

Approved As Written
PLANNING COMMISSION MINUTES
July 18, 2018
6:30 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 6:35 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Bernie Pfeiffer	Dana Prestigiacomio
Michael Smith – arrived 6:56 p.m.	

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Jeff Davis - Horsley Witten
Nate Kelly – Horsley Witten
Richard Carrigan - PE
Carol O'Donnell
Terrence Clen

II. Approval of Minutes June 20, 2018; review, discussion and/or action and/or vote

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

III. Correspondence

1. FYI – The Breck & Tracy Collingsworth Family LLC – Administrative Subdivision. Received

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

V. Reports

1. Town Planner's Report
2. Chairpersons report – Commissioner Swistak read a letter from the press regarding building in the shores that was also copied to the Planning Commission chair from Ms. Ann Gagnon. Commissioner Swistak wants Ms. Gagnon to be invited to meet with Ms. Bryer. The letter from the zoning board chair about decisions already being made before zoning also needs to be addressed. Commissioner Swistak would like our

solicitor at the meeting too and he will be there. Solicitor Brochu said the general public really does not understand the framework in which we do things. Should it be done administratively with 1 or 2 members? Ms. Bryer does not have a preference. If this is the view for all Jamestown Shores members there needs to be a set agenda. Mr. Brochu said there might be issues brought up to the planning commission that might not be in their purview. Commissioner Smith wants Mike Gray there too to talk about the water issues. Commissioner Pendlebury says not a planning board issue. Complex issue Pendlebury said. We always circle back to property rights issue. The Planning Commission may discuss this at a future meeting.

3. Town Committees
4. Sub Committees

VI. Old Business

1. Zoning Ordinance Update discussion with Horsley Witten - review, discussion and/or action and/or vote

a. Cottage Home Zoning – Nate Kelly asked the planning commission what their thoughts are on the cottage zoning. The key to this is parking is centralized. The market exists for small houses. Commissioner Pendlebury likes the whole idea of it in the village it would work well he said. Our inclusionary affordable housing requirement would apply. 20 percent of all units over 4 units would be required. Parking could be an issue too Swistak said. Bryer is not inclined to relax the 20% affordable requirement since we have not met our 10% required by the state. This needs to be tailored to Jamestown minimum lot size maybe is ½ acre, in terms of affordable there is a density bonus calculation already in the ordinance.

b. Policy Discussion – Article 8 – RR–200 Zoning District

c. Policy Discussion – Section 82-314 High Groundwater Table and Impervious Overlay District

d. Short Term Rentals – A discussion ensued regarding some of the issues happening in Jamestown currently with short term rentals. Commissioner Enright said the house will rent for 1 or 2 people and there ends up being many, many more. Noise ordinances can be brought into this. Commissioner Pfeiffer says it is a commercial enterprise. They want more rules and regulations for short term rentals. Discussion ensued about whether this should be an ordinance or just a registration process with the clerk’s office. Solicitor Brochu said it is easier to sell a registration component. Now what happens if it’s not followed.

Jeff Davis said the Building Heights initiative was passed at the state level and they are drafting an overlay zone where the flood hazard zones are for height. If CRMC’s calculations are higher than FEMA and it can be started there, they will be proposing this overlay with 25 feet high.

1. **Terrence Clen – 83 Neptune St. Jamestown RI - Plat 5 Lot 217- 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**

A motion was made by Commissioner Swistak and seconded by Commissioner Pendlebury to accept Richard Carrigan P.E. as an expert witness. He is a registered civil engineer for 28 years in

Rhode Island and Massachusetts, receiving his degree from Virginia Tech. He has been recognized from several towns and cities in RI as an expert witness. So unanimously voted.

Mr. Carrigan representing the applicant and made a presentation. The soil evaluation puts them in Sub District A review. The runoff will be mitigated with a rain garden. Commissioner Pendlebury asked about a down spout on the side of the porch. Yes, there will be one there. It should show on the plan. The calculation was done including the porch. Does the existing lot coverage include the shed? Yes. The existing septic has passed and it will handle the addition which is not a bedroom. Driveway limitations were not discussed because they are not changing it.

A motion was made by Commissioner Swistak and seconded by Commissioner Cochran to recommend to the Jamestown Zoning Board, approval of the application of Terrance Clen: AP 5, Lot 217; Neptune Street, 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 **Drainage Assessor's Plat 5 Lot 217, 83 Neptune Street, Jamestown, RI, Prepared for Carol O'Donnel, Sheet 1 and 2 of 1. Dated, revised 6/15/18 (sheet 1) and 6/6/18 (sheet 2), by Carrigan Engineering, Inc., 86 Brook Farm Road South, Wakefield, RI 02879, (401) 789-6865.** The recommendation for approval is based on the following findings of facts as amended:

Findings of Fact Section 314

1. Property is 14,400 sf in area. It is located in an R-40 Zoning District which follows R-20 setbacks.
2. There is an existing house has a 960 square foot footprint and the applicant is proposing to add a 200-square foot (10' x 20') front porch with pavers and a roof and a 340 square foot sunroom to the west side of the home;
3. The soil evaluation conducted on the property indicated 50 inch seasonal high water table and a 37" depth 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%.
4. Existing impervious cover is 6.67% sf. Proposed impervious cover is 1492 square feet (10.36%);
5. The applicant's representative Craig Carrigan, PE, represented the applicant before the Planning Commission on 7/18/18.

The applicants engineer has submitted runoff calculations dated 20 April 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 240 square feet (top of garden dimension) and a storage volume of approximately 160 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.

6. The existing OWTS is a galley type (RIDEM Permit Number 8615-266). It is up to date on inspections and pumping with the Town program.
7. Jamestown Engineer Jean Lambert provided correspondence to Chris Costa, Building Official and Lisa Bryer, Town Planner dated June 29, 2018 regarding the Clen 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.
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.
6. Applicant will add gutters and downspout connections from the porch to the rain garden. The addition is already shown.
7. Driveway will remain pervious unless additional approval is granted by the Zoning Board.

So unanimously voted.

Michael Swistak – Aye
Rosemary Enright – Aye
Bernie Pfeiffer - Aye
Michael Smith – Aye

Duncan Pendlebury – Aye
Mick Cochran - Aye
Dana Prestigiacomio - Aye

VII. Adjournment

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to adjourn the meeting at 8:30 p.m. So unanimously voted.

No applications for the August 1st meeting so there will be no meeting.

Attest:



Cynthia L Reppe