

PLANNING COMMISSION MINUTES

November 1, 2006

7:30 PM

Jamestown Library

The meeting was called to order and the following members were present:

Gary Girard	Betty Hubbard
Barry Holland	Jean Brown
Richard Ventrone	Michael White

Victor Calabretta arrived at 7:45

Also present:

Lisa Bryer, AICP –Town Planner
Margaret Hogan, Esquire
Criaig Carrigan – PE
Mr. & Mrs. John Perrotti
Quenton Anthony, Esquire
William Smith, Hull Cove Farm Road Resident
Gayen Thompson, Hull Cove Farm Road lot owner

I. Approval of Minutes from October 18, 2006

A motion was made by Commissioner Holland and it was seconded by Commissioner Ventrone to accept the minutes with the following change:

Page 3 second paragraph, first sentence add with less than 120 square feet.

So unanimously voted.

II. Correspondence-nothing at this time

III. Citizen's Non Agenda Item

IV. Reports

1. Town Planner's Report
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Fort Getty – Will be meeting tomorrow in the Library at 1:00 p.m.
 - c. Buildings and Facilities - Town Planner Lisa Bryer reported on the meeting last week. The Committee discussed current and future actions.

- d. Affordable Housing Committee – Lisa Bryer, Town Planner reported on a meeting last week that the Committee had discussed Accessory Apartments for Affordable Housing for the upcoming Zoning Ordinance update.
 - e. Others
4. Sub Committees

Commissioner Calabretta arrives at 7: 45 pm.

V. Old Business

- 1. John Perrotti – Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table-Impervious Overlay District Plat 15 Lots 73 &74 - proposal for new dwelling on Ship St.

Margaret Hogan, Esq. presented the application with Craig Carrigan, Engineer. Attorney Hogan gave an overview of the process since 2004. The applicant has reviewed this application as submitted in 2005 to be sure that it is in fact minimum impact. The issue at the last meeting was the impact of 3 bedrooms and a garage. Attorney Hogan gave a brief history of the site in terms of being excavated for the building of the bridge.

Engineer Craig Carrigan explained to the Board that when the garage is removed then it is grass and allows runoff but when the garage is added, stormwater is infiltrated by capturing the runoff through roof leaders to the infiltrating units. Commissioner Brown asked if the garage could be under the house. Mr. Perotti explained that the site does not lend itself to that because of the slope and the need to come in behind the house creating more impervious area with the driveway. A discussion ensued between Commissioner Calabretta and Engineer Carrigan regarding the contouring without the garage and the contouring with the garage as it relates to stormwater runoff and the drainage calculations.

Commissioner Brown stated that as long as the applicant is not negatively affecting the abutters, then they are essentially meeting the intent of the ordinance regarding stormwater and drainage.

Are the lots merged? They will be merged by application if approved. They are currently under separate ownership.

Commissioner Ventrone makes a motion to deny the application based upon that it is not the minimum impact, it was seconded by Commissioner Hubbard.

Commissioner Calabretta said that minimum disturbance is the issue. The engineering of the application is that with or without the garage there is no impact to the neighbors. The percent of impervious cover is currently 10.8%.

So voted:

Gary Girard – Aye
Betty Hubbard – Aye
Jean Brown – Nay
Michael White – Aye

Victor Calabretta – Aye
Barry Holland – Nay
Richard Ventrone – Aye

Motion Carries by a vote of 5-2

VI. New Business

1. Norton Reamer - 2 lot subdivision with street extension - Plat 12, Lot 29, Hull Cove Farm Rd.

Quentin Anthony, Esq. presented the application to the Board with some history on the property as a farm. The property is limited by deed to 6 dwellings and currently has one residence and a caretakers cottage. He is looking for feedback from the Planning Commission to proceed further on this application. A discussion ensued regarding the permanent deed restriction and the potential for cluster subdivision in the long run if all 5 lots are created. The Planner indicated that a cluster is required if developed into 5 lots or more but it was her opinion that the creation of one 3 acre lot in the far corner would not jeopardize any future cluster because there was over 80 acres left.

William Smith – Lot 27 and 28, 244 Hull Cove Farm Road. Hull Cove Farm Road is a private road., it has always been maintained privately by owners. Since the well was dug at the end of the drive he has been in touch with all the property owners. They are all opposed to using Hull Cove Farm Road for access to this new lot. He wants Mr. Reamer to use his existing driveway. They are concerned with traffic on the road and the future new lots utilizing this road even though he has frontage on Hull Cove Farm Road in two separate areas.

Gayen Thompson, 263 Hull Cove Farm Road, Cousin of William Smith. Mr. Reamer did not participate in any maintenance up to this point and has never claimed use of it up to this point. She looks forward to further dialogue.

Quentin Anthony feels that there has been some misunderstandings over the years. He represented Redwood Wright at the time of the sale to Mr. Reamer. He believes that the right to use the road was never relinquished but only the right to use it for construction equipment because that is stated in the deed.

Commissioner Calabretta has a question regarding the abutting lot 51 that has no visible frontage. Commissioner Girard asked Attorney Anthony and the abutters to discuss the road issue before we schedule the public hearing or it will not look very good. Commissioner Calabretta asked whether William Smith represents the owners of the other lots. He said that he does not represent them but has been in verbal contact with all of them and they all agree that the new lot should not utilize Hull Cove Farm Road. They are represented by Attorney Mark Liberati.

The Board asked that the hearing be scheduled for the first meeting in December, December 6.

Commissioner Ventrone wants to discuss POD's and island wide high groundwater table ordinance at a future work session.

A motion to adjourn by Commissioner Ventrone was seconded by Commissioner Girard at 9:30 p.m. So unanimously voted.

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Attest:

Lisa Bryer, AICP
Town Planner

This meeting was recorded on 1 micro-cassette