

**Approved as amended**  
**PLANNING COMMISSION MINUTES**  
**November 2, 2022**  
**7:00 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave.**

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

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

Mike Swistak – Chair

Duncan Pendlebury – Vice Chair

Rosemary Enright - Secretary

Diane Harrison

Bernie Pfeiffer

Dana Prestigiacomio

Not present: Mick Cochran

Also present:

Lisa Bryer, AICP – Town Planner

Carrie Kolb - Planning Assistant

Wyatt Brochu, Esq – Town Solicitor with Ruggiero, Brochu & Petrarca

John Balfe, Northeast Energy Efficiency Partnerships (attended virtually)

Jamie Haines, 11<sup>th</sup> Hour Racing Ambassador

**II. New Business**

1. Jamestown RI Energy Plan 2022 presentation by John Balfe, Northeast Energy Efficiency Partnerships (NEEP) - Review, Discussion, and/or Action and/or Vote. Plan was included in 10-19-22 packet.

Bryer introduces Jamie Haines. She is an ambassador with 11th Hour Racing and she received a grant for the Town of Jamestown to create the Energy Plan.

Jamie Haines, 1 Fox Run, Jamestown, RI. This project was born to see the island have clear energy goals. Because Jamestown is an island, we are in a unique position with sea level rise and it's a matter of when, not if. There is a need to be proactive and have sustainability goals.

Bryer noted that Pendlebury was on the stakeholder committee for this plan.

John Balfe, Northeast Energy Efficiency Partnerships (NEEP), thanked the commission for having him and being allowed to present virtually tonight.

NEEP is a non-profit and works from Maine to West Virginia and he is based in Boston, MA.

Balfe's focus is on state and local government.

Balfe explained the process and data gathered to compile the Jamestown RI Energy Plan 2022

- Gathered input and data from multiple departments
- Provide Jamestown with a road map
- Develop energy reduction goals
- Mandatory and voluntary actions
- Community wide (all sectors)
- Decarbonization focus

The Jamestown Energy Plan 2022 is comprised of:

- Acknowledgements,
- Executive summary,
- Section 1: Background and current status
- Section 2: Vision and goals for Jamestown energy future
- Section 3: Strategic roadmap
- Conclusion and near-term priorities

Near term priorities include:

- Formal adoption of the plan by the Planning Commission and Town Council
- Jamestown to empower a municipal department or staff member to oversee implementation
- Public buildings have a benchmark, which are no to low cost
- Residential priorities include: education and awareness; an online resource hub (like Sustainable Jamestown website); residential energy labeling, an energy audit done around the time of a sale of a house; and/or energy coach in the Town which would utilize someone in town with engineering/HVAC experience
- Commercial building priorities: education and awareness; benchmarking; and stretch energy code implementation

The Energy Plan is meant to be a living document and NEEP is willing to make any changes or adjustments.

Haines stated that the plan is a great step forward for the community to set goals. She would like the Planning Commission to adopt the plan and to recommend the same to the Town Council.

Discussion regarding commercial stretch energy code ensued. If the Town adopted stretch energy code it would be adopted into the code of ordinances and enforced when the Building Official issues permits. How to incentivize builders if the town can't adopt stretch energy code at the highest level? Balfe offered examples where other communities offered reduced fees and/or expedited review process.

The question was raised if there are any municipalities that borrow money to then pass that along to qualified residents? Balfe stated that he has seen that happen with State agencies. However, the city of Portland, ME has contracted with one company to offer lower rates to residents. In the past, the Town, purchased solar panels in bulk and offered to residents at a savings. Maybe the town can contract with a bank for low-interest loans to residents?

Further explanation of an energy audit at time of house sale was requested. Balfe explained that the seller provides information to prospective buyers. The energy audit can be done virtually and it is inexpensive compared to hiring a contractor.

The question was raised: what is next?

Haines replied that implementation and education are the next steps. There can be education for home owners and business. NEEP can provide a second stage of consulting services to inform Jamestown of the funding that is available to municipalities from the Federal Government. Swistak said that the Town Council needs to add a line item to the budget for a part time employee as an assistant or energy officer. Balfe said that the State energy office does consult with municipalities. Pendlebury said that there has to be funding in order to make this happen. A baseline audit of the island is needed and that requires someone to do some work and get it done. Part of the education is materials that are written in plain English that explains to the average person how energy savings works and what the benefits are. Haines said part of the education can be about the steps people can take, that a lot of steps can be replacement and not a total overhaul of their house. Prestigiaco said with all the energy costs going up this year that this could be a really good time to help people in the community.

The next steps were discussed. This is a complex issue. A motion will be drafted by Bryer for the next meeting to include Planning Commission adopting the plan, forwarding the plan to Town Council to adopt, fund education and implementation moving forward.

### **III. Citizen's Non-Agenda Item**

None

### **IV. Old Business**

1. Jamestown Zoning Ordinance Update - Review, Discussion, and/or Action and/or Vote
  - A. Accessory Dwelling Units (ADUs) Review, Discussion, and/or Action and/or Vote

Bryer provided the Commissioners with correspondence from Town Solicitor Peter Ruggiero. His opinion on the State ADUs law differs from the opinion of Horsley Witten/Ursillo Teitz and Ritch. The law has an internal contradiction and uses the word "chooses" when discussing if a town chooses to permits ADUs. Jamestown allows AFDUs for family and affordable housing. Solicitor Brochu stated there is no judicial interpretation of the law yet. The town can take the stance of no ADUs because you don't allow them. His opinion for the AFDU is that once the town keeps them, that the ADUs law comes into play. The ADU law says you have to allow family, elderly, disabled. Bryer stated that the law is confusing and she and the Town Solicitors need more time to discuss. Bryer also stated that the RI Planning Association has written to the legislature and everyone thinks that the legislature will clean up the law.

Discussion regarding minimum lot size of 20,000 sq ft ensued. It was noted by a commissioner that having an ADU on every eligible lot is contradictory to the Jamestown Comp Plan and the rural character of the island. Discussion regarding natural resources ensued. Bryer noted that other states have exemptions for resource issues and RI choose not to put that "exemptions" in.

Solicitor Brochu said that the courts are only looking at the one case in front of them, and not looking at all the other lots in the shores for water resources and parking.

B. General Updates to Zoning Ordinance Review, Discussion, and/or Action and/or Vote  
Bryer sent the cannabis memo to the Town Council and a copy was distributed this evening. Solicitor Brochu noted the Office of Business Regulation does not have the cannabis applications ready to get a license.

#### V. Correspondence

1. Letter for building plan approval for undersized lot, 7 Calvert Place, Plat 8 Lot 237
2. Letter for building plan approval for undersized lot, 47 Cole Street, Plat 9 Lot 157
3. Memos to Zoning Board for William Tracey, Plat 8 Lot 467, 15 Fowler Street, Jamestown, RI for Development Plan for construction of duplex/second dwelling in Jamestown Village Special Development District – CL Zoning District – review as significant alteration per Jamestown Zoning Ordinance Article 11 Section 82-1100. Variance required for side yard setback of existing house.

Letters were recognized as received. The question was raised if a variance was required for side yard setback of existing house with 15 Fowler Street, Plat 8 Lot 467? The Town Solicitor and Building Official discussed and agreed that it did need a variance.

#### VI. Reports

1. Planner's Report –
  - Future meetings – topics and applications

Bryer let the Commission know that the new business at the next meeting will most likely be the Conanicut Island Sailing Foundation temporary trailer and a review of the plans for the library expansion. Discussion will be held at the next meeting regarding having meetings around the holidays, should a meeting be canceled either before or after?

#### VII. Approval of Minutes – review, discussion and/or action and/or vote

1. October 19, 2022

A motion was moved by Commissioner Swistak and seconded by Commissioner Pfeiffer to approve the minutes from October 19, 2022 as amended. All in favor.

Page 1 in Also present: Bob Plain and Greg DiGasper added

Page 4 in So voted: Commissioner Harrison ~~may~~ changed to aye

#### VIII. Adjournment

A motion to adjourn at 8:18pm was moved by Commissioner Enright and seconded by Commissioner Harrison. So unanimously voted.

Attest:

Carrie Kolb