

Approved As Written  
PLANNING COMMISSION MINUTES  
February 6, 2013  
**7:30 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave.**

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

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Michael Jacquard
Richard Lynn	Michael Smith

Not present: Mick Cochran

Also present:

Lisa Bryer, AICP –town Planner  
Cinthia Reppe – Planning Assistant  
Justin Jobin – Environmental Scientist  
Wyatt Brochu – Town Solicitor  
Dan Cotta – American Engineering Inc.  
Timothy Cotter  
Robert Marcello – Knollwood Building Corporation – Exeter RI

**I. Approval of Minutes January 16, 2013**

A motion was made by Commissioner Enright and seconded by Commissioner Jacquard to accept the minutes as written. So unanimously voted.

**II. Correspondence – nothing at this time**

**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. Buildings and Facilities
  - c. Affordable Housing Committee
  - d. North Rd. Bike Path Committee
4. Sub Committees

## V. Old Business

1. **John Somyk – Plat 5, Lot 175 & 194 – Riptide St. - Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District – Zoning Ordinance Section 82-308 Variance Request for Development within the 150’ freshwater wetland setback – Recommendation to the Zoning Board – continued to a later date**

At the applicants request this application will be continued to a later date.

## VI. New Business

1. **Timothy Cotter – 29 Seaside Dr. Plat 14 Lot 15 – Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A review - Recommendation to the Zoning Board**

Daniel Cotta, American Engineering located in Exeter RI a registered PE and PLS specializing in Land development and residential projects with over 30 years of experience. He is also a licensed Class 3 septic designer. A motion was made by Commissioner Smith and seconded by Commissioner Pendlebury to accept Mr. Cotta as an expert witness. So unanimously voted.

The existing home is currently serviced by a cesspool. The previous owner had approval for a SeptiTech system but resubmitted for approval from DEM due to changes in the Bottomless Sand Filter layout. (The application was approved by DEM on 2/4/2013). The water table is 48 inches but it is the depth to impervious soils that put this lot in sub district A. The 11.85% proposed impervious surface is below the 12% allowable coverage. They are proposing use of Rain Gardens. Cotta indicated that there was a problem with the paperwork from Well Works, a well variance was granted but a well completion report was never submitted. Cotta indicated that as soon as DEM receives the paperwork, it will be approved.

Commissioner Swistak asked what the specific variance is? The applicant had a well variance approval to install a private well within 50 feet from the Seaside Dr. He will be using 2 wells combined although there are 4 on the property. Shallow wells are common on properties located on the coast as deep wells could lead to salt water intrusion, according to Justin Jobin Environmental Scientist for the town of Jamestown. Commissioner Swistak also asked if Zoning will be looking for elevations on this house. They may ask for the floor plan and a site plan. Commissioner Swistak asked about the 4 wells. One will be abandoned, one will be used for irrigation purposes. Commissioner Swistak asked about the cesspool closure. This is regulated under the DEM Approval for new septic system. It will be filled with sand unless it is in the way of construction. Swistak also asked about the AdvanTex system compared to this SeptiTech system. Mr. Cotta feels SeptiTech has an advantage. They do not have to be above the ground. Our ordinance is more restrictive than the regulations in the storm water manual.

Commissioner Enright wants to know where the decision comes as far as what plants should be planted for the Rain Garden. It is in the residential version of the storm water guidance manual. What approval do you need from CRMC? Approval for the entire project he said. Once planning and zoning is complete then they will get CRMC approval. A discussion ensued regarding the

ROW on Mast St. They cannot make any requirements regarding this. A discussion ensued about rights of way.

After asking the Planning Commission if there is anyone not inclined to send a positive recommendation to Zoning on this application Commissioner Swistak will prepare the Findings of Fact and Conditions of Approval to send to the Planning Office for review. This will be presented at the next meeting.

Town Solicitor Wyatt Brochu stated the requirements and maintenance schedules for rain gardens will be recorded with the decision. Mr. Cotter wants to know if as time goes on with regards to the rain garden and he sees that there are different plants than what the approval says can he do that. As long as they are in the manual yes he can. This will be continued until the next meeting. Mr. Cotta has a conflict that night but he will not be needed.

**2. Donna Perry – Stern St. Plat 14 Lot 147 - Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A review - Recommendation to the Zoning Board**

Engineer Dan Cotta presented this application. A motion was made to accept Mr. Cotta as an expert witness. So unanimously voted.

This application has a high water table that was monitored through the last wet season. It has a 14 inch water table. Justin Jobin said this application meets our ordinance. Robert Marcello Knollwood Building Corporation, Exeter RI explained what the house will look like. There will be a garage on the first level, a tri level cape on a slab.

Mr. Jobin was questioned about the fill and he stands by the memo saying it is not significant fill. We are talking a foot difference as far as fill. Commissioner Swistak suggested a condition of an understanding that topographically we are not increasing run off to the neighbors property. Dan Cotta said it can be pitched away. Commissioner Pendlebury wants it shown that no water will be added to property. Mr. Cotta will modify his plan or put in a supplement, he will work with Justin Jobin who will notify the Planning Commission. Pendlebury wants more contour lines and something that says the additional fill will not change the flow of water. Mr. Jobin will discuss this with Mike Gray. This application will be continued until the next meeting to send a positive recommendation to the Zoning Board where we will have Findings of Fact and Conditions of Approval.

A motion to adjourn was made by Commissioner Smith and seconded by Commissioner Jacquard at 8:45p.m. So unanimously voted.

Attest:



Cynthia L Reppe  
Planning Assistant

*This meeting was digitally recorded*