

PLANNING COMMISSION MINUTES

November 20th, 2002

7:30 PM

Jamestown Library

The meeting/workshop was called to order at 7:34 p.m. and the following Planning Commission members were present:

Rob Lambert	Gary Girard
Mary Brennan	Betty Hubbard
Jean Magregor-Brown	Andrew Kallfelz
Michael Schnack	

Members of the Town Council present:

Guy Settipane	David Swain
David Long	Ken Littman
Norma Willis	

Also present:

Lisa Bryer, AICP, Town Planner
Cinthia Reppe – Recording Clerk
Douglas DeSimone – Town Solicitor
Richard Pastore – Consulting Town Engineer
Brenda Dillman – Consultant
Richard Allphin
Lorraine Joubert

Commissioner Calabretta arrives at 7:35 p.m.

I. PLANNING COMMISSION – TOWN COUNCIL WORKSHOP

1. Proposed Zoning Ordinance Amendment- related to protection of critical lands containing freshwater wetlands, high groundwater table and /or shallow impervious layer.

Commissioner Lambert addressed the Town Council, Planning Commission and the Audience and stated that the purpose of the workshop was to get direction from the Town Council and Planning Commissioners regarding the following elements of the proposed ordinance amendments:

- Site Drainage, in the ordinance or in another ordinance later.
- Prohibited use of new ISDS in high groundwater district A.
- Development Plan Review by the Planning Commission for zoning variance applications.
- Applying the ordinance to small lots only

Commissioner Lambert also stated that he would not be taking any comments or questions from the audience, explaining that the public has already had an opportunity to comment at the previous public hearings.

The first issue discussed was applying the ordinance to small lots only. A discussion ensued with the majority of the Town Council and Planning Commission members present agreeing that an overlay map would be the best way to apply the ordinance.

The next item on the Agenda, Site Drainage was discussed. The discussion was whether to put it in the ordinance or in another ordinance later. There was discussion from many members and staff regarding the pros and cons of both methods. Town Engineer Consultant Richard Pastore stated that he felt it could be separated. Lorraine Joubert a consultant on the proposed zoning ordinance amendment stated that it would weaken the ordinance if it were removed. She also stated that it could be separated by watershed area, nuisance flooding, recharge/ flooding and resource. Consultant Brenda Dillman feels that by separating the issues, it will be confusing to applicants. She also commented that leaving it in this ordinance and doing an additional Stormwater ordinance for the remainder of town would work. Commissioner Hubbard agrees with Ms. Dillman.

Commissioner Barker arrives at 8:24 p.m.

Town Planner Lisa Bryer stated that this ordinance is not asking the homeowner to control all of the run off water on the property, just the increase that they have created by development. Commissioner Kallfelz suggested focusing the language on Health and Safety, and do another Stormwater ordinance focusing on resource and nuisance. The majority of the members present voted to keep this issue in the proposed zoning ordinance amendment and rely on the professionals to determine what level of storm the applicants would be required to address.

On page 3 of the Proposed Zoning Ordinance, A. Prohibited Uses #3, Installation of New ISDS, whether or not to leave this in was discussed. Commissioner Calabretta stated that if this is removed you are taking the “teeth” out of the ordinance and that at that point why even do it. A discussion ensued and the majority of the boards agreed to leave this in, and to add at the end of the sentence, **excluding replacements and repairs.**

Town Solicitor, Douglas DeSimone stated that Development Plan Review by the Planning Commission for zoning variance applications should be left in. Councilor Willis stated that she doesn't want the process to be an astronomical expense to the applicant. Zoning Board Chairman Dick Allphin stated the zoning board can already ask for an advisory opinion from the planning commission but does not ever do so. Councilor Littman asked how bothersome this would be to the planning commission? A discussion ensued and the outcome was that there would not be that many applications that would make it bothersome to the planning commission. Since the Zoning Board Chair felt that he would want regular comments from the Planning Commission that they should be left in the process so as not to be bouncing applicants back and forth. The majority of Board Members agreed. Commissioner Kallfelz stated that the planning commission will provide rationale with the recommendation to the zoning board.

Town Solicitor Douglas DeSimone asked if everyone on the two boards agreed that the cutoff in district A should be at 18 inches. All agreed. Town Solicitor Douglas DeSimone stated that he

will have a revised ordinance to present to the Planning Commission for the December 4th meeting, and Town Planner Lisa Bryer will have the overlay map done for the next meeting. Commissioner Lambert closed the hearing at 10:40 p.m.

II. READING AND APPROVAL OF MINUTES FROM NOVEMBER 6, 2002

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

III. CORRESPONDENCE

1. FYI – Memo regarding Planning Commission Stipends. Commissioner Hubbard would like the attendance record corrected for the June 19,2002 meeting. She arrived to the meeting at 7:40 p.m. and was in attendance.

A motion was made by Commissioner Schnack and seconded by Commissioner Barker to adjourn at 10:43 p.m. So unanimously voted.

Attest:

Cinthia Reppe

This meeting was recorded on 2 micro-cassettes