

Approved As Written
PLANNING COMMISSION MINUTES
April 15, 2015
7:00 PM
JamestownTown Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:00 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Michael Jacquard	Bernie Pfeiffer
Michael Smith	

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Planning Assistant
Justin Jobin – Town of Jamestown Environmental Scientist
Wyatt Brochu – Town Solicitor
Daniel Cotta- Professional Engineer – American Engineering Inc.
Douglas DiSimone
Ken Vario

II. Approval of Minutes March 18, 2015

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

Approval of Minutes April 6, 2015

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

III. Correspondence

1. FYI – Paul A. Robertson – 35 Narragansett Ave. – Letter – Received

IV. Citizen’s Non Agenda Item – nothing at this time

V. Reports – nothing at this time

1. Town Planner’s Report
2. Chairpersons report
3. Town Committees

4. Sub Committees

VI. New Business

1. Douglas Enterprises LTD – Plat 14 Lots 336 & 345 – Helm Street - Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District – Recommendation to Zoning Board

Douglas De Simone from Douglas Enterprises LTD said he has category 9 soils on these lots.

A motion was made by Commissioner Smith and seconded by Commissioner Cochran to accept Daniel Cotta Professional Engineer as an expert witness. So unanimously voted.

Dan Cotta Engineer said the lot is located on Helm St. it is 2 individual lots of record. No variances required for the septic, Advantex System. The water table is decent in this area. They are proposing a rain garden to the rear and the driveway will be an impervious surface. It meets the lot coverage requirements.

Commissioner Swistak asked “Is there significant water going across the lot?” Mr. Cotta showed the direction of where the run-off will go. Setback dimension is 17 feet requirement is 15 feet. Dimensions from the sand filter to the property lines are within the requirement for each direction.

Commissioner Enright is not seeing the distance from the surrounding wells to the Advantex system. Mr. Jobin told her it is on the septic approval.

Commissioner Pendlebury is the merging of the two lots an administrative matter. Yes she answered. Once they are in the same ownership, they will be merged automatically due to their non-conforming nature. Mr. DeSimone will merge the lots as soon as they are recorded.

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to recommend to the Jamestown Zoning Board, approval of the application of Douglas Enterprises LTD, Plat 14 Lots 336 and 345, Helm Street. The Planning Commission reviewed this application under Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A in accordance with the plans by American Engineering Inc. entitled **TOWN SUBMISSION FOR DOUGLAS ENTERPRISES, LTD LOCATED AT HELM STREET JAMESTOWN, R.I.**, dated 3-19-2015.

The recommendation for approval is based on the following findings of fact and subject to the following conditions of approval:

Findings of Fact

1. The applicant is proposing to merge two 7,200 SF adjacent lots. Plat 14 Lots 336 and 345.
2. The applicant is proposing to construct a three-bedroom dwelling on a 14,400 SF lot per the following items submitted on behalf of the application:
 - a. Zoning Section 314 Worksheet (undated) signed by Daniel R. Cotta, PE, PLS
 - b. Water Volume Calculations by American Engineering dated March 19, 2015
 - c. Exhibit related to Rain Garden and General Notes for recording
 - d. Site Evaluation Form – Soil Profile, 4 sheets including 4 test holes

- e. 500' Radius Map signed by Marc Nyberg, PLS dated March, 2015
 - f. RIDEM OWTS permit signed by Marc Nyberg, PLS dated 4-1-15
 - g. Site Plan titled "Town Submission for Douglas Enterprises, Ltd" dated 3-19-2015
3. There are no wetlands on the subject property nor are there any wetlands within 150 feet from the applicable components of the OWTS per Zoning Ordinance Section 82-308 per the plan submitted by American Engineering Inc. entitled **TOWN SUBMISSION FOR DOUGLAS ENTERTPRISES, LTD LOCATED AT HELM STREET JAMESTOWN, R.I**dated 3-19-2015.
 4. Based on soil evaluation reports, the subject lot is in sub-district A of the High Groundwater Table and Impervious Overlay District.
 5. A Memorandum(attached) dated April 7, 2015 to Town Planner Lisa Bryer, provided by Michael Gray, PE and Justin Jobin, Environmental Scientist notes that the proposal in their opinion the application meets the requirements of the Ordinance as follows:
 - a. The applicant meets the allowable impervious coverage limit of 12%.
 - b. The proposed 3 bedroom Advantex and bottomless sand filter OWTS provides advanced treatment, and meets the requirements of this ordinance. The applicant has enclosed a copy of the RIDEM OWTS Approval;
 - c. The proposed 791.5C.F rain garden exceeds the criteria of the Ordinance to accommodate the increase in runoff for a 10 year storm.
 6. Daniel Cotta, PE presented the application on behalf of the applicant and was accepted as an expert witness.

Conditions of Approval

1. The Operation and Maintenance (O & M) requirements for pervious driveway, stormwater mitigation and OWTS shall be recorded in the Office of the Town Clerk with the Zoning Approval. The language for such O and M shall be approved by the Director of Public Works prior to recording.
2. The O & M shall indicate that driveway shall remain pervious in perpetuity. Any change in this requirement will require additional approval by the Zoning Board of Review.
3. An as-built plan shall be provided by the Engineer to ensure constructed grades match the approved development plan.
4. The property corners shall be marked by permanent bounds as placed by a Registered Land Surveyor.

So unanimously voted.

2. Thomas Crawford - Plat 5 Lot 271- Seaside Dr. - Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District – Recommendation to Zoning Board

Dan Cotta made a presentation this is a sub-districtAapplication because of the category 9 soils and it has a good water table which would not trigger the ordinance.

An advance treatment system is proposed. He explained the rain garden and they addressed the flooding issues in that area.

Justin Jobin explained the OWTS easement on the adjacent lot that was required by DEM. DEM requires a certain area around the leach field grading and therefore because the proximity of the property line, the easement is necessary. The owners of the two lots are related.

Commissioner Swistak asked Mr. Brochu about having something from abutter in writing. Mr. Brochu said the restriction and condition would have to be in place for the zoning board to approve so we can highlight that in our approval. Ms. Bryer pointed out that is # 3 under conditions of approval. Commissioner Swistak would like a written commitment before the Zoning Board meeting. Brochu said if they are represented by council at the zoning board when dealing with an easement an attorney should be present for the applicant. They have retained Mark Liberati so Brochu suggested that he contacts him first. Commissioner Enright wants to know if the easement will be marked in any way? No.

Commissioner Swistak asked Jobin “ is the town doing any improvements in that area?” Public works is going to be putting a separate catch basin in that area.

A motion was made by Commissioner Cochran and seconded by Commissioner Smith to recommend to the Jamestown Zoning Board, approval of the application Thomas Crawford, Plat 5 Lot 271, Seaside Drive. The Planning Commission reviewed this application under Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A in accordance with the plans by American Engineering Inc. entitled **TOWN SUBMISSION FOR THOMAS CRAWFORD LOCATED AT POLE #17 SEASIDE DRIVE JAMESTOWN, R.I** dated 3-27-2015.

The recommendation for approval is based on the following findings of fact and subject to the following conditions of approval:

Findings of Fact

1. The applicant is proposing to construct a two-bedroom dwelling on a 7,200 SF lot on AP 5 Lot 271 per the following items submitted on behalf of the application:
 - a. Zoning Section 314 Worksheet (undated) signed by Daniel R. Cotta, PE, PLS
 - b. Water Volume Calculations by American Engineering dated March 27, 2015
 - c. Exhibit related to Rain Garden and General Notes for recording
 - d. No Cut Easement for recording
 - e. Site Evaluation Form – Soil Profile Description, 4 sheets including 4 test holes
 - f. 200 Ft. Radius Map dated 10-24-2014
 - g. RIDEM OWTS permit dated 2-12-2015 and Plan dated 1-6-2015, including notice of OWTS variance request and variance correspondence.
 - h. Site Plan titled “Town Submission for Thomas Crawford” dated 3-27-2015
2. A two-bedroom deed restriction is required as part of the OWTS Approval.
3. A 411 S.F. grading and no cut easement is required on plat 5 lot 270 by RIDEM. The applicant has not provided any written evidence that the owners of lot 270 have agreed to the easement.

4. There are no wetlands on the subject property nor are there any wetlands within 150 feet from the applicable components of the OWTS per Zoning Ordinance Section 82-308 per the plan submitted by American Engineering Inc. entitled **TOWN SUBMISSION FOR THOMAS CRAWFORD LOCATED AT POLE #17 SEASIDE DRIVE JAMESTOWN, R.I.** dated 3-27-2015.
5. Based on soil evaluation reports, the subject lot is in sub-district A of the High Groundwater Table and Impervious Overlay District.
6. A Memorandum(attached) dated April 7, 2015 to Town Planner Lisa Bryer, provided by Michael Gray, PE and Justin Jobin, Environmental Scientist notes that the proposal in their opinion the application meets the requirements of the Ordinance as follows:
 - a. The applicant meets the allowable impervious coverage limit of 12%.
 - b. The proposed 2 bedroom Septi-Tech and bottomless sand filter OWTS provides advanced treatment, and meets the requirements of this ordinance. The applicant has enclosed a copy of the RIDEM OWTS Approval;
 - c. The proposed rain gardens totaling 773.5 C.F exceed the criteria of the Ordinance to accommodate the increase in runoff for a 10 year storm.
7. Daniel Cotta, PE presented the application on behalf of the applicant and was accepted as an expert witness.

Conditions of Approval

1. The Operation and Maintenance (O & M) requirements for pervious driveway, stormwater mitigation and OWTS shall be recorded in the Office of the Town Clerk with the Zoning Approval.
3. The two-bedroom deed restriction shall be recorded in the Office of the Town Clerk with the Zoning Approval.
4. A written commitment for the easement on Lot 270 shall be submitted with the Zoning Application with a title certification.
5. The grading and no cut easement on lot 270 shall be recorded in the Office of the Town Clerk with the Zoning Approval.
6. The O & M shall indicate that driveway shall remain pervious in perpetuity. Any change in this requirement will require additional approval by the Zoning Board of Review.
7. An as-built plan shall be provided by the Engineer to ensure constructed grades match the approved development plan.
8. The property corners shall be marked by permanent bounds as placed by a Registered Land Surveyor.

So unanimously voted.

Commissioner Pfeiffer has recused and left the table.

3. Kenneth Vario – Plat 14, Lot 111–Stern St. - Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District – Recommendation to Zoning Board

Dan Cotta said the lot is located on Stern St. between Beach and Helm it was approved and development was started before the ordinance was in effect. An Advantex system was approved. Access is off Stern St. a well variance was granted, they meet the square footage and setbacks. It is graded so the surface water runs toward the back which is a better place than before it gets to Beach Ave. The foundation and footing will be in the water table they have provided for the water to flow through it.

Most of the lot will be cleared, it is currently re vegetated. The volume of the rain garden is enough.

A motion was made by Commissioner Cochran and seconded by Commissioner Smith to recommend to the Jamestown Zoning Board, approval of the application of Kenneth Vario, Plat 14 Lot 111, Stern Street. The Planning Commission reviewed this application under Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A in accordance with the plans by American Engineering Inc. entitled **TOWN SUBMISSION FOR KENNETH VARIO LOCATED AT POLE #9 STERN STREET JAMESTOWN, R.I.**, dated 3-2-2015. The recommendation for approval is based on the following findings of fact and subject to the following conditions of approval:

Findings of Fact

1. The applicant is proposing to construct a two-bedroom dwelling on a 7,200 SF lot on AP 14 Lot 111 per the following items submitted on behalf of the application:
 - h. Zoning Section 314 Worksheet (undated) signed by Daniel R. Cotta, PE, PLS
 - i. Water Volume Calculations by American Engineering dated March 2, 2015
 - j. Exhibit related to Rain Garden and General Notes for recording
 - k. Site Evaluation Form – Soil Profile, 2 sheets including 3 test holes
 - l. Location Map dated 3-10-15
 - m. 200 Ft. Abutters List
 - n. RIDEM OWTS permit dated 2-27-15 and Plan dated 12-20-14
 - o. Site Plan titled “Town Submission for Kenneth Vario” dated 3-2-15
2. There are no wetlands on the subject property nor are there any wetlands within 150 feet from the applicable components of the OWTS per Zoning Ordinance Section 82-308 per the plan submitted by American Engineering Inc. entitled **TOWN SUBMISSION FOR KENNETH VARIO LOCATED AT POLE #9 STERN STREET JAMESTOWN, R.I.** dated 3-2-2015.
3. Based on soil evaluation reports, the subject lot is in sub-district A of the High Groundwater Table and Impervious Overlay District.
4. A Memorandum(attached) dated April 8, 2015 to Town Planner Lisa Bryer, provided by Michael Gray, PE and Justin Jobin, Environmental Scientist notes that, the proposal in their opinion, meets the requirements of the Ordinance as follows:
 - d. The applicant meets the allowable impervious coverage limit of 12%.

- e. The proposed 2 bedroom Advantex and bottomless sand filter OWTS provides advanced treatment, and meets the requirements of this ordinance. The applicant has enclosed a copy of the RIDEM OWTS Approval dated 2-27-15. A two bedroom deed restriction is required for this lot per RIDEM;
 - f. The proposed 791.5C.F rain garden exceeds the criteria of the Ordinance to accommodate the increase in runoff for a 10 year storm.
5. Daniel Cotta, PE presented the application on behalf of the applicant and was accepted as an expert witness.

Conditions of Approval

1. The Operation and Maintenance (O & M) requirements for pervious driveway, stormwater mitigation and OWTS shall be recorded in the Office of the Town Clerk with the Zoning Approval.
2. The O & M shall indicate that driveway shall remain pervious in perpetuity. Any change in this requirement will require additional approval by the Zoning Board of Review.
3. An as-built plan shall be provided by the Engineer to ensure constructed grades match the approved development plan.
4. The property corners shall be marked by permanent bounds as placed by a Registered Land Surveyor.

So unanimously voted. Commissioner Pfeiffer recused.

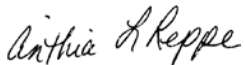
VII. Old Business – nothing at this time

VIII. Adjournment

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to change the meeting time to 7:30 during the summer months. So unanimously voted.

A motion to adjourn at 7:57 was made by Commissioner Cochran and seconded by Commissioner Enright. So unanimously voted.

Attest:


Cynthia L. Reppe

This meeting was digitally recorded