

Approved as Written  
**PLANNING COMMISSION MINUTES**  
May 2, 2018  
**7:00 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave.**

**I. Call to Order and Roll Call**

The meeting was called to order at 7:03 and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Bernie Pfeiffer	Dana Prestigiacomio

Not present:

Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner  
Wyatt Brochu – Town Solicitor  
Cinthia Reppe – Planning Assistant  
Dan Cotta – American Engineering  
Thomas Kelly

**II. Approval of Minutes April 18, 2018; review, discussion and/or action and/or vote**

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

**III. Correspondence**

1. FYI – Letter to Ronald E. and Mary G Long – Minor Subdivision. Received

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

**V. Reports**

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

**VI. Old Business – nothing at this time**

## VII. New Business

### 1. **Thomas Kelly, Plat 5 Lot 219 Neptune St. - Section 82-314, High Groundwater Table and Impervious Overlay District -Sub-District A – recommendation to Zoning Board; review, discussion and/or action and/or vote**

Dan Cotta American Engineering is the engineer for this project. A motion to accept Mr. Cotta as an expert witness was made by Commissioner Cochran and seconded by Commissioner Enright. All in favor.

This is a vacant lot and they received a variance from DEM. They are allowed 13% lot coverage, they are proposing 12.3%. The well was put in several months ago. The variance they received from DEM was for the groundwater being less than 24 inches. The groundwater level is at 19 inches so they received a 5-inch variance from DEM they need 24 inches from existing grade. Deed restriction are a condition of approval and they have been recorded.

A motion was made by Commissioner Swistak and second by Commissioner Pendlebury to recommend to the Jamestown Zoning Board, approval of the application of Thomas Kelly: AP 5, Lot 219; Neptune Street Pole 12, Jamestown, RI; being reviewed under Zoning Ordinance Section 314 - High Groundwater Table and Impervious Overlay District Sub-district A review in accordance with the plan entitled **Town Submission for Thomas Kelly, located at Neptune Street - Pole #12, Jamestown, RI Sheet 1 of 1. Dated, 03/27/2018, by American Engineering, Inc., Daniel R. Cotta, Professional Engineer/Professional Land Surveyor, 400 South County Trail – Suite A 201, Exeter, Rhode Island 02822.** The recommendation for approval is based on the following findings of facts as amended:

#### Findings of Fact Section 314

1. Property is 7,200 sf in area.
2. The applicant is proposing to construct a 884-square foot footprint, 2 bedroom dwelling with a gravel driveway.
3. The existing site is undeveloped. Existing impervious cover is 0 sf.
4. Four (4) soil evaluations were conducted on the property. The results indicate a 19 inch seasonal high water table and 32-37” inches to category 9 soils. The site falls under Sub-district “A” requirements of the High Groundwater Table and Impervious Overlay District. The maximum impervious cover allowed is 13%.
5. The proposed impervious cover is proposed to be 12.3 percent.
6. The applicant’s representative Dan Cotta, PLS, PE, recognized as an expert witness represented the applicant before the Planning Commission on 5/2/18.

The applicants engineer has submitted a Water Volume Calculations Report dated March 21, 2018 which addresses stormwater treatment by a rain garden. The runoff from the new rooftop will be directed to a rain garden with an approximate area of 574 square feet (top of garden dimension) and a storage volume of approximately 326 cubic feet. The proposed rain garden exceeds the required storage volume of 315 cubic feet. The rain gardens provide treatment for the 1” water quality volume and provides storage for the increased storm water runoff associated with a 10-year frequency storm event.

7. The applicant received a variance from RI DEM for the groundwater being less than 24 inches. The groundwater level is at 19 inches so they received a 5 inch variance.
8. A 2-bedroom OWTS design consisting of a Septi-Tech Advanced Treatment System disposing to a bottomless sand filter has been approved by RIDEM (application No. 1715-

0192. The required declaration of restrictions has been recorded in Jamestown Land Evidence records in Book 899 Page 189.

9. Jamestown Engineer Jean Lambert provided correspondence to Chris Costa, Building Official and Lisa Bryer, Town Planner dated April 6, 2018 regarding the Kelly application with respect to Zoning Section 314 (attached) which notes that, the proposal, in her professional judgement, the requirements for development within 82-314 of the Zoning Ordinance have been met.

### **Recommended Conditions of Approval**

1. A Special Use Permit for Section 314 is required from the Zoning Board of Review;
2. An as-built plan should be provided at the completion of construction to the Building Official depicting the size and location of the house, size and location of the rain gardens, and verifying the elevations and grading shown on the proposed site plan.
3. The OWTS must be inspected and maintained as required by the Town Onsite Wastewater Management Program. A maintenance contract must be recorded in the land evidence records and a copy of the recorded document shall be submitted to the Planning Department.
4. The Operation and Maintenance (O & M) Plan (reproduced in 8.5" x 11" for the stormwater mitigation (rain gardens) 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. A copy of the recorded Operation and Maintenance requirements shall be submitted to the Planning Department.
5. An erosion and sediment control permit will be required from the building official prior to commencement of construction. Erosion and sediment controls shall be installed at the down gradient limit of disturbance as shown on the site plans. Erosion controls shall be maintained until final stabilization is achieved on the site.

So unanimously voted:

Michael Swistak – Aye

Rosemary Enright – Aye

Bernie Pfeiffer - Aye

Duncan Pendlebury – Aye

Mick Cochran - Aye

Dana Prestigiacomo – Aye

Motion carries 6-0

## **2. CDBG Endorsement of Application PY 2017**

Lisa Bryer said this is the same application grant that the town applies for every year. This application is for the program 2017 because the state fell behind this past year due to the federal audit. Some things have changed. Instead of a funding cap we are now limited to 2 public service applications and 3 public facilities applications. The housing hotline will be paid out of prior funding for administration or out of town funds.

The Women's Resource Center was regionally funded the last few years through regional applications and this year Newport will be the applying agency. Housing development they used to fund once a year and if you did not have a P&S you have to wait to the next round. Now you can put 0 in as a placeholder and apply at any time throughout the year. Administration is a standard percentage. It will be adjusted for the amount we receive. You will notice that Church Community Housing Corporation has not applied and we are talking to them about utilizing our

administration funds to support their participation in Jamestown. They run our housing programs and do our quarterly reports and put together our application for CDBG.

A motion was made by Commissioner Enright and seconded by Commissioner Cochran that the Jamestown Planning Commission hereby certifies that the proposed PY 2017 Community Development Block Grant activities are in compliance with local development policy as set forth in the 2015 Jamestown Comprehensive Community Plan and with the Jamestown Subdivision and Land Development Regulations and Jamestown Zoning Ordinance.

1) Public Facility: Funding to install a new high efficiency hot water system, and 11 new high efficiency HVAC systems at Bayside Apartments, an 11 unit Affordable Housing development located at 169 Bayside Avenue.

Amount: \$ 102,000

2) Public Facility: Funding for the Jamestown Housing Authority to make renovations to the affordable housing development at 45 Pemberton Place including a new ADA ramp, new curbing, paving and entryway ramp.

Amount: \$ 66,417.18

3) Public Services: Provide funding for the Jamestown Housing Authority for a part time intern to provide assistance with social, educational and medical needs of their residents.

Amount: \$ 18,000

4) Public Services: Support for the Women's Resource Center to provide services for battered women and children.

Amount: \$ 4,000

5) Housing Development: Provide funding to acquire single family homes or other properties to then be resold to home buyers under CCHC's Land Trust program.

Amount: \$ 0

6) Administration:

Amount: \$ 28,563

So unanimously voted.

## VIII. Adjournment

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Cochran at 7:23 p.m. So unanimously voted.

Attest:

Planning Commission Minutes

May 2, 2018

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A handwritten signature in cursive script that reads "Cinthia L. Reppe".

Cinthia L. Reppe  
Planning Assistant