

**Approved As Amended**  
**PLANNING COMMISSION MINUTES**  
**November 3, 2021**  
**7:00 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave.**

**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            |

No present:

Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner  
David Petrarca – Town Solicitor  
Cinthia Reppe – Planning Assistant  
Deb Foppert – ESQ  
William Salmons – applicant Riven Rock  
Clayton Carlisle  
Christian Infantolino – ESQ

Commissioner Swistak recused and joined the audience for the next two Old Business agenda items.

**II. Old Business**

**Public Hearing**

**1. Riven Rock (113-115 Melrose Avenue) two-lot Major Subdivision - Preliminary Review and Public Hearing, Tax Assessors Plat (AP) 8 Lot 31: review, discussion and/or action and/or vote**

Deb Foppert is representing the applicant, for preliminary subdivision approval. The property is owned by Riven Rock Inc. most recently they were before the planning commission for a Comprehensive Plan amendment and Rezoning. Ms. Foppert reviewed the application for the audience and the planning commission. The amendments were approved by the Town Council. The property has maintained 2 structures from before zoning came into effect. All the

shareholders of Riven Rock are family members, both houses are serviced separately with utilities. The houses have been in the same location since the early 1900's. Mr. Salmons plans to live on the property. TC approved Zoning and comp plan amendments, CRMC plan has been approved. The Soil Erosion plan was sent to Lisa Bryer. Easements are all in place.

With respect to the Fee in lieu of condition, the applicant asked for a waiver since the houses have been there and are existing and no additional residences are being added. Given the circumstances they are asking for a waiver. The subdivision is not adding to the population of the town.

Commissioner Pendlebury said they received the Master Plan approval letter and he calls her attention to the previous approval that conditioned the fee in lieu of land dedication in lieu of waterfront access as required by ordinance. It is in the minutes of the meeting and TRC minutes for master plan approval and the letter that went to the applicant.

Bill Salmons 115 Melrose Ave; They will withdraw the request knowing this now. Town Planner Lisa Bryer said when this was talked about previously there was not adequate shoreline access and it was problematic to invite the public. When we all talked about at TRC she had forgotten and now realized it was part of the original approval. We can discuss this now.

Clayton Carlisle 25 West Passage Dr. his one concern was about the proposed driveway access to parcel B which cuts across West Passage Dr. he thinks it's a safety concern. He pointed out previously that there is a much safer way to get onto the property by utilizing a shared driveway. He thinks there should be an easement from Riven Rock so the access point into the new Pebble property in terms of privacy, drainage control and mostly for traffic safety.

Lisa said the Technical Review Committee felt the traffic volume of that neighborhood which is 9 homes and at that kind of angle there will be good site distance and so the TRC did not feel it was a problem. Mr. Salmons met with an engineer on the property and there is plenty of site distance coming in and out of where the driveway is proposed to be located.

A motion was made by Commissioner Pendlebury and seconded by Commissioner Cochran At the November 3, 2021 meeting the Jamestown Planning Commission voted to grant Preliminary Plan approval of a Major Land Development in accordance with the Town of Jamestown Subdivision Regulations, R.I.G.L. § 45-23-37 and the plans entitled "**Riven Rock Preliminary Plan Proposed Conditions Plan; Assessors Plat 8, Lot 31, Jamestown, Rhode Island; prepared for Riven Rock Inc; prepared by Alpha Associates, LTD, 35 Rocky Hollow Road, East Greenwich, RI 02818, phone 401-884-8506; Dated September 2021**" based on the following Findings of Fact:

**A. Findings of Fact**

The Commission makes the following findings:

1. The subject lot currently has two dwellings were built circa 1911 (Riven Rock) and 1906 (The Pebble);
2. The subject property, has received a conditional zone change, amending Existing Zoning Map #4 from R-40 to R-20 based on the Planning Commissions recommended approval. This, along with the subdivision will rectify the non-conformity of having two dwellings on

- one lot and the proposed subdivision will conform to the standards and provisions of the Zoning Ordinance once subdivided;
3. The applicant has received a conditional amendment to the Jamestown Comprehensive Plan Future Land Use Map #5 – change Plat 8 Lot 31 from Moderate Density Residential to Moderate High Density Residential so that the proposed subdivision will be consistent once subdivided;
  4. The Public Water and Sewer Service Area Map #22 – has been amended by the Board of Water and Sewer Commissioners to include Plat 8 Lot 31 in the Urban Water and Sewer District;
  5. The Planning Commission held a public hearing for the Preliminary Plan, November 3 where, the applicant was represented by Attorney Deb Foppert;
  6. The applicant has offered “no further subdivision” of parcel A; Riven Rock. As proposed, it has the proper size for subdivision but not the proper frontage;
  7. No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance since both proposed lots are serviced by public sewer. Both lots will have individual sewer service connections. The applicant has provided a “cross easement agreement” between 113 and 115 Melrose until the driveway for the Pebble can be relocated onto its own property;
  8. There is no evidence of significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval. CRMC approval has been granted by Assent No: A2021-06-089;
  9. 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. There are two existing dwellings and two total dwellings are proposed;
  10. All subdivision lots have adequate and permanent physical access to a public street, namely, Melrose Avenue. The proposed subdivision parcel A (Riven Rock) has street frontage on the developed portion of Melrose Avenue. The proposed subdivision parcel B (Pebble) has street frontage on the undeveloped portion of Melrose Avenue. Lot frontage on a public street without physical access shall not be considered compliant with this requirement therefore a waiver has been requested and is granted below;
  11. 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 (See 14 and 16 below). The applicant received approval of the Soil Erosion and Sediment Control Plan during the CRMC review and approval process;
  12. It was noted in correspondence dated December 23, 2020 from RIHPHC that “the site is within the Jamestown Archaeological District, which was listed on the National Register of Historic Places (in 1984)” and “Riven Rock, the existing structure, is not listed in the National Historic Register. However, during RIHPHC’s 1994 survey of the architectural resources of Jamestown, we noted that it deserves consideration and further study for entry in the National Register”;
  13. The design and location of building lots, utilities, and other improvements in the subdivision minimize flooding and soil erosion (see 12 above);
  14. Melrose Avenue discontinues at the subject property and continues onto West Passage Drive without any traffic signals. Melrose Avenue exists as a paper road to the north side of the subject parcel but not to Narragansett Bay. This unimproved portion was a natural

channel for stormwater for the neighborhood up hill and is subject to severe stormwater runoff. The Town permitted and coordinated with the two abutters to pipe the stormwater from the neighborhood, including the Melrose School, to the Bay, mitigating the unnecessary overland channeling of stormwater flow on this paper road. Additional stormwater is mitigated by not developing the paper portion of Melrose Avenue. The town continues to own and maintain that paper road and it is not a public right-of-way to the shore;

15. The Building Official and Public Works Director participated in the Technical Review Committee meeting on October 21 and their comments are reflected throughout this motion.
16. All lots in the subdivision have access to sufficient potable water for the intended use as both lots are connected to public water; and,
17. This application is a major subdivision as a result of the requested waivers from the Subdivision and Land Development Regulations.

**B. Waivers from the Subdivision and Land Development Regulations**

The Planning Commission agrees to grant the following waivers:

1. Article 13.B.1. Frontage on Improved Street. Requires that the area to be subdivided shall have frontage on an existing or proposed to be “improved” public street.
2. Article 13.b.8. – Cul-de-sacs – all dead-end streets shall end in a cul-de-sac with center island with 50-foot radius (100 feet total width).
3. Article 13.C.3.d. – Shoreline Access – where a subdivision has waterfront shoreline, there shall be provided a pedestrian easement for access to the shore by the general public.

**C. Findings of Fact for Granting Waivers**

In Support of the waivers, the Planning Commission makes the following findings of fact:

1. The applicant seeks to utilize the unimproved portion of Melrose Avenue by crossing over a corner of it to access the proposed parcel B. The proposed lot access from the developed Melrose Avenue is more in keeping with the rural character of the town and neighborhood by not developing the frontage of the unimproved portion of Melrose Avenue and creating more paved surface;
2. A full cul-de-sac that is compliant with the Subdivision Regulation exists at the end of West Passage Drive, 200 feet to the north of this subdivision parcel;
3. If subdivided, the two subdivision parcels would each have an existing dwelling and the existing combined driveway would be separated but parallel;
4. Melrose Avenue is not listed as a CRMC Shoreline Access Point nor as an existing or recommended shoreline access point in the Jamestown Report on Public Shoreline Access. The full shoreline on the existing lot is approximately 400 feet. If created, a shoreline access point would be within 70 feet of the existing house on Parcel A, 30 feet from the existing house on parcel B, 50 feet from the abutting house and 25 feet from the adjacent abutters dock at 2 West Passage Drive (AP 8 Lot 858, owned by Ross). If a shoreline access easement were granted to the Town, no safe access to the shoreline is provided, no parking is provided, and no amenities such as bathrooms or benches are provided. This is not listed as a priority 1, 2 or 3 in the Towns shoreline

Access Report so funding would not be readily available as allocation of funding should follow the priorities listed;

5. For the reasons stated above, the request for "Waivers" to the Subdivision Regulations is reasonable and within the general purposes and intents of the Subdivision Regulations; and,
6. Literal enforcement of the regulation is impracticable and will exact undue hardship because of peculiar conditions pertaining to the project parcel as described above.

**D. Conditions of Approval**

1. This approval is for a total of 2 lots, both lots will have an existing dwelling. No further subdivision of Riven Rock property shall occur, which shall be noted on the recorded Final Record Plan;
2. The Cross Easement Agreement is able to be removed once the driveway for Parcel B is developed and the driveway for Parcel A (Riven Rock) shall be removed from Parcel B;
3. That payment of a fee in-lieu-of land dedication shall be required for this subdivision in the amount required by Article IIID of the Jamestown Subdivision Regulations for the new lot. This fee in-lieu-of will serve as the alternative to dedication of land for public purposes, including the release of the requirement to provide shoreline access on the subdivision parcel. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan.
4. Granite monuments shall be placed at all corner points at the new property line prior to Final Approval;
5. Prior to Final Approval, the applicant must provide the following legal document, acceptable to the Town Solicitor:
  - a) Sewer force main agreement between the two subdivision lot dwellings and 95 Melrose Avenue;
6. This approval shall be recorded with the Town Clerk within 30 days of approval; and,
7. This approval shall expire one year from the date of approval by the Planning Commission unless Final plan submission has occurred; and,
8. 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.

So voted:

Duncan Pendlebury – Aye

Rosemary Enright – Aye

Mick Cochran - Aye

Bernie Pfeiffer - Aye

Dana Prestigiacomio - Aye

A motion was made by Commissioner Cochran and seconded by Commissioner Pfeiffer for final approval to be done administratively. So unanimously voted.

**2. CMS boatyard, Freebody LLC, Conanicus Avenue. Plat 8 Lot 278 (260 Conanicus Avenue) and 760 (115 Bayview Drive), Administrative Subdivision requiring Zoning Board of Review amendment to the special use permit in place for the facility at 260 Conanicus Avenue. Conditional Administrative Subdivision Approval, Recommendation to the Zoning Board: review; discussion and/or action and/or vote**

Commissioner Pendlebury said at the last meeting we went through and put together a lengthy motion that had a few outstanding items to be submitted. The only thing that they have not submitted is a hard copy of the easements and updated plans.

He went over the plans that were submitted on Tuesday after the packet went out that shows the landscaping schematic, site improvement plan. The planning commission asked for a picture of the light fixture. Attorney Christian Infantolino said he showed a picture of the proposed lighting to Commissioner Pendlebury. Infantolino is happy to get the information to us, Pendlebury said we need the intensity of the lamp; his concern is it could possibly be too bright. Examples shown to Commissioner Pendlebury were from the yacht club. Are you asking for the make model etc. Pendlebury said what we need to understand is how much light are you trying to get out of this? Infantolino asked whether they can they make it the same style or similar wattage as the yacht club? What if they cannot get that same style. The lighting is fairly new at the yacht club Bryer said. Infantolino said that is what they are proposing.

Pendlebury has a few comments on the landscaping plan. The buffer along the Sterle property is described as a buffer but not describing the material of the 20 foot buffer that is proposed as the same. Mr. Anthony was presented with something and has not responded negatively or positively. What is the buffer dimension along Bayview Drive asked Commissioner Pendlebury? There was not a distance that was provided, it is currently all natural vegetation? Commissioner Pendlebury said if you are going to leave a certain amount of vegetation he wants a 20 foot dimension so it matches. If this is developed as residential, Infantolino said you are squeezing it. Pendlebury said he has no objection to it being a lawn and Infantolino agreed.

A discussion ensued with Commissioner Pendlebury, Lisa Bryer and Christian Infantolino. The arrow that points on south side of 278 shows a recommended 20 foot buffer easement: its not recommended, it is required. The lower left planting diagram it says native shrubs as needed and should say to be approved by the planner. There needs to be some effort. Infantolino says it should be done by a landscape expert. Pendlebury said the norm is to inspect it after 1 year, can we add that to the drawing? Yes. Bryer said that should be added to conditions of approval. Bryer noted that there is no relationship between the plantings and the diagram. The number that identify the plantings are not translated onto the diagram and it should be. Infantolino said that will be determined by the landscape architect. Bryer noted it must be on there with some relationship to the diagram. Infantolino said when the landscape architect gets involved he will determine what needs to be where. Bryer is confused as to why the graphic is there then. Usually it is specific to the site she said. The graphic should be labeled and Pendlebury agreed with Bryer. Enright agreed this graphic doesn't mean anything right now.

Commissioner Enright said she wants to know the intention of the stone wall comment on the plan that said that the maintenance of the vegetation along stone wall will be coordinated with RITBA.

Infantolino was going to ask to have that condition stricken. It was noted on the plan that they will work out who is doing what between CMS and RITBA. Bill Munger will contact the bridge authority. At that time the commission said they didn't feel that Munger would be required to plant everything that RI Bridge and Turnpike removed but they would discuss planting on CMS property where vegetation was clear cut. We want to see a letter from Munger to the RI Bridge and Turnpike; that they have made an effort. We want to keep a few of those trees that are currently there on Mungers property. Planning Commission wants proof of coordination; at least an attempt to coordinate. Cochran asked when Bridge authority cut it down did the town require anything then? He has an issue with the wording we cannot force them to coordinate. If the Bridge authority says its not their problem then where does that leave his client? Infantolino said. If they fail to coordinate and RIBTA says no we are doing nothing where does it leave them? The Planning Commission said they are looking for proof of evidence of an attempt to coordinate.

A discussion ensued about the motion and there were changes made as follows:

A motion made by Duncan Pendlebury and seconded by Commissioner Pfeiffer.

At the November 3, 2021 Planning Commission meeting, the Planning Commission voted to grant conditional Administrative Plan approval and recommend approval to the Zoning Board of Review of the amendments detailed on the plans in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the 4 plans entitled:

1 and 2) **"Re-Subdivision Plan of Land for Freebody LLC, Plat 8 Lots 278 & 760" Sheet 1 & 2 of 2** prepared by Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864; dated Oct. 29, 2021;

3) **"Schematic Site Improvements and Land Use Plan for Freebody, LLC", Plat 8 Lots 278 & 760" Sheet 1 of 1** prepared by Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864; dated Oct. 29, 2021; and,

4) **Buffer Planting Plan, Freebody, LLC, 260 Conanicus Avenue & 115 Bayview Drive, Jamestown RI** prepared by Atlantic Lawn and Garden, dated 11/10/2021, based on the following Findings of Fact and subject to the following Conditions of Approval:

**A. Findings of Fact**

The Commission makes the following findings:

- 1) The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan having received relief from the Jamestown Zoning Board of Review as a Special Use Permit on the following dates (decisions attached):
  - a) November 23, 1982 – Denied
  - b) October 2, 1984 – Granted
  - c) August 26, 1986 – Granted
  - d) July 28, 1987 – Granted
  - e) November 27, 1990 – Denied
  - f) May 3, 1994 – Granted
  - g) March 24, 1998 – Granted
  - h) October 27, 1998 – Appeal by Mary Webster regarding buffers in 1998 decision - Withdrawn. Also filed appeal in Newport Superior Court: NC98-162. Both suits resolved with easement agreement filed in Jamestown Land Evidence Book 317 pg. 287
  - i) October 3, 2000 – Denied
  - j) September 25, 2007 – Granted

- k) March 26, 2014 - Granted
- 2) Lots 278 and 760 conform to the dimensional standards and provisions of the Jamestown Zoning Ordinance. The use on Lot 278 is permitted by Special Use Permits listed in #1 above;
  - 3) No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance as long as any new OWTS is appropriately located from the freshwater wetlands located on proposed lot 760. Both lots are in located in the Rural Water and Sewer District and therefore not entitled to hookup to the Town Water and Sewer system by-right. Lot 278 has approval for one sewer hookup for the boatyard office, which is accessed by easement across Plat 8 Lots 493, Proposed Lot 760 and Lot 833;
  - 4) Proposed Lot 760s highest density potential is multi-family and is not being proposed for development at this time. Therefore, it can only be stated that as of the approval of this project, there will be no significant negative environmental impacts from the proposed development as shown on the plans, with the required conditions for approval;
  - 5) 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;
  - 6) All subdivision lots have adequate and permanent physical access to a public street, namely, Conanicus Avenue and Bay View Drive. Lot frontage on a public street without physical access shall not be considered compliant with this requirement. The frontage and access for Lot 278 is changing from a split access on Conanicus Avenue to reduced access on Conanicus Avenue and new access on Bay View Drive. The condition of approval for a locked gate along the Bay View Drive access to Lot 278 meets this standard;
  - 7) The subdivision provides for safe circulation of pedestrian and vehicular traffic, and for a suitable building site that contributes to the attractiveness of the community;
  - 8) The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
  - 9) All lots in the subdivision have access to sufficient potable water for the intended use **at this time**. The proposed boatyard on Lot 278 currently utilizes water from cisterns and a well. The sole residential structure, a house, on proposed lot 760 utilizes a well and OWTS. Both lots are located in the Rural Water and Sewer District;
  - 10) No new lots are being created. The approval is for the reconfiguration of Plat 8 Lot 278 from 10.2 acres to 5.6 acres and Plat 8 Lot 760 from 2.3 acres to 6.9 acres being a total of 2 lots, one with an existing boatyard (278) and one with an existing residential structure (760);
  - 11) A private easement of 125' exists along the southern property boundary of Lot 278 between CMS Inc and Mary M and Dennis H Webster;
  - 12) Attorney Mark Liberati submitted a Memorandum dated received October 12, 2021 to the Jamestown Planning Commission in regards to CMS, Freebody, LLC titled Res Judicata and Administrative Finality. This Memo indicates that the tenets of administrative finality applies to the buffers as well as the private southern property line easement on Lot 278 and it is not necessarily the jurisdiction of the Planning Commission;
  - 13) Attorney Mark Liberati, along with abutter Dennis Webster presented Aerial Photographs of the boatyard from 1997, 2008, 2020, and 2021, as well as a 1994 plan by Warren Hall PE that accompanied the 1994 Zoning application from CMS and approval by the Zoning Board of Review (attached);
  - 14) Abutter Marianne Kirby read her letter dated September 19, 2021 (attached); and,
  - 15) Abutter Polly Hutcheson testified that the Planning Commission should be involved in thoughtful deliberation of future use of the property not just regulation.



**B. Conditions of Approval – Numbering was amended as shown below to be correct**

1. That payment of a fee in-lieu-of land dedication shall not be required for this subdivision per Article IIID of the Jamestown Subdivision Regulations since no new lots are being created at this time. When new dwelling units/house lots are developed on either Lot 278 or Lot 760 the fee shall be determined at that time;
2. Granite monuments or where granite monument are not suitable, other suitable survey markers other than concrete, shall be placed at all new corner points at the new property line;
3. The four plans noted above, as updated shall be provided to the Zoning Board as part of this decision/recommendation;
4. A Buffer Planting plan by Atlantic Landscaping dated 11/10/2021 has been reviewed and accepted by the Planning Commission with required changes as noted in this approval. This plan shall be required to remain in place by Freebody LLC (or other property owner of Lots 278 and 760 until such time as lot 278 is redeveloped as residential and the Planning Commission determines that it is either not necessary or can be reconfigured to another form;
5. In lieu of the significant buffers previously recommended by the Zoning Board of Review, on the south, east and north side, the following buffer easements shall be created, planted and maintained by the owner/operator of the boat yard. The plan showing such vegetated buffers is attached and this plan shall be submitted to the Zoning Board of Review for approval:
  - a) A 20-foot-wide buffer easement shall be recorded as shown on the plan along the north property boundary of proposed lot 760 and shall be planted in accordance with the landscape plantings as shown on the Buffer Planting Plan by Atlantic Lawn and Garden dated (11/10/2021);
  - b) A 20-foot-wide vegetative buffer, as also described in 5 above, shall be planted within the 30-foot setback area along Bayview Drive leaving 15-feet unplanted for a residential style locked gate, to be approved by the Planning Commission at Final Approval. This access to Bayview Drive shall be utilized only as emergency vehicle access and the Town shall be provided with a key or combination to the gate for such purposes;
  - c) The applicant met with and agreed to provide an additional 20-foot easement along the Searle (Plat 8 Lot 583) and Anthony (Plat 8 Lot 739) property which shall is shown on the amended Buffer Planting plan dated 11/10/2021;
  - d) Freebody LLC/CMS boatyard shall provide proof of coordination with the RI Turnpike and Bridge Authority regarding their replacement of the vegetative buffer along the north-eastern property boundary of proposed Lot 278;
  - e) The applicant shall pay a fee for landscape review, planting and inspection per 82-410. All plantings as shown on the Landscape buffer planting plan shall be determined in coordination with the town review Landscape Architect and planted by a knowledgeable arborist and inspected one year after planting by the Town approved registered Landscape Architect to insure the greatest long-term survival;
6. The new lighting shown on the plan shall be further detailed in terms of footprint related to foot-candles and shown on a plan or lights as installed at the CYC yacht club parking lot shall be specified for locations as shown on the plans above. The lighting shall be accepted by the Planning Commission at final approval;

7. All existing easements (1) 15-foot sewer easement over plat 8 lot 833 for the benefit of plat 8 lot 278 shall remain in full force and effect; and (2) the unrecorded driveway easement over the new plat 8 lot 760 for the benefit of plat 8 lot 493 shall be recorded and remain in full force and effect;
8. The 20-foot-wide buffer easement on reconfigured Plat 8 Lot 760 is shown on the Buffer Planting Plan by Atlantic Landscaping dated 11/10/2021 and shall also be provided in an accompanying written easement, which shall be reviewed by the Town Planner, Solicitor and recorded in the office of the Jamestown Town Clerk;
9. This administrative subdivision shall not receive final approval by the Planning Commission until the Special Use Permit for the Boatyard on Lot 278 is amended and approved; and,
10. This approval shall expire one year from the date of approval by the Planning Commission unless Zoning Board approval is received per #8 above. Once Zoning Board approval is received, the applicant has one year to exercise the right granted in the amended special use permit. This will allow time for the applicant to transition to the new storage area prior to final Planning Commission approval;

So voted:

Duncan Pendlebury – Aye

Rosemary Enright – Aye

Mick Cochran - Aye

Bernie Pfeiffer - Aye

Dana Prestigiacomio - Aye

Commissioner Swistak re-joined the planning commissioners.

### III. Correspondence – nothing at this time

### IV. Approval of Minutes October 20, 2021: 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 changes:

Page 1 under also present: Polly Hutcheson, Marianne Kirby

Page 7 – 2<sup>nd</sup> paragraph: Commissioner Enright suggested she put it down to 15 feet wide and they were ok with that.

Page 10 - Polly Hutcheson 75 Bayview Dr.

So unanimously voted:

Duncan Pendlebury – Aye

Rosemary Enright – Aye

Mick Cochran - Aye

Bernie Pfeiffer - Aye

Dana Prestigiacomio – Aye

Michael Swistak - Aye

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

Planning Chair Mike Swistak said he received from Mary Meagher an email regarding Short Term Rentals, she made some public comments and inflated some comments of what he thought was a private email and made it public and made it look like he was representing the planning commission, which he was not, she apologized to him several times. The short term rental subcommittee continues to talk, what they presented to the council will look significantly different than what we sent to them.

**VI. Reports**

1. Town Planner's Report

- Future meetings – topics and applications

The solicitor informed Lisa that neither he nor Wyatt Brochu would be available for our next meeting and we do not have any applications.

**VII. Adjournment**

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

Attest:

  
Cynthia L. Reppe