

Approved As Amended  
**PLANNING COMMISSION MINUTES**  
July 7, 2021  
**7:00 PM**

**PURSUANT TO EXECUTIVE ORDER NO. 20-05 EXECUTED BY GOVERNOR GINA  
RAIMONDO ON MARCH 16, 2020  
THIS MEETING was TELECONFERENCED VIA ZOOM:**

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

The meeting was called to order at 7:03 p.m. 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  
Wyatt Brochu – Town Solicitor  
Michael Resnick – Attorney  
Gino DiFante – Applicant 53 Narragansett Ave  
Marla Romash

Planning Commission Chair Michael Swistak recused for the next two agenda items.

A motion was made by Commissioner Enright and seconded Commissioner Smith by to have the Planning Commission sit as the local review board. So unanimously voted:  
Duncan Pendlebury, Rosemary Enright, Mick Cochran, Bernie Pfeiffer, Dana Prestigiacomio,  
Michael Smith

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

**NOTICE OF PUBLIC HEARING – Continued from 6-2-21**

**TO HOLD A COMBINED SUBDIVISION MASTER PLAN INFORMATIONAL  
MEETING AND PRELIMINARY PUBLIC HEARING FOR THE PROPOSED (MAJOR) 4  
LOT SUBDIVISION WITH (THE FOLLOWING) WAIVERS/VARIANCES FOR  
PROPERTY LOCATED AT PLAT 4 LOT 52, 91 CARR LANE, JAMESTOWN, RI  
OWNER, TOWN OF JAMESTOWN, AND APPLICANT CHURCH COMMUNITY  
HOUSING CORPORATION**

**The Local Review Board will review and act on the proposed Major Land Development Project as well as the requested variances through the Comprehensive Permit process. The Local Review Board shall have the authority to issue the comprehensive permit for subdivision per Jamestown Zoning Ordinance Article 17 and RIGL Title 45 Ch. 53 as amended, including the necessary relief from the Zoning Ordinance as stated below.**

**Said lot proposed for subdivision begins less than 2/10<sup>th</sup> of a mile (approximately 770 feet) east of North Main Road on Carr Lane and less than 2/10<sup>th</sup> (approximately 1380 feet) of a mile west of East Shore Road on Carr Lane.**

**This project consists of development of 2 “affordable” single family units and 2 market-rate single family units. The Applicant reserves the right to create 3 “affordable” single family units and 1 market-rate single family unit. The Applicant requests variances to the Zoning Ordinance as follows including any and all other necessary relief as determined:**

**1. Article 16 - Single Family Cluster Land Development Projects**

**a. 82-1603 – Maximum Number of Dwelling Units**

**Permitted number of lots = 1, Proposed = 4**

**Relief requested = 3 additional lots**

**b. 82-1604 – Table 16-1 Dimensional Regulations for Cluster Developments**

**i. Area in Square Feet – 20,000 square feet required**

**Parcel A – 13040 sq. ft. proposed, relief requested = 6,960 sq. ft.**

**Parcel B – 13040 sq. ft. proposed, relief requested = 6,960sq. ft.**

**ii. 82-1605 – Location of Structures**

**No Single-family dwelling structure or accessory structure within a cluster land development project may be located within 30 feet of the perimeter thereof.**

**Parcel D – existing house - 11.3 feet from the property line**

**c. 82-1606 – Open Space within a cluster development.**

**Relief from the requirement that no more than 50% of the open space shall be land unsuitable for development.**

**Section 82-1705 Inclusionary Zoning**

**d. Incentives. Reduction in minimum lot area. Area required is 14,000 square feet with density bonus. Parcel A relief requested is 960 SF. Parcel B relief requested is 906 SF.**

**Relief Requested – Waivers from the Subdivision Regulations**

**Waivers are needed from the following:**

- 1. Article III, A(2) Each lot shall conform to the standards of the Zoning Ordinance.**

**Article IV – Special Requirements, A. Residential Cluster Developments**

- a. 2. Uses, Lot areas and Dimensional Regulations**

**Relief as requested for the Zoning Ordinance above pertaining to Lot Area, and Maximum Number of Dwelling Units.**

**a. 3. Density Calculation**

**Land suitable for development is 59,119 SF plus upland of 91,740 SF for a total of 150,859 SF. A waiver is needed as total land area required (for four single family homes) is 800,000 SF.**

**Approvals Required**

- **Subdivision – Minor 4 lot reassigned to “Major” for the purposes of granting variances and Waivers (above)**
- **Section 82-801 et seq. Development Plan Approval required in RR 200 zone**

Attorney Michael Resnick on behalf of the applicant Church Community Housing. They are here this evening to seek a continuance of this hearing. The reason for this request is they are revising the application and making an amendment which is minor in nature and 2 fold. Eliminating the 5.5 acres of open space from the application and will make the application of the 1.3 acre parcel only, and a reduction from a 4 lot to a 3 lot which will reduce the density and also reduce the number of bedrooms from 13 to 10. They are working with their hydrology expert and they are going to retain a land use expert that is a planner.

With their request for continuance there has been some discussion of his administrative staff. Should a continuance be appropriate or a new application? They feel based on their research it should be continued instead of a new application. They would have no objection to providing notice. They want the public and all interesting parties to chime in. They feel it is appropriate to continue this matter.

Commissioner Pendlebury said it seems to him they should be reapplying. Commissioner Enright said in terms of the density being less what is the affordable and market rate ratio? Attorney Resnick responded 2 will be Affordable and 1 will be market rate.

Commissioner Cochran said it should be a continuance not a new application, Commissioner Smith agrees with Cochran for a continuance.

Solicitor Brochu said he recommends that it be re-noticed. That is what he is recommending. Enright asked should we continue and re-advertise? The applicant is making a decision based on their opinion and offered to re-advertise and re-notice.

Commissioner Pendlebury moves that the applicant re-notice, re-advertise and they come back at a date to be chosen when they have their materials together. We would therefore close the public hearing we are currently in and when they contact the planning office for the new ad and a date. Commissioner Pfeiffer seconded the motion. So unanimously voted.

A motion is made to sit as the planning commission made by Commissioners Enright and Smith. So unanimously voted.

**II. New Business**

1. **53 Narragansett Avenue, Plat 9 Lot 207 – Change of Use in the Jamestown Village Special Development District, Jamestown Zoning Ordinance Article 11 - Development Plan Review**

Vice Chair Pendlebury stated there has been a TRC meeting on this matter. The applicant was asked to come forward to the Planning Commission with a couple of clarifications. The main issue at the TRC was the plans were **not** detailed and did not answer the necessary questions.

We are looking to Mr. DiFante for clarification on parking, lighting and signage. Mr. DiFante said it is the same lighting as when it was Bakers. Commissioner Pendlebury said with a change of use we are looking for it to be in conformance with our regulations. Mr. DiFante asked if his tenants can apply for lighting and signage. Commissioner Pendlebury said it has to meet our zoning code. He is just starting to put the tenants together now and based on approval of the restaurant. Pendlebury said the zoning code tells you exactly what is and isn't allowed.

Pendlebury said what it seems is you are asking to hold back on these things until later. There are questions about parking, you were going to have somebody lay that out for you. He dropped of a larger site plan of the parking. When questioned, Town Planner Lisa Bryer said she went to the parking lot and measured it and came up with the basic measurements and spaces you see in red on the plan.

Enright asked does this mean the parking is the correct size now? Ms. Bryer answered there is enough space for spaces 1-24 on site to be compliant and it will be restriped. Compliant as far as size Bryer said, not in terms of the number. Enright does not see any handicap spaces. DiFante said he is not sure if it will go back in the same spot. The restaurant wants to put outdoor tables and he will have to move the spot. Until the restaurant gets an approval he may have to move it from the patio area, he wants guidance on this.

Commissioner Pendlebury said there should be screening for trash area and fencing and curb stops in the parking spaces. It is a tight spot to turn in. DiFante said the site plan shows 9 feet for a parking spot and 20 feet to back out. Bryer noted that if there were cars parked against the building and along the east side there is only 18 foot aisle width and it is supposed to be 23 feet. If you take the spaces away in front of the building you have enough room but you are limited in terms of total number of spaces. This is why I said in my memo that he needs to figure out how much space is "exempt" in the commercial spaces. This will bring the numbers down.

Marla Romash and her husband who will be opening the restaurant started to speak to let the commission know that she wants to work with the Planning Commission to get this moving and approved and she appreciates all their work; she has draft layouts already. Whatever questions you have we will answer and do exactly what we are supposed to do. They are committed to this restaurant and the only way they would not do it is if the town does not allow it and they want to move forward.

Commissioner Pendlebury said he appreciates the effort that is going into this building and wants it to have a renewed life; it is important to us. The condition he is talking about is we do not have anything to start with to make these approvals. They do not have anything in front of them to make these decisions with regards to parking, lighting and signage. Ms. Romash answered that they are committed to do this and are working with Chris Arner their architect who is familiar with the Jamestown Zoning Ordinance and the state requirements for lighting and signage. They are early on in this process but are committed to getting this done.

Mr. DiFante said there are lights there currently, are you talking about the spotlights on the front of the building. Bryer said there are a lot of lights, some appear non-functioning. The onion light above the entrance on the front itself needs to be shielded. Ms. Bryer said we need to look at all the lights, which ones are you keeping, which ones are going? Mr. DiFante said he can change the lights.

Commissioner Pfeiffer said there are not actual plans in front of us, we need a clear roadmap. Romash said is there a way to streamline this process to more completely respond to your request? We are more than willing to work with the town to get this over the finish line. Pendlebury said we have zoning code with submittals and this is not something that we sit in the meetings and go over every square inch, we are waiting for a response to the questions and concerns from TRC and the planner memo's.

Commissioner Pendlebury said we can reschedule but we need responses that have not yet been clearly addressed to take action on this. We cannot take action on a promise. Pendlebury informed Mr. DiFante to contact Ms. Bryer to be put on a future agenda once everything has been submitted.

### **III. Approval of Minutes June 16, 2021; review, discussion and/or action and/or vote**

A motion to approve the minutes as written was made by Commissioner Enright and seconded by Commissioner Pfeiffer. So unanimously voted, all Ayes:  
Michael Swistak, Duncan Pendlebury, Rosemary Enright, Mick Cochran, Bernie Pfeiffer, Dana Prestigiacomo, Michael Smith

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

### **V. Reports**

#### **1. Town Planner's Report**

- Future meetings – topics and applications

We will be going back to in person meetings in August. The next meeting will be via zoom.

August 18, 2021 meeting – We may cancel this meeting since I will not be in town. But depending on when 91 Carr Lane comes back on the agenda it may be a good opportunity to put that on the agenda. The Conanicut Island Land Trust has asked that she step away from this project since she also represents the property owner. Jamie Hainsworth and Wyatt are working to find someone to replace her on this project. Town Solicitor Wyatt Brochu said his office and Peter Ruggiero are working with the Town Administrator to have an alternate to work on this project.

### **VI. Adjournment**

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Pfeiffer. All in favor.