

PLANNING COMMISSION MINUTES

October 18, 2006

7:30 PM

Jamestown Library

The meeting was called to order at 7:35 p.m. and the following members were present:

Gary Girard	Victor Calabretta
Betty Hubbard	Barry Holland
Richard Ventrone	Michael White

Not present:

Jean Brown

Also present:

Michael Gray, Town Engineer
Cynthia Reppe – Recording Clerk
A. Lauriston Parks – Town Solicitor
Jack Regan
Charlotte Zarlengo

I. Approval of Minutes from October 4, 2006

A motion was made by Commissioner Calabretta and seconded by Commissioner White to accept the minutes with the following changes:

Page 3, first sentence – the road adequacy ~~should~~ can be reviewed at that time ~~in the future.~~

Page 3, 5th line from top – Commissioner Girard stated that if this issue ~~it will~~ comes before us...

Page 5, 3rd line from bottom – Commissioner Hubbard questioned whether taking out the sq. footage of the lot ~~that~~ includes the wetland buffer.

Page 6, 1st line reviewed ~~all~~ some of the past applications....

So unanimously voted. Commissioner Ventrone abstains.

II. Correspondence – nothing at this time

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports – nothing at this time

1. Town Planner's Report
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Fort Getty
 - c. Buildings and Facilities
 - d. Others

4. Sub Committees

V. Old Business

1. Proposed Amendments to Zoning Ordinance Section 314 – High Groundwater Table and Impervious Layer Overlay District

Commissioner Girard asked Attorney Larry Parks a question that Mrs. Zarlengo had regarding the chart on page 8.

Commissioner Ventrone brought up the chart regarding the 0-10 inch water table. When he looks at the chart and in his opinion to even look at the lot with standing water on it why even look at it. Commissioner Calabretta reminded it is the seasonal high groundwater table that they look at. This needs to be included instead of listing it at 6 inches to start. Commissioner Ventrone wants the maximum percent coverage for 0-10" water table to say 3%. Commissioner Holland disagrees with this suggestion. Ventrone says he wants to see 4%. Commissioner Holland wants it to remain at 8%. Commissioner White agreed with Commissioner Holland after asking Mr. Parks about the percentage. Mr. Parks and Commissioner Girard both stated that the table was determined based upon average coverage's that have been approved by the zoning board. To select a number other than what has been included will be arbitrary and difficult to defend. Commissioner Ventrone asked if he could go out and buy a lot, does he have the right to build on it no matter what. Attorney Larry Parks said you as the buyer have due diligence before you buy the property. Mr. Parks recommends that you leave flexibility in the ordinance so the applicant can go before zoning. Mr. Parks explained what a taking is. If you as the town deny a property owner the right to build with the language in the Ordinance it is a taking.

Commissioner Girard thinks if we change this number it would not be right. If the council wants this to be lowered than they can hold a public hearing and decide, as the council at that point. Commissioner Hubbard said this table as set up is enough. When this is put on the council agenda it is very important that the members of the commission attend too, said Commissioner Girard. There was a question about the way this table and ordinance are written, does it say you can definitely have 8%? Mr. Parks says no it does not mean that you are entitled to 8% that is just the maximum.

Change 2b on page #4 to read:

Standard footing and stemwall foundations below the seasonal high-groundwater table.

Change 3 on page #5 to read:

Where the RIDEM approves the separation between a leach field and a potable well which is less than 100 feet, the ISDS design shall provide for

microbiological treatment of the effluent which shall result in a final concentration of fecal coliform of less than or equal to 200 mpn/100ml. In section C Development within sub-district A, all references to the word "standard" shall be changed to the word "criteria" to be consistent with the language in the enabling act.

Change #4 on page 5 to read:

The ISDS and any well serving a new dwelling shall be located on the same lot as the structure it/they serve.

Change 1 on page #6 to include a new subsection that reads:

All efforts should be made to maintain original grade while minimizing cut and fill. All grading and filling should benefit the Stormwater management plan for the site and surrounding area.

Change 2 on page #7, the first subsection to include:

All foundation elements below the seasonal high-groundwater table shall be engineered to allow for free passage of water.

Change 2 on page #8 to the letter D and change the heading to bold and italics.

The discussion continued going through the memo that Town Planner Lisa Bryer prepared for the meeting with questions asked of Mr. Mike Gray, Town Engineer.

A discussion ensued about the wording of the elevated structures with less than 120 feet. Commissioner Hubbard stated she does not want to see any additional exemptions for tool sheds or decks with covers.

Commissioner Ventrone said a shed less than 120 sq ft should be OK.

Commissioner Calabretta asked if this applies to the table of pg 8 and does the word this refer to the 15%, he suggested we change to the 15% instead of this.

Jack Regan – Seaside Dr. resident made some suggestions for the ordinance as far as wording regarding the test holes. Town Engineer Mike Gray asked Mr. Regan to email him with his suggestions.

Commissioner Calabretta said that the regulations for an ISDS the minimum standard, we have the best that technology offers at this point. These systems have been reviewed, monitored and sampled for a few years and to ask an applicant to hire additional experts would be putting an undue burden on them.

Commissioner Hubbard does not want an applicant put on the Zoning Agenda before they have been before the Planning Commission.

A motion was made by Commissioner Hubbard and seconded by Commissioner Ventrone to forward these changes to the Town Council. So unanimously voted.

VI. New Business – nothing at this time

A motion to adjourn at 9:15 p.m. was made by Commissioner Calabretta and seconded by Commissioner Ventrone. So unanimously voted.

Attest:

Cinthia L Reppe
Recording Clerk

This meeting was recorded on 1 micro-cassette