

Approved As Written
PLANNING COMMISSION MINUTES
March 16th, 2016
7:00 PM
Jamestown Town 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
Mick Cochran	Bernie Pfeiffer
Dana Prestigiacomio	Michael Smith

Not present:

Rosemary Enright – arrived at 7:10

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Derick Hopkins – Narragansett Engineering Inc.
Dan Cavanagh

II. Approval of Minutes March 2nd, 2016

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

III. Correspondence

1. FYI – Letter to Jason Pannone – Re: The Preppy Pig BBQ. Received
2. FYI – Letter to Slingluff/DiGasper – TRC approval of Accessory Family Dwelling Unit. Received

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

V. Reports

1. Town Planner’s Report – There are no applications for first meeting in April so the meeting will most likely be cancelled.
2. Chairpersons report – Commissioner Swistak made a motion that was seconded by Commissioner Cochran to move the meetings back to 7:30 p.m. starting with the second meeting in April. So unanimously voted.
3. Town Committees
4. Sub Committees

VI. Old Business – nothing at this time

VII. New Business

1. **Pompili/Cavanagh – Plat 3A, Lot 460 - Sloop St. - Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District 314 – Recommendation to Zoning Board**

Derick Hopkins, P.E. Narragansett Engineering, Inc .represented the application.

A motion was made by Commissioner Smith, seconded by Commissioner Cochran to accept him as an expert witness. So unanimously voted.

The property is a Sub-district A application, the lot is 14,400 square feet and slopes towards Gondola Avenue. The lot is in the R-40 zoning district. It is not in a flood hazard district. A 4 bedroom house with a detached garage with a gravel driveway is being proposed. There is a proposed deck in the back that is not covered and a deck in the front that is covered. The impervious cover is 12% not 13% as stated in the application. The plans have been amended to reflect this.

Commissioner Rosemary Enright arrived at 7:10.

Commissioner Cochran asked about the cul-tecstormwater system; what happens when it exceeds the 10 year storm? Mr. Hopkins answered that it will have a splash overflow onto Gondola Street. Cochran inquired about the detached garage and Dan Cavanagh, owner noted that the garage was detached for passive certification reasons.

Commissioner Pendlebury asked about the stormwater system and what happens when we get a very large storm. Derick Hopkins indicated that the slope is gentle enough that he would not anticipate too much erosion for that reason. We are concentrating it somewhat. But grass will break up the force of water. He could put in a level spreader if the board felt it was necessary.

Commissioner Smith asked about it being a passive house. Hopkins noted that it will have extra insulation and be on a slab. It is a floating slab with rigid foam foundation under it. The architect is not at the meeting so he cannot answer detailed questions about the design.

A motion was made by Commissioner Swistak and seconded by Commissioner Cochran to approve the Draft Motion dated March 11, 2016 At the March 16, 2016 Planning Commission meeting, the Planning Commission voted unanimously:

“To recommend to the Jamestown Zoning Board, approval of the application Dan and Julia Cavanagh, Plat 3A, Lots 460, Sloop Street review under Zoning Ordinance Section 82-314 – High Groundwater and Impervious Layer Overlay District, Sub-district A - review in accordance with the plan entitled **Existing Conditions (sheet 1 of 2) and Proposed Conditions (sheet 2 of 2)**, for **Cavanagh, 5 Morton Avenue, Newport, RI 02840; Location 0 Sloop ‘Street, Jamestown RI 02835, dated 12/16/15**. The recommendation for approval is based on the following findings of facts as amended:

Findings of Fact Section 314

The applicant is proposing to construct a 4 bedroom 34' x 34' dwelling with a 20' x 26' detached garage on Lot 460 totaling 14,400 square feet.

1. Applicant has obtained RI DEM approval for an ISDS/OWTS for a four-bedroom dwelling. This approval includes an approved variance for groundwater clearance. This approval has been re-submitted to RIDEM due to a site change, which detached the garage. The applicant is awaiting this approval;
2. The applicants OWTS permit from RIDEM and the Town of Jamestown Worksheet for Zoning Section 314 indicates the OWTS is a Septi-tech/Advantex to Geomat system.
3. The applicant's representative Derek Hopkins, PE, of Narragansett Engineering has submitted expert testimony before the Planning Commission on 3/16/16 as an expert witness with regards to OWTS Design and evidence that the proposed project meets the design requirements of Zoning Ordinance 82-314 High Ground Water Table and Impervious Overlay District as documented in a report prepared by Narragansett Engineering dated February, 2016.
4. Jamestown Public Works Director Michael Gray, PE provided correspondence to Lisa Bryer, Town Planner dated March 10, 2016 regarding the Cavanagh application with respect to Zoning Section 314 (attached) which notes that, the proposal in his opinion, meets the requirements of the Ordinance as follows:
 - a. The applicant meets the allowable impervious coverage limit of 13%.
 - b. The proposed 4 bedroom Advantex and geomat OWTS provides advanced treatment, and meets the requirements of this ordinance; and,
 - c. The proposed 218.7 C.F infiltration system exceeds the criteria of the Ordinance to accommodate the increase in runoff for a 10 year storm.
5. 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 testimony of Engineer Derick Hopkins on March 16, 2016.
6. Based on soil evaluation reports, the subject lot is in sub-district A of the High Groundwater Table and Impervious Overlay District.

Conditions of Approval

1. The Operation and Maintenance (O & M) requirements for pervious driveway, stormwater mitigation (Cul-Tec 100 HD system) and OWTS shall be recorded in the Office of the Town Clerk with the Zoning Approval and evidence of such shall be provided to the Zoning Enforcement Officer.
2. The proposed driveway, shall be maintained as a pervious surface and not be paved at any time in the future. 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 applicant shall not receive Jamestown Zoning Board Approval until the RIDEM resubmission has been approved.”

So voted:

Michael Swistak – Aye

Mick Cochran - Aye

Dana Prestigiaco - Aye

Rosemary Enright - Aye

Duncan Pendlebury – Aye

Bernie Pfeiffer - Aye

Michael Smith – Aye

Motion carries 6-0

VIII. Adjournment

A motion to adjourn was made by Commissioner Pendlebury and seconded by Commissioner Cochran at 7:37 p.m. So unanimously voted.

Attest:

Lisa W. Bryer