

Approved As Written  
**PLANNING COMMISSION MINUTES**  
August 20, 2014  
**7:30 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave., Jamestown, RI**

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

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

Also present:

Lisa Bryer, AICP – Town Planner  
Cinthia L. Reppe – Planning Assistant  
Jack Hubbard  
Shelly Widoff  
Jack Heelan  
James Burgess

**I. Approval of Minutes July 9, 2014**

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

**Approval of Minutes July 30, 2014**

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

**II. Correspondence**

1. FYI – Administrative Subdivision – Piccoli/Sousa – Plat 3 Lots 471&472 Superior Court Adverse Possession. Received
2. FYI – Administrative Subdivision – Young/Hamilton – Plat 12 Lots 42 & 212. Received
3. FYI – Article – Architecture Here and There - Traditional Building in a Modernist World. Received

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

**IV. Reports**

1. Town Planner's Report – There are three HGWTO scheduled for the September 3 Planning Commission meeting.
2. Chairpersons report
3. Town Committees
4. Sub Committees

## V. Old Business

### 1. Historic and Community Character Preservation – continued

#### b.) Shoreby Hill resident petition

The Planning Commission received this correspondence at our last meeting. Commissioner Swistak asked Mr. Heelan if he wanted to address the commission.

Jack Heelan – 43 Standish said the letters and petition are pretty self explanatory, residents are identified with name and address.

Shelly Widoff- 27 Standish Rd. wants to know if the commission has any questions of her. She will answer questions. No questions were asked.

#### a.) Amendments to Article 11

Commissioner Swistak addressed the Planning Commission about what to do with the regulatory process of Buildings of Value. A discussion ensued. The Planner presented a work program that she has been working on with the Chair and Vice Chair. The work program and process was developed by discussing all public comments, reviewing the goals of the Planning Commission and what they think might be workable.

Commissioner Swistak asked how we fix 1105. Commissioner Smith said fix 1105 without regulation, Commissioner Cochran agrees. Commissioner Enright asked what you mean by without regulation. She is not willing to say no regulation. Does that mean the Planning Commission, staff or Zoning Board will not have any input? We have no definition of a Building of Value and that's the problem.

Commissioner Pfeiffer said he agrees design guidelines should be encouraged in residential districts.

Commissioner Jacquard agrees with Swistak, Smith and Cochran.

Commissioner Pendlebury is in favor of approaching Article 11 in holistic manner which is what the Town Council wanted. We need to rethink how Article 11 is set up and what it is intended to do. The way to do it is not attempt to attach a long string of regulations to Buildings of Value and improvements. He thinks commercial district regulations should utilize the pattern book. It is a great tool for the applicant as well as the Planning Commission. He thinks regulations in the non-commercial districts should not encumber this part of the zoning ordinance. Buildings of Value need to be recognized and encouraged to meet the principles of the pattern book, it is the essence of what the pattern book is talking about and we should recognize and celebrate the structures. Chair Swistak recapped that it is agreed that there will be no regulations in R8 or R20 districts so the next step is to amend 1105 and Ms. Bryer will handle this with Fred Brown and Solicitor Rugeiro. They will then present this to the Planning Commission. We need to fix the Zoning Ordinance so there is no more ambiguity. The Chair then asked for public input.

Jack Hubbard 41 Emerson Rd. – he wants mandatory review with voluntary compliance.

Commissioner Swistak said we already talked about the mandatory education process. The Solicitor indicated that Zoning is not the place for a voluntary process and the board agreed.

Barbara Herrmann – 23 Hawthorne – Education has support and it is the most difficult way to go. She thinks the town councils proposal is confusing. She thinks the training is important and voluntary reviews. There are people that are willing to serve on the commission. It's the details that matter. Ms. Herrmann sent a letter that addresses this. It will be on the next agenda as it was received too late for this packet.

James Burgess 29 Hawthorne – he does not envision any kind of review on his property, it is his. He feels that mandatory review is not acceptable.

Shelley Widoff – she thinks what they are trying to say is once again voluntary and not mandated. Mandated regulation is what they (residents of Shoreby Hill) are against. There is not the support of a mandate only education.

Commissioner Smith said he can see two examples that are currently for sale, Ceppe property if this were in effect prospective buyers would not buy these houses.

Commissioner Pendlebury noted that they are currently regulated in the Commercial district so they are already regulated.

Commissioner Enright stated that the rules should be more specific.

Next discussion they are going to talk about buildings in the commercial zone. Education is not a bad idea but how do we do it without scaring people.

Town Planner Lisa Bryer went over the flow chart that was prepared for the meeting. Buildings of Value are an integral component of Article 11; it is a piece of the whole and it will affect other parts of the development district if it is removed. This process proposing identifying the Buildings of Value, celebrating them as the backbone of the village character but having no regulations attached to them. The one item that nobody disagrees with is that these structures are an important part of our Village character and the Special Development District.

Within the Special Dev District there are currently very little teeth in it with respect to the zoning ordinance. There are some “shall’s” but also some “may’s” and “should’s”. In the case of residential the guidelines would be encouraged. We will look at structures that are proposed to be demolished. We want to see the Development Plan prior to demolition. Routine Maintenance needs to be defined and Substantial Modification is defined in the ordinance. If we can come to an understanding of the process then it can translate into the code.

Commissioner Swistak asked are residential structures listed in the purple book? Are we going to encourage them to use the pattern book as a guide, how do we do that? Education? Voluntary? How do you accomplish the education part, let see what's missing? In Terms of residential review the Design Guidelines are very helpful. Bryer said the Planning Office can be where education literature is disseminated but in terms of workshops and applicant guidance, her office does not have an architect and would not be qualified to provide architectural guidance.

Smith complained about the Zoning Board routinely giving out parking variances. Commissioner Enright said we need rules, the village pattern book is about village character, it doesn't tell you what kind of windows to use, it talks to character. Admittedly we break those rules with parking etc. We do not even have a rule to break with regards to Buildings of Value.

Commissioner Swistak discussed applying it to substantial modification to go to the Planning Commission. Smith said, the Victor Bell buildings will continue to be built. No one wants regulations. Enright said the Pattern Book does not compel anyone to build a certain type of structure, it gives guidance on character and how to achieve a building that fits the character of Jamestown's Village.

Commissioner Pendlebury thinks it is a good guide but we need to look at it for applicability now that it will be used for regulatory purposes. Personally Pendlebury feels like the Planning Commission's job is not to tell anybody what they like it is to interpret and apply the zoning ordinance. This is a form of Economic development for the Village. We should do what we can within zoning to make the guidelines work.

Commissioner Swistak asked can we agree that next time we meet we have some slides of commercial design guidelines.

Town Planner Lisa Bryer read the definition from the Zoning Ordinance for substantial modification. She gave some examples of Administrative Review. The more standards that are in place, the less approvals needed by the whim of the Planning Commission.

They don't become buildings of value until they are put on the map. Part of the homework is how do we encourage people to preserve what they have? How do we do it outside of zoning?

Commissioner Enright asked how we celebrate buildings of value.

Should we use the pattern book and decide whether or not we will modify and use that? Does anyone have an issue with demolition process. Swistak reminded them you have to do it anyway if you are in CD or CL. This is proposing that you would have to come before you tear it down, today you come once it is torn down.

Shelly Widoff – asked about what a Special Development District is – The Planner said it is defined by state law. In this case it operates as an overlay district.

Commissioner Pendlebury said it might be worth our while to look at building density and down zoning. Look at dimensional regulations as part of the process. Look at what we have and what we really want. The new larger homes may not be what is within our character.

Ms. Bryer will work with Fred Brown and our Solicitor to amend 1105 to send to council. At the next meeting September 17<sup>th</sup> we will look at Pattern book and look at ideas on demolition permit process, building density and lot coverage.

**VI. New Business – nothing at this time**

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A motion to adjourn at 9:08 p.m. was made by Commissioner Enright and seconded by Commissioner Cochran. So unanimously voted.

Attest:



Cynthia L Reppe  
Planning Assistant

This meeting was digitally recorded