

Approved As Written
PLANNING COMMISSION MINUTES
March 6, 2019
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order and the following members were present:

Michael Swistak – Chair – arrived 7:14	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Bernie Pfeiffer	Michael Smith

Not present: Dana Prestigiacomio

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Jeff Davis – Horsley Witten – Consultant
Town Solicitor David Petrarca

II. Approval of Minutes February 6, 2019; review, discussion and/or action and/or vote

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

Page 2, paragraph 2 last sentence under New Business - To be self sufficient as a golf course we need to ~~be in that position if in the future to~~ construct an additional **maintenance/storage** facility and that may be part of the lease negotiations going forward.

Page 2, paragraph 3 first sentence under New Business - Commissioner Enright asked about **salting** ~~sanding~~ the parking lot

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. **Zoning Ordinance Update – Solar, Wind, Undersized Lots:** Horsley Witten Group review, discussion and/or action and/or vote

Jeff Davis, Planner from Horsley Witten presented regarding renewable energy and zoning considerations. The consultants have been tracking what is going on at the state level with regards to renewable energy regulation. The state has come out with a model ordinance. In order to receive funds for renewable energy we need to have an ordinance of some kind or the state will withhold funding.

The proposed legislation is available now. Jeff will provide and Town Planner Lisa Bryer will share with the planning commission.

Jeff Davis presented these following questions:

- What types (residential scale to large scale) of solar energy systems are appropriate on Jamestown?
- Where do opportunities exist to locate these types of solar energy systems in Jamestown?
- How should the Town balance the permitting of solar development with protecting other valuable local resources?
- What standards should be in place to make sure solar energy systems function well, are good neighbors, and can be properly decommissioned?

Commissioner Pendlebury asked shouldn't we be looking at the locations? Where should we put them? Jeff said yes, by district.

Jeff said we should be concerned about accessory structure setbacks. Town Planner Lisa Bryer said to her a ground mounted system would be a structure and could be within accessory setbacks and it should be behind the main plane of the structure. For residential use the user should not be creating more then what they use, otherwise it is a commercial operation. It can be flexible and assume increased energy use after the solar installation due to converting to electrical heat or an electric car.

Jeff Davis said from a land use perspective it is about size and scale. Commissioner Pendlebury said it needs to be clarified. Lisa said that it is clear in the Comprehensive Plan, commercial use should not be in a residential area.

Chair Swistak arrived at 7:14

Commissioner Enright asked how do you determine how much each should use? What is needed. The solar companies figure that out.

The same rules as accessory structures for ground mounted. It could restrict someone who wants to use it for their house that they may not get enough panels that covers their usage. Can

we tell people how big their swimming pools can be? Tennis Courts? Shuffleboard? Swistak asked. The Commission noted that this is different, swimming pools do not generate income.

We have a lot coverage limit for all residential properties. Commissioner Pfeiffer said the HGWTO will limit these in the shores.

Swistak noted that maybe we do not want to see them on the front side of roofs. Solicitor David Petrarca said make sure you do not regulate which side of the roof it is on.

Swistak asked do association rules trump what the town regulations are? Lisa Bryer said if the developments have stricter rules then it would have to be regulated by that but they have to be at least as strict as town and state regulations.

We do not have any review process for solar at this time. Only if it meets the criteria of Development Plan Review in the commercial districts. For example, McQuades has a big solar system and it went through the TRC. Pfeiffer says it needs to be looked at by the officials to make sure there are not any issues.

Swistak asked about smaller scale systems; do we want to limit it in commercial districts. Are there certain areas where we do not want a commercial use? Commissioner Cochran said yes.

What Solicitor Petrarca is seeing in other communities is the solar fields have a 20-25 year life span and this is what they pitch to the agricultural zones. We do not have any agricultural zones here.

Commissioner Swistak asked if they would come to planning and zoning for public use so the voters would get a chance to weigh in on the project. He also asked why would the town do this? Lisa Bryer said to offset taxes.

Maintenance needs to be addressed Cochran said. Where would we address safety issues and accessibility?

They will work on this and get back to Planning Commission Jeff Davis noted.

Wind Generation is next subject to discuss. There is less of a demand for this, since it is not super productive here on land and it is mostly offshore. We have already had proposals so where is it appropriate here.

How feasible are they? One of the farms was very interested. How big are they asked Cochran? Not sure noted Lisa but they are looking at 100 kw systems. Jeff said these are the sorts of things we can set limits on. Setback, however tall the structure is, like 1 ½ times. If they are being used for excess in residential it is not allowed, it would have to be a use variance which is harder to get. For agriculture they can make money so they can help the farm be viable.

Visual impact: Swistak asked would you rather see the solar or the wind turbines?

Some other things to consider is setbacks, noise, shadow flicker, visual impacts signal interference.

Environmental impacts, animals etc.

Who decides? Planning, Administrative?

What Standards?

Commissioner Enright said having it 1.5 times the size away from property lines restricts where it can go.

Higher level of review if you do not meet the standards should be required.

Swistak said should it be allowed if the neighbors are onboard? Should we put in provisions that it is permitted even if it needs a variance if the neighbors give permission?

Jeff Davis said this gives him what he needs to draft it and he thinks they will have it for the April meeting. Lisa will not be here for the second meeting in April she will be at the National Planning Conference. They will not meet then.

Town Planner Lisa Bryer addressed the Undersized lots provision. Cochran said it doesn't make sense to him. Lisa Bryer said it was developed years ago because the shores had so many undersized lots so instead of having all these lots come in for variances they will allow them to adhere to a smaller setback. Pendlebury suggested rewording.

She is suggesting that the RR80 district areas in Reservoir Circle and Conanicut Park put the same kind of provision in it. Smith said it is already built out just rezone for R40 or possible R20. Bryer said she does not see the benefit in rezoning.

All undersized lots in R8 and R20 they have to come for Technical review and most in Shoreby Hill where we review Chris Cosa brought up today do we want to provide thresholds. Swistak says there have only been a handful in 10 years leave it as it is for R8 and R20.

No 2nd meeting in April

Commissioner Swistak asked about the Sustainability plan that was presented at the Town Council meeting. He asked if we will have a meeting for the planning commission too with notificatoin. Lisa will set that up.

VII. New Business – nothing at this time

VIII. Adjournment

Commissioner Cochran made a motion that was seconded by Commissioner Enright to adjourn the meeting at 8:40 p.m. So unanimously voted.

Attest:



Cynthia L. Reppe