

Approved As Amended 12-2-09
PLANNING COMMISSION MINUTES
November 18, 2009
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 pm. And the following members were present:

Michael Swistak Nancy Bennett
Gary Girard Barry Holland
Duncan Pendlebury Michael Smith

Not present: Richard Ventrone

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Planning Assistant

I. Approval of Minutes November 4, 2009

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

Page 2, 2nd paragraph - and shall ~~precede~~ **precede**...

Page 2, 4th paragraph - Commissioner Bennett asked what are the lot requirements outside of CD and CL why are we just dealing with duplexes and not multi family, **there is no mention of multi family in R8.**

Page 3, 4th paragraph – **Commissioner Swistak asked** “does anyone have an issue with not having a separate lot size for **duplexes** in CD?”

Page 3, 4th paragraph - **Swistak asked**, in R8

So unanimously voted. Commissioner Holland abstains.

II. Correspondence

1. FYI – Letter to Peter Ruggiero from Joseph Palumbo Re: Dutton. Received

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

IV. Reports

1. Town Planner’s Report - Lisa Bryer informed the Planning Commission that the town solicitors contract is up for review and Wyatt Brochu suggested that she inform the Planning Commission that is they have comments regarding their performance, whether good or bad that they may want to pass it along to the Town Council. Lisa Bryer said there is extra money available for legal advice if we need extra time.
2. Chairpersons report – Commissioner Swistak reiterated that if any of the Commissioners want to send an opinion to the town council by correspondence through the Town Clerk that it will be of public record. They also have the option of having a

conversation with Town Councilors. Commissioner Girard said as far as consistency we did not have the same solicitor at all meetings; we started with Christopher Orton, then we changed our application meetings to accommodate Peter Rugeiro's schedule and now we sit with Wyatt Brochu.

3. Town Committees
 - a. Harbor
 - b. Fort Getty – tomorrow morning they will meet to discuss a new survey that will be updated and inserted into the Jamestown press it will give us an indication of what the residents want.
 - c. Buildings and Facilities
 - d. Tree Preservation and Protection – Commissioner Bennett reported that the Chair went to symposium on elms and found out we have planted ours too close together at the rear of the Town Hall and they will have to be replanted.
 - e. Affordable Housing Committee
 - f. Wind Energy – met last night they made a recommendation to the Town Council for placing the wind turbine at Fort Getty.
 - g. North Rd. Bike Path Committee – the last meeting was cancelled until a new representative from the town council is appointed.
4. Sub Committees

V. Old Business

1. Zoning Ordinance Amendment related to Duplex / Multi Family Dwelling
Town Planner Lisa Bryer gave an update on the definitions for duplex and dwelling - two household.

Commissioner Swistak - Table 3-2 lot sizes were left out which was an error. Should we re-insert and re-instate those dimensions.

Commissioner Smith said, if we are trying to encourage affordable housing, then CL should be comparable to R-8 for lot coverage. The Planner noted that the 35% lot coverage in the CL was discussed at length during the Zoning update process which is 5% higher than in the old ordinance. It increases the density in CL said Commissioner Bennett. Commissioner Girard suggested changing 40,000 to 25,000 sq. ft. in CL. A discussion regarding multi family dwellings and lot size and coverage ensued.

Do we need to adjust the 200,000 sq. ft. for multi family in R20?

Commissioner Bennett said it should remain since we are trying to preserve the character of the neighborhood in R20 which is single family.

A discussion ensued about size of houses and character of neighborhood Commissioner Bennett wants to talk about this in the comprehensive plan process she does not want to make a big change in the zoning ordinance.

Town planner Lisa Bryer said there are densities listed in the Comprehensive Plan and she needs to check to see if making changes to the lot size would be consistent and she wants to take a look before we make any changes. There has been a run on duplexes in the building officials office since this was brought to our attention and Building Official Fred Brown is taking the stand this is an unintended omission and not taking action on this until this issue is resolved.

A motion was made by Commissioner Bennett and seconded by Commissioner Girard to forward a recommendation to the Town Council as follows: to add duplex min lot sizes back into table 3-2 for R-20 (40,000 s.f.), R-8 (15,000 s.f.), CL (8,000 s.f.) and CD (5,000 s.f.), and also the definitions of *Duplex*, Dwelling – Two Household. *Dwelling – Two Household* is defined as A structure containing two households where each dwelling unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, and containing a separate means of ingress and egress to the current definition section. So unanimously voted:

Nancy Bennett - Aye	Gary Girard- Aye
Barry Holland - Aye	Duncan Pendlebury - Aye
Michael Smith- Aye	Michael Swistak - Aye

A motion was made by Commissioner Girard and seconded by Commissioner Bennett to recommend a moratorium to the Town Council on building permits related to Duplex dwellings and multifamily dwellings in the R-8, R-20, CL, and CD districts (per article 3, Table 3-1, 3-2 and Article 10 – Multi-family dwellings) until such time as the Planning Commission has the opportunity to provide a recommendation to the Town Council on such and the Town Council has the opportunity to act on the recommendation.

Commissioner Holland asked if there was a time limit to this moratorium. Yes the Town Council will determine that with the assistance of the Town Solicitor responded Lisa Bryer. So unanimously voted:

Nancy Bennett - Aye	Gary Girard- Aye
Barry Holland - Aye	Duncan Pendlebury - Aye
Michael Smith- Aye	Michael Swistak - Aye

Town Planner Lisa Bryer will come back at the next meeting with new numbers in table 10-1 for the next time this will be discussed.

VI. **New Business** – nothing at this time

A motion to adjourn was made by Commissioner Girard and seconded by Commissioner Holland at 9:16 p.m. So unanimously voted.

Attest:


Cynthia L Reppe

This meeting was digitally recorded