

PLANNING COMMISSION MINUTES

August 7, 2002

7:30 PM

Jamestown Library

The meeting was called to order at 7:52 p.m. and the following members were present:

Gary Girard Mary Brennan
Betty Hubbard Sue Barker
Michael Schnack

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Recording Clerk
Douglas DeSimone – Town Solicitor
John Murphy – Attorney
Andrew Johnston – Engineer – N.E. & C.
Mr. Joe Manning
Mr. And Mrs. Richard Eannarino
Eric Offenbergl – Engineer – N.E. & C.
Tara Vargesh – Engineer – N.E. & C.
George Gifford – Landscape Architect – Gifford Design Group
Kevin Alverson – Gifford Design Group
Paul Hogan – Hogan & Stone Real Estate
Bernard Jackvony – Attorney
Tony Lachowicz – Professional Planner
Dan Parquette – Project Manager
Eric & Jody Lexow
Christine Bounous
Bruce McIntyre
Phil Willis
Bill Munger
Doug Chapman
Randy Tyson
Joseph Nadeau

I. Reading and Approval of Minutes from July 17, 2002

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

II. Correspondence

1. CRMC – Assent- Jonathan and Mary E. Kalandar, 59 Seaside Dr., Jamestown, RI 02835; construct a residential boating facility consisting of a 4'x4' landing at the top of the bluff with a 4'x15' access ramp leading to 4'x146' fixed timber pier. A boatlift is proposed at the terminus of the facility. The proposed dock will extend 75' beyond MLW; located at plat 14, lot 7. Received
2. CRMC – Residential Assent – W. Howard & Joan Morrison, 256 East Shore Rd., Jamestown, RI 02835; construct a single family, residential dwelling to be serviced by a DEM approved (3-bedroom design) individual sewage disposal system (ISDS) and well water, located at East Shore Rd, Jamestown, Plat 2, Lot 85. Received
3. CRMC – Residential Assent – Steven Evangelista & RI Yankees, LLC, 368 East Shore Rd., Jamestown, RI 02835; construct a five (5) bedroom dwelling and a garage with three (3) bedrooms above – both to be serviced by Individual Sewage Disposal Systems, a pool and pool house, associated patios, private well, gazebo, landscaping, and driveway, etc.; located at plat 4, lot 137 & 138. Received
4. CRMC – Assent – James Bishop Sr. 50 Bayview Dr., Jamestown, RI 02835; construct modifications to an existing residential boating facility to consist of adding 3'x20' aluminum open grate ramp and 8'x16' open grate access platform to be operated on an electric lift. The ramp and access platform will result in the dock being extended an additional 32' seaward for a total facility length of 137' beyond Mean Low Water; located at plat 8, lot. Received
5. CRMC – Maintenance Certification – Dumplings Association, Inc.; construct maintenance repairs to an existing gravel driveway/parking area by removing debris, grading the existing gravel area and installing approximately 118-linear feet of railroad ties to define the permeable parking area. Located plat 10, lot 88; Dumpling Rd, Jamestown. Received
6. CRMC – Maintenance Certificate – Bertram Lippencott, 272 Highland Dr., Jamestown, RI 02835; conduct vegetative maintenance trimming no lower than four (4') in height, no wider than 25% of the width of the property for a view corridor. Plat 10 Lot 51. Received
7. CRMC – Maintenance Certificate – Jane Garnett, 15 Garden Plance, Brooklyn, NY 11201; remove four dead trees from landscape area and trim one adjacent to dwelling at 96 Highland Dr. Jamestown, Plat 10, Lot 91.
8. CRMC – Finding of No Significant Impact – Janet D. Callahan, 10 Fairview St. Jamestown RI 02835; repair existing failed septic system in accordance to plans approved by DEM. Located at plat 1, lot 136.
9. CRMC – Finding of No Significant Impact – Duncan Laurie, 2 Fort Wetherill Rd. Jamestown, RI 02835; repair/reconstruct skylight. Install stone façade siding. Plat 10, Lot 124. Received
10. CRMC – Finding of No Significant Impact – Mark Maguire, 239 Seaside Dr., Jamestown, RI 02835; 48'x4' high fence, a patio, gate, a new 12x8 shed and repair rails and stairs on existing shed located at Plat 15, Lot 203. Received
11. CRMC - Finding of No Significant Impact – William Johnson, 862 Mass Ave, Lunenburg, Ma 01462; replace cedar siding, windows and decking located at 86 Orient Ave. Jamestown, Plat 1 Lot 320. Received
12. CRMC – Notice of Violation – John & Elizabeth Perez, 27 Aquidneck Court, Jamestown, RI 02835; unauthorized installation of a davit (boat lift) within 200 feet of a coastal feature from property located at Plat 2, Lot 106 without benefit of a CRMC Assent. Received
13. CRMC – Notice of Violation – Stephen and Linda Mecca, 5 Aquidneck Ct., Jamestown, RI 02835; installation of a boat launching rail within 200 feet of a coastal feature from property located at Plat 2, Lot 247 without benefit of a CRMC assent or in violation of a Council Order. Received
14. CRMC – Cease and Desist Order – Anthony Silvestri, 11 Aquidneck Court, Jamestown, RI 02835; mowing of buffer zone vegetation and dumping of stone in a CRMC buffer zone in nonconformance with CRMC Assents No. 89-11-39 (stipulations I,J,& K) you also have an impervious driveway in nonconformance with CRMC Assent No 89-11-39 (stipulation O) at you property located at Plat 2 Lot 52. Received
15. CRMC – Cease and Desist Order – Theodore & Louise Petit 415 Seaside Dr., Jamestown RI 02835; installation of an impervious driveway in nonconformance with CRMC Assent No. 01-9-60 & 95-4-58 within 200 feet of a coastal feature from your property located at Plat 3, Lot 129. Received
16. CRMC – Amended August 2002 Calendar. Received
17. FYI – Memo to Jamestown Zoning Board of Review – Re; Jamestown Place. Received
18. FYI – Memo to Jamestown Town Council – High Groundwater Table Ordinance Received.
19. FYI – Memo from Dennis Webster – Re Outdoor Lighting Control Act. Received
20. FYI – Minutes from Quonset Davisville Received

III. Citizen's Non Agenda Item- nothing at this time

IV. Reports

a. Town Planner's Submitted Report

Town Planner Lisa Bryer informed the Planning Commission that the Downtown Improvement Project Workshop will take place at the Community Center and not the library as planned. Ms. Bryer also asked the Commissioners to attend the upcoming hearings on several proposed Zoning Ordinance Amendments.

b. Town Committees

c. Sub Committees

V. Old Business

1. Cedar Lane Estates – Minor Subdivision AP 5 lot 510, Cedar Lane – Preliminary Review

Attorney John Murphy introduced Andrew Johnston of Northeast Engineers and also the applicant Mr. Joe Manning. Mr. Johnston made a presentation of the plan and answered questions from the members of the Planning Commission. Commissioner Hubbard asked why a more advanced ISDS was not planned and Mr. Johnston stated that this will be determined at a later stage. Mr. Murphy stated that his client has no plans to develop the other lot owned by the Manning Family at this time, when asked by the board. When they receive the subdivision suitability from the state then the Planning Commission will give the Preliminary approval.

2. 28 Narragansett Avenue, 35 Knowles Court, AP 8, Lots 488 and 562, Proposed Mixed Use Planned Development, Review as a Land Development Project, Provide Advisory Opinion to the Zoning Board of Approval for Development Plan Review as a Multi Family Structure – Preliminary Review and Combined Master Plan Informational Meeting and Preliminary Public Hearing

Attorney John Murphy gave a brief history of this project dating from November 2001 to June 2002. The plan was approved as a separate Commercial and Residential plan on June 5, 2002. Mr. Murphy submitted previous Agendas and Minutes to be included in the official record. Commissioner Girard opened the Public Hearing at 8:10 p.m. Mr. Murphy stated why eliminating the property line would be a more desirable solution. It would enable them to have space for a loading zone, eliminates the need for a variance; all parking needs are met by combining the lots. They will have to go to Zoning for a Special Use permit for mixed use and for construction of a multi-family dwelling. After stating that there have been no substantial changes since the Planning Commission last saw the plans, he introduced Dan Parquette, president of Seaboard Construction Management to make a presentation. He went step by step through Section 1105.2 Design standards in the Zoning Ordinance. Engineer Eric Offenbergs stated that the design of the site has not changed since the original plan that the Town Engineer Richard Pastore reviewed and approved. Mr. George Gifford, Landscape Architect gave a brief description of the updated landscaping plan and stated that the changes were minor. A few arborvitaes were removed at the lot line. There will be 8 bollard lights at the backside following the walkway to residents' entrance. Some of the Planning Commissioners asked about the

alternate parking plan with angled parking. Mr. Gifford stated that there would be less landscaping with the alternate parking plan and aesthetically it will not be as pleasing. Tony Lachowicz, a professional Planner addressed the Planning Commission. He stated that in his opinion the plan is consistent with the Comprehensive Community Plan in terms of the size of the building and the architecture. There are many sizes of buildings in the surrounding area and in Shoreby Hill. Eric Offenberg stated that this project meets all items listed in Article 3 of the subdivision regulations. Mr. Paul Hogan of Hogan and Stone Brokerage said that he has been involved with this project from day one. Mr. Hogan made five points regarding use, Comprehensive Plan, Zoning Ordinance, lot coverage and the mass of the building, stating that it is well within all of the standards.

Commissioner Girard asked the audience for public comment. The following comments were made:

Bruce MacIntyre – 49 Clarke St. – urged the Planning Commission to approve the plan both as a resident and a former Town Council member.

Phil Willis – 1191 North Main Rd. – likes what is proposed and stated this will be a great improvement to the town.

Bill Munger – abutting Commercial property – urges the board to approve the plan as presented.

Doug Chapman – 20 Knowles Court – approves and agrees with the Eannarino plan.

Eric Lexow – abutter – questioned the location of the loading dock and its functionality and although they do not need it now, who knows what will be in there 5 years from now.

John Murphy – answered Mr. Lexow stating that Section 1206 states it has to be on the same or contiguous lot.

Joe Drago – 28 Narragansett Ave – he is a tenant of the building and will be there for the next 5 years. He also said he approves of the project.

Jody Lexow – abutter – stated she supports the planner’s recommendation to reduce the size of the building. Stated that there is no question that the building is attractive, it is just out of scale and too large.

Randy Tyson – Seaside Dr. – in favor of the project.

Christine Bounous – abutter – agrees with Jody Lexow that it is a beautiful project. She has issue with the mass of the building and stress on the resources. Asked if the height is 35 or 38 feet. It is 38 feet with the widows walk according to the Development team.

Commissioner Schnack asked where on the 3 stories is the heating unit going? Mr.

Parquette stated that the heating units will be in the basement and the air conditioners will be on the roof.

Commissioner Girard closed the public hearing. The Planning Commissioners asked Town Solicitor Douglas DeSimone how many members of the Commission need to be present for a vote. The Planner stated that a land development project needs the majority of the current membership of the Planning Commission.

Commissioner Schnack made a motion that was seconded by Commissioner Hubbard to continue the discussion until the next scheduled meeting at which time they will make a recommendation to approve or deny. So voted:

Gary Girard – Nay	Mary Brennan – Nay
Betty Hubbard – Aye	Sue Barker – Nay

Michael Schnack – Aye

Motion fails by a vote of 2-3

A motion was made by Commissioner Brennan and seconded by Commissioner Barker to extend the meeting past 10:00 p.m. So unanimously voted.

A discussion ensued and Commissioners Hubbard and Schnack stated that it appears to be 3 stories, not 2 ½ stories as presented by the Development team and they would like to see the building scaled down as recommended by the Planner. Commissioner Barker agreed.

Commissioner Brennan stated that she had some circulation issues that have not been addressed and went through them with the applicant. No changes were made.

A motion was made by Commissioner Barker and seconded by Commissioner Schnack to grant combined Preliminary and Master Plan Approval for Land Development project and make a positive recommendation to the Zoning Board for Special Use Permits. So voted:

Gary Girard – Aye Mary Brennan – Aye
Betty Hubbard – Aye Sue Barker – Aye
Michael Schnack – Aye

Motion passes by a vote of 5-0

Town Planner Lisa Bryer informed the Planning Commission that the Zoning Ordinance requires a written report to the Zoning Board and they will be providing a simple motion with recommendation for approval for Special Use Permits.

VI. New Business – nothing at this time

Commissioner Brennan would like a copy of Attendance at the next meeting and would like a discussion of attendance on the next agenda.

Commissioner Schnack made a motion to adjourn that was seconded by Commissioner Barker at 10:37 p.m. So unanimously voted.

Attest:

Cynthia Reppe
Recording Clerk

This meeting was recorded on 1 micro cassette