

Approved As Amended
PLANNING COMMISSION MINUTES
May 21, 2014
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:34 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Bernie Pfeiffer	Michael Smith

Not present:

Michael Jacquard

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
Bill Munger
Jack Brittain
Mary Brittain
Sav Rebecchi
Gayen Thompson
Craig Amerigan
Mary Meagher

I. Approval of Minutes May 7, 2014

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

II. Correspondence- nothing at this time

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

IV. Reports

1. Town Planner's Report – the Town Council extended the June 2nd moratorium until Sept 15th. Building is picking up a bit, we have had a hiatus but we have some applications coming up soon.
2. Chairpersons report
3. Town Committees
4. Sub Committees

V. Old Business

1. Historic and Community Character Preservation – continued

Commissioner Swistak said there has been quite a bit of street talk about the appropriateness of discussing the list of homes without prior notification to the homeowners. The town council in all zoning amendments is the board that provides notification, holds the hearings and approved the amendments. The Planning Commission is the advisory board and makes a recommendation to the Town Council. The Planner provided clarification, noting that when we do a map amendment each one of the addresses that are designated as buildings of value will be provided with public hearing notification, including all buildings within 200 feet. Generally when we make amendments that are general they may not require specific address notification. The Town Solicitor has been involved with the process and has indicated that the Planning Commission is not doing anything improper. The Chair indicated that “As we go through the list let’s not discuss names of those that live there”.

We are talking about buildings of value, a building that is worthy of preservation. We will send a recommendation to the council to amend the zoning ordinance to encourage the preservation of certain buildings that will be identified on the map. Properties will be listed and they will know that they are included in the amendment. This is for a building of value that is proposing a “substantial modification”. A substantial modification is the proposed trigger at this point. It is defined in the Zoning Ordinance now. It includes making changes to the exterior, over 50%. An applicant will go to the Technical Review Committee (TRC) which consists of the Planner, Zoning Officer/Building Inspector, Public Works Director, Planning Commission member, and possibly an architect or other desired professional. For property owners in CD, CL and P they already know about the TRC, we have Development Plan Review now. This is the same process but with new rules.

The solicitors have drafted a proposed amendment to Article 11, some of the final tweaks will be based on things to be determined. These were included in our packet along with the new standards.

Commissioner Enright showed the purple book and that is where the list of buildings of value have come from. The state has selected these houses to be Buildings of Value. We will look at the draft list first then look at additional homes for inclusion on the list.

Bill Munger, owner of 102 Cole St. and 2 properties 20 Narragansett Ave. and property on Ferry Wharf - He thought this was a Shoreby Hill thing and he saw nothing in the press until last week. He is not up to speed on this. He does not think the process is as simple as Commissioner Swistak said. He thinks that the property owners to date have not had a chance and he thinks property owners need to be able to opt out of this process if they so desire.

Mary Brittain – the purple book is recognized by state, who gave the information to the state? The research was done by RIHPHC. The historical society did not give the information to the state but did assist with finding information in some cases.

Gayen Thompson 52 Grinnell – she hopes someone will proof read the guidelines.

Craig Amerigan – if it does happen he sympathizes and has mixed emotions and agrees with Bill Munger it can be burdensome. Over the years he has made the effort to return his house to it's original state and has spent lots of money on mill work. He went to reputable company for some woodwork that matched the original and it did not last. He ended up using pvc lumber because the wood wore out he has replaced it with plastic that looks identical to the wood and is paintable, he hopes that we are not so stringent in our guidelines to prohibit this type of substitution.

Commissioner Swistak said the Planning Commission has been at this process for 18 months which began when the proposed historic district from lower Shoreby Hill was brought forward from the Town Council. The town councils direction to us was to find a way to instill guidelines. This is 18 months of compromise and changing directions. We had a public workshop in January 2014.

Sav Rebecchi – referring to the last meeting, someone brought forth a list of 37 homes that they think should be included. He thinks a methodology needs to be done to be put on the list. We had a decision from the town council regarding a community with private roads and making a historic district in this private community. It is not appropriate that we should preserve a community with private roads that we cannot access. It excludes the local people from being there, road bumps, chains etc. Using town resources to preserve the character of private community is not for the better of the town.

Mary Meagher – She agrees with Sav there should be a methodology.

Bill Munger – 50% rule he looks at 20 Narragansett Ave it is 7000 sq ft. He has issues in the pipeline, rest of building will need lots of work and he thinks he will be spending lots of time before the boards, he wants to opt out and he does not want more regulations. The council will be handed this with a set of rules.

Commissioner Swistak - this is the first time the planning commission has seen the draft rules and regulations. We need all the input good and bad what is too onerous what too expensive, etc is? He thinks within the next month the council will be presented with the proposal which includes guidelines for preservation.

Commissioner Pendlebury – if you read the special development district language, the framework for all of this is in the zoning code currently. The reference to the term buildings of value is in section 1105. What we are trying to do is take the ambiguousness language away and put in a definition, list, map and guidelines. There is currently no way to review it now which is why we are trying to put together some guidelines. The point about composite materials is well taken he said to Mr. Amerigan. We are trying to make it easier to understand. This is the goal. All based on the continuing discussion we have been having. There is nothing here saying you have to use the same materials etc. The reason it was written the way it was is to try to maintain the current character of the buildings.

Gayen Thompson – 52 Grinnell - is this considered a preliminary plan? It doesn't say it. She talked about her house and the one next door at one point being twin houses and her neighbor made significant changes.

Jack Brittain - 230 Conanicus – buildings of value are very important to Jamestown and it is important to the community. In some cases when their address comes out in the paper he thinks there is a lot that goes through their minds if you are going to add or subtract from the list. You need to look at if you are going to do this he thinks there should be tax incentives or something given to these people. Time is money and he thinks there should be encouragement to get into this and giving a tax incentive would help.

Bill Munger – as time goes on there are some properties that need to come down and recycle. He appreciates the work that has been done. Look at the work at the old town offices, something that has gone up is much better than what was there. He does not want to see the village stuck in the 10th 19th century.

a) Amendments to Article 11

Nothing new at this time.

b) Design Guidelines for Buildings of Value

Solicitor Brochu - Pay attention to adjectives when using required - necessary, always, when reading through please focus on the adjectives and what the intent of the guidelines are. Pay attention to the intent. Pendlebury said we can start with the guidelines.

Commissioner Pendlebury – general recommendations, recent discussions he went through the document and explained the meaning.

Commissioner Smith questions section 21 talking about new products that are on the market now and he thinks we should make sure we are not excluding useful products, he thinks 21 comes close. The materials that are new they should have the option of using. Brochu said looking at 21 (required) means that is the only viable option, is this is what you meant? Commissioner Pfeiffer said maybe the first sentence is the offender. Smith said a lot of the new materials you cannot tell the difference. We are trying to get at the appearance of the house and not the material. He thinks that we should allow the applicant to use what he wants to use if it looks the same. Smith does not agree that materials have to be replaced with in-kind materials.

Solicitor Brochu commented sitting here over the last 18 months after we resolved the Shoreby Hill issue we discussed preserving the architectural character of the island, preserving or promoting the architecture. He heard slight policy shift because it went from preserving character to historical architecture to fit within the architecture here in Jamestown, which policy track are we on? From a legal perspective they are divergent. If we are saying wood shingles are required then there are no options. We have heard from a number of people a concern about giving guidelines. We are trying to supplement the existing zoning code to stay within the desired character. When saying avoid that means it is not allowed. We are setting the bar high. Should and shall have very definite meanings. We used those in article 11. If a composite material is proposed, come up with conditions. What is the burden to the applicant?

Gayen Thompson - wants something in there about lighting. She was responded to that it is in zoning already.

Jack Brittain – question about a commercial building and if it is of historic value. If you want to put solar system on roof would that be permitted? As long as it's screened. Is there any reason why this has not reached out beyond the downtown area? Lisa Bryer said the planning commission talked a lot about this and they agreed we need to start small and start with the village since there is already a process and a framework in place. It made sense to look at the village and then to look at the whole island.

Changes will be made to the document. Smith thinks windows are a huge discussion in this. Commissioners Pendlebury and Enright will work together on proof reading and editing the document.

Solicitor Brochu asked the commission members when you are reading the document as a whole permissive vs. restricted, how does it coincide with what needs to be achieved? Swistak said something about opting in or methodology to adding new structures.

c) Review List of Buildings of Value

No discussion at this time.

2. Comprehensive Plan – 2014 Update

We have received the final amendments to the Comprehensive Plan update based on the States comments. The Town Council has set the public hearing for 7:00 p.m. June 25th, 2014.

VI. New Business – nothing at this time

A motion to adjourn at 9:42 p.m. was made by Commissioner Cochran and seconded by Commissioner Smith. So unanimously voted.

Attest:



Cynthia L Reppe

This meeting was digitally recorded