



TOWN OF JAMESTOWN

P.O. Box 377

93 Narragansett Ave.

JAMESTOWN, RHODE ISLAND 02835

Approved As Amended

PLANNING COMMISSION MINUTES

Planning Office - 423-7210

Fax - 423-7226

October 20, 2021

7:00 PM

Jamestown Town Hall

93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:02 p.m. and the following members were present:

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

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cynthia Reppe – Planning Assistant
John Mancini – Esq.
Rico DiGregorio – Applicant
Anthony DiGregorio
Christian Infantolino – Esq.
Bill Munger – Applicant

Polly Hutcheson

Marianne Kirby

II. Old Business

1. 29 Narragansett Avenue, AP 9 Lot 631, Jamestown, RI. Proposal to develop a 3 residential unit, 3 commercial unit Multi-Family Structure in CD Zoning District.

Discussion and/or action and/or vote

- a. Development Plan Review; review under Zoning Ordinance Article 11,
- b. Recommendation to Zoning Board on:
 - i. Special Use Permit for Multi-Family Structure per Zoning Ordinance 82-301
 - ii. Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required
 - iii. Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2
 - iv. Variance for Building Height, 35 feet permitted, 40 feet 10 inches proposed

Planning Commission Chair Mike Swistak said we are here for discussion and potential action for this application.

Attorney Mancini, on behalf of the owner applicant, Rico DiGregorio said they are requesting Development Plan Review, a special use permit and variances. They submitted plans and they have reviewed the motion from the planner and they ask for approval of the plans.

Chair Swistak asked if Bill Moore reviewed the plans prior but there are still plans listed in the motion that says they need to be updated. Lisa Bryer noted the biggest thing updated was showing the building is set back 2 feet from the western property line on the site plan. They also need to amend the dimensional table on the cover sheet that shows that is still proposed to be 35 feet and it is 40.5 feet. The applicant said they will take care of updating the cover sheet tomorrow.

Commissioner Pendlebury indicated the landscape plan shows plantings on south property line of privets. He was concerned about Privet getting enough light. The applicant indicated an alternate landscape plan was proposed. There are 2 different landscape plans and lighting plans submitted. Chair Swistak stated that they should be marked 1A and 1B to show the difference.

Commissioner Swistak said this commission has been very strict about exceeding the 35 feet and it would be helpful to hear your point of view as to why that additional height is so critical to this project. The roofline is 37.5' and the peak is 42'10".

Mr. Mancini said they are requesting a variance from zoning for height. It has to be considered in the entirety of the project. There have been different variations of this building since January. It is a unique parcel located in the commercial district. The height is driven by the design. The original design was 35 feet and it changed over time because of the dormers being added. There was not an increase in square footage inside, just height.

Commissioner Enright asked if you are going to include in the condo agreements that there will be no short term rentals, it is one of the conditions. Planner Lisa Bryer said when you approved the condo project on Narragansett Ave. it was included also because the applicant volunteered that was a goal. The same is true here. The applicant stated previously that was not their intent and they would ensure that. Wyatt Brochu stated the condo association will have an obligation to comply with the conditions and the town can enforce it. Chair Swistak stated the condo docs will come to planning and be reviewed by our solicitors too.

Donna Cameron Grigus – Green Lane. She wants to suggest that the Narragansett Ave pipes be replaced. The Planning Commission has been gung ho on building. The noises and vibrations have been loud. She said pipes on Green Lane and Union tie into her rentals and her pipe is the original pipe and it has not been relined, and the pipes are over 100 years old. Before putting new buildings on Narragansett Ave. you should consider putting new pipes in. What date will they be fixed?

A discussion ensued with changes being made to the draft motion.

Commissioner Swistak said there will be 2 motions and votes

Commissioner Swistak made a motion seconded by Commissioner Pendlebury to grant conditional Development Plan approval and recommend to the Zoning Board of Review approval of the

application of We Dig Investments, at 29 Narragansett Avenue to build a 6-unit multi-family structure (which includes 3 residential and 3 commercial units), including the request for a Special Use Permit based on the following findings and subject to the following conditions of approval. So voted:

Michael Swistak – Aye	Duncan Pendlebury – Aye
Rosemary Enright – Aye	Mick Cochran - Aye
Bernie Pfeiffer - Aye	Dana Prestigiaco - Aye
Michael Smith – Aye	

Motion carries 7-0

Commissioner Swistak made a motion seconded by Commissioner Pendlebury, the Planning Commission to grant conditional Development Plan approval and recommend to the Zoning Board of Review approval of the application of We Dig Investments, at 29 Narragansett Avenue to build a 6-unit multi-family structure (which includes 3 residential and 3 commercial units), including the request for 3 variances from the standards of the Zoning Ordinance based on the following findings and subject to the following conditions of approval.:

- Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required
- Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2
- Variance for Building Height, 35 feet permitted, 40 feet 10 inches proposed

Commissioner Cochran said this is going to be the largest building on Narragansett Ave. except for the Bay View Condominiums and the biggest on the Avenue.

So voted:

Michael Swistak – Aye	Duncan Pendlebury – Aye
Rosemary Enright – Aye	Mick Cochran - Nay
Bernie Pfeiffer - Aye	Dana Prestigiaco - Aye
Michael Smith – Aye	

Motion carries 6-1

Findings of Fact

1. The Town Planner met with the applicant in November 2020 to discuss concepts for the site at 29 Narragansett Avenue including the Jamestown Pattern Book and Design Guidelines and the 2008 special area study of 29 and 35 Narragansett Avenue;
2. The applicant's Architect, Ivy Design delivered a 69-page design study on December 10, 2021;
3. The Town Planner met with and provided comments to the applicant's development team;
4. The Public Works Director and the Town Planner met with the applicant team and their Engineer by phone on March 25, 2021 to discuss site considerations;
5. The applicant submitted an incomplete application dated 4/27/21 and additional information was subsequently submitted with a new application on 5/27/21;
6. The TRC reviewed this application on May 19, 2021, and May 25, 2021. The original versions of the building design generated major concerns with regards to the scale and context with the surrounding structures. The TRC encouraged the applicant to increase the height of the building slightly to allow for architectural features which would visually

reduce the scale and mass of the building. The TRC agreed that a slight height variance would allow for a final design which yields the appearance of a two-story building even though there is significant livable area on the third floor.

7. The Planning Commission reviewed this application on June 2, 2021 and June 16, 2021;
8. The Planning Commission authorized the Town Planner, Lisa Bryer to initiate the Peer Review Process at the June 16, 2021 meeting per Zoning Ordinance 82, 410, *Project Review Fees*;
9. The Town Planner held two meetings with Donald Powers, Architect, Union Studios;
10. The Applicant submitted plans dated 4/14/2021, 6/9/2021, 7/30/2021 and 9/17/2021;
11. There were multiple discussion points and issues discussed at the meetings listed above but the primary discussion point at all meetings is the proposed new buildings' stature, placement and design on Narragansett Avenue;
12. The Planning Commission received the detailed architectural graphics and comments from Donald Powers dated August 24 and September 30, 2021;
13. Architect Donald Powers noted in his September 30, 2021 correspondence that the "...actual detailing of the building will be very important to the design's appropriateness and success in this location, we recommend that review and approval of those exterior details be a condition of final approval and construction permits";
14. On October 6th and 20th, the applicant presented final plans to the Planning Commission. The applicant was represented by Attorney John Mancini and Principal Architect Junko Yamamoto;
15. The proposed multi-family structure is permitted by Special Use Permit with 20,000 square feet;
16. The Lot proposed for development is 10,254 square feet where 20,000 square feet are required for a multi-family structure;
17. The Village Special Development District permits 2 stories maximum, where the net floor area of the third floor (attic) of a structure should not exceed 75 percent of the area of the ground floor. Due to the vaulted second floor ceiling into the third-floor area, the third-floor net area is 75 percent of the ground floor but the third-floor volume proposed is 100 percent of the ground floor area;
18. The building height in the CD district and throughout the island is 35 feet. The proposed structure is 40'-10" at the center peak where the base roofline is 37'-7.5";
19. The applicant's attorney testified that the height variance was needed to improve the success of the project;
20. The Town of Jamestown has made several statements over the last decade regarding building height on the island. First, during the Village Charrette process it was discussed whether a small but specific zone should be permitted at the four corners in order allow greater density and height (of one additional story). This was discussed at length and not adopted for reasons of uniformity of maximum height throughout the island of 35 feet. In addition, last October 2020, the Planning Commission amended the definition of building height to ensure that all buildings within the special flood hazard areas would comply with

the maximum 35-foot building height in Jamestown and not be permitted to increase based on base flood elevation. It was at this time “how to calculate average grade” was amended and this can be found at

https://library.municode.com/ri/jamestown/codes/code_of_ordinances

21. A municipal sewer line which services the dwelling at 7 Green Lane cuts across the south-east corner of the applicant’s property.
22. Town Consulting Architect, Don Powers noted that while the current drawings presented for approval suggest appropriate traditional materials and patterns, they contain limited specific detail. To ensure the final selection of materials matches the design presentation, the Planning Commission agreed that Don Powers would remain engaged throughout construction to review the materials selected. The applicant had no objection to this requirement.
23. The applicant indicated that they do not intend to Short Term Rent the residential units. The Planning Commission accepted that commitment;
24. The applicant confirmed that and drainage to Green Lane and Narragansett Avenue will be mitigated to prevent pooling of water or icy conditions especially on the west side of the building where the setback to the retaining wall is narrow.

Conditions

1. This approval is for a multi-family structure containing 3 residential units and 3 ground floor commercial units;
2. Prior to Final Development Plan Approval, the applicant shall receive Zoning Board of Review approval for the following:
 - a. Special Use Permit for Multi-Family Structure per Zoning Ordinance 82-301
 - b. Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required
 - c. Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2
 - d. Variance for Building Height, 35 feet permitted, 40 feet 10 inches proposed
3. The Town’s consulting Architect, Donald Powers shall be responsible for review and approval of the exterior building detailing and materials prior to approval of the construction documents by the Building Official. Any discrepancy or disagreement shall be reviewed by the Planning Commission. This shall be paid for by a fee to be determined by the Town Planner per 82-410. This fee shall be paid for at the time of the building permit;
4. The site will be developed in strict adherence with the plans as approved by the Planning Commission and the Zoning Board of Review:

Plans by Junko Yamamoto Architect:

- a. Mixed Use Development Cover Sheet undated (NOT updated regarding height and parking).
- b. North Elevation – No Date
- c. South Elevation – No Date
- d. East Elevation – No Date
- e. West Elevation – No Date

- f. A1.0 Site Plan dated 10/7/21
- g. Site Lighting Plan dated 10/7/21
- h. A 1.1 First Floor Plan dated 10/1/21
- i. A 1.2 Second Floor Plan dated 10/1/21
- j. A 1.3 Third Floor Plan dated 10/1/21
- k. A 1.4 Roof Plan dated 10/1/21
- l. A2.0 Exterior Elevations dated 10/7/21
- m. A 2.1 Exterior Elevations dated 10/7/21
- n. A 3.0 Building Sections dated 10/1/21
- o. A 3.1 Building Sections dated 10/1/21

Plan by Advanced Civil Design, Inc:

- p. Site Plan – Mixed Use Development dated revised 10/15/21 showing Emerald Green Arborvitae on the south side of the property
5. No structures shall be built over the underground pipes at the southeast corner of the property in the parking lot/buffer area servicing the neighbor at 6 Green Lane (two-family with 6 Green Lane, Plat 9 Lot 570);
 6. Town Consulting Architect Don Powers shall remain engaged to assist the Building Official with the building details to ensure compliance with the intent of the Planning Commission approval. Mr. Powers is engaged per Zoning Ordinance Section 410 – Project Review Fees. The fee for these ongoing services shall be determined and paid by the applicant at the time of the building permit submission.
 7. All Stormwater shall be in accordance with the Jamestown regulations and the State of RI Stormwater Manual and shall be mitigated to prevent pooling of water or icy conditions especially on the west side of the building where the setback to the retaining wall is narrow;
 8. The applicant shall install new sidewalks and curbing along the Narragansett Avenue and Green Lane frontage to match the specifications (including of the existing Narragansett Avenue sidewalks to include the raised aggregate feature.
 9. Landscape maintenance standards shall be developed by a registered landscape architect and submitted to the Planning Commission for review and approval at final approval. These maintenance standards shall be included in the Condominium documents.
 10. Rental of the 3 residential units for less than 30 days shall be prohibited and this shall be included in the Condominium documents;
 11. Approval of the Board of Water and Sewer Commissioners shall be received prior to Final Approval;
 12. The Condominium Documents shall be reviewed and approved by the Planner and Solicitor prior to final approval and recording;
 13. Final Development Plan approval shall be granted by the Planning Commission;

Commissioners Swistak and Smith recused and joined the audience for the next agenda item.

2. **CMS boatyard, Freebody LLC, Conanicus Avenue. Plat 8 Lot 278 (260 Conanicus Avenue) and 760 (115 Bayview Drive), Administrative Subdivision requiring Zoning Board of Review amendment to the special use permit in place for the facility at 260 Conanicus Avenue. Conditional Administrative Subdivision Approval, Recommendation to the Zoning Board: review, discussion and/or action and/or vote**
 - a. Letter from Marianne Kirby dated September 19, 2021, 83 Bay View Drive re: CMS Boatyard Subdivision
 - b. Memorandum from Mark E. Liberati, Esq. received October 12, 2021 re: CMS, Freebody, LLC, Res Judicata and Administrative Finality

Commissioner Pendlebury will chair this portion of the meeting.

This project has been discussed on several occasions.

Commissioner Pendlebury read from the zoning ordinance Section 82-602. Burden on the applicant. Before any special use permit shall be granted, the applicant shall show to the satisfaction of the zoning board:

That the granting of the special use permit will not result in conditions inimical to the public health, safety, morals and welfare. He read from the Planning memo dated August 25th for the Sept 1 planning meeting.

Christian Infantolino attorney for CMS/Freebody said at the last meeting they were asked for a lighting schematics and landscaping plan which was submitted tonight. Mike Darveau prepared a proposed and current plan in terms of the buffer. He discussed the buffer on Bay View Dr. within the 30-foot setback there will be a 20-foot buffer and in the memo, **Commissioner Enright suggested** ~~she put it down to~~ 15 feet wide and they were ok with that. There was a discrepancy regarding the buffer of 50 feet they are going to maintain as much of the buffer as they can of the mature trees. Referring to item 4 b of the memo A discussion ensued regarding the buffers. The 30-foot setback is based on zoning setback not 50 feet Christian said. Commissioner Enright asked if trucks would be parked against the 30-foot setback. Fence will be 30 feet back which doesn't change the 20-foot buffer Commissioner Pendlebury said. Buffer will be between the fence and the 30-foot setback.

Commissioner Pendlebury stated that the buffer that exists on the southern side of the lot they originally said it was going to be left as vegetative, we are pointing out that even though there is no mention of it in our zoning code we want 20 feet between this commercial use and the residential lot. Pendlebury said there should be a 20 ft buffer. Attorney Infantolino stated that there is not a defined number in our zoning code for a situation such as this and the buffer they are requesting is consistent with the buffers in the neighborhood and in Jamestown. Commissioner Cochran said until that residential lot gets developed the buffers do not matter. Buffer as proposed is proposed within the easement of R20 property and if it is developed in the future.

Lisa Bryer said this is not a "normal" situation. We have a use that is permitted only by Special Use Permit that has been amended multiple times over the years with multiple conditions that we are trying to navigate. We are not going by zoning standards because this is a Special use permit based on specific conditions. Bryer stated that she feels strongly that the buffer should occur on the lot that is providing the impact, being lot 278, not the new residential lot.

Commissioner Enright said she could go for 15 and she understands that when the property is purchased, if this was approved hypothetically it could be enforced on the commercial lot. Lisa Bryer said no leverage at that point. The boatyard has always been responsible for the buffer and this should not change.

The private easement agreement of 125 feet between Munger and Webster, does it ever go away Cochran asked? They have not worked out all the details on that yet. It might stay there in perpetuity Christian Infantolino said.

Pendlebury asked about replacing the buffer as an easement on the adjoining property, the reason it was not proposed on the commercial lot is because there are berms and other obstacles. Bryer wanted to clarify about the 125 ft easement, it has nothing to do with the town, it is not our jurisdiction. She stated that we are concerned with buffering the commercial lot from the residential. We need to be clear about a buffer compared to easement. Pfeiffer asked about the arborvitae and the applicant stated it is green giant which will give you the spread. Any other comments about location of buffer Commissioner Pendlebury asked.

Commissioner Pendlebury said lot 760 will accommodate some development in the future. This kind of commercial operation should have at least a 15 foot buffer as Commissioner Enright suggested and Pendlebury said he thinks 20 feet is consistent with other buffers in town. They are not against leaving the easement on 760 but he thinks it should be a 20 ft easement/buffer. The northern property line the lack of vegetation was done by the bridge authority Bill Munger said, they cut it down and it should be their responsibility to replant, 2 commercial uses abutting each other. They do not want this to be a requirement or condition if the bridge authority declines this.

Cochran said they are not a good neighbor. Bryer noted that that her memo of Sept 9 shows the boatyard property cleared all the understory and boatyard buildings are visible from the bridge for that reason. All the trees there will be cleared as well given the plan. She believes buffer plantings should be done along the stone wall. They have cleared up to the stone wall. Munger is looking for the bridge and turnpike authority to do their part to help shield his property.

Pendlebury said you need a confirmation that you are going to plant that buffer if the bridge authority does not participate. Cochran said I don't understand why we are asking them to do this put a buffer in from the bridge authority to Mungers property. Cochran said looking from the bridge to the boatyard and looking at bridge authority. If they cut it down they should plant it back. Munger said it appears to be a picture of on a ladder the picture is prior to the clearing. Cochran thinks this is a minor thing.

Bryer reminded the Commission that the view from the bridge was an important one to the Town Council, so much so that they objected to the solar field on that lot because it would make the boatyard visible from the bridge and Conanicus Avenue.

They discussed the landscape plan being conditional and approved at final. They provided an 8.5 x 11 plan prior and just tonight provided a bigger plan.

If the abutter doesn't replace the plantings the Planning Commission is asking the applicant to replace it, Commissioner Pendlebury said. Commissioner Cochran said it should not be put in as a condition of approval. Commissioners Pfeiffer and Cochran agree, Enright said it doesn't matter, Commissioner Prestigiaco said it should be the responsibility of the Bridge Authority.

Bill Munger said they cleared some of the land to the stone wall, and the center of the lot has been cleared.

The Planning Commission asked CMS needs the full dimension on the dog leg in order to store the trailers as proposed and would it be utilized for business use right to the stone wall? Munger said yes.

The Planning Commission conceded to let CMS and Bridge deal with it.

Attorney Infantolino stated that the abutter Quentin Anthony requested a 25 foot protection buffer and they agreed and Mr. Stearle will be getting a buffer too since he is adjacent. He wants to note it and Commissioner Cochran said this is not a zoning requirement the applicant said they want it out there, what they are willing to do it, it is going to be a natural vegetative buffer. This is an agreement between abutters we would not put it as a condition of approval, its adding extra protections. Solicitor Wyatt Brochu said it can be put on as a buffer so the town and neighbor can enforce it. If you want buffer there put it on the plan. They will be put on the plan and we will make note of it.

Mark Liberati, attorney on behalf of the Websters, he submitted a memo for the packet that deals with a fundamental issue of the southern private easement. This use is a contract between CMS and the town for boat storage, in 1994 there was a decision that created a 100 foot buffer on all sides done by Warren Hall and that plan was the basis on which the zoning board approved it. The zoning board said the 100 foot buffer should extend from the area of disturbance, which he pointed to was the circular driveway of the boatyard. This application seems to cut the land area in half and intensify all the uses in half the land area. Essentially this will reverse all prior zoning decisions and allowing residential use right next to commercial. Maybe this issue is more appropriate for the zoning board than the planning commission. This issue will be raised at zoning. He fully understands that this is a private issue of the easement and the only way it goes away is if lot 278, in its original configuration, becomes strictly residential. They are discussing whether a dedicated easement to the land trust or the municipality, they would like to reach an agreement with CMS. What they are asking for is to keep the Websters 125 foot easement and an additional 100 feet from the boatyard use. Attorney Liberati showed a series of aerial photographs that he noted is intended to show that over the decades it has not changed as far as use and he is not sure where this notion of the boatyard not being as busy is coming from by the applicant.

Commissioner Pendlebury stated from the standpoint of planning they have always tried to listen to land owners on how they use their land, CMS wants to use the land more efficiently and more compact. The intention is to provide a more usable plan for the

property owner. He thinks the zoning board will make the final decision and accept the Planning Commission's recommendation. Those prior zoning decisions have been submitted and listed as findings of fact. We can attach this and these maps need to be part of the record, they will have them reduced and provide the town with them. Chronological plans from 1994, 1997, 2008, 2020, 2021 they will be attached to the memo.

Marianne Kirby 83 Bayview Dr. - she submitted a letter and read the letter, attached at the end of the minutes.

Polly Hutchinson 75 Bayview Dr. – she listened to the presentation, her grandfather came here in 1880 and she has been her for over 50 years, she understands the points, you are a planning board and thoughtful use of the land is what you do. The town trucks won't access Bay View Dr. They are concerned with lighting and setbacks, talk about consistency of 10 foot buffers this is residentially zoned land and the town decided it was an appropriate use when they granted the special use permit. They are not affected because they live on Mt Hope, the 125 foot easement says it will be maintained unless the entire property is used as residential. She recognizes that there are private agreements. And final point bridge authority if all the vegetation is removed.

Wyatt Brochu asked Infantolino if they are on the zoning meeting next week. He did not know. Wyatt noted that they need to re-advertise and that they should not do so until they have the recommendation from planning. Some of these same elements from buffering, planting and lighting. If zoning doesn't have clear recommendation from planning, this is his concern for zoning.

A discussion ensued with Town Solicitor Wyatt Brochu and Attorney Christian Infantolino regarding having all the information tonight. We will add the plan under findings of fact and that is not listed, there will be issues at zoning and Brochu's concern is procedural and completeness because things are not in final form. He knows the applicant wants to go to zoning next week but things are not finalized with all the edits, it is a straight forward application but there are proposals and things from the neighbors, he does not think it can be finalized tonight but it's up to the commission.

There is a signature required from Commissioner Pendlebury he said, the details of the changes need to be on the plans too. Does the commission feel that Pendlebury can review the plans and memo or we have a special meeting or handle it tonight? Enright in condition 8 the existing driveway easement should that become a recorded easement rather than an unrecorded easement? Infantolino said it is not a written recorded easement. She is not sure how they can condition an unrecorded easement. It makes sense what you're saying Bryer said. It should be formal and the applicant said they have no problem doing that.

Infantolino said the Planners Memo states that it is not consistent with the Comprehensive Plan and he wants the findings of fact to say it is consistent with the comp plan by use of special use permit. Christian Infantolino agreed that maybe this should be finalized at the next meeting. The planning commission discussed additions and changes to the motion of approval that will be presented at the next meeting on November 3, 2021.

Commissioners Swistak and Smith rejoined the commission.

3. **Discussion and/or action and/or vote regarding date of Planning Commission meetings**
She is going to recede her request.

III. Correspondence

- a. Letter from Karen Morales Potter dated October 12, 2021, re: Short Term Rentals – Received
Council has last draft to advertise for public hearing, they want to make some more changes and have created a subcommittee and it is going back to the subcommittee. Mary is keeping them informed and Swistak is going to be part of the subcommittee too.

IV. Approval of Minutes October 6, 2021: 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 1, Call to order, add Michael Smith as present.

Yunko Yamamoto throughout the minutes changed to Junko Yamamoto pages 1,2,3

Page 4, 2nd paragraph, The development team is comfortable **recognizes the numbers are incorrect and they will correct them before going forward.** and taking the responsibility for the final numbers possibly not being correct.

Page 4, 3rd paragraph,

Swistak asked for a poll of who is comfortable coming back and voting on the 20th. All

Commissioners were in favor. **“Now, we’ll just, the commissioners, just to in good faith give them an indication of where you are today in terms of the recommendation based on the draft motion in front of you and those conditions that we added regarding sidewalks and landscaping and the fact that the applicant will come back for final development plan review approval after their stop in zoning. So based on that, I just want to, the question is, “Would you vote for a recommendation on the 20th of October?”**

Commissioner Cochran said “I’m not willing to commit either way.”

Ms. Bryer asked “So Mr. Chairman, you’re asking if they’re willing to come back on the 20th? Is that what you just asked them?”

Chairman Swistak said “yes, that was what he was asking. 6 Yay 1 Undecided

So unanimously voted.

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

VI. Reports

1. Town Planner’s Report
- Future meetings – topics and applications – 113-115 Melrose Ave. Riven Rock is coming back for preliminary plan review as a public hearing for the next meeting.

VII. Adjournment

A motion to adjourn the meeting at 9:47 p.m. was made by Commissioner Enright and seconded by Commissioner Cochran.

So unanimously voted.

Attest:

Planning Commission Minutes
October 20, 2021
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Cinthia L Reppe
Planning Assistant

Marianne Kirby
83 Bay View Drive
Jamestown, RI 02835
401-862-7878
mariannemkirby@gmail.com

September 19, 2021

Jamestown Planning Commission
Jamestown Town Hall
93 Narragansett Avenue
Jamestown, RI 02835

Dear Planning Commission,

I have resided at 83 Bay View Drive for thirty years this June. There have been changes to the neighborhood, but it has maintained its quiet residential feel. It's a neighborhood street that has seen generations learn to ride a bike or skateboard, walk countless dogs, and push strollers. I myself have pushed my children's strollers and now my grandchildren's strollers down this street. Any given day you will see numerous bike riders, runners and walkers making their way south or north of the island. I think the town itself gave a nod to the nature of this quietude by forbidding traffic access traveling south from beyond Newport Overlook.

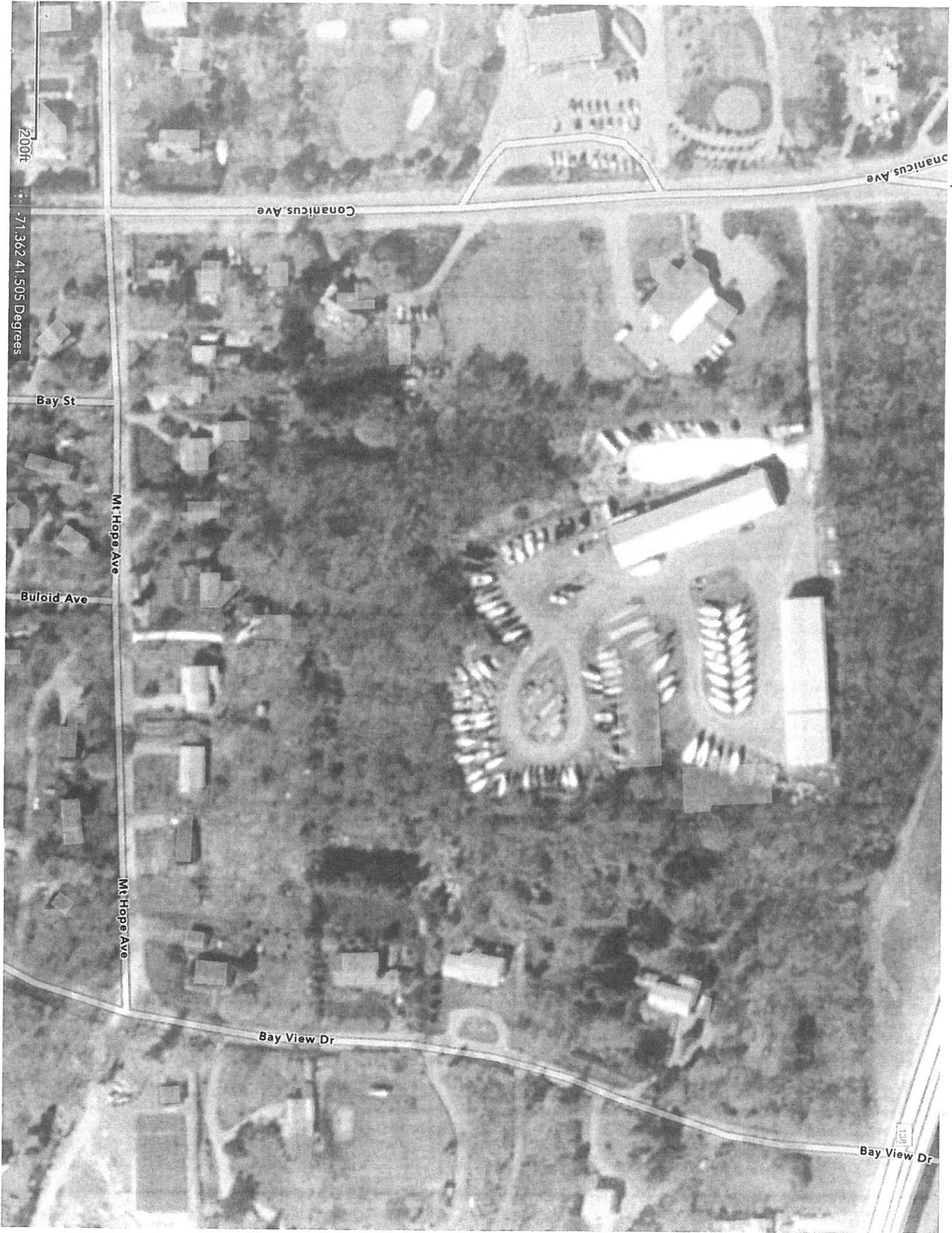
I write concerned about the changes the Conanicut Marine Services are seeking to their special use permit to operate the boat yard. I recognize this entity is an important contributor to Jamestown's economy, yet I believe the expansions they seek are not in the best interest of the citizens living in the neighborhood.

Specifically the expansion of boat storage now proposed to encroach within 30 feet of Bay View Drive, mounted lights, and an exit onto Bay View Drive. I prefer none of this be allowed and the residential property on 115 Bay View Drive not be part of the special use permit for storage. This sets the precedent of expansion that future owners may interpret differently. Mounted lights seem extraneous as the business does not provide evening hours of operation, again something a future owner may interpret differently. Finally, the proposal of an emergency exit again opens up interpretations. What and who determines an emergency? But an exit/entrance once in place becomes one by default for future owners.

Please deliberate on this matter with care. I certainly do not begrudge the success of a business, but this business seeks to alter the character of a residential neighborhood. Having been granted special use permits in the past, it now seeks to reconfigure its land use to support what exactly? I do ask you to uphold the residential characteristics of the neighborhood and support the citizens living here by denying this application.

Sincerely,

Marianne Kirby



200ft

71.36241505 Degrees

Conanicus Ave

Bay St

Mt Hope Ave

Buloid Ave

Mt Hope Ave

Bay View Dr

Conanicus Ave

Bay View Dr

138

20 m
100 ft



CONANIGUS AVE

CONANIGUS AVE

DOT Taking

HWY 65
1.38

BAY VIEW DR

MOUNT HOPE AVE

45

50

776
280

8-582

8-833

8-493

8-578

8-576

8-277

8-588-577

8-276

8-546

8-275

8-555

8-556

8-543

8-274

164
356

164 ft

8-278

8-739

8-583

8-760

8-802

8-786

8-272

8-5

41 50AR 71 250R



CONANICUS AVE

CONANICUS AVE

DOT Taking

MOUNT HOPE AVE

BAYVIEW DR

HWY 138

20 m
100 ft

41 5055 - 71 3603



Conanicus Ave

Conanicus Ave

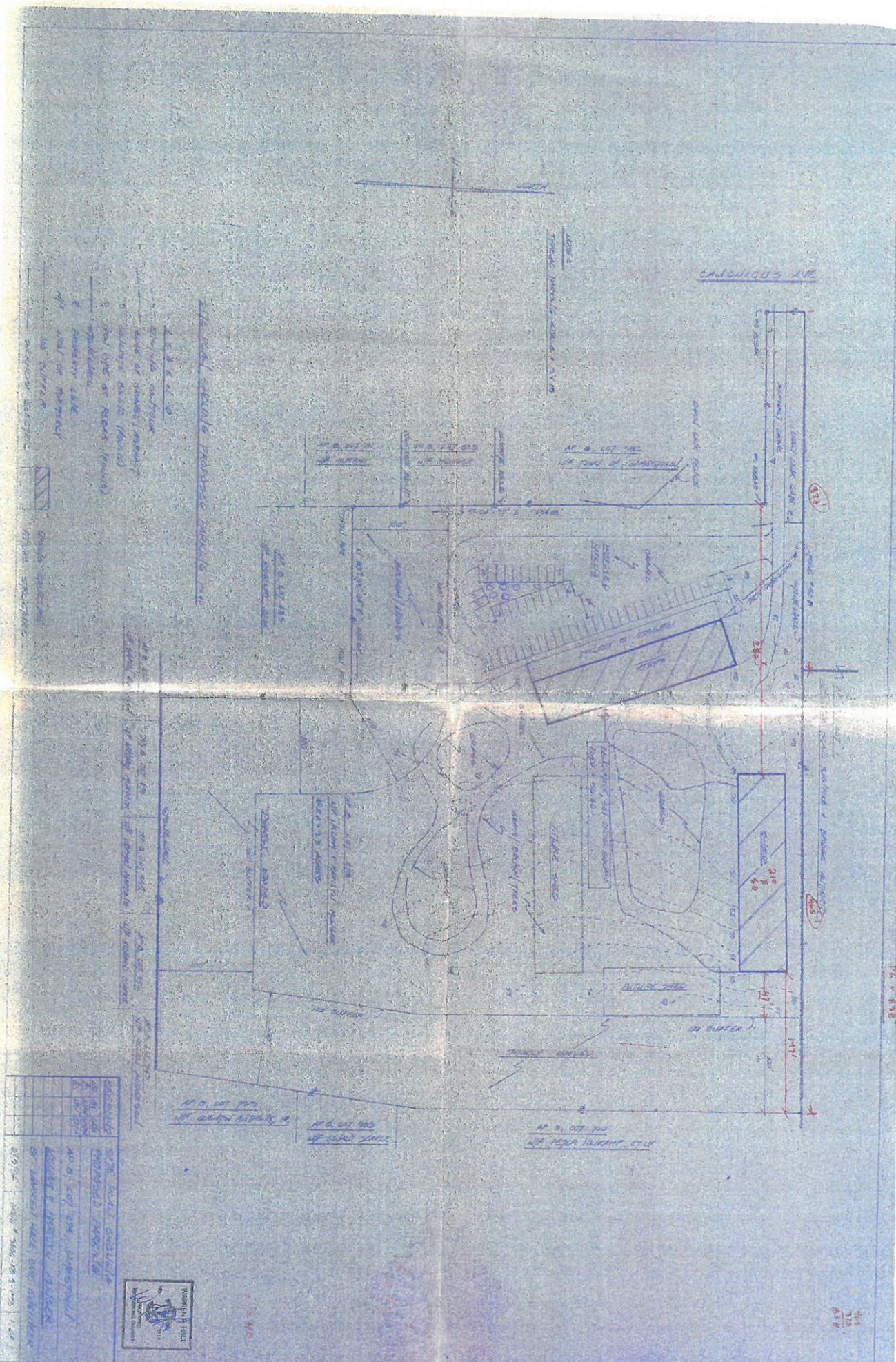
200ft

-71.36541507 Degrees

Mt Hope Ave

Bay View Dr

Bay View Dr



- THE GREAT WALLS PROPOSED PARK**
1. SITE SURFACE
 2. STATE OF EXISTING IMPROVEMENTS
 3. EXISTING CURB (PAVED)
 4. PROPOSED SIDEWALK
 5. PROPOSED DRIVE
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 50. PROPOSED DRIVE

NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	10/1/74	J. H. HARRIS
2	REVISED PLAN	10/1/74	J. H. HARRIS
3	REVISED PLAN	10/1/74	J. H. HARRIS
4	REVISED PLAN	10/1/74	J. H. HARRIS
5	REVISED PLAN	10/1/74	J. H. HARRIS
6	REVISED PLAN	10/1/74	J. H. HARRIS
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36	REVISED PLAN	10/1/74	J. H. HARRIS
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10/1/74