

Approved As Written
PLANNING COMMISSION MINUTES
November 7, 2018
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:02 p.m. and the following members were present:

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

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Jeff Davis – Horsley Witten

II. Approval of Minutes October 17, 2018; review, discussion and/or action and/or vote

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to accept the minutes with the following changes on Page 3, Paragraph 4:

There is an easement that runs with Narragansett Ave. for 10 spots at 34 Narragansett Avenue.

Page 3, Paragraph 6:

Solicitor Brochu said this discussion is confusing, it is important to separate the actual spaces that exist.

III. Correspondence

1. FYI – Memo to ZB – Jamestown Beer Holdings – DPR Special Use Permit - Received

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

V. Reports

1. Town Planner’s Report – There are 3 new council members, 2 members were re-elected. Nancy Beye, Bill Piva and Randy White are the new members. The new art committee has been selected – Planning Commissioners Pendlebury and Cochran are on. No applications for the 1st meeting in December so far. We will not be meeting on November 21st or December 19th.
2. Chairpersons report

3. Town Committees
4. Sub Committees

VI. Old Business

1. Zoning Ordinance Update – with Horsley Witten Group representatives; review, discussion and/or action and/or vote

Jeff Davis, represented Horsley Witten Group regarding the Zoning updates. The Commission briefly discussed short term rentals and Jeff asked them to consider in what zoning district are they acceptable? It was decided that it should be handled as a town ordinance but could be in the use table as a use if there were districts that they wanted to restrict it.

RR200 District - keep it as-is until DEM approves new standards for wetland setbacks.

Conservation Development – The Planning Commission has already reviewed this and the last approved draft will be inserted.

Commissioner Pendlebury thinks Short Term rentals is going to be a complicated ongoing discussion issue. Wyatt Brochu said that short term rental use is an assumption that is not regulated right now. The zoning board just discussed this issue. The question for the zoning official is, is it in the residential use of the property? Lisa Bryer indicated that a legal opinion on this issue would be helpful.

Commissioner Pfeiffer said when it is a commercial enterprise it is harder to regulate. The issue is different this needs to be dealt with elsewhere in the town code and not in zoning Jeff Davis said. Wyatt Brochu said it deals with broader categories.

Commissioner Enright asked Wyatt Brochu, how come you say that once you define it and put it in the use table, now it becomes an issue? Brochu responded that adding it to the use table makes it a problem. Jeff would only recommend putting it in use table now. Once it is in the town code then address it there. Commissioner Swistak thinks we should wait until the town council decides on this.

Commissioner Pfeiffer said once it is on Air BNB then it is out there. He says it is the Motel 6 issue where people come in for the weekend they just want to party and on the small lots you are on top of your neighbors.

The importance of neighborhoods needs to be included as a primary goal of regulating this issue if we do, Lisa Bryer said.

Alternative Energy, lighting, temporary uses News racks and Accessory structures will be addressed later.

High groundwater Ordinance in general most everything that comes in gets captured, if we do not subject lots that are 40,000 square feet plus we may want to consider this said Mike Swistak. Commissioner Pfeiffer said the nitrates issue is addressed, you can install water treatment systems. Commissioner Smith said why should those that have those big properties be penalized if someone has a bigger lot. He is not for this.

Mike Swistak asked, do we require them to replace their septic systems even if they are not adding bedrooms? No. Do we make them replace their septic even if they are adding a dining room? No. We are trying to capture as many as we can but should we require that?

Commissioner Smith thinks there are too many regulations now why do we want more. The town inspection that the town requires every 3 years is not a complete inspection, should we require a more thorough inspection if they are adding on something not a bedroom?

Jeff Davis asked Lisa Bryer if she has a preference, she would like to see a more thorough inspection.

Is there a strong preference to have an engineer stamped on the drainage plans? The Commission decided that they are comfortable to say staff is reviewing it and we have the authority to require it if needed. We have required it in the past.

Multi family dwellings, which version of table 13-1
Should we be more lenient of multi family use regarding density. The Planning Commission agreed yes.

Lisa Bryer asked in terms of low and moderate income housing, it is the planning boards sole discretion to allow the affordable housing off site.

Commissioner Swistak asked about certain projects where they are giving a lot of relief for multi family. He thinks there should be some sort of cap on the relief. Can we restrict the density to a certain percentage? Wyatt Brochu said that it is regulated by the State but he will check into it.

Accessory Family Dwelling Unit – Article 14. Discussion ensued regarding the size of the house and Ms. Bryer said we should exclude anything below ground when calculating the 33%. If we include below ground living space, then the massing of the AFDU can become similar in size to the main structure. Commissioner Enright wants to limit the size based on percentage. Jeff said the max he has seen is 1000 sq. ft. Discussion regarding separate utilities.

Farm related usages. Jeff recapped that we reached the least amount of consensus on these. No restaurants, no wineries, breweries, distilleries, events, weddings, large parties etc.

Pendlebury said you now have a winery here what are you going to tell him, he can't produce on site? Town Planner Lisa Bryer asked Solicitor Brochu if one of the farms wanted to hold a retreat which is not directed in our table, how hard is it to get? Wyatt Brochu said a use variance and they have to prove that there is no beneficial use of the land if they do not receive the use variance.

We got through all the major policy points, Jeff said,

Lisa Bryer said she is starting to go over with Chris Costa some things, does it make sense to have a subcommittee? Commissioner Pendlebury said he will sit in on a subcommittee and Commissioner Enright too.

VII. New Business – nothing at this time

VIII. Adjournment

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to adjourn the meeting at 9:15 pm. So unanimously voted.

Attest:

Cynthia L Reppe

Cynthia L Reppe