

PLANNING COMMISSION MINUTES

November 3, 2004

7:30 PM

Jamestown Library

The meeting was called to order at 7:33 p.m. and the following members were present:

Gary Girard	Andrew Kallfelz
Betty Hubbard	Victor Calabretta
William Kelly	Barry Holland

Not present – Jean Macgregor- Brown

Also present:

Lisa Bryer, AICP – Town Planner
Cynthia Reppe – Recording Clerk
Michael Gray – Town Engineer
Peter Brockmann – Attorney
Robert Cournoyer – Designer
Lino Corredora
Steve Cotroneo
Jeff Campopiano – PE
Donna Cote
Charlotte Zarlengo

I. Approval of Minutes from October 20,2004

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

Page 3 - 6th line down change never made a it specific as far

Page 4 – 13th line down change determines ~~that~~ if it comes to the

Page 4 – 16th line down add after too, such as separate out small additions

So unanimously voted. Commissioner Holland abstains.

II. Correspondence

1. FYI – Memo to Town Council from Town Planner Re: High Groundwater Table - Received

III. Citizen's Non Agenda Item

Donna Cote – 82 Spindrift – concerned with neighbors septic system creating a problem on her lot. She said a house that was just built created run off to her house last winter. It created a significant change to the landscape, and the ramifications are a lot of water flowing onto her property. She went through great expense last year pumping her ISDS of water. This is a case of a house being built without it having to go before the Planning Commission and it is in the High Groundwater district. These are the kind of issues that the Planning Commission look at when it comes before them for Section 314 review.

IV. Reports – nothing at this time

1. Town Planner's Report
2. Town Committees
 - a. Harbor
 - b. Fort Getty
 - c. Buildings and Facilities
 - d. Others
3. Sub Committees

V. Old Business

1. Manning Major Subdivision-Cedar Lane-Extension of Master Plan Review Period
Town Planner Lisa Bryer read a letter from Attorney John Murphy that stated they have agreed to extend the deadline until Dec 31 2004. A motion was made by Commissioner Girard that was seconded by Commissioner Kelly to extend the deadline to December 31, 2004. So unanimously voted.

2. Jamestown Land Bank and Affordable Housing Trust Act- (continued) –
recommendation to Town Council

Lisa Bryer stated the Town Council just comments on this, lets look at it from a conceptual point of view so that we do not get bogged down with language changes. Commissioners Calabretta and Hubbard want to move forward with the act with a recommendation to the Town Council. Commissioner Kallfelz is for it, reiterating that this is enabling legislation that we have further control over before it is enacted. Commissioner Holland disagrees with Commissioner Kallfelz, he doesn't think it's fair to impose a Real Estate tax and it should come out of the General Fund, he doesn't object to the act just that people should not be penalized for selling their homes. Commissioner Calabretta has changed his way of thinking and is in favor of this now. Commissioner Kelly is fine with it. Commissioner Girard is not in favor of the transfer tax. One of the reasons property is so valuable in Jamestown is that we have a low tax rate. He is concerned this tax can be increased or decreased on a whim, and it is another tax that we don't need. Commissioner Kallfelz stated in terms of it being a taxation, the town people will decide by a vote or referendum if it will be implemented. We will have to pay for affordable housing anyway in one way or another. Commissioner Girard stated, if the town passes this, a select group of individuals will have to pay. A motion was made by Commissioner Hubbard and seconded by Commissioner Kallfelz that the Planning Commission supports the concept of this act and would like to see the Town Council forward this proposal to the State. So voted:

Gary Girard – Nay	Andrew Kallfelz – Aye
Betty Hubbard – Aye	Victor Calabretta – Aye
William Kelly – Aye	Barry Holland – Nay

Motion passes by a vote of 4-2

Commissioner Girard would like to handle New Business before Old Business # 4 since there are applicants here. The Planning Commissioners agreed.

3. Application for Lino Corredora (Beatrice C. Burns – Owner) – Hull & Stern St. – Plat 14 Lot 80 - Zoning Ordinance Section 314 - High Ground water table/ Impervious Layer Overlay district - Sub-District A review – continued

Attorney Peter Brockmann representing Lino Corredora introduced Robert Cournoyer who explained the changes. He reviewed the original topography in regards to Commissioner Calabrettas comments. Commissioner Hubbard questioned Mr Cournoyer as far as his figures, she sees what he is trying to do but she questioned whether it will really happen. Commissioner Calabretta suggests this is not the minimum disturbance of the property. A discussion ensued between the planning commissioners and the applicants professionals with a suggestion that the house be moved closer to the ISDS to avoid excessive fill and that stone be used around the slab to mitigate increases in stormwater. They will make the suggested changes and provide a copy to Mike Gray, the town engineer to review before the next meeting.

VI. New Business

1. Application for Cotroneo Residence – Spindrift St. – Plat 5 Lot 277 - Zoning Ordinance Section 314 - High Ground water table/ Impervious Layer Overlay district - Sub-District A review

Jeffrey Campopiano a Professional Civil Engineer hired by Mr. Cotroneo presented the proposal. He submitted material with the ordinance in mind to minimize impact. The applicant thinks they are able to mitigate all the issues related to the ordinance with their plan. Commissioner Hubbard is concerned with the depth to impervious layer, and using infiltration in that area. The Planning Commission is concerned about the elevation of the cistern. The engineer feels that when the house is completed the only area where the water flows in the original pattern will be in the back part by Hull Street. He stated there is nothing he can do about this. The Town Engineer, Mike Gray had raised some questions with the original plans and they have revised their drainage calculations. Mr. Campopiano has answered the town engineers questions. Commissioner Girard wants a cross section of the foundation plan. Commissioner Calabretta noticed the Advantex system is approved without fill, is the fill for the house? Can the house be built without filling around the house? The fill is to keep water away from the house. Can you leave the grade the way it is, the purpose of the ordinance is minimum disturbance to the site so water flows like it does now. The cistern is a great idea but in terms of drainage calculations, it has to be assumed that is always full. Mrs. Cote stated that someone with this project was lifting private well covers in the area and wants to know why? Mr. Cotroneo would like to leave the lot as pristine as it is now. The applicant will make the suggested changes and get it to Mr. Gray as soon as possible. The deadline for the December 1 agenda is November 10. For the foundation they need a cross section that shows stone backfill with a pipe going all the way around it. They will come back with a revised plan.

V. Old Business - continued

4. Proposed Zoning Ordinance Amendments related to article 314 - protection of critical lands containing freshwater wetlands, high ground water table and/or shallow impervious layer – Discussion of Proposed Changes

Commissioner Girard explained that there will be no public input at this time this is a discussion between the Planning Commission, The Town Engineer and The Planner. The commission is trying to work on what the town council wants them to do but there was no specific directions except for what the Solicitor indicated. Lisa Bryer in her memo spoke to the solicitor and the direction he gave was for further direction and differentiation between new buildings and additions. The Building Official Fred Brown now only requires a test hole dug where the addition is going to be and he feels that the ordinance allows that kind of flexibility. He does not want people to spend any unnecessary monies. Items relating to filling and grading and storm water run off are the main issues. Commissioner Calabretta has summarized it very well. Expansions of existing dwellings should be included in the ordinance Commissioner Calabretta stated. He would be concerned if any expansion has a change of grade. If a garage is added and they are still within their 15% it shouldn't be a problem. Should we regulate everything but have some issues done administratively? The Planning Commission wants general policy guidance from the Town Council for what they want for each issue, general concerns, start with A, should we allow anything? The Planning Commission would like a workshop with the Town Council; the problem now is there is no consensus among the Town Council with no direction given. The shores is the largest area of non conforming lots. Lets discuss at this at the next meeting and request to schedule a workshop with the Town Council.

The Planning Commissioners are to get their issues to Lisa Bryer by Monday November 8th for the next meeting.

A motion to adjourn at 10:05 was made by Commissioner Kelly and seconded by Commissioner Calabretta. So unanimously voted.

Attest:

Cinthia Reppe

This meeting was recorded on 1-microcassette