

Approved As Written
PLANNING COMMISSION MINUTES
February 19, 2020
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. **Call to Order and Roll Call**

The meeting was called to order at 7:00 p.m. and the following members were present:

Duncan Pendlebury – Vice Chair	Rosemary Enright – Secretary
Bernie Pfeiffer	Dana Prestigiacomio

Not present: Michael Swistak, Mick Cochran, Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Mark Liberati - Attorney
Michael Darveau – Darveau Land Surveying

II. **Approval of Minutes February 5, 2020**; review, discussion and/or action and/or vote

A motion was made by Commissioner Enright and seconded by Commissioner Pfeiffer to accept the minutes with the following changes on Page 2, 5th paragraph:

Commissioner Pendlebury asked about the separation of the wells **and OWTS** being less than 100 feet. ~~Mr. Darveau said DEM has approved the plan.~~ Some of the neighboring wells are within the 100 feet. Mike Darveau said **the OWTS was approved** ~~as this was approved~~ as an alteration at RIDEM. They came up with the best possible system for this site. Possibly if there was not a house currently there it would have been hard to get a 3 bedroom. Town Planner Lisa Bryer said we do not see this situation where they approved less than 100 ~~to~~ **feet between the OWTS and** adjacent wells. They will on occasion approve less than 100-foot separation from the applicant own well, but DEM does not often approve that for adjacent wells unless it is an existing situation and you are making it better. Commissioner Swistak asked “does DEM give them a variance?” ~~This new system Darveau~~ **Mr. Darveau testified that the OWTS** is an alteration not a new system and he believes will improve what is there currently.

III. **Correspondence**

1. Jamestown’s Invasive Plants – The Threat they Pose. Received. It will be put on Sustainable Jamestown website.

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

V. Reports –Town Planner's Report

1. Future Agenda Items; review and/or discussion. If there are no future application's we will continue to talk about STR. The Town Council approved the Golf Course Clubhouse last night. For 2.8+ million to Mill Creek Construction, Mike Gray was able to get the funding down by taking all the sitework out and have the public works dept do it. They are still trying to get the cart storage in there.

VI. New Business

- 1. Jamestown Properties LLC. – 30 Walcott Ave. Jamestown RI - Plat 9 Lot 795 - 2 lot Minor Subdivision – Preliminary Plan Review – review, discussion and/or action and/or vote**

Attorney Mark Liberati representing Jamestown Properties LLC made a presentation to the Planning Commission before introducing Mr. Michael Darveau, Professional Land Surveyor. This property is proposed for 2 lots. The only real issue is a strong desire to retain and preserve the historic stone wall and they are willing to do it. The wall is in disrepair and they have no issue or problem repairing it. They are proposing one opening in the wall for two driveways. Mr. Liberati introduced Michael Darveau who was accepted by the Planning Commission as an expert witness on a motion made by Commissioner Enright and seconded by Commissioner Pfeiffer.

The property is located at High St. and Walcott Ave. There is an island on Walcott created when it was realigned and this lot is considered a corner lot. Both lots meet minimum frontage requirements. The existing house will be razed.

The abutter to the south currently has a sewer line right of way. It will be cleaned up and the sewer lateral will be used by second house. They are hoping to use the two existing sewer laterals, one for the neighbor and one for the existing house, and only 1 new water service will be needed.

They will be requesting a road opening permit for the two new driveways; 2 separate driveways. How wide is the opening Commissioner Enright wants to know? 25-30 feet Mr. Darveau said.

Commissioner Pendlebury asked when the new lateral is connected will the easement go away? Yes. The Plat cannot be recorded until the sewer is relocated or a bond is posted? Bryer said it cannot be recorded until they have final approval. They will add in to the approval that sewer line has to be relocated or they post a bond.

Mr. Darveau said they are significant sized homes shown on the plan but they intend to keep with the Village Design Guidelines. In regards to drainage they will determine what the water table is and make sure before they commit to basements.

Rain Gardens are typically proposed on a site plan, they are not deep into the ground. There could potentially be some revisions to the rain gardens because it is in the area of the sewer line. The roof liters are not labeled, that will be updated.

A motion was made by Commissioner Pendlebury seconded by Commissioner Pfeiffer To Grant Preliminary Plan approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plans entitled "**Minor Subdivision Site Plan for Jamestown Properties, LLC, Plat 9, Lot 795, 30 Walcott Avenue, Jamestown, RI 02835**; prepared by **Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864**; dated **January 28, 2020** based on the following Findings of Fact and subject to the following Conditions of Approval:

A. Findings of Fact

The Planning Commission makes the following findings:

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan;
2. Each lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance. The property is zoned R-8 and both lots will be over 8,000 square feet in size. Both lots will be serviced by public water and sewer;
3. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval;
4. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
5. All subdivision lots have adequate and permanent physical access to a public street, namely, High Street the existing lot also has frontage on Walcott Avenue;
6. The subdivision provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community. The stone wall that exists along the entire High Street frontage is historic and was built by WPA funding. The owner has agreed to restore/rebuild the stone wall for the ability to carve out a new curb cut for both new driveways;
7. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
8. The property is within the Jamestown Village Special Development District and the proposed garage location is in keeping with the design guidelines adopted by the Planning Commission; and,
9. All lots in the subdivision have access to sufficient potable water for the intended use. The existing house is currently serviced by public water and the new lot will pay for a new connection to the town water supply for potable water;

B. Conditions of Approval

1. The approval is for a total of 2 lots;
2. That payment of a fee in-lieu-of land dedication shall be required for this subdivision for the one new lot in the amount required by Article IIID of the Jamestown Subdivision Regulations. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan;
3. Granite monuments or where granite monument are not suitable, other suitable survey markers other than concrete, shall be placed at both corner points at the new property line;

4. The existing house shall be razed prior to final approval of the subdivision;
5. Written approval shall be received from the Public Works Director authorizing water and sewer hookup to the new lot;
6. The applicant/owner shall coordinate with the Planning Department/Public Works Department and the Jamestown Historical Society regarding renovation/rebuilding of the stone wall along High Street. The town shall vet the contractor/stone mason used for the work to insure they have experience with this type of stone wall. Native stone shall be used and the returns and columns at the new curb-cut shall match the character and era of the stone wall;
7. The plan shows the rain garden to be in the location of the existing sewer line. This shall be revised prior to final approval;
8. The sewer connection, that traverses the subdivision parcel by easement, shall be re-located on the adjacent property, Plat 9 Lot 303, and run out to Walcott Avenue by a state utility permit prior to final approval. At that time the easement will be abandoned. A bond may be posted in lieu of work being done prior to Final Approval;
9. There shall be no mechanical discharge into the street in the future from any basement on either lot in this subdivision;
10. The Planning Commission delegates final plan review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plat;
11. This approval shall be recorded with the Town Clerk within 30 days of signature; and,
12. This approval shall expire one year from the date of approval by the Planning Commission.

So unanimously voted:

Duncan Pendlebury
Bernie Pfeiffer

Rosemary Enright
Dana Prestigiacomio

Motion carries 4-0

2. Astrid L. Mendes, Trustee – 905 North Main Rd. Jamestown RI – Plat 16 Lot 336 – 2 Lot Minor Subdivision – Preliminary Plan Review - review, discussion and/or action and/or vote

Randy Shatz on behalf of Astrid Mendes 905 North Main Rd. Jamestown, is seeking permission to subdivide the land at 905 North Main Rd.

Michael Darveau made the presentation. This is located on the West side of North Main Rd. there is an existing home currently on the property. Property consists of 4.5 acres with 420 feet of frontage on North Main Rd. Mike discussed topography of the site where there is a natural hill in the area and a number of cedar trees. The rear of lot is wooded. They are going to try and maintain the property without a home yet but they gave some guidelines, they placed a home in line with neighboring barn area and adjacent house. The majority of the grove of trees would stay. The home would be placed to the west for privacy. There are 2 options for the septic system, There is plenty of room to place the septic. It is between a conventional or a Geo Mat system. They have not decided yet although it would need some fill if they put a conventional system in.

Why would you not put the well in front of the house and the OWTS in the rear, Commissioner Pendlebury asked? Darveau replied, you could potentially put it there, but they want to protect the trees on the property and have room for a pool. Pendlebury said it's the planning preference to put

the utilities behind the screen of the house to create that rural look, this is in the comp plan. By putting it in the front Mike says it maintains the trees etc.

Mr. Shatz said they are going to fix the existing wall and make it look better than it currently looks.

A motion was made by Commissioner Pendlebury and seconded by Commissioner Enright To Grant Preliminary Plan approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plans entitled "**Minor Subdivision Site Plan for Astrid L. Mendes Trustee, Plat 16, Lot 336, 905 North Main Road, Jamestown, RI 02835;**, prepared by **Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864;** dated **January 29, 2020** based on the following Findings of Fact and subject to the following Conditions of Approval as amended:

A. Findings of Fact

The Planning Commission makes the following findings:

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan;
2. Each lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance. The property is zoned RR-80 and both lots will be over 80,000 square feet in size. Both lots will be serviced by private well and OWTS;
3. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval;
4. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
5. All subdivision lots have adequate and permanent physical access to a public street, namely, North Main Road;
6. The subdivision provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community;
7. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
8. All lots in the subdivision have access to sufficient potable water for the intended use. The existing house is serviced by private well and the new lot will drill a private well for potable water;

B. Conditions of Approval

1. The approval is for a total of 2 lots;
2. That payment of a fee in-lieu-of land dedication shall be required for this subdivision for the one new lot in the amount required by Article IIID of the Jamestown Subdivision Regulations. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan;
3. Granite monuments or where granite monument are not suitable, other suitable survey markers other than concrete, shall be placed at both corner points at the new property line;
4. A town road opening permit shall be sought by the new lot property owner from the Town of Jamestown for the new driveway on North Main Road;

5. The Planning Commission delegates final plan review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plat;
6. This approval shall be recorded with the Town Clerk within 30 days of signature; and,
7. This approval shall expire one year from the date of approval by the Planning Commission.

So unanimously voted:

Duncan Pendlebury

Bernie Pfeiffer

Rosemary Enright

Dana Prestigiacomio

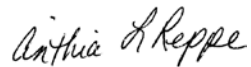
Motion carries 4-0

VII. Old Business – nothing at this time

VIII. Adjournment

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Prestigiacomio at 7:55 p.m. So unanimously voted.

Attest:



Cynthia L. Reppe