

## PLANNING COMMISSION MINUTES

June 2, 2004

7:30 PM

### **Jamestown Library**

The meeting was called to order at 7:05 with the following members present:

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

Also present:

Lisa Bryer, AICP – Town Planner  
Richard Pastore – Town Engineering Consultant  
Peter Brockmann – Attorney  
Anthony and Lorana DiMedeiros

#### **I. Approval of Minutes from May 19,2004**

A motion was made by Commissioner Holland and seconded by Commissioner Hubbard to approve the minutes with the following change; wan to want on page 2 under Town Committees, Harbor. So unanimously voted.

#### **II. Correspondence**

1. CRMC – Assent – Clifford L and Mary Farrell, 44 North St. Grafton, MA 01519; to construct a residential boating facility to consist of a: 4’x12’ fixed timber pier, a 3’x18’ ramp, a 150 sq ft. float and 2 tie off piles. The terminus of the dock will extend to 95 feet beyond MLW. Plat 3 Lot 121, 541 Seaside Dr. Jamestown, RI. Received
2. FYI – Memo to Commission from Town Council Re: Letter from James and Lizbeth Tobin for review and comments. Received

A discussion of the memo from the Town Council ensued. The Planning Commission requested that Town Planner Lisa Bryer send a letter to the Town Council stating that a file will be created for the application in the event that it is reviewed under Section 314 of the Zoning Ordinance.

**III. Citizen’s Non Agenda Item** - Nothing at this time.

#### **IV. Reports**

1. Town Planner’s Report

The Planner reported that the June 16<sup>th</sup> meeting will be at the Library. The Commission decided that there will be no meeting July 21.

2. Town Committees

- a. Harbor
- b. Fort Getty

Commissioner Hubbard reported on the Ft. Getty committee. There will be a public workshop on June 10<sup>th</sup> at 7:00 in the Library.

- c. Buildings and Facilities

The Committee will be making a recommendation to the Town Council on a site for the Town Hall within the month.

- d. Tree Preservation and Protection
- e. Parking
- f. Others

3. Sub Committees

V. Old Business

**1. Demedeiros – Bark Ave. - Plat 16 Lot 40 – Zoning Ordinance Section 314 - High Ground water table/ Impervious Layer Overlay district - Sub-District A review-continued**

Peter Brockmann gave a brief presentation. Commissioner Calabretta felt that the pipes through the foundation were not necessary since they had gravel around the foundation but that having both is a safeguard. Also he felt that they could grade the low spot slightly so that it sheet flowed across the driveway. Commissioner Holland is pleased with the changes. A pipe was placed across the top of the driveway east-west to allow flow of water from the downspouts to flow under the driveway. Commissioner Kelly stated that the applicant has listened to the response of the Planning Commission and has responded to all the comments in an acceptable way.

Commissioner Hubbard questioned Dick Pastore about whether he felt that the pipes in the foundation were necessary. He felt that it would be O.K to delete the pipes.

Commissioner Girard thanked the applicant for their efforts and has no objection to the additional size of the building. A discussion ensued regarding the placing of a conservation easement on the property that addresses the restrictions suggested by the Planning Commission. Items for consideration include:

Footprint of 990 square feet (6 percent of lot coverage).

2 bedroom

no significant alteration to final grading as shown on approved plan

Commissioners Holland and Calabretta have no problem with making a conditional approval but do not agree with the vehicle for the conditions being a conservation easement. Commissioner Calabretta suggested making two separate motions; one for approval, one for conditions. Betty Hubbard underscored that a conservation easement is the legal devise recommended by the Solicitor.

Commissioner Calabretta made a motion, seconded by Commissioner Kelly to approve the site plan as presented with the following conditions of approval:

- Slab elevation should be 101.5 not 104.8 as shown

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- Footprint of 990 square feet (6 percent of lot coverage).
- Maximum 2 bedroom
- No significant alteration to final grading as shown on approved plan.
- The typical foundation section (exhibit A) should be part of the final approval but should be amended to show either stone under the footings and around foundation or with pvc pipes through the foundation and the stone is to be carried under the slab.

Final site plan approval showing the conditions shall be reviewed administratively and signed by the Chair. So voted:

Gary Girard - Aye	Andrew Kallfelz - Aye
Betty Hubbard - Aye	Victor Calabretta - Aye
Jean MacGregor Brown – Aye	William Kelly - Aye
Barry Holland – Aye	

*Motion passes by a vote of 7-0*

Commissioner Hubbard made a motion, seconded by Commissioner Girard that recommends to the Zoning Board to approve the application with the following conditions stated in development plan review and that the conditions be adopted in the form of a conservation easement.

Motion withdrawn. A discussion ensued and Commissioner Hubbard made a motion, seconded by Commissioner Kelly to forward our review and approval to the Zoning Board with a recommendation for approval. So voted:

Gary Girard - Aye	Andrew Kallfelz - Aye
Betty Hubbard - Aye	Victor Calabretta - Aye
Jean MacGregor Brown – Aye	William Kelly - Aye
Barry Holland – Aye	

*Motion passes by a vote of 7-0*

Commissioner Kelly made a motion, seconded by Commissioner Calabretta that a letter be sent to the Zoning Board stating that in reviewing these applications that they use the best legal vehicle possible to preserve the characteristics and conditions of the approval in perpetuity. So voted:

Gary Girard - Aye	Andrew Kallfelz - Aye
Betty Hubbard - Aye	Victor Calabretta - Aye
Jean MacGregor Brown – Aye	William Kelly - Aye
Barry Holland – Nay	

*Motion passes by a vote of 6-1*

**New Business**

1. Filling and Grading regulations – Update from Town Planner

Motion to adjourn by Commissioner Calabretta, seconded by Commissioner Kelly at 9:15 p.m. So unanimously voted.

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Attest:

Lisa Bryer