

GEORGETOWN PLANNING COMMISSION

Meeting Minutes

Wednesday, October 25, 2006

CALL TO ORDER

The Georgetown Planning Commission held a regular meeting on Wednesday, October 25, 2006 in the Georgetown Town Hall, 404 6th Street. Chairman Sarah Kaminski called the meeting to order at 7:00 p.m.

ROLL CALL

Answering the roll were Chairman Sarah Kaminski, Vice Chairman Paul Nisler, Commissioners Malcolm Schaefer and Greg Sterett, and Alternate Member Jerry Fabyanic. Also in attendance was Recording Secretary/Town Clerk Merinel Williams.

AGENDA APPROVAL

Mr. Nisler moved to approve the agenda as written. Mr. Sterett seconded and the motion was adopted by unanimous vote.

AUDIENCE BUSINESS - None.

NEW AND UNFINISHED BUSINESS

Continued public hearing for an application from Joyce D. Jamele for a Special Use Permit to operate a three room Bed and Breakfast facility at 613 4th Street

Ms. Kaminski announced that the public hearing for the application for a special use permit to operate a Bed and Breakfast (B&B) facility at 613 4th Street was continued in order to consult the Town Attorney's opinion as to whether the parking regulations in section 17.20.020 of the Georgetown Municipal Code apply to B&B's. The Town Attorney has determined that these regulations do apply.

Joyce Jamele and Kathy Hoeft represented the applicant. Ms. Jamele announced that she will be returning to the Design Review Commission (DRC) to request an additional review of her proposed project because she misunderstood the DRC's question about whether any changes to the property are contemplated and she incorrectly indicated that no changes are planned. She wishes to enclose the breezeway between the garage and the house, but those plans are only conceptual at present and she believed that the DRC was seeking to determine whether any developed plans were available. She intends to explain the conceptual plans to connect the garage and residence, and with this corrected information, the DRC may choose to amend its advisory regarding the Special Use Permit application.

Ms. Hoeft requested the Commission's interpretation regarding whether the house and garage would be viewed as one unit once they are connected. She pointed out that Ms. Jamele plans to establish the owner's quarters in the area over the garage, but doesn't

want to proceed with this plan if the Town would view the garage and house to be separate living units. The Commissioners indicated that they would view the garage and house to be a single residential unit once the two structures are connected.

Ms. Hoelt addressed the parking requirements in 17.20.020, and particularly the concerns raised in Lee Behrens' and Jeanne Waligroski's written comments submitted at the last meeting. In response to the issue that vehicles parked on the garage apron will block the egress of cars parked in the garage, she stated that while this might be a management issue, there is no regulation that prohibits tandem parking. In response to the issue of the width of the access driveway, Ms. Hoelt stated that landscaping can be installed to reduce the width from 32' to 25'. In response to the issue of the prohibition against backing into the public street, Mr. Hoelt stated that the applicant's first choice will be to apply for a variance, however another option would be to establish a new access to the property from Argentine Street. In response to the requirement that parking areas have a minimum setback from property lines of five feet, Ms. Hoelt noted that a variance from the setback requirement was granted by the Board of Adjustment for the garage when it was built, and she believes that variance would also apply to the proposed parking. In response to the issue of parking area design, Ms. Hoelt indicated that in the worst case, only the middle parking space would not meet the requirements, and she believes she can re-design the parking area to satisfy the requirements as written. In response to the issue of accessibility for the disabled, Ms. Hoelt responded that B&B's of this size are exempt from the requirements of the Americans with Disabilities Act. She agreed that traffic and parking on 4th Street are problems, particularly at times when court is in session at the courthouse.

Mr. Schaefer concurred that the only regulation not met is the prohibition against backing into the public street, and that the applicant's options to address it are to obtain a variance or appeal to the Selectmen if the Commission denies the Special Use Permit application. Mr. Nisler commented that applying the parking requirements to this property appears to be selective enforcement, since they seem not to have been applied to other businesses.

Ms. Hoelt agreed that the requirements should be applied to new businesses and to a changes in use, such as the current application. She noted that many of the businesses in Town have been in place a long time and therefore may be non-conforming. Mr. Schaefer commented that the requirements should not be applied to this application if they have not been applied in the past to others. Ms. Kaminski stated that she believes the Commission must comply with the Code regardless of whether there has been uniform enforcement in the past.

It was agreed that the procedure to be pursued is for the applicant to approach the DRC for a possible amendment to its recommendation, then either ask the Planning Commission for a decision or proceed to the Board of Adjustment to request a variance.

Adjacent property owner Lee Behrens pointed out that another possibility would be to pursue a new access from Argentine Street. He indicated that he is still concerned about blocking vehicles that are parked in the garage. He disagreed with the Commissioners'

comments expressed at the last meeting as reported in the minutes. He also stated that the law should be followed whether it has been applied to other applications in the past or not. Mr. Behrens questioned whether the Commission finds that the application is compliant with Sections 17.04.02(b), 17.04.02(b) and 7.24.050(b)(2) of the Municipal Code and Ms. Kaminski replied that compliance cannot be determined until the applicant has submitted her revised site plan. Mr. Behrens stated that the special use process was intended to mitigate impacts.

Ms. Kaminski acknowledged one new written comment received since the last hearing from the Trelease family indicating no objection to the proposal. In response to a question from Mr. Schaeffer, Mr. Behrens indicated that he has not discussed the application with other neighbors. Mr. Schaeffer stated that Mr. Behrens is the only neighbor that has raised concerns regarding the traffic and parking issues.

Mr. Schaefer moved to continue the public hearing to the Commission's December 13, 2006 meeting. Mr. Nisler seconded and the motion was adopted by unanimous vote.

Public hearing for an application from Richard and Naida Wolf for a Special Use permit to operate a four room Bed and Breakfast facility at 605 Brownell Street

Ms. Kaminski opened the public hearing. The applicants were not present. It was confirmed that the applicant currently holds a Special Use Permit for a three room B&B at this location, and the only change with the new application is to increase the number of rental bedrooms from three to four. Ms. Kaminski confirmed that within the last year the Commission has twice approved B&B Special Use Permits at this location so the only new issue is compliance with parking requirements. Ms. Kaminski indicated that she would like to make the case files from the prior approvals part of the record of this public hearing.

The Commission reviewed the site plan submitted with the application in relation to the parking requirements. It was determined that there is space on the south side of the property to park two business owner vehicles. The parking area on the north side is adequate for four vehicles, with adequate space for them to turn around in the lot and drive forward to enter Brownell Street. The required width and length to accommodate four parking spaces with aisles between spaces is exceeded in width by ten feet, and also exceeded in length. The access driveway is 22.5 feet wide and so is compliant with that standard. There is a minimum five foot setback from boundary lines for the parking areas.

It was acknowledged that the current Permit requires removal of the outdoor lighting fixture at ground level, and the Commission discussed maintaining this stipulation if a new Permit is granted. Ms. Kaminski reviewed the written comments submitted by adjacent property owners, all of which were in support of the application. Mr. Nisler pointed out that the response from the DRC indicated no objection to the proposal.

Mr. Nisler moved to approve the application of Richard and Naida Wolf for a four room B&B at 605 Brownell Street based on information from the two previous B&B Special

Use Permit applications and a determination that the application complies with the Town's off-street parking requirements, with the stipulation that the ground level lighting fixture be removed. Mr. Nisler seconded and the motion was adopted by unanimous vote.

Minutes of October 11, 2006 and change in meeting date

Mr. Sterett moved to approve the minutes of the October 11, 2006 meeting as corrected. Mr. Nisler seconded and the motion was adopted by unanimous vote.

Noting that the Commission's second regular meeting in November falls on the evening before Thanksgiving, the Commission agreed to re-schedule its November 22 meeting to November 29.

ADJOURNMENT

Ms. Kaminski adjourned the meeting at 8:17 p.m.

Sarah Kaminski, Chairman

Merinel Williams, Town Clerk