

Approved as written
PLANNING COMMISSION MINUTES
December 6, 2023
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:02pm and the following members were present:

Duncan Pendlebury – Vice Chair	Mick Cochran
Rosemary Enright – Secretary	Diane Harrison
Bernie Pfeiffer	Dana Prestigiacomo

Not present: Michael Swistak

Also present:

Lisa Bryer - Town Planner
Carrie Kolb – Planning Assistant
Wyatt Brochu, Esq. – Ruggiero, Brochu & Petrarca
Nick DiGiando, Applicant and owner, West Ferry Properties

II. Citizen’s Non-Agenda Item - none

III. Correspondence

1. No items at this time.

IV. New Business

1. West Ferry Properties, 129 Narragansett Avenue, AP 9 Lot 10, Jamestown, RI –
Development Plan Review for substantial modification to existing building in Jamestown
Village Special Development District per Jamestown Zoning Ordinance Article 11 Section
82-1100 – Development Plan Approval by Planning Commission:
 - A. TRC Minutes
 - B. Memo from Town Planner dated 11/28/23- Review, Discussion, and/or Action and/or Vote.

Nick DiGiando of 129 Narragansett Avenue addressed the Planning Commission. He has owned 129 Narragansett Avenue, under West Ferry Properties and has run Atlantic Lawn and Garden

since 2006 in this location. He is looking to make the upstairs more useful because currently the upstairs has a low ceiling height and you cannot stand up. He will raise the roof and turn the upstairs into office space. He will also build two decks. He will not change the foot print of the building. Very little changes will be seen from the street side of the property.

Commissioner Pendlebury asked if there will be conference space upstairs in addition to offices? DiGiando said that customers will not go upstairs. The upstairs will be for his office and the manager's office.

Commissioner Enright asked about the stairs. DiGiando said that the current stairs are inside. The new stairs will be outside.

The commissioners were given an updated internal calculation of the space, which is 3,151 square feet. The 3,151 square feet does not include the garages or any unheated space. The required parking is now 8 spaces. DiGiando said that he has parking for 23 spaces that is crush stone, not asphalt, and there are no lines. Pendlebury asked DiGiando if he is asking for any zoning relief? DiGiando said no.

A motion was moved by Commissioner Pfeiffer and seconded by Commissioner Enright as follows:

The application of Nicholas DiGiando, West Ferry Properties, LLC, located at 129 Narragansett Avenue was reviewed by the Planning Commission on December 6, 2023 and the Planning Commission hereby grants Development Plan approval based on the following finding of fact and subject to the following conditions of approval as amended:

Findings of Fact:

1. The application was reviewed under the standards of Zoning Article 11 as a substantial modification to an existing building in the CL Zoning District;
2. The applicant is not seeking a change of use and the building will be used solely as a business property;
3. West Ferry Properties, LLC, has been operating as Atlantic Landscaping, in this location since 2006;
4. The applicant, and owner of West Ferry Properties, LLC, Nicholas DiGiando, testified at the TRC meeting held on November 17, 2023 that the improvements to the property are to improve the function of the business;
5. The application was represented by owner Nicholas DiGiando, recognized as an expert witness at the Planning Commission meeting on December 6, 2023;
6. The proposal is to remodel the second floor of the building at 129 Narragansett Avenue by raising the roof, building a new deck and steps on the south side of the building. The footprint of the building will not change, but the deck will exceed the existing footprint;
7. The lot is 13,889 square feet according to the property survey. The building footprint is 2,927 square feet, the new deck will be 254 square feet, for a total of 3,181 square foot footprint. The lot coverage will be 23%, where 35% is allowed;
8. The impervious surface coverage is being decreased by 100 square feet between pre-development and post-development;

9. The following information has been provided for the current application:
 - a) Signed application
 - b) Project narrative (1 page)
 - c) Plans by Narragansett Engineering, Inc. dated 5-31-23, Plans A-100-104
10. This property is located in the CL Zoning District. General Commercial Office is permitted by right in this district;
11. The building, as proposed on the plans will require 8 parking spaces for the business, based on 1,473 square feet of gross leasable floor area. The current car parking accommodates 23 unmarked spaces outdoors and 2 spaces indoors; and,
12. No zoning variances will be required.

Conditions of Approval:

1. The site improvements shall be built in strict accordance with the plans referenced above;
2. All parking spots shall be delineated on the plan;
3. Submission of any additional lighting and signage will be administratively approved prior to final approval;
4. Final Development Plan Approval shall be granted administratively;
5. The setbacks will be adhered to as shown on the plans;
6. Mike Darveau, PLS will stake out the property on the East side for construction purposes so the setbacks will be adhered to.

So voted:

Commissioner Cochran – aye

Commissioner Enright – aye

Commissioner Harrison – aye

Commissioner Pfeiffer – aye

Commissioner Prestigiacomio – aye

Commissioner Pendlebury – aye

Motion passes 6-0

V. Old Business

1. No items at this time

VI. Reports

1. Planner's Report

A. Future meetings – topics and applications

Next meeting on December 20, 2023 is cancelled for an in-person meeting. However, a link to the Community Survey will be sent out to the commissioners to review.

Bryer said that the Town Council had authorized Commissioner Enright, Commissioner Pendlebury and Commissioner Swistak to sit again. The terms are as follows: Commissioner Enright 1-year, Commissioner Pendlebury 3-year term and Commissioner Swistak 4-year term.

Bryer said that the Hazard Mitigation Plan is being updated. RFQs will be sent out for the Community Plan and Subdivision Regulations.

Commissioner Pendlebury asked Bryer when will Zoning Ordinance go before the Town Council? Bryer said it will be on the agenda for December 18, 2023, and a tentative public hearing on January 16, 2024.

Commissioner Harrison said that she attended a zoning webinar on the Diane did a zoning webinar which was a review of the 2023 Legislative Changes. She will be getting a transcript or video and will pass along with her notes. Commissioner Prestigiaco listed as well and thought it was excellent. Bryer said she and the Planning Commission will be working with Horsely Witten to update Zoning Ordinance with these changes through a grant from the State for \$33,500.

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

1. November 15, 2023

A motion was moved by Commissioner Enright and seconded by Commissioner Pfeiffer to approve the minutes from the November 15, 2023 meeting as amended. All in favor.

Page 11: Part B: Sentence 2: should read ‘first class mail’ remove “7”

Page 12: Part B: Sentence 2: should read ‘first class mail’ remove “7”

Page 13: Part G: changed to read: “Either the principal dwelling or the ADU must be owner occupied unless both dwelling units are made available for long-term occupancy through a long-term lease (one-year or more). The owner may occupy the ADU and may only rent the principal dwelling if it is made available for long-term occupancy through a long-term lease (one year or more).”

VIII. Adjournment

A motion to adjourn at 7:36 was moved by Commissioner Enright and seconded by Commissioner Cochran. All in favor.

Attest:

Carrie Kolb