

Approved As Written 2-2-05
PLANNING COMMISSION MINUTES
January 19, 2005
7:30 PM
Jamestown Library

The meeting was called to order at 7:30 p.m. and the following members were present:

Gary Girard Betty Hubbard
Victor Calabretta Barry Holland
William Kelly

Not present:

Andrew Kallfelz
Jean Macgregor Brown

Also present:

Lisa Bryer, AICP – Town Planner
Michael Gray – Town Engineer
Andrea Colognese & Doriana Carella
Elizabeth Ghisilene – Architect
Robert Cournoyer - RC Cournoyer Enterprises
Alan Gouveia

I. Approval of Minutes from December 1,2004

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

Page 5 – at the end of the 5th sentence add: from natural grade **in the side yard setback.**

Page 5 – Commissioner Hubbard stated the height ~~requirement~~ **restriction** is 35 feet **for a dwelling** and Ms. Ghisilene stated it is well beneath that.

Page 5 – add a sentence after the 10th sentence that says: **A discussion followed regarding grading versus rip rap.**

So unanimously voted.

Approval of Minutes from January 5, 2005

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

II. Correspondence

1. FYI – Letter to Planning Commission from Harbor Commission. Put on next Agenda
2. FYI – Copy of Planning Commission Attendance and Stipend. Received
3. FYI – Letter to Mark Haddad Re: Lisa Bryer, Town Planner. Received

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

IV. Reports

1. Town Planner's Report
Gary added that the Aquidneck Island Planning Commission session was very useful and that many commissioners should plan on attending future sessions if possible.
2. Town Committees
 - a. Harbor
 - b. Fort Getty
 - Ft. Getty
 - c. Buildings and Facilities
 - d. Others
3. Sub Committees
Commissioner Holland – Tree Preservation and Protection Committee – he updated the Planning Commission on recent meetings.

V. Old Business

1. Application for Andrea Colognese & Doriana Carella – Gondola Ave. – Plat 16 Lot 351 - Zoning Ordinance Section 308 Review – Setback to Freshwater Wetlands – Continued.
Architect Elizabeth Ghisilene presented the revised plan including the revised grading. Key issues were height of retaining wall, the impact to the surrounding property along the driveway. Mike Gray, Town Engineer asked where the pipe ends and Ms. Ghisilene clarified that it ends at the retaining wall. Issue raised regarding whether the house meets the side yard setbacks or whether a variance will be necessary.

Commissioner Calabretta made a motion that was seconded by Commissioner Girard that we forward to the Zoning Board a recommendation for approval, as this is the minimum disturbance to the property. : Call attention to the following, verify **RR80 zoning and the 6' wall**, setback of the house **and the code compliance related to the safety of the wall.** Recommend to the Zoning Board that a condition of approval be added that the Town receives a ten-foot (10') easement over the existing drainage outfall on the property.

Elizabeth spoke to the PE and DEM regarding being outside the area of disturbance and that they could apply for an addendum to the approval if necessary and that they are not proposing a significant change. So voted:

Gary Girard - Aye	Betty Hubbard - Aye
Victor Calabretta - Aye	Barry Holland - Aye
William Kelly – Aye	

Motion carries by a vote of 5-0

2. High Groundwater Table Ordinance – discussion of comments from 1-5-05 workshop – continued after new business

VI. New Business

1. Head Property/Minor Administrative Subdivision of Plat 7, Lots 25,163&167 – East Shore Rd.

Bob Cournoyer presented the subdivision. Alton Head III was present as the applicant of the subdivision.

A motion was made by Commissioner Girard and seconded by Commissioner Kelly to approve in accordance with the DRAFT motion in the Planners Memo. An additional condition of approval should be added that the Administrative Officer shall grant final approval administratively.

Change f of f number 2 to state that all three lots are non-conforming.

2. Alan & Kristen Gouveia – Plat 15, Lot 26 – Application for Review under Zoning Ordinance Section 314, High Groundwater Table/ Impervious Overlay District – Sub district B – 8 Spanker St.

Property owner Alan Gouveia presented the application. The Planning Commission asked for a perforated pipe around the foundation. Commissioner Calabretta asked that the 99' and 100' contours be revised in the area of the driveway. A discussion ensued of the applicant revising the plans to meet the 15% impervious cover requirement. Commissioner Calabretta is opposed to the plan exceeding the 15%. Commissioner Holland is in favor of the plan because it is an improvement to what exists. He feels that we should not be making the process harder for an applicant that is making an improvement to the property. The applicant would like the Planning Commission to act on the application because he is on the Zoning Board Agenda and he would like to proceed.

Commissioner Calabretta made a motion that was seconded by Commissioner Hubbard to recommend that the Zoning Board deny this application for variance because it did not meet the impervious cover requirement of Section 314.

Discussion: Commissioner Kelly is disappointed that the applicant is not willing to go back and revise the plans. Commissioner Hubbard thinks that the house should be smaller because of the site constraints. Commissioner Holland still feels that if this is denied than we are making it harder to make the site better than it already is. So voted:

Gary Girard - Aye

Betty Hubbard - Aye

Victor Calabretta - Aye

Barry Holland - Nay

William Kelly – Aye

Motion carries by a vote of 4-1

V.Old Business – Continued

2. High Groundwater Table Ordinance – discussion of comments from 1-5-05 workshop

Commissioner Girard suggested the Planning Commission discuss the recommendation made by the Building Official regarding what the minimum threshold should be to allow the applicant to use existing information if available to determine if the application is subject to Section 413 and which sub-district the property is in. Commissioner Girard felt that 600 feet was reasonable. Commissioner Hubbard felt that it should be 400 feet. Commissioner Holland agreed with Fred and stated that he has the

experience to make that determination. There was consensus by three out of 5 members that 600 feet is acceptable. The other two feel that 600 feet is too large.

The Planning Commission agreed that a sentence should be added above the Criteria for test hole location within Subdistrict A and B chart stating that it applies to new construction only.

A discussion of definition of development ensued.

Mike Gray, Town Engineer clarified that within the next year the Planning commission will have to work on two new ordinances; Soil erosion and sediment control and illicit discharge into town storm drains. The Planning Commission would like Mr. Gray to look at the two model ordinances that he has and see if there is any verbiage that is applicable to the High Groundwater Table Ordinance regarding grading and filling and soil disturbance.

We still need to discuss the definition of development and which aspects of it apply to this ordinance.

A motion to adjourn was made by Commissioner Calabretta and seconded by Commissioner Kelly at 9:50 p.m. So unanimously voted.

Attest:

Lisa Bryer
Town Planner

This meeting was recorded on 1 micro-cassette