

Approved As Written 3-18-09
PLANNING COMMISSION MINUTES
March 4, 2009
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 p.m. and the following members were present:
Michael Swistak, Vice Chair Barry Holland
Alexandra Nickol Jean Brown
Nancy Bennett

Not present:
Gary Girard
Richard Ventrone

Also present:
Lisa Bryer, AICP -
Town Planner
Cinthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor

I. Approval of Minutes February 4, 2009

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

II. Correspondence

1. FYI – Letter from Frank Meyer Re: Heliports. Received

III. Citizen's Non Agenda Item

Commissioner Nickol stated that she was misquoted in the Jamestown Press. She read the following statement that will be faxed to the press tomorrow:

“I was misquoted by the press last month and request that in the future the press will be more diligent when ascribing quotes to members of the Planning Commission. In reference to the helicopter discussion I intentionally made “no comment” in order to convey that I am not promulgating helicopter landings on Jamestown.”

“While last meetings minutes accurately reflect my comments, I respectfully request that this month's minutes include the above statement.”

IV. Reports

1. Town Planner's Report

A revised copy of the proposed Zoning Ordinance amendments was handed out to the Planning Commission tonight. We will be discussing this at the March 18th meeting. Underlined is new, strikethrough has been deleted. Red print shows all changes.

2. Chairpersons report
3. Town Committees
 - a. Harbor – talking about woodpile pier and discussion regarding touch and go dock. The Harbor Commission has gone ahead with the application for dredging at Fort Getty for CRMC approval.
 - b. Fort Getty – internally working with the solicitor preparing a MOA/Lease
 - c. Buildings and Facilities
 - d. Tree Preservation and Protection – Commissioner Bennett said the tree in front of town hall might have to be replaced. Big topic is sidewalk replacement on Narragansett Ave. What should we replace the trees with? Town Planner Lisa Bryer informed Commissioner Bennett that the removal and replacement of trees which are part of the Downtown Improvement Project are already decided and are on Final Bid Documents at DOT. The Tree Committee and Tree Warden were involved as to the number of trees to be replaced. There will be 4 or 5 removed trees and 14 new to her recollection. Town Planner Lisa Bryer stated had she known this was coming up she would have looked up the specifics that Commissioner Bennett is asking about.
 - e. Affordable Housing Committee
 - f. Wind Energy – waiting for consultant to supply the feasibility study
 - g. North Rd. Bike Path Committee- working on alignment at the meeting today.
4. Sub Committees

Commissioner Brown reported that the last meeting ever was held for the Parking Committee. 25 residents turned out she said and also stated that this was a non political committee that share challenges with parking, and they always found it easy for them to find resolution. They were an advisory body that reported to the Town Council. Out of all of the committees she said it was a very positive committee that worked well together. Issues will now be assigned to staff and in her opinion she thinks it should not be staff since they are so busy doing their jobs.

V. Old Business

1. Manning Major Subdivision, Upland Farm - Cedar Lane – Final release of Bond - \$12,303.00

Attorney John Murphy is in agreement with the release of \$5773.00 and an additional \$6530.00 being held in bond until the landscaping is completed and an amended set of As Built Plans are submitted. Commissioner Brown made a motion to release \$5773.00 and Commissioner Nickol seconded the motion. So unanimously voted.

2. Spencer – Plat 14, Lot 347 – Boom St. – Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table – Impervious Overlay District – Recommendation to the Zoning Board – Continued

Summarize letter from Mr. Bassam Nader, American East Engineers, they addressed all of the issues regarding the site work, extending the rain garden, adjusting the grades and they are here this evening to receive the Planning Commissions recommendation to the zoning board.

Commissioner Bennett stated the water quality is outside of the allowable limits with regards to sodium and pH. Mr. Aptt said the page missing was a standard that is sent to

everyone. Mr. Aptt stated that sodium is above but does not have any impact with regards to water quality since it can be filtered. The nitrate levels fell within the limits but they are higher than Mike Gray had seen previously she stated and this concerns Commissioner Bennett. Are these safe limits? Mr. Aptt said there is no easy way at this time to retest because of the conditions that exist right now; a drill rig would have to be brought in again. Commissioner Bennett's other question had to do with the 2 vs. 3 bedrooms. Mr. Aptt stated this is a custom house that was designed from a 3 bedroom design to a 2 bedroom design. He realizes there were other 2 bedroom plans but they did not provide the space and needs of this family.

Mr. Jeff Aptt from MOAP Properties wanted to address the comments made at the previous meeting regarding the windows. The insurance company has requirements that must be met regarding hurricane winds and that greatly limits the shape of the windows. These are high end Anderson windows.

Commissioner Holland questioned the amount of fill. Mr. Bassam Nader answered his concerns.

Commissioner Holland made a motion seconded by Commissioner Brown to send a positive recommendation to the zoning board for the Spencer application– Plat 14, Lot 347 – Boom St. – Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table – Impervious Overlay District.

A discussion ensued regarding the findings of fact and conditions of approval.

The applicant has met the requirements of a sub district A review and the Planning Commission concurs with the fill and drainage plan, and stormwater mitigation. The Town Planner suggested that the maintenance schedule should be recorded. Town Solicitor Wyatt Brochu informed the Commission that the only thing searched in the land evidence record is the zoning decisions and that if the maintenance of the drainage system needs to be referenced by future owners, it should be part of the Zoning Decision which is recorded.

One of the Findings of Fact needs to be that it is a 2 bedroom design with 1 door to each bedroom and DEM approved a 2 bedroom ISDS design.

The same plan that is approved by planning needs to be referenced when corresponding to zoning so there is no confusion. The recommendation should reference the exact plan which is stamped Feb 11 2009.

The staff will prepare motion as amended during this discussion and it will be ready for review, approval and signature at the next meeting.

A motion was made by Commissioner Bennett and seconded by Commissioner Swistak to continue this agenda item until March 18th at which time the Findings of Fact and Conditions of Approval will be ready for review, approval and signature. So unanimously voted.

VI. New Business – nothing at this time

A motion to adjourn at 8:26 was made by Commissioner Holland and seconded by Commissioner Brown. So unanimously voted.

Attest:

Cynthia Reppe
Planning Assistant

This meeting was digitally recorded