

PLANNING COMMISSION MINUTES  
July 19, 2006  
**Jamestown Melrose School Teachers Room**

The meeting was called to order at 7:30 p.m. and the following members were present:

Gary Girard                      Richard Ventrone  
Barry Holland                  Michael White  
Jean Brown

Not present:  
Betty Hubbard  
Victor Calabretta

Also present:  
Lisa Bryer, AICP – Town Planner  
Cinthia Reppe – Recording Clerk  
Gail Sheahan – Consistent Care Corp

**I. Approval of Minutes from June 21, 2006**

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

Change all Sylvia to Sheahan throughout the document.

Page 3, second paragraph strike ~~it over~~ add, **the workshop over** to Charlie Petit.

So unanimously voted.

**II. Correspondence**

1. FYI – Letter from Donna Cote Re: Land for Sale- received

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

**IV. Reports**

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

Commissioner Brown reported that the Parking Committee is proposing sticker parking at heads beach for residents to the Town Council.

**V. Old Business**

**1. 27 Luther Street, Plat 8, Lot 322, Adult Day Care Center/Mixed Use -  
Development Plan Review. Recommendation to Zoning Board –  
Continued**

Gail Sheahan presented the plan with the changes to the Commission and presented a model of the building. She also provided the Planning Commission with a business plan. The planning commissioners went up to the table to look at the model and Commissioner Ventrone commented that the cars are not to scale and in reality there is not enough space to turn the vehicles around on this model.

The Planning Commission felt that the third floor needs restructuring, specifically the roof line since the 3<sup>rd</sup> floor is supposed to be 75% smaller than the first floor and with the enclosed decks, it does not really meet that intent.

The parking issue is that they will have to go for a variance for more spaces. Originally there was a parking plan included and it showed coming out on North Rd. but that was not supported by the Planner. The Planner stated that if North Road is used at all it should be strictly for ingress to the site.

The Planner pointed out that the proposal will need a variance for the front and sideyard setbacks. With setbacks there will be a variance needed since they are required to have 50 ft. and they have 3 to 15 feet on the front and side respectively.

A motion was made by Commissioner Brown and seconded by Commissioner White to offer architectural support to the applicant and to comeback with plans more suitable for the neighborhood that respect the setbacks.

A discussion ensued and Commissioner Girard stated that he would not be in favor of this unless the applicant pays for it. Commissioner Ventrone asked why would we do this and not let the applicant pay for it themselves. Town Planner Lisa Bryer stated that if we hire them they will be looking out for the best interest for the town.

The motion was amended by Commissioner Brown and seconded by Commissioner Holland to offer architectural consultation to the applicant and comeback with plans more suitable for the neighborhood and contingent that the applicant pay for this service upon approval by the Planning Commission and if not approved by the Planning Commission no reimbursement will be asked for.

So voted.

Gary Girard-Aye

Barry Holland - Aye

Jean Brown-Aye

Michael White - Aye

Richard Ventrone – Nay

Motion passes by a vote of 4-1

**2. Zoning Ordinance Amendment Section 314, High Groundwater Table and  
Impervious Layer Overlay District – Discussion of Impervious Coverage**

A discussion ensued regarding the table proposed with several of the Planning Commissioners giving their opinion on the percentages per square foot. Commissioner Girard thinks the numbers just may need to be tweaked. Commissioner Holland brought up a discussion from previous meetings regarding maximum square footage of the foot print being 600 sq ft. Town Planner Lisa Bryer stated that this will help the Planning Commission more definitively review and make recommendations on applications and that how the applicant allocates the space is up to them as long as they stay within the square footage and bedroom approval by DEM. Commissioner Brown stated 5 years ago we were

dealing with people that had barrels in the ground for septic systems and what the planning commission has done with this ordinance is great and it is the strictest ordinance in the state.

Commissioner Girard said if they have a 3 bedroom septic approval and put it in then just build a 2 bedroom house they can add a bedroom later on without the town knowing.

We cannot legislate dishonesty and that as long as their ISDS can handle it and if they would rather have a bedroom than a living room, why do we care?

Commissioner Holland asked what the definition of wetland is and Town Planner Lisa Bryer stated that it used to be 12 inch water table but is now done by soil type.

Town Planner Lisa Bryer is going to look at soil types to see how we can fit that in and use it as a starting point for the table. We should exclude wetlands in any square foot or percentage calculations.

Commissioner White asked if DEM issues a permit than have they defined wetlands and have we relied on their interpretation?

The Planning Commission has given Town Planner Lisa Bryer enough information to continue working on this.

Commissioner Holland asked if this is going to be definitive for the applicant to follow or is this just a guideline. If it is in the ordinance than it is definitive.

All of the Planning Commissioners are in agreement with just using the first table that uses impervious layer depth and groundwater table depth.

#### VI. **New Business** – nothing at this time

A motion to adjourn was made at 9:40 p.m. by Commissioner Brown and seconded by Commissioner Girard. So unanimously voted.

Attest:

Cynthia Reppe

*This meeting was recorded on 1-micro-cassette.*