

Approved with Amendment
PLANNING COMMISSION MINUTES
June 5, 2019
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order 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
David Petrarca – Town Solicitor
Cinthia Reppe – Planning Assistant
Deb Foppert – Esq.
Don Powers – Architect, Union Studio Architecture
Christina Carlson – Architect – Union Studio Architecture
Dan Cotta – American Engineering
Patrick Freeman – American Engineering
Jaklyn Centracchio - Beta group
Bob Bailey – Realtor, Lila Delman
Frank Spinella – Consultant
Brian Muio – Landscape Architect
Christian Infantolino - Esq.
Peter Fay
Dianne Grippi
Melanie Drnach
Susan Finn
Robert Braisted
Leslie Harkin
Debra Homer
Dorothy Delessio

II. Correspondence – nothing at this time

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

Commissioner Pendlebury recused.

IV. Old Business

The Planning Commission Sitting as the Local Review Board pursuant to RIGL 45-53 Low and Moderate Income Housing Act

**Master Plan Informational Meeting
Motion to recognize the planning commission as the local reviewing board.**

1. Stuart and Anne Sanderson, 70 and 78 Narragansett Avenue, Plat 8, Lots 120 and 121 – Master Plan Review for a Comprehensive Permit for low and moderate income housing per Jamestown Zoning Ordinance 82-1700, a major Land Development Project for 19 units (5 are low to moderate income restricted units) 4 buildings, Special Use Permit for Multi-Family Development Proposal with Special Use Permit & Variances – Review, discussion and /or action and/or vote

A motion was made to sit as the Local Review Board by Commissioner Cochran and seconded by Commissioner Smith. So unanimously voted.

A motion was made to open the hearing by Commissioner Cochran and seconded by Commissioner Smith. So unanimously voted.

Planning Commission Chair Michael Swistak gave a synopsis of what to expect tonight at this meeting. There will be no votes of approval tonight. The Planning Commission is at least 2 meetings away from any kind of approval. He introduced Lisa Bryer, town planner who gave a presentation about the Comprehensive Permit and Major Land Development process (see attached).

The Comprehensive Permit process is in the Zoning Ordinance and states that anything over 4 units has a 20% requirement for affordable housing. The Planning Commission sits as the local review board to approve this and it does not have to go to the Zoning Board for the special use permit or variances; this is state law and local ordinance. The planning commission can act on this, to approve, deny or approve with conditions. The law is very specific about the reasons a project can be denied and she reviewed those reasons as stated in state law.

The Planning Commission needs 5 members to approve a comprehensive permit.

Because this is over 4 units it is a major subdivision development. The steps are as follows, Pre-application, master, preliminary major and final.

At pre-app no public notification is sent. Each stage has a timetable.

On February 13th of this year there was a neighborhood meeting with the applicants team. This was not part of the process but a separate meeting led by the development team. The members

involved in the Technical Review Committee are Lisa Bryer, Town Planner, Mike Gray Director of Public Works, Chris Costa Zoning Official and Building Inspector and a members of the Planning Commission. For this project two members attended; Michael Swistak and Rosemary Enright. We try to keep the same members for the duration of the application for continuity.

It has been advertised for public hearing in our local paper and the abutter notification mailing was done. After master plan is completed then they will apply for preliminary. Final review is if all conditions listed are met then it will be approved.

Commissioner Swistak will give the applicant an opportunity to make their presentation overall then traffic and drainage will be addressed, followed by audience questions.

Deb Foppert attorney for the applicant introduced the team. Stuart Sanderson applicant, Dan Cotta and Patrick Freeman PE's from American Engineering, Don Powers and Christina Carlson Union Studios Architects, Landscape Architect Brian Muio, Bob Bailey Real Estate agent. Frank Spinella Affordable Housing Specialist who will be here at 8:15.

Ms. Foppert introduced the team and owner, Mr. Sanderson, who will live in one of the units. Ms. Foppert discussed the neighborhood meeting and they have addressed most of the issues brought up by the neighbors. The state of RI has found that there is a shortage of affordable housing in the state so in accordance with the state law they are applying for this comprehensive permit. They do have to go to Town Council for water and sewer approval.

If planning provides approval at this stage then it will be up to the team to show a more detailed application for Preliminary submission at a future meeting. They have already gone beyond what is required at this level for drainage and engineering.

The need for multi family units is very much needed in the town of Jamestown whether they are young residents or older. There are currently 2 residential dwellings on the properties. Maximum height is 35 feet and the plan shown will not go over the 35 feet. There are 19 units 5 of which will be affordable. 28 parking spaces needed which they can provide on-site (34 proposed on-site).

A motion was made by Commissioner Pfeiffer and seconded by Commissioner Cochran to accept the following people as expert witnesses Dan Cotta PE. and Patrick Freeman PE. – American Engineering, Don Powers and Christina Carlson – Architects Union Studios, Jaklyn Centracchio – Engineer Beta Group, Brian Muio – Landscape Architect. So unanimously voted.

Don Powers Principal of Union Studios - 16 Plymouth Rd. Jamestown. They prepared a presentation for tonight and may be duplicating what was presented at the last meeting. There is extra information from the planning board comments and the neighbors. Some of it may be repetitive. The smaller house maybe of historic significance and they will entertain any scenario of relocating this building if anyone is interested. Otherwise it will be demolished along with the garage and the garage at 78 Narragansett Ave.

The lot is 48000 sq. ft. when two lots are put together. None of the buildings are more than 35' high. Units 13,14, 15, 6 and 7 are the affordable units. Buffers and green space are in the middle and buffers in the rear. Open parking areas with covers are in the rear and some units have on site parking. The building is shingle style. They initially had a cupola on the large building to break

up the roof line but that was removed after the neighbors did not want the extra height. He showed the outside of each of the individual buildings and the floor plans too. Some units have parking underneath. Covered parking reduces the impact on the neighbors to the north because they will not see the lights from cars or the cars. The driveway is one way in and one way out.

The neighbor's concerns were of the height of the ridge and cupola, dumpster sights and smells, noise pollution from the condenser units and light pollution.

They went through the exercise of determining what the existing zoning would permit by right. Waivers are only being requested because of existing zoning mandates are inappropriate for this area and focus on commercial requirements and not residential.

Special use permit means it is a permitted use but review is appropriate. 10 years ago his firm was engaged in the Village Charette and produced the Village Design guidelines. This site was identified as the most endangered site in Jamestown. By right a hotel could be put there with parking in the back. The neighbors and then the Town rejected the re-zoning in that area to a more residential zoning. He noted that Union Studios has been approached by 6 separate individuals for this site and the smallest was a 25 unit development all the way up to a hotel. He showed the audience what could be there by right, which is still below the allowable lot coverage.

This design should fit in with Narragansett Ave. the smallest footprints possible to the front. They looked at the other large footprint buildings in the neighborhood and provided a comparison. This development is not inconsistent with what exists in terms of density and size.

The lot coverage is 32%. 55% is permitted. They have dispersed the low and moderate units into the larger units too. The height of the ridge has been lowered to 35 feet without the cupola. He thinks the cupola adds the right thing for a building of this scale for simply aesthetic reasons.

Dumpster site and smells – they moved it

Condensers – concern about them being heard on the perimeter. He believes that the new mini splits systems are very quiet.

Light pollution and the affects – a photo study was done and shows that levels will be as low as they can legally make them. He showed an example.

View of proposal from neighboring lots they showed an additional rendering from library. There was push back about the rear fencing to the north. They moved it forward 5 feet to allow a planting buffer on the rear of the property. He assumed the abutters would want it, many think it is not a good idea. They will adjust the perimeter to what is wanted by each person.

Solar shading of yards – he showed the solar study. Currently there are trees casting shadows which he did not show on plans only buildings, which do not shade the neighboring properties any more then they are shaded currently.

Document Historic Cottage to be demolished – it can be donated to anyone who wants to move it otherwise they will document it thoroughly.

Density - number of people and pets – This density is not unheard of in Jamestown. 16.7 units per acre. He showed a slide of all the condo units in town. They took out affordable and senior housing. He showed a comparison of the comparable buildings. It happened before why should it happen again is a question asked. Don Powers said, there are a lot of people in the world that choose condo's instead of single family. Housing choice in a community is important. It is a walkable area, social ability, they get asked to do it all over the country. A vibrant Narragansett Ave is a benefit for all. He showed a comparison to the neighboring buildings it is inline with the other buildings on Narragansett Ave.

Drainage – Dan Cotta, PE – American Engineering with Patrick Freeman, PE. They are responsible to work with team to locate the buildings on the lot and drainage mitigation which is the primary concern for many of the abutters. They have provided what is over and above what is normally required at this stage but they wanted to make sure all the concerns are handled and it works.

They have minimized the roadways. they originally provided some pervious surfaces but changed it after speaking with the neighbors. They wanted to make sure that the infiltration was not near any existing basements. This plan is subject to DOT approval and town approval. They will also work with RIDOT to have them clean the existing catch basins on the State Road. They have done soil and perc tests to prove that they meet the infiltration rates long term. They have done everything within the rules and regulations to not only “not make existing poor conditions worse” but to decrease runoff to neighbors.

Traffic

No representative from Fuss & O'Neill was present.

Jaklyn Centracchio from Beta group is a professional traffic engineer from Beta Group – she was hired by the Town to peer review the traffic study done by Fuss and O'Neill. They did not do a full study but the key topics were studied. Traffic volumes, trip generation, crash data. She gave a synopsis of what is projected for the site. She discussed industry standards. Suggestion is to eliminate a space on either side of the egress. Only 3 documented crashes in the last 3 years. ADA non - compliance in the crosswalk in front of St. Matthews and it needs pedestrian signs. Overall it was done to industry standards.

Christian Infantolino – Attorney representing Vincent and Christina Rivers North eastern abutters. This applicant doesn't have to do this comp permit project. It makes it harder to deny as a comprehensive permit since it is an affordable housing application. Please consider the scale of project. He does not believe the yield plan would ever get approved as shown by Don Powers. They would like it to be scaled down. Going forward with the cupola? Only for aesthetics. A project this size always brings these concerns. Even though this is in the CD zone it is surrounded by single family homes. The size of the project is their main concern. Possible solutions maybe break down the large unit in the back into 2 smaller ones. The affordable units only 1 or 2 bedrooms, it is his opinion that the town can use more 2 to 3 bedroom units for affordable. Covered parking structure is large. Variance for parking on sides of building. He would like low level parking lot lighting. Reduce the sheer mass of the project he asks the planning commission and distribution of the affordable units.

Peter Fay – 1 Swinburne St – He thanked the presenters for the description – affordability is an issue we are not going to solve; out of 39 towns how many have met the 10%? He believes that when you plop a high end project like this down in a neighborhood it will become less affordable in the neighborhood. Parking in the back is one of the complaints. The garbage is being moved right on his property line.

Commissioner Swistak asked about the traffic consultant recommendation to remove parking spaces on Narragansett Avenue. Is it 2 spots at only the egress? Yes.

Dianne Grippi – 82 Narragansett Ave – They have been very thoughtful trying to explain everything – she is not going to repeat things that she addressed at the last hearing. Water usage or sewer usage, she is concerned about all the use. The size of the building is inappropriate to the abutters. She has 221 signatures collected over the last 2 days. 34 bedrooms. Summer population will increase, please consider this. Please consider how much entertaining is done. Another submission she has is from an engineer she hired. Dick Pastore, PE from North Kingstown said in writing she has a dry basement and the only time she had water was in the 100 year storm about 10 years ago. He did this study in the rainiest spring on record. She might want a waiver; she would like a 9 foot fence on her side of the lot. A suggestion is to do preliminary plantings prior to the start since this is going to be a long long process. You can do all the science you want but drainage and fencing for the next few years of development need to be taken into account.

Melanie Drnach - 10 Union St. - her mother lives at 3 Swinburne – Her father has Alzheimers and her mother keeps him at home and cares for him. She questioned the garbage being moved and now it is impacting her parent's property, she thinks we should rethink affordable housing. Clarification of the volume of water that suddenly is being redirected to the back of the property. Last comment... anybody who drives up and down Narragansett Ave very busy and for 30 months they are going to encounter lots of trucks to build a 19 unit 6 building structure.

Susan Finn - 26 Ocean Ave. – she welcomes everyone to the neighborhood but she begs to differ about the mini split units. They are not quiet. It is a noise problem for her and other people in the neighborhood. She worries about all the abutters. It is going to be loud.

Robert Braisted - 68 Narragansett Ave. – concern with the buffer on the west side against his property. They would like a fence, and worried about the drainage.

Leslie Harkins – 10 Narragansett Ave. – traffic on Narragansett Ave. is a significant problem and parking is a significant problem. Will guest parking be on the street? Bryer explained that the applicant is proposing 39 on site spaces which is 11 over what is required. Every lot in commercial downtown is allowed to count the parking in the front of their property. They do not need it but they can show it. They meet the 28 required on site.

Dan Cotta was asked to explain what a cape cod berm is and the drainage situation to the north. The berm does not allow the water then does not flow onto the lot holding area it is an overflow area. It will be decreasing runoff to the north. It is going to be behind the 2 parking structures. The berm prevents the water from going onto your yard. The whole acre plus is going to be cape cod berms.

Debra Honer – is the berm behind the roofline of the parking structure – yes Dan said.

Dorothy Delessio - permeable to impermeable is that the plan? going from back to front, is it going down Narragansett Ave now? Dan said if we use permeable pavement it will flood the basements, and that is the reason to not infiltrate water. She asked if the result is going to be less water back into the ground. No it will just be in the center of the lot not on the edges near basements.

Commissioner Swistak asked if any Planning Commissioners had comments.

Commissioner Prestigiacomio asked about snow removal, where will it go? Brian Muio has a great deal of snow removal experience. He does this in the winter and it for the most part it will be pushed off to the open areas and then in larger events, it will be pushed off and hauled away. Brian noted that he prefers vegetation instead of a 9 foot fence. It is more effective.

Commissioner Pfeiffer has concern about the traffic on Narragansett Ave. The traffic studies were done in Feb- March population is nowhere near what it is in the summer. Jaklyn said it would be a 20-30 % increase. They have used that number before in summer communities. Don Powers asked does this development change the level of service whether it be March or July? She responded that the vehicle turning into the site could cause more of a delay when turning left. Wouldn't impact to much she said.

Commissioner Cochran asked what is the current height of house there now? Don Powers said possibly around 29 ft.

Commissioner Prestigiacomio asked has there been consideration for outside storage? They do not know yet if the large building will have a basement but within the garages there can be hanging bike storage.

Commissioner Enright - Asked about having 2 smaller buildings instead of one large in the back? Don responded that the efficiency drastically goes down doubling all of the cost of elevator and cannot achieve the same number of units. Given the logical arrangement of the site it is the most efficient for the site. They could but they would not be able to get the number of units.

Commissioner Smith – if the decision to approve is to reduce units? The planning commission should not be concerned with the profitability.

Don reported that it does not work with 16 units. Basic affordability goes down. Cost would have to go up.

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to continue the hearing on June 19th, 2019 at 7:00 p.m. at the Town Hall Council Chambers 93 Narragansett Ave. Jamestown. So unanimously voted.

V. Approval of Minutes May 15, 2019; review, discussion and/or action and/or vote

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

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to cancel the meeting on July 3rd, 2019 and to decide at the July 17th meeting if we will meet again before the August 7th meeting. All in favor.

VI. Adjournment

A motion was made by Commissioner Enright and seconded by Commissioner Smith to adjourn the meeting at 9:50 pm. So unanimously voted.

Attest:



Cinthia L Reppe
Planning Assistant