

Approved As Written  
**PLANNING COMMISSION MINUTES**  
December 4, 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	Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner  
Wyatt Brochu – Town Solicitor  
Cinthia Reppe – Planning Assistant

**II. Approval of Minutes November 20, 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 with the following change:

Page 2, 1<sup>st</sup> paragraph: Under So voted: strike ~~Duncan Pendlebury—Aye~~  
So unanimously voted.

**III. Correspondence – nothing at this time**

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

**V. Old Business**

**1. Downtown Parking Plan Update; review, discussion and/or action and/or vote**

Lisa presented the Police Departments list of parking tickets issued by location. Commissioner Swistak discussed if this was more tickets than expected? There were differing views and thoughts on that issue. The Planner will coordinate with the Chamber on when to hold the parking workshop. It was the consensus that we finish Zoning first if possible.

**2. Zoning Ordinance Update; review, discussion and/or action and/or vote**

Wind and Solar:

Lisa Bryer has coordinated the wind energy and solar as requested by Commissioner Enright. One section has an application, that will be pulled out because it does not need to be in the ordinance.

Accessory Dwelling Units:

Ms. Bryer discussed the state definition for Accessory Dwelling Units with the legal team and has amended our section to accommodate that definition. We only permit low to moderate income and family ADUs in our ordinance. We will still only accept those in Jamestown. She has sent the copy to the attorneys and they are reviewing it. Commissioner Pendlebury asked if we will get in trouble with the state if we restrict it. Solicitors Brochu and Ruggiero will talk to Lisa more about this after it is reviewed. I believe we have the ability to regulate, Bryer said.

A question about whether the town will be subject to DPR? Yes, the town will be required if it is a substantial modification just like the rest of the ordinance. The Planning Commission wants the town to be subject to review but agreed that it has to be substantial.

Discussion with the tax assessor regarding B&B and short-term rentals. Christine Brochu explained to Lisa how they are taxed differently and it is in the report. It is based on the value of the house. The planning commission would like them to be taxed the same.

Duplexes, the short-term rental issue is what makes us pause Bryer noted when we think about duplex units and guest houses being detached. After a lengthy discussion regarding separate units on 1 lot or connected; duplex units must be connected and it will be kept as is in the ordinance with a definition of attached.

Commissioner Pendlebury asked if we want more of these detached units? He would in the village but it is a matter of scale. A discussion ensued about what the town should look like regarding duplex and accessory dwelling units. Commissioner Enright thinks all duplex's and ADU should be attached and not individual units.

Solicitor Brochu said when you have these discussions in planning regarding zoning just be aware there are avenues for the property owner to have a use permitted with a lesser dimension through the variance process. Brochu brought up some cases in zoning regarding changing this wording. Swistak says just subdivide? Leave it as it is.

Cell tower ordinance:

Lisa Bryer noted that the consultant has provided a simple, medium and complicated version. It is handled under use tables as utilities currently and this will be more specific now. Swistak asked will the council make a decision or will it come here? It is a Special Use permit for a tower right now. It goes directly to zoning. We can request that it comes for DPR. Yes, Bryer noted.

Thoughts about permit them, not permit them or regulate them ensued. Yes, regulate them the planning commission said. The NK version will be customized for us with some specificity as noted in the SK ordinance without any specific guidance given. The commission discussed what zones to permit in. It is now permitted in several zones with a special use permit. Several Map amendments were noted: Park dock and Reservoir Circle too. Both will require Comprehensive Plan amendments.

OS 1 and 2 were defined to the planning commission. They want to request that cell towers come to Planning so they can look at it. No in Open Space zones. This will force the town to go through a zone change for the current proposal.

Commissioner Pendlebury asked about storage/oil tanks that are very large in the front yard. The planning commission does not want tanks allowed in front yards.

Wyatt Brochu brought up variances and special use permit with regards to the net loss zero for parking. Maybe change special use permit to a variance.

A discussion about shared parking ensued. The commission understands that the current agreements will be in place until void.

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

There are no applications so we will not meet on the 18<sup>th</sup> of December and we have 1 meeting in January since our first meeting would fall on January 1. We will discuss final zoning on January 15<sup>th</sup> and then parking workshop on a subsequent meeting.

#### **VII. Adjournment**

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to adjourn the meeting at 8:55. So unanimously voted.

Attest:



Cynthia L. Reppe  
Planning Assistant