

Smart code is issue with merchants

By Sam Bari

A special Planning Commission meeting was held on Oct. 22 to discuss zoning ordinance amendments for affordable housing and the downtown development district vision plan.

The commercial district was represented by merchants and business owners. Some were adamant about any suggested changes to the regulations in the smart code that would compromise their rights as business owners.

The Planning Commission discussed the idea of transitional areas from commercial CL and CD zones to residential RA and R20 zones. The Town Planner said that the intent was to ease the abruptness of a commercial property abutting a residential parcel.

T-5 properties, which are equivalent to the old CD rating, are regulated with zero setbacks. T-4 areas are regulated with 12-foot setbacks. The wording in section 82-1106 F allowed T-5 properties abutting residential properties to use T-4 regulations

whenever possible to provide a gradual visual change from the commercial to the residential areas.

The original wording of the suggested code was: Commercial development on lots within the T-5 district that are adjacent to residential zoning districts should utilize the setbacks as prescribed in the T-4 Zone to allow a transition from the more dense T-5 district into the village residential districts.

Commissioner Michael Swistak suggested a compromise by replacing "should utilize" with "are strongly encouraged to," in the first paragraph and to change "shall seek approval from the Planning Commission 'and' demonstrate" to "shall seek approval from the Planning Commission 'to' demonstrate how the development plan mitigates impacts to the adjacent residential area," in the second paragraph.

"We aren't forcing you to relax the setbacks," Swistak said. "We are encouraging you to do so if it is at all possible."

Gail Sheahan, owner of Con-

sistent Care, a home health care agency at 8 Clinton Ave. said, "At the meeting we had last week a motion was put in place saying that anything that was zoned CD would be left alone. If you want to increase T-4 into the residential districts, then go ahead. But don't take away from T-5 rights because you don't want to increase T-4. We shouldn't be questioned. Leave us alone."

"I don't want to come to some Planning Board meeting and spend \$125,000 to get permission to do something that I should be able to do anyway," she added.

Sheahan accused the commission of restricting business and restricting growth. She said that what the planning commission was doing was not within the comprehensive plan.

Mark Swistak, an owner of Jamestown Design and Commissioner Swistak's brother, said that the reason the business owners who were present were so sensitive about the zoning issues was because they worked very hard for what they have.

He pointed to Bill Munger, owner of Conanicut Marine Services, Jack Brittain, owner of Jack's Electric, and Ken Silvia, owner of the barbershop, and said, "Twenty to 30 years ago when there was little traffic and not much business here, every one of these people took a risk, and for the record, we want you to know that."

Nick Robertson, owner of several commercial properties, wanted to know why the business district was being asked to make all the compromises. "Why isn't the residential district being asked to make some concessions?" he asked.

Town Planner Bryer said that she wished more residents would attend all aspects of this issue could be heard by the board.



Haunted houses

Liam Gamon puts the finishing touch on his candy haunted house that he made as part of the Friends of the Jamestown Library workshop.

Photo by Andrea von Hohenleiten

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