

Approved As Amended
PLANNING COMMISSION MINUTES
September 4, 2019
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

Michael Swistak - Chair
Rosemary Enright – Secretary
Michael Smith
Not present:
Mick Cochran, Dana Prestigiacomo

Duncan Pendlebury – Vice Chair
Bernie Pfeiffer

Also present:

Lisa Bryer, AICP Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Mark Liberati – Esq.
Christian Belden – Executive Director – Church Community Housing Corp.
Michael Darveau – Professional Land Surveyor

II. Approval of Minutes August 21, 2019; review, discussion and/or action and/or vote
A motion to accept the minutes as written was made by Commissioner Enright and seconded by Commissioner Pfeiffer. So unanimously voted.

III. Correspondence

1. FYI – Memo to Zoning Re: McCaffrey HGWTO recommendation. Received
2. FYI – Memo to Zoning Re: Bachetti HGWTO recommendation. Received
3. Letter – From concerned Carr Lane residents and property owners. Received

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

V. Old Business – Nothing at this time

VI. New Business

1. **91 Carr Lane, Property Owner: Town of Jamestown, Applicant: Church Community Housing Corp, A.P. 4 Lot 52, Application for Comprehensive Permit for Affordable Housing per Zoning Ordinance Article 17, a 4-Lot Minor Subdivision consisting of 2 new single family homes, two building renovations including a garage conversion to a**

single family home and 3 rental units in the existing house, (all units are low to moderate income restricted units), with Zoning Variances.

a. Pre-Application Review

Commissioner Swistak explained to the audience that this is the first meeting where the applicant presents their ideas for the project and no decisions will be made tonight on the pre-application plan. At the next meeting there will be formal public input. At the end of the presentation we will let audience members speak but please make your questions in broad terms since that is the stage that we are at; at the next meeting you can be more specific.

Town Planner Lisa Bryer was asked to give a background. The town purchased this property last year at this time after negotiating for the previous year. The 5.5 acres were simultaneously preserved at the closing due to the funding from RIDEM. The town purchased this property for dual roles; for watershed protection and affordable housing. It is currently at the Pre application stage, which is the first stage of review where ideas are gathered and conceptual input accepted. The town has a P&S with CCHC to purchase the affordable, existing home property. The Town is owner Applicant and CCHC is the housing developer.

b. Review Subdivision & Zoning applications as a single application under Zoning Section 82-7200 /- RIGL – 45-53-Low & Moderate Income Housing; review, discussion and/or action and/or vote

Commissioner Swistak made a motion for the Planning Commission to sit as the local review board and Commissioner Pfeiffer seconded the motion. So unanimously vote.

Attorney Mark Liberati will give an overview of the project. Mr. Liberati represents Church Community Housing. This property is in an RR200 zone, which includes the land around the watershed. Jamestown zoning allows for cluster subdivision. The goal is to purchase and develop a small area and preserve the rest.

In the packet you have a sheet that shows the relief required and being asked for. They are fitting this project into the paradigm of meeting the standards of the cluster. It will consist of 3 single family houses and 3 rental units in the existing home.

This cluster satisfies the spirit of what the town wants in terms of meeting its goals of affordable housing and watershed protection. The goal of cluster zoning is to preserve and concentrate the area of development. Septic systems proposed are the advance treatment systems.

The Comprehensive Permit intended purpose is to promote affordable housing by streamlining the process to help achieve the 10% state mandated goal. It is difficult to achieve the 10% affordable mandate by the State in Jamestown but with projects like this we can move closer.

The people living in the units pay for the structure itself and not the land; it remains in a land trust. To buy affordable land on the private market is near impossible in Jamestown. The standards can be relaxed for Comp Permits. The decision if the project is going to affect health and welfare of residents is made by the Planning Commission not the Zoning Board. This is a simple minor

subdivision with all frontage lots, where no new roads are being created. Runoff will be captured onsite.

Christian Belden Exec Director at CCHC was introduced and he spoke. This year is the 50th anniversary of CCHC and he mentions this because this is a non profit that has been around for many many years and they continue to own, maintain and manage about 600 units. Their mission is to develop affordable housing in Newport county. They have developed in other counties when the state has asked them to.

This is a great project that suits multiple town goals. All of their land trust homes pay their own taxes and CCHC pays the taxes on the rental structure. The ownership homes will receive a 99 year, renewable ground lease. CCHC will own the home with the rental units. The state wants to see the largest number of units possible, another developer might come in and propose higher density and get it from the state because we have not met our 10% goal. They are proposing a development that is in keeping with Jamestown's character. We have applied for funding and have been turned down because of the few number of units but he feels we will eventually get the funding because of the relationship with the town and the town's financial and policy commitment to affordable housing.

Michael Darveau was sworn in as an expert witness on a motion made by Commissioner Smith and seconded by Commissioner Pfeiffer. Mike Darveau discussed drainage and septic systems. He is a Professional Land Surveyor that does the majority of his work here in Jamestown. When he was asked to get involved in this project the main question is can you put systems on the site. The proposed septic systems are as far away from the wetland as possible. A 50-foot buffer is required. Tests were done on April 3 2018. He noted in response to a question's about when the testing was done that this process can be done any time during the year. They looked at the amount of area they have to protect in the open space. The four buildings currently there, one of the original houses is more than likely discharging directly into the groundwater/wetland which is an older system and now the high-tech systems are so much more effective with the treatment. All 4 buildings will have the new systems. 1 system for each building. The water on Carr Lane drains away from the road. No basements, they will be built on slabs. They will not be backing out on Carr Lane there will be turnarounds for each dwelling. The Driveway for the 3 homes will be crushed stone. The rental building will have a paved driveway for maintenance purposes. They are creating on site drainage. Every 5 years the swales need to be addressed. There will be contracts for septic system maintenance.

There will be separate wells for each ~~unit~~ **building**. A traffic study has not been done yet and usually are not done until a later stage.

Commissioner Swistak asked where are we now in terms of meeting our 10%? Bryer responded that we are at 4.4%. At one time we were above 5% but when a regular unit is built our percentage of affordable goes down. It is based on year round units. Today we have 115 and we need 240 units.

Commissioner Smith who was the representative at the TRC meeting was impressed with the amount of conservation land that the town owns not only with this purchase but it is a good

balance. He is concerned with the narrowness of Carr Lane. It has become a major through road since the new bridge and it should not be Carr Lane and America Way through ways.

Commissioner Pendlebury asked is the land lease the same as the Swinburne Street development? Yes Mr. Belden responded. They look at the difference between what they pay for the house and what it costs to develop. An affordable will sell for approx. \$170,00 for a house and it typically costs \$250,000 to build a house so they need to get grants. Their goal is to make housing affordable but they need to ensure the home is affordable that is why they do the land lease.

Commissioner Pendlebury asked do these units pay taxes at the straight assessed value? They are paying for the value of the house and land full value. It can be sold and they can make money on it. Christian said the majority of the homeowners do build equity while the real estate market is fairly volatile, incomes increase and house prices increase.

Commissioner Enright asked are they responsible for getting their own mortgage? Yes. Is the down payment 20%? It is based on what program they go with sometimes it is a lower down payment. Costs of maintaining swales, septic systems how do you figure that in? He cannot give an exact they have done dozens of septic and wells. Bryer added that approximately 50% of the land trust homes are on wells and Septic in Jamestown.

Commissioner Enright asked where the estimate of 13 residents came from. Bryer said it is calculated from census data from standard family size for both single family homes and multi-family homes. Mr. Belden said all types of families move into their units from elderly to single parents to singles.

Commissioner Pfeiffer said given the split with the land for conservation and what Mr. Darveau said they needed for wells and septic and the turn arounds etc. This is a good project.

Does the town have a process to monitor septic's? Yes, it covers all of Jamestown. We have inspections every 2-3 years. These 6 units will get local resident's preferential treatment. RI Housing allows us to give local preference the first time around.

Commissioner Swistak reminded the audience this is pre-app and conceptual and please do not ask detailed questions.

Bonnie Hogan 56 Carr Lane – She has a petition from 100 residents who are concerned about density, water, traffic and the septic systems contaminating their water. Issues in general terms, I am not against affordable housing. Jamestown's rural character is the driving theme in the Comprehensive Plan. She read a quote from our Comp Plan. 2 family and multi family are not allowed in this district. Look at Map 7 and Map 17 in the Comp Plan, how can you safely proceed with this project? Water quality protection plans, 4 additional wells and septic systems. Are they going to affect the water quality of our wells? Increased traffic on this Lane is a very real safety concern. Again, stated in Comp plan rural character and not urban. We chose to live on Carr Lane for the rural character.

Dale Jerald - 63 Carr Lane – she is not against a single-family home on this property she will not reiterate all of what Bonnie Hogan said. She noted zoning is 2 acres for a single-family home in this area and rental units are not allowed. Barbara Sokolov said Jamestown zoning should not

increase density for the sake of public health, same as what Hogan said. Can the zoning of conservation and wetland ever be changed.? Once land is designated as wetland and conservation, it will be that way forever. Residents of Carr Lane go for things that are appropriate for the zoning district that they are in.

Wyn Scott -73 Carr Lane – This board becomes the local review board correct? Yes. This means they can request a comp permit which means the Planning Commission becomes the reviewing authority. They do not have to go through anywhere else? Yes. If the plan is denied they can appeal this to the statehouse. The State Housing Appeals Board. What is the ramification to Jamestown if they do not meet the 10%? The state has the ability to propose and approve projects in Jamestown and they can and will increase density. Has this ever happened. No. Will the wells be drilled before? Before final subdivision approval. Commissioner Pfeiffer said we all have this issue on the north end, it is much denser in the Shores, and we generally have enough water. You are adding 3 wells to an area that is very large to the amount of groundwater there is. Before anything is built, they require wells. His concern is his perspective is not a bad one he did not object when the lot was subdivided, he thinks this is excessive from an environmental point of view. Water and access is a real concern. He has learned a lot about affordable housing during this project. If this was a more moderate scale he thinks it would be respected. When is it not economically feasible. We need to think this through very carefully and restrict where necessary.

Commissioner Swistak said it depends on when the applicant is ready as for when they will be back. You will get formal notice if you are within 200 feet.

c. Combine Master Plan & Preliminary stages of review including Master Plan Informational Meeting & Preliminary Public Hearing; review, discussion and/or action and/or vote

Attorney Liberati asked to combine the next 2 phases of the project since it is actually a 4 lot minor subdivision. In addition, it saves the applicant money if they only have to advertise for one hearing and less steps in the process. He feels that there will be ample review time if the phases of review are combined and only one hearing is held.

Commissioner Pfeiffer said this level of detail that was presented tonight goes beyond conceptual. They would like to hear from the applicant about the traffic issue. Ms. Bryer said the next level would normally be Master Plan, which is still conceptual. If the Commission is interested in seeing traffic information next, that would be presented at the next meeting. If you want to get to the details combining the phases of review will require all the information be presented at the next phase. It is generally at the risk of the applicant since they are doing all the work before the project is vested for number of units.

A motion to combine Master Plan & Preliminary stages of review including Master Plan Informational Meeting & Preliminary Public Hearing was made by Commissioner Swistak and seconded by Commissioner Pfeiffer. So unanimously voted.

Michael Swistak – Aye
Rosemary Enright – Aye
Michael Smith – Aye

Duncan Pendlebury – Aye
Bernie Pfeiffer - Aye

Motion carries 5-0

A motion was made by Commissioner Swistak and seconded by Commissioner Pfeiffer to close the review of 91 Carr Lane as the Local Review Board and return to the Planning Commission. So unanimously voted.

VII. Adjournment

Motion to adjourn at 8:32 pm was made by Commissioner Enright and seconded by Commissioner Pfeiffer. So unanimously voted.

Attest:



Cynthia L Reppe