

PLANNING COMMISSION MINUTES

September 5, 2007

7:30 PM

Jamestown Library

The meeting was called to order at 7:35 p.m. and the following members were present:

Gary Girard Barry Holland
Richard Ventrone Michael White
Jean Brown
Not present:
Betty Hubbard
Victor Calabretta

Also present:

Lisa Bryer, AICP Town Planner
Cinthia Reppe – Recording Clerk
Christopher Orton – Town Solicitor
Peter Brockmann – Attorney
Mary Meagher – Tip Top Design – Designer
David Dow – Onsite Collaboratives - Designer

I. Approval of Minutes August 15, 2007

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

Page 1 under Chairpersons report Commissioner Girard ~~informed~~ reminded the Harbor Commission

II. Correspondence

1. FYI – Letter from Malcolm & Diana Brown Re: Application for Variance – Frank Narkievich – Lot 215 Plat 15 (ISDS application # 0515-1456) . Received
2. FYI – Memo to Zoning Board Re: Frank Henderson. Received
3. FYI – Rhode Island Sea Grant. Received

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

IV. Reports

1. Town Planner’s Report she will wait until after applications to report.
2. Chairpersons report – Commissioner Girard stated that Commissioner Ventrone will not be the Harbor Commission liaison due to commitments.
3. Town Committees
 - a. Harbor

- b. Fort Getty
- c. Buildings and Facilities
- d. Others
- 4. Sub Committees

V. Old Business

1. Martha Harris - Plat 16 Lot 15, Bark and Seaside Dr. - Zoning Ordinance Section 314 Sub District A Review – High Groundwater Table and Impervious Layer Overlay District – Recommendation to Zoning Board and Administrative Review Request for Variance to Section 308 – Setback to Freshwater Wetlands

Attorney Peter Brockmann addressed the changes to the plan previously requested by the Planning Commission. Town Planner Lisa Bryer received the report regarding drainage from Justin Jobin this afternoon and read the report to the Planning Commission. It stated “The applicant has addressed the concerns of the planning board by increasing the amount of crushed stone from 6 inches to 16 inches. The proposed retaining wall minimizes the amount of fill and grading and the proposed PVC liner between the wall and the stone will help prevent stormwater break-out.” Commissioner Girard asked if there were any questions and then with no questions stated he would entertain a motion which was made by Commissioner Brown and seconded by Commissioner Holland to make a positive recommendation to the Zoning Board for Section 314 Sub District A Review. So voted:

Gary Girard - Aye Barry Holland - Aye
Richard Ventrone - Aye Michael White - Aye
Jean Brown - Aye
Motion carries by a vote of 5-0

Attorney Peter Brockmann indicated that the Section 308 information was submitted for the Town Planners Administrative review. The Planning Commission noted that they would like to review the variance request and make and make a recommendation.

It is an 8.9 % footprint as compared to something that could be bigger stated Commissioner Brown, Commissioner White agreed with Brown and that this can be an administrative review. Town Planner Lisa Bryer stated that this will be done administratively but the Planning Commission can absolutely make a recommendation. Commissioner Ventrone read from the Comprehensive Plan to support his point of view regarding wetland setbacks at less than a 150 foot setback. Commissioner Girard thinks this application is done as well as it can be given the site constraints. Commissioner Holland made a motion to make a positive recommendation for the variance to Section 308 application and it was seconded by Commissioner Brown. So voted:

Gary Girard - Aye Barry Holland - Aye
Richard Ventrone - Nay Michael White - Aye
Jean Brown - Aye
Motion carries by a vote of 4-1

VI. New Business

1. **Lampasona – Plat 16 Lot 24, 15 Bark Avenue - Zoning Ordinance Section 314 Sub District A Review – High Groundwater Table and Impervious Layer Overlay District – Recommendation to Zoning Board**

Mary Meagher introduced the Lampasona's, their daughter and the engineer. The property has been in Mrs. Lampasona's family for several years and they would like to retire here and rebuild the house to make it more up to date. The proposed house footprint is 12.9% of the property, David Dow Designer from On Site Collaboratives who does the design and installation of these new innovative systems made a presentation to the Planning Commission regarding the landscape run off plan. A discussion ensued and Commissioner Holland asked a question of the solicitor regarding if 30 years from now what would prevent them from turning the rain garden back into a lawn contrary to what was approved. Commissioner Girard stated that he spoke to Commissioner Hubbard who is not present tonight and she feels that the rain garden is very innovative and asked Chris Ornton how can we assure that future owners retain this feature. Mr. Ornton stated that it is an enforcement issue going forward and the town should clearly state in the approval that this feature is present and the plan should be recorded. Commissioner Ventrone asked who would enforce this and he was answered the Building official. This would be part of the permanent record.

Mary Meagher presented the house plan to the Planning Commission and asked if there were any questions. Commissioner Girard asked about footings. Mary stated that they are providing gravel under the footings to allow flow of water as approved in similar situations. They discussed weep holes in the foundation and Mary Meagher indicated that they would be happy to provide those. Town Planner Lisa Bryer will review the plans with the changes that are being asked suggested.

A motion was made by Commissioner Girard and seconded by Commissioner Ventrone to send a positive recommendation to the Zoning Board with the condition that the roof leaders and the pervious foundation drawings be submitted to the town planner. So voted:

Gary Girard - Aye Barry Holland - Aye
Richard Ventrone - Aye Michael White - Aye
Jean Brown - Aye

Motion carries by a vote of 5-0

2. **Patricia Ouimette - 783 North Main Road, Plat 15, Lot 352 – Jamestown Zoning Ordinance Article 8 Review, Regulations for RR-200 Zoning Districts – Development Plan Review – Recommendation to Zoning Enforcement Officer**

Commissioner Girard read from the Zoning Regulations regarding the regulations in the water shed area. There were a few questions that the commission has of the applicant. There was nobody present to represent the application. The commission is going to continue this application and have the Town Planner put this on the next available agenda. The Planner suggested that they note the questions so that additional information could be provide to the Planning Commission for the next meeting. The Planning Commission would like to know the Type of Heat in the house, and if oil, the tank should be a safety tank, double lined with containment etc. In addition, the 500

foot radius map, how are they handling the runoff and where will the water be directed, exact square footage and foundation cross section. A motion to continue this application was made by Commissioner Girard and seconded by Commissioner Ventrone. So unanimously voted.

3. Tree Preservation and Protection Ordinance – Review of Recommended Changes by the Tree Preservation and Protection Committee – Recommendation to Town Council

Commissioner White said that the former Tree Warden would hear any appeal to the Tree Warden which did not make any sense. The Committee would like to review any appeal. The Planning Commission made a positive recommendation to forward the changes to the Town Council. Commissioner Girard made a motion which was seconded by Commissioner Ventrone to forward to the Town Council and recommend acceptance of the changes. So unanimously voted.

Town Planners Report

Town Planner Lisa Bryer discussed the upcoming charrette with the Planning Commission. The connector workshop is on the 12th and then the 27th of September will be advertised and open to the public. Then the week of Oct 15-19 will be a full week Charrette. It would be beneficial for the Planning Commission to attend these workshops.

A motion to adjourn at 8:50 p.m. was made by Commissioner Girard and seconded by Commissioner Ventrone. So unanimously voted.

Attest:

Cynthia Reppe
Recorded Clerk

This meeting was recorded on 1-micro-cassette