

PLANNING COMMISSION MINUTES

July 19, 2023

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:

Michael Swistak – Chair

Duncan Pendlebury – Vice Chair

Mick Cochran

Rosemary Enright - Secretary

Diane Harrison

Bernie Pfeiffer

Dana Prestigiacomo

Also present:

Lisa Bryer, AICP – Town Planner

Carrie Kolb – Planning Assistant

Wyatt Brochu, Esq. – Ruggiero, Brochu & Petrarca

Rachael Slattery

Christian Infantolino, Esq. – Murphy, Prior & Infantolino

Carrie Miranda, Looking Upwards

Greg Rembijas, Looking Upwards

Katie Destefano, SWAP Inc

Carla Destefano, SWAP Inc

Gary Charpentier, SWAP Inc

Don Powers, Union Studios

Craig Anderson, Union Studios

Craig Sutton, Stand Corporation

Jack & Mary Brittain

Marianne Eckert

II. Citizen's Non-Agenda Item – none

III. New Business

1. Slattery Landing, AP 9 Lot 19, Southwest Avenue, 64, 66 and 68 – 2 Lot Minor Conventional Subdivision – Preliminary Review – Review, Discussion, and/or Action and/or Vote.

Commissioner Enright recused herself from this application.

Rachael Slattery spoke on behalf of her parents, Michael and Deborah Slattery for the Minor Subdivision of 64, 66, 68 Southwest Avenue. Slattery explained that the proposed project will subdivide the existing lot into two lots. There are two existing dwelling units on the property and one existing dwelling unit is on the newly created lot and the other traverses the new property line. That dwelling will be demolished. The plan is to build another duplex within the bounds of the new lot as a primary residence for Michael and Deborah so they can live and age in place in Jamestown.

Discussion over utilities of water and sewer lines ensued. It is unknown if there are one or two water lines coming into the property now but both existing houses are serviced by public water and sewer. The Department of Public Works prefers a separate water line for each property. Slattery will determine with Public Works where the water and sewer lines enter the property. Slattery will coordinate the location of any new line placement, if needed, prior to receiving a building permit.

Discussion of curb cuts ensued. There are three curb cuts on the property. Slattery said that one curb cut will stay with 64 Southwest Avenue. Two curb cuts will stay with 66 and 68 Southwest Avenue because it is difficult to back out of the property onto the road. Two curb cuts allow for a turnaround driveway.

A motion was moved by Commissioner Swistak and seconded by Commissioner Pendlebury as follows as written as amended:

At the July 19, 2023 Planning Commission meeting, the Planning Commission voted to grant Preliminary Plan approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plan entitled "**Slattery Landing Minor Subdivision, Plat 9, Lot 19 - 64, 66, 68 Southwest Avenue, Jamestown, RI 02835;** prepared by **Michael A. Fontaine, PLS, 593 Green Hill Beach Road, South Kingstown, RI 02879; dated revised 4/17/23** 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 CL 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, Southwest 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;
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. Both lots will be serviced by public water;
9. This Subdivision was recommended for approval by the Technical Review Committee on July 6, 2023;
10. The approval is for a total of 2 lots;

B. Conditions of Approval

1. That payment of a fee in-lieu-of land dedication shall not be required for this subdivision for the one new lot as required by Article IIID of the Jamestown Subdivision Regulations. The Fee in Lieu of Open Space and Recreation shall not be required for this application since there will be no increase in the number of units after this subdivision;
2. The applicant shall determine with the Public Works Department where the existing water and sewer lines enter the property and coordinate the location of any new line placement, prior to receiving a building permit;
3. Granite monuments or where granite monument are not suitable, other suitable survey markers other than concrete, shall be placed at all corner points at the new property line;
4. Regarding the existing southernmost house: Prior to final approval the applicant/owner of the existing house shall remove the southernmost dwelling unit to the satisfaction of the building official through the demolition permit process;
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 voted:

Commissioner Pendlebury – aye

Commissioner Cochran – aye

Commissioner Harrison – aye

Commissioner Pfeiffer – aye

Commissioner Prestigiacomo – aye

Commissioner Swistak – aye

Motion carries 6-0

Planning Commission Sitting as the Local Review Board:

2. Looking Upwards, Inc., 2 Hammett Court, Plat 9 Lot 183-2. Application for Comprehensive Permit for an Affordable Housing Major Land Development per Zoning Ordinance Article 17, to rehabilitate an existing building into 4 two (2) bedroom units and 8 one (1) bedroom units for low-and moderate-income housing on an existing lot with 5 units

of multi-family housing, with Zoning Variances. Pre-application Review - review and discussion.

- a. Review Subdivision & Zoning applications as a single application under Zoning Section 82-7200 /- RIGL – 45-53-Low-and Moderate-Income Housing; review, discussion and/or action and/or vote
- b. Combine Master Plan & Preliminary stages of review including Master Plan Informational Meeting & Preliminary Public Hearing; review, discussion and/or action and/or vote.

Commissioner Swistak recused himself from this application. Commissioner Pendlebury assumed the role as Chair.

A motion to sit as the Local Review Board was moved by Commissioner Enright and seconded by Commissioner Cochran. All in favor.

Christian Infantolino, Esq., of Murphy, Prior & Infantolino represented the application for 2 Hammett Court. The property has two buildings. One building is being used for 5 affordable rental units with Bridges Inc as the owner. The other building is approximately 5,000 square feet and is being used as commercial office space. The proposal is to remodel the interior of the commercial building to create 12 affordable rental units with Looking Upwards, LLC as the owner. The proposal calls for four (4) two (2) bedroom units and eight (8) one (1) bedroom units. The expected occupancy would be 16.

Relief requested:

1. Chapter 82-302, Table 3-2:
 - (a) Maximum Lot width allowed in the CD Zone is 96 feet. The lot width varies but is 97 feet at its narrowest point. No relief is sought.
 - (b) There is no proposed change in the location of the structure. All dimensions of the existing structure are proposed to remain.
 - (c) The CD zone requires a frontage buildout of 60% of the lot width. Due to the irregular shape of the lot, the Applicant requests relief on this requirements.
 - (d) Applicant is requesting relief for the building placement requirement of Table 3-2 where edge yard placement is not permitted in the CD Zone.
2. Chapter 82-600: Applicant has requested that the Special Use Permit as described in Article 6 of the ordinance be considered with the requested Comprehensive Permit.
3. Chapter 82-1102(b): The Applicant is seeking relief for the tree plantings required under Article 11, sub paragraphs 2i and 3a due to the irregular nature of the site.
4. Chapter 82-1108(A): Applicant is seeking relief for the glazing requirement of Article 11 paragraph 3 which relates to retail frontages in the Village district. This is a residential structure.
5. Chapter 82-111 (B) 1-3: Applicant seeks relief for the location of parking spaces as required by Article 11 which does not permit parking directly in front of the building in the front yard. Additionally, the entrance to the proposed site is wider than the maximum allowable of 18 feet due to the configuration of Hammett Court.

6. Chapter 82-111 B 3: Applicant seeks relief from the specific requirement of one bicycle rack per 10 car parking spaces. There will be some bicycle racks.
7. Chapter 82-1203: The proposed development requires 26 parking spaces. There are 26 parking spaces available.

Don Powers of Union Studio and also a Jamestown Resident reviewed the site plans. The site is located mid-block on Hammett Court with frontages to Clinton Ave. Powers included 3 Hammett Court on the site plan for context. He stated it is important to emphasize that the building is existing. There will be a handicapped access ramp and two handicapped parking spaces will be located close to the ramp.

Powers reviewed the proposed basement floor plan. There will be an open office area for Looking Upwards and the elevator goes to this level. Powers reviewed the first and second floor plans. Both the first and second floors will have (2) 2-bedroom units and (4) one-bedroom units. Powers reviewed the proposed roof plan. All the condensers will be on the roof top deck, which will be screened in and accessible by a ladder. The roof is hipped at the ends to away some of the mass of the building. The first round of plans had balconies off the units and they were removed due to abutters concerns. Powers reviewed the proposed south (front), west (side), east (side) and north (rear) elevations. He said that there are no openings on east elevation due to fire safety and the closeness to the property line. North rear – The condensers located on the north (rear) roof are for mini-splits, and that they are nearly silent. Bell eaves will make the roof look more graceful and this is based on feedback from the previous plans. The exterior of the building will be shingle siding and plank lap siding.

Discussion regarding the east elevation of the building ensued. Commissioner Pendlebury asked Powers to describe the massing of the adjacent building. Powers described the Brittain building as a two-story, monolithic building. The east elevation for 2 Hammett Court is blocked from Clinton Avenue by that building.

Discussion regarding the lack of openings on east side ensued. Powers explained that there are no openings in the east (side) elevation of the building due to fire protections and if there were any openings, they would need fire suppressants. Fire shutters cost \$5,000 to \$7,000 each. Sprinklers can not be used. Powers explained that there are low-cost ways to give some nuances to the side using shingle or brick patterns.

Discussion on size of the bedrooms ensued. The one-bedroom units will be about 500 square feet. The two-bedroom units will be just over 900 square feet.

Discussion of the rental costs ensued. Looking Upwards Inc. has not come up with the breakout for affordability yet.

Discussion of how many units will be used by Looking Upwards Inc. ensued. Carrie Miranda, Executive Director explained that 50% will be used for individuals with intellectual and

developmental disabilities (I/DD) and 50% for affordable housing. But this will be fluid to insure their clients are served. The building will be 100% deed restricted, with a 30-year restriction, affordable housing. The residents with IDD, must be able to live independently, will receive services from Looking Upwards Inc staff, who will have an office in the basement. There is an involved process for determining the residents, and the level of Looking Upwards staffing will depend on the needs of the residents. The affordable housing units will be rented on a first-come first-served basis.

Discussion of drainage in the area ensued. Infantolino said that they have an engineer who will look at the drainage issue, and are working with the neighbors, however there is no requirement to increase drainage due to the slight decrease in impervious coverage. Commissioner Pendlebury said the Mike Gray, Director of Public Works, will oversee work with the site for the betterment of the area.

Commissioner Pendlebury invited members of the public to ask questions.

Jack Brittain, resident of 24 Clinton Ave spoke. He stated that drainage was discussed at the TRC meeting. He doesn't think that there are water issues on the property, that the issues are more with Hammett Court area overall, and that the drainage issues can be addressed. He thinks that they did a great job (with the plans) and that they want to work with the neighbors.

Marianne Eckert, resident of 17 Howland at the corner of Hammett and Howland spoke. She is very concerned of the amount of traffic. She thinks that many residents may have cars. She asked the Planning Commission to consider a decrease in the occupancy limits. She said that they (Bridges Inc) have been very good neighbors. She is an abutter.

Bryer stated that the abutters will be notified for the public hearing at the next meeting.

Commissioner Pendlebury summarized the application and clarified the expectations for the applicant moving forward. The zoning relief requested is not huge. There are concerns with the site plan in terms of addressing the major drainage issues. The Planning Commission understands that this is an existing building, but there are some improvements that can be made. They would like to hear from an engineer.

There appear to be encroachments on the applicant's property from both abutting properties on Clinton Avenue. Bryer said that the applicant can talk to the neighbors. Also, relating to parking, 50% of the building are residents with IDD, who probably do not drive.

A motion was moved by Commissioner Pendlebury and seconded by Commissioner Enright to grant the applicant the ability to submit a single application for a Comprehensive Permit and combine Master Plan and Preliminary stages of review. All in favor.

A motion to close the Local Review Board was moved by Commissioner Enright and seconded by Commissioner Pfeiffer. All in favor.

IV. Correspondence

1. TRC Memo to Zoning Board of Review – 17 Ocean Avenue Plat 8 Lot 489, Matthew Lyon (owner) and Gregory Pawlina (applicant) – Development Plan Review for replacement of non-conforming garage, utilizing existing footprint, in Jamestown Village Special Development District – Correspondence Accepted

V. Old Business

1. No items at this time.

VI. Reports

1. Planner's Report

- A. Future meetings – topics and applications

The meeting on August 2, 2023 will be cancelled due to no applications.

The Zoning Ordinance has not been sent to the Town Council yet due to unresolved issues with the ADU section. Bryer has been coordinating with Solicitors office. Once this issue is resolved, then they will be sent to Town Council.

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

1. July 5, 2023

A motion was moved by Commissioner Enright and seconded by Commissioner Cochran to approve the minutes from the July 5, 2023 meeting as amended. All in favor.

Page 2: Paragraph 1: sentence 6: change “~~then~~” to “the”

Page 2: Paragraph 5: sentence 4: add “Commissioner” before Swistak and a “,” after “aesthetic,”

Page 3: Paragraph 1: sentence 1: after “family” now reads “from ADU references in accordance with state law”

Page 3: Paragraph 2: sentence 2: remove “the” and add “82.706” after section.

Page 7: Planner's Report: add “no items to report”

VIII. Adjournment

A motion to adjourn at 8:27pm was moved by Commissioner Enright and seconded by Commissioner Pendlebury. All in favor.

Attest:

Carrie Kolb