter of scale, growing for yourself or somebody else or growing commercially. Commissioner Pendlebury said from a zoning standpoint do we regulate someone with chickens and the sales of eggs differently for instance? Can that be applied in the same way with this?

Solicitor Brochu said The Attorney General's office is giving us comprehensive guidance. It is not only zoning it is building officials, electrical inspectors, water departments. Can housing be denied because they grow marijuana? Is it different from growing tomatoes and where is the activity appropriate? Does size matter or does it belong in CL or other zones? Some towns say industrial zones others say agricultural. Some towns are less permissive. Mr. Brochu said it is very difficult to regulate the scope of the different issues. Growing on a commercial scale is that appropriate in a residential zone? Where will it be appropriate and how to regulate it is what we need to do. Commercial cultivators license needs to comply with local zoning and they are only allowed to sell to the compassion centers. Is this a use in and of itself? Swistak said we should start off restrictive and we can always relax it.

Town Administrator Andy Nota said one of the reasons we are getting this before you in a timely way is because we have trust issues with this legislature.

Brochu said One of the common beliefs of this, it is just marijuana what's the problem what's the harm? Important for the commission to do your research because the marijuana of yesteryear is not what it is today. It is much stronger today. They have two basic strains; stimulant and depressant. This is a huge commercialized business. Businesses are branding strains. It is much more broad in reality of today and in the future. Are there ways of testing and labeling?

When you are setting out regulations you need to decide on standards if there are special use permits etc. Pendlebury said if we make this an agricultural issue there could be properties large enough? If we make it commercial we do not have a big enough area to have a 5,000 sq. ft. barn. If the use is allowed it would be very hard to deny a variance of lot size say.

Wyatt said Pendlebury's point is a good one; look at the uses in the state law and decide what if any or all would be appropriate in a residential zone. We have light pollution regulations so a neighbor cannot have a greenhouse that is lit up. Scope and scale is the most important to regulate.

Bryer said one of things to be careful of is the discussion about lot size, if we permit it in certain districts for a certain size lot and we have very few or no lot similar sizes in that district we are essentially prohibiting it. If we really want to prohibit it, just do that. Permit something but be careful and have standards. We cannot change definitions, they are dictated by state law. Take various uses and ask yourself what zone in town if any is appropriate or not.

Next time Lisa will come back with a matrix.

VII. Adjournment

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to adjourn the meeting at 10:08 p.m. So unanimously voted.

Attest:


Cynthia L. Reppe