

Approved As Written
PLANNING COMMISSION MINUTES
November 6, 2013
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order and the following members were present:

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|------------------------------|--------------------------------|
| Michael Swistak – Chair | Duncan Pendlebury – Vice Chair |
| Rosemary Enright – Secretary | Mick Cochran |
| Michael Jacquard | Richard Lynn |
| Michael Smith | |

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
Kevin Paicos – Town Administrator
Barbara Hermann
Betty Hubbard
Abby Campbell King

I. Approval of Minutes October 16, 2013

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

II. Correspondence

1. FYI – Damle/Marsh Administrative Subdivision. Received
2. FYI – Catalozzi Memo to Zoning Board. Received

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

IV. Reports

1. Town Planner's Report
The town council had the first workshop on the golf course. Bill Burgin Architect presented a schematic. There were several people from the Performing Arts groups weighing in on what they wanted at the golf course.
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee

4. Sub Committees

V. Old Business

**1) Discussion of the Zoning Ordinance provisions related to Buildings of Value
Buildings of Value**

Town Planner Lisa Bryer said the Planning Commission has been talking about this for the last 6 months. We know we are interested in utilizing this provision of the zoning ordinance. I have supplied the commissioners with a lot of information. A recommendation was made at the end of the last meeting to start small. We discussed starting with the National Historic Register. There may be an opportunity to utilize this right away with little change to the existing language in the ordinance. Let's look at the Secretary of the Interiors standards and also our design guidelines. The workshop will go a long way determining structures and landscapes.

Our goal Commissioner Swistak said is to get all building permit applications which have an effect on buildings of value to have it start right now. Town Solicitor Wyatt Brochu said the current language in the ordinance is not predicated for permits. Repairs or alterations that do not require a permit will not come before us and the language is not in our ordinance.

The wording in our ordinance said Commissioner Pendlebury is "any" that is a large word. How does the public understand that they have to take a path to the Planning Commission?
In the absence of definitions we need to define first.

Commissioner Smith said we have not identified the properties to the public as of yet. If they are identified to the public then the property owners will know.

Solicitor Brochu said it is not only buildings of value in this provision, from staff perspective it is the implementation. That is only half of the concept, if there are buildings on the state register they need to come before the planning commission.

Commissioner Cochran said first things first is to determine buildings of value. The provisions in the ordinance only apply to the Village District. That is step 1, then step 2 is to come up with a list of buildings which is a change to the zoning ordinance which requires mapping, town council and public hearing.

Wyatt Brochu said Shoreby Hill exists as a National Registered district. Fred Brown interprets the ordinance.

Commissioner Swistak said to Mr. Rebecchi this is only the second meeting we have talked about it, we are trying to decide should we send a memo to Fred Brown asking him to send all inquiries to Planning if they are on the National Historic Register. Mr. Rebecchi sees nothing wrong with saying to him operate the way you have been until we sort this out.

Ms. Bryer said when Shoreby Hill Historic group originally requested this it was for Historic Zoning district and they also wanted all the houses in lower Shoreby to be designated buildings of value.

Mr. Paicos is familiar with historic zoning. Typically it is an overlay district with geographic boundaries with the proper boards representing.

He thinks this is a more modern concept that identifies not just areas but structures. When this is clear and precise then we have done a good thing. Clearly the citizen polling in the Comp plan indicates the residents want this. He thinks it needs to be clear and concise.

Barbara Hermann - 22 Hawthorne – each one is on the list right now in Shoreby Hill. Houses listed on the National register.

Abby Campbell King – Friendship St. – a demolition delay ordinance is important.

Ms. Bryer said she gave the Planning Commission a model ordinance for both the states of CT and MA in their packets. They are generally age based in her research.

Commissioner Enright agrees the demo delay is very important.

Betty Hubbard – 41 Emerson – whether each individual house is on the register, think about the importance of the fabric to pay attention to the non- contributing as well as the contributing structures. She thinks to use the pattern book is a good guide and adding a few things specific to Shoreby Hill. Contributing houses require a more stringent look.

Solicitor Brochu said to summarize we are discussing having Mr. Brown look at this and reconsider his interpretation of the ordinance.

Solicitor Brochu said the demo delay is an ordinance amendment and easier to legislate. This will be applied town wide based on the age of the structure, then decide where to put it in the ordinance.

Let's bring back a demo ordinance at the next meeting too.

Commissioner Enright likes the Connecticut example.

The Planning Commission discussed having a workshop with the public to educate them on Buildings of Value. Get everyone in the same room and identify all the structures and educate them. We need to do some leg work and look at each house in the purple book. Staff will do this within the next month.

Commissioner Pendlebury said the character and context of the town is important. Narragansett Ave context is important, it is the character of Jamestown. The views too are part of the character coming down North Rd. There are some buildings in this town that cannot be replaced. In these discussions we use the word history. History is like 30 seconds ago in his opinion, it is much more than that.

Kevin Paicos said he and Lisa Bryer will speak to Fred Brown tomorrow morning and let him know what the Board is thinking.

2) Accessory Family Dwelling Units – Discussion and Recommendation of Proposed Amendments

The Accessory family dwelling unit (AFDU) provisions were adopted by the town council on Oct 7th.

Lisa Bryer reported to the Planning Commission on her thoughts and recommendations for amending the ordinance and the rationale. We recommended adopting the provisions in order to serve a need, unfortunately I met with two potential applicants in the first week and neither were eligible. So it made me re-analyze the ordinance and think more about who our client is and did we hit the mark with this ordinance? Ms. Bryer thought there were several ways we could relax the ordinance a bit and not have a detrimental effect on the island. The first area is related to undersized lots and the second is related to detached structures. Initially we did not allow AFDU on undersized lots and allowing AFDU in detached structures required a Special Use Permit. Since many of our lots are undersized not allowing them at all would exclude much of the island, including all of the Jamestown Shores. The Planner noted that in situations where there are no exterior changes to the structure, there is not an increase in the bedroom count and in the case of private wells and OWTS, it is approved for the number of bedrooms requested, it should be allowed by right.

In the second instance of detached structures, the current ordinance requires a special use permit for all AFDUs in detached structures and a variance would be required if it does not meet the setback requirements of the primary structure. I would suggest that AFDUs be permitted by right and a special use permit is only required if the detached structure does not meet the setbacks for a primary structure.

Commissioner Enright is against detached structures. Enright feels that it could end up looking like 2 houses on the lot.

Perhaps we should have a percentage requirement; maybe a detached structure should not be more than 25% of existing structure. Bryer thinks the not more than 33% of the livable floor area provision applies to detached structures too.

Sav Rebecchi – a detached unit is very valuable if the person is a caregiver. The focus was not for the person that has a large house they can afford to do other things if they are not doing it already. This was put in place to help the person with less money.

Add the minimum square footage for detached. Put a maximum size refer to sec 82-311

A motion was made by Commissioner Swistak and seconded by Commissioner Cochran to recommend changes to the AFDU sec 82-1400 to the Town Council as suggested. This will be forwarded to the Town Council for approval.

So unanimously voted.

VI. New Business – nothing at this time

The first meeting in January is on January 1st which is a holiday so we will meet
The third Wednesday.

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A motion to adjourn at 9:26 was made by Commissioner Cochran and seconded by Commissioner Enright. So unanimously voted.

Attest:

Cynthia L Reppe

Cynthia L Reppe

This meeting was digitally recorded