

Approved As Written  
**PLANNING COMMISSION MINUTES**  
**June 16, 2021**  
**7:00 PM**

**Jamestown Town Hall**  
**93 Narragansett Ave.**

**THIS MEETING WILL BE TELECONFERENCED VIA ZOOM:**

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

MCTO at 7:02 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair	
Rosemary Enright – joined at 7:12	Mick Cochran	
Bernie Pfeiffer	Dana Prestigiacomio	Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner  
Wyatt Brochu – Town Solicitor  
Cinthia Reppe – Planning Assistant  
John Mancini – Attorney  
Junko Yamamoto  
Roberto Viola Ochoa  
Rico DiGregorio  
Nick Piampiano  
Sam Crisafulli

**II. Approval of Minutes June 2, 2021; review, discussion and/or action and/or vote**

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

**III. Correspondence**

1. FYI – Administrative Subdivision AP 8, Lot 595 & 607 – Hoyle/Mello. Received

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

**V. Reports**

1. Town Planner’s Report – nothing additional to report
  - Future meetings – topics and applications

**VI. Old Business**

- 1. 29 Narragansett Avenue, AP 9 Lot 631, Jamestown, RI. Proposal to develop a 3 residential, 3 commercial unit Multi-Family Structure in CD Zoning District;**
  - a. Authorization under Section 82-410 – Project Review Fees**
    - (1) Authorize Town Planner to engage Architect for peer review of project**
  - b. Development Plan Review; review under Zoning Ordinance Article 11, discussion and/or action and/or vote**
  - c. Recommendation to Zoning Board on:**
    - (1) Special Use Permit for Multi-Family Structure per Zoning Ordinance 82-301**
    - (2) Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required**
    - (3) Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2**

Commission Chair Michael Swistak opened the meeting and noted he also stated that the applicant sent some information in today in response to Town Planner Lisa Bryer's memo and this will be addressed by the applicant.

Attorney John Mancini presented to the Planning Commission. The crux of the conversation at the TRC was in regards to the design. The applicant wanted to go back to the architect to see if they could address the issues. They received the Planning Commission Memo that states the remaining issues based on the last Planning Commission meeting. Mr. Mancini asked to allow their architect to go through the plans and make sure they are incorporating the suggestions made into the design.

Their architect Junko Yamamoto will go through the memo as well as Mr. Piampiano, Mr. Mancini stated. It was helpful to have the planners report go through this with them.

Junko Yamamoto from Ivy Design Associates along with Roberto Viola Ochoa also a principal at Ivy Design Associates. She showed a power point presentation which will be kept in the file. She explained the intent of the design for a Mixed Use building. She showed all sides of building. They reviewed the guidelines and believe they comply with guidelines. The front terrace is a transition zone.

Ms. Yamamoto wanted to go through a few of the items in the memo from Ms. Bryer: Item 1 in memo – they understand recommendation is to break volume compared to another address, 3 dominant roof forms, it is not flat wall, the balconies are making it uneven, added different texture. Why is this building flat. More private balcony are in the back. Item 3 concerned about valleys and peaks, dormers will not be seen from the street narrow gable roof being recessed. Maintaining simplicity of form.

Commissioner Pendlebury said the central question is architecturally is this 1 or 3 buildings? The limitations that you have put on design by making it appear to be 3 buildings is you are comparing to single buildings. We made comments previously. They can go over all the comments from

architectural standpoint. There are lots of improvements that can be made, with regards to proportions of windows, and rear elevation to match rest of the building. It looks ecclesiastical the way it is set in the rear.

The Balconies are up in the air and if you compare to other outdoor spaces up and down the street basically they are either enclosed or something underneath to make it part of the structure. The railings on this building looks a little out of character to him.

Commissioner Cochran said Commissioner Pendlebury is responding as a commissioner not for the whole commission.

Commissioner Enright said the 2 buildings referenced by their architect are very old buildings, one was moved there and has been there since the early 20<sup>th</sup> century. Commissioner Swistak said they are at least 100 years old and prior to any zoning.

Ms. Yamamoto said the flat surface she was making a point that they have more textures and variations of the façade surface.

Attorney Mancini said now is an appropriate time to have the commissioners input into it. Junko Yamamoto said they consider this a single building housing 3 programs, and the form reflects 3 dominant roof forms with limitations of width of property they would not consider this 3 building forms. They were addressing the massing by different textures. The balcony helps show depth.

Commissioner Pendlebury asked if she looked at the 2008 building proposed from the charette? He noted that it had a suggested primary east west ridgeline with a center major dormer and minor dormers to the edges so it scaled down at its eave line. Duncan said we have a 2 story limit in this area. This proposed single building had 5 condos inside but looked like a single building. She said if the ridgeline was in direction of east west it would make it look like single form.

Commissioner Cochran had question about single or 3 separate condos he finds it more interesting with 3 separate rooflines is his opinion. The 2008 sketch was an example of breaking up a single building design.

Bernie Pfeiffer said the one shaded green on the western lot also shows something that breaks it up with a middle gable and it breaks it up. This proposed design looks like 3 pieces were glued together. Cochran said it is not quite unfair to have a 3 dimensional drawing like Don Powers and compare to this one. What they are trying to achieve is different than what Don Powers was talking about as well.

Lisa Bryer, we are very fortunate to have an architect like Commissioner Pendlebury on the commission, but we cannot rely on him to design the project. We still have the opportunity to

have peer review. She understands what he is saying is it 1 building or 3 since they are all identical. She reminded the commission this is why we have the opportunity for peer review in the Zoning Ordinance.

John Mancini doesn't have a problem with this but it is opinions on design. The applicant has decided he has a competent architect, planning board should allow the architect to do her job and Attorney Mancini does not think it should be up to them, they can still go to zoning board and it shouldn't be denied in any way, they think they can do this in a timely fashion with-out peer review. We are still entitled to a zoning hearing even if we build a square building and you deny this. This is their objection to this.

Commissioner Swistak said his thought and why he thinks it is important; primarily because you are asking for significant relief. As a Planning Commissioner and representing the town he feels the building doesn't fit on the lot and meet the standards. Peer review is not a reflection of Ms. Yamamoto's ability and talent as an architect and designer. We have done it before and wound up with a product that was better than the initial proposal, without fundamentally changing the initial proposal Commissioner Pfeiffer stated.

John Mancini they are asking for relief of the zoning board, it is a conditionally permitted use. Before this board is for DPR. You can vote the way you want to vote. We are seeking a Special Use permit from the Zoning Board. Tell us what the deficiencies are for the plan, he does not think we have the purview to change the design. He does not think this is in 82-410. If it's the boards wish to do this then identify the parameters.

Commissioner Pendlebury said we are being asked that a 3<sup>rd</sup> floor be allowed where 2 floors are permitted. The building in the 2008 charette had a 2 story eave. Peer review should look at this design implication is his point.

Commissioner Swistak if applicant agrees to peer review would it be productive to just target the things worth a second look, without a redesign, he asked Commissioner Pendlebury who stated the same thing happened on the fire station building, we had a peer review and small modifications were made for tremendous improvements to the building, he also said that Commissioner Pfeiffer had mentioned we always get a better product we didn't change the volume just a little detailing.

Commissioner Cochran asked can you explain how it became a better building? Pendlebury said we improved the front elevation to make it more friendly to the neighborhood.

Commissioner Cochran said 63 Conanicus Ave. came before us for Development Plan Review, Did we do peer review on that one? No, he chose an entirely different architect and it was redesigned by the applicant.

Lisa Bryer stated it is the Planning Commissions responsibility to look at all of this, when you are asking for variances the Planning Commission will have to make a recommendation to the Zoning Board and it's important. To reiterate, this is not a painful or judgmental process, it is a cooperative and beneficial process.

Mancini said they don't want anyone redesigning their project. This is a private developer they are designing it to meet the test of generations and also the test of financing. They are in it together, they want success and want it to be compatible. They think there is another way to get to the goal.

Commissioner Swistak said let's come to an agreement on the peer review. He wants a commitment and a vote from the commissioners. Personally, he thinks we are far down the road we have had two technical review committee meetings and everyone is on board with the concept. He wants to send a full endorsement to the Zoning Board when done with DPR and he would like peer review, if it means having Ms. Yamamoto, someone on your team and possibly Commissioner Pendlebury or another representative from the planning commission and a peer review architect come up with ideas. Commissioner Pendlebury cannot do the peer review, it would be a conflict. He asked Mr. Mancini will this work? This is in line with his thoughts the fear the architect will come up with multiple designs then we are no better off. Suggestions from another architect would work.

Ms. Bryer does not want to hamstring the architect by allowing them only to look at windows for example. Certainly, it is not the intent to redesign the building. That has never happened and it is not the intent.

Commissioner Pendlebury said we are trying to help the applicant come up with a scheme that would be more convincing to us for a recommendation to zoning for variances. We are not discussing throwing this out and redesigning, we understand the development process we want to see development here. He likes to stand across the street from a building and say we worked together and got this done. We have many examples of this.

John Mancini said the goal is to get their architect with a peer reviewer and a member or two of the Planning so the issues can be discussed and come back and revised.

Commissioner Swistak said before they come back to the Planning Commission their team gets to discuss their final thoughts with the peer reviewer, they want to see both architects meet together and discuss design and it should not take a significant amount of time.

Commissioner Swistak said Mr. Mancini you would like the peer review architect to review and then his team be given the design? Mancini want a transcript or comments to go to the other architect. We want the process to continue as quickly and professionally as possible.

Chair Swistak asked Wyatt Brochu can we make this work? Legally and contractually? Yes, Mr. Mancini understands this is a collaborative effort. They agree and it is the intent of the Planning Commission. Is 10 hours reasonable? Bryer said she thinks it will work for under 4k we will be able to work with that.

Conversations about peer review between Lisa and John Mancini about meetings and what this process looks like in a cooperative and collaborative meeting. Brochu said summarizing the applicant has agreed to peer review architect to address the issues. It should be a time period of 2 or 3 weeks. We want to continue that pace. He thinks 4k is a lot for the first phase and he thinks 10 hours is a reasonable time. Mr. Brochu said an authorization to the planner and she can coordinate with Mr. Mancini on this process. There have not been problems with this if there is an insurmountable problem they can come back.

Planner can decide on TRC or just planning said Mr. Mancini.

Nick Robertson - 35 Narragansett Ave. his concern is on Narragansett Ave. and Green Lane intersection. In the summertime there are so many delivery trucks and he is worried about visibility. He feels moving the building to the front compounds the issue, and the other is maintenance with the building right up against his property line. On his property he has a retaining wall and utilities that have to be maintained inside of the wall. Today it may be fine but 10 years down the road it might not be. There are not 3 parking spots in front of this site on Narragansett Ave. maybe 2. Other issue is trash removal, inside storage is ok. How is snow removal going to be accomplished. Where are you putting it he asked, push it up against the retaining wall? Sometimes they haul away sometimes condo associations agree and sometimes they don't and doesn't want town responsible. The other issue is storage of fuel? He does not believe he has a lot of issues other than these should have thought beforehand rather than later. He let the developer know he is willing to work with them. He has been in business on this street since 1970 he wants to deal with it today instead of 5 years from now.

Mr. Mancini indicated to meet one on one, Mr. DiGregorio will cooperate. He will meet and continue discussion with Mr. Robertson.

Will the commercial trash be in the garage? Mr. Mancini said he is not sure yet. Or common location they will address as well as maintenance issues of the building.

Ms. Yamamoto said at this point individual trash cans will be in private garage. Chair Swistak asked will the commercial unit have access to the garage? The garage is for the dwelling unit above. Unclear.

Mancini stated this concludes presentation.

A motion was made by Commissioner Swistak to authorize the Town Planner, Lisa Bryer to initiate the architectural peer review process in accordance with Zoning Ordinance Section 82-410 of 29 Narragansett Ave. design and coordinate with the applicant to expeditiously schedule the review session between the peer review architect, applicants design team and the planning commission representative, Commissioner Pfeiffer seconded the motion. So unanimously voted: Michael Swistak, Duncan Pendlebury, Rosemary Enright, Mick Cochran, Bernie Pfeiffer, Dana Prestigiacomo, Michael Smith. All in favor.

**VII. Adjournment**

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Smith. So unanimously voted.

Attest:



Cynthia L Reppe  
Planning Assistant