

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW

Application for Exception or Variation under the Zoning Ordinance

Zoning Board of Review;

Jamestown, R. I.

Date April 15, 2022

Gentlemen:

The undersigned hereby applies to the Zoning Board of Review for an exception or a variation in the application of the provisions or regulations of the zoning ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Applicant John Welch Address 11 Bay View Dr. North

Owner Same Address _____

Lessee N/A Address _____

1. Location of premises: No. 11 Bay View Drive North Street

2. Assessor's Plat 1 Lot 221

3. Dimensions of lot: frontage 102.13 ft. depth 124' ft. Area 10,866 sq. ft.

4. Zoning Districts in which premises are located: Use RR Area 80 Height 35

5. How long have you owned above premises? 7 months

6. Is there a building on the premises at present? yes

7. Size of existing building 1,260 sf

Size of proposed building or alteration 1,359 sf

8. Distance of proposed bldg. or alteration from lot lines:

front 17.8' * rear 62.6' left side 13.8' right side 30.7'

9. Present use of premises: Single Family Home

10. Proposed use of premises: same

Location of septic tank & well on lot see site plan

* 17.8' front setback is to the balcony, the actual foundation has been held @ 25.8' (same as existing)

11. Give extent of proposed alterations The applicant proposes to raze the existing 3 bedroom dwelling and build a new one very close to the existing location, replace the septic system with a new system (DEM appr'd) and relocate the well

12. Number of families for which building is to be arranged: 1

13. Have you submitted plans for above to Inspector of Buildings? yes

Has the Inspector of Buildings refused a permit? yes

14. Provision or regulation of Zoning Ordinance or State Enabling Act under which application for exception or variance is made:

see attached

15. State the grounds for exception or variation in this case:

see attached

Respectfully Submitted,

Signature J.V. W...

Address 11 Bay View Drive North
Jamestown RI

Telephone No. 972-897-0408

NOTE: A LOCATION PLAN AND SKETCH AND DRAWINGS NECESSARY TO GIVE FULL INFORMATION MUST BE FILED WITH THE APPLICATION.

Sample Advertisement

Application of John Welch whose property is located at 11 Bay View Drive North, and is further identified as Tax Assessor's Plat 1, Lot 221 for a Variance from Article 3, Section 82-302 entitled "District Dimensional Regulations", Table 3-2 for RR 80 District, and Article 6, Section 82-605 et seq. entitled "Variances Authorized by this Ordinance" to build a single family residence where a front setback of 17.8 feet is proposed and 40 feet is required, and where a side setback of 13.8 feet is proposed and 30 feet is required.

A Special Use Permit and/or Variance is also requested under Article 3, Section 82-314 entitled "High Groundwater and Impervious Layer Overlay District" for development in Subdistrict A and Article 6, Section 82-601 et seq. entitled "Special Use Permits Authorized by this Ordinance" and Article 6, Section 82-605 et seq. entitled "Variances Authorized by this Ordinance".

Said property is located in an R-80 zone and contains 10,866 square feet.

Zoning Relief Application

14. Variance from Article 3, Section 82-302 entitled "District Dimensional Regulations", Table 3-2 for RR 80 District, and Article 6, Section 82-605 et seq. entitled "Variances Authorized by this Ordinance" to build a single family residence where a front setback of 17.8 feet is proposed and 40 feet is required, and where a side setback of 13.8 feet is proposed and 30 feet is required.

A Special Use Permit and/or Variance is also requested under Article 3, Section 82-314 entitled "High Groundwater and Impervious Layer Overlay District" for development in Subdistrict A and Article 6, Section 82-601 et seq. entitled "Special Use Permits Authorized by this Ordinance" and Article 6, Section 82-605 et seq. entitled "Variances Authorized by this Ordinance".

15. The existing house will be razed and replaced with a new house in substantially the same location. The existing obsolete septic system will be replaced with a new advanced treatment system. The well will be relocated to provide a one hundred foot separation from existing and proposed septic systems. The footprint of the new house will exceed the footprint of the old house by only 99 square feet (1359/1260) but will be cantilevered and elevated to allow stormwater to infiltrate below it. The side setback is improved by increasing its separation by one foot (12.8' to

13.8'). The front setback of the main structure is being maintained at 25.8 feet, but an eight foot wide balcony is being added to the front requiring a front setback variance to allow the balcony to exist 17.8 feet from Bay View Drive North. There are very few houses on Bay View Drive North, and the one house directly abutting the locus is closer to the street line than the proposed house.

The impervious coverage is being improved by reducing the property's impervious surfaces. The impervious coverage is being reduced from 14.85% to 13.61%. Originally the applicant had proposed to remove 2 of the 4 existing sheds but during the Planning Commission meeting, the Applicant was asked to remove an additional shed which he agreed to.

The Applicant is reducing storm water runoff by proposing a reduction in impervious coverage. No storm water control is required for that reason; however, the Applicant is proposing a rain garden which will further improve storm water runoff.



Office of the Town Planner
MEMORANDUM

TO: Jamestown Zoning Board of Review
FROM: Lisa Bryer, AICP, Town Planner
RE: Motion for Zoning Section 82-314: High Groundwater
Table and Impervious Overlay District, Sub-District A –
John Welch: AP 1, Lot 221; 11 Bay View Drive North,
Jamestown, RI
DATE: April 8, 2022

At the April 6, 2022 Planning Commission meeting, the Planning Commission voted unanimously to recommend to the Jamestown Zoning Board, approval of the application of John Welch AP 1, Lot 221; 11 Bay View Drive North, Jamestown, RI; being reviewed under Zoning Ordinance Section 314 - High Groundwater Table and Impervious Overlay District Sub-district A review in accordance with the plans entitled **Welch Residence, 11 Bay View Drive North AP 1 Lot 221, Jamestown RI, Sheet 1 Existing Conditions, Sheet 2 Proposed Site Plan, Sheet 3 Notes and Details all dated March 2022, Sheet 1 Proposed On-Site Waste Water Treatment System – Alteration December 2021. Plans by Millstone Engineering, P.C. 250 Centerville Road, Building E-12, Warwick, RI 02886.** The recommendation for approval is based on the following findings of facts as amended:

Findings of Fact Section 314

Existing Conditions:

1. Property is 10,866 square feet (sf) in area;
2. The existing site is developed with 1260 sf house, gravel driveway and 4 sheds (total existing impervious area is **1,620 sf or 14.85%**);
3. Topography on the lot slopes from south to north on the site;
4. There are no freshwater wetlands on the property;
5. Soil evaluation results show that the site falls under **Sub-district “A”** requirements of the High Groundwater Table and Impervious Overlay District with 16” to the seasonal highwater table and 24” to impervious soil; and,
6. The maximum impervious cover allowed is **10.0% or a maximum of 1087 sf**. The existing site exceeds the allowable area by 533 sf.

Proposed Conditions:

1. The applicant is proposing to raze the existing house and rebuild a new house (1260 sf) on a slightly different foundation with a covered stair tower (99 sf);
2. A new crushed stone driveway will be provided;

3. The OWTS permit is for 3-bedrooms and was issued on 1/04/2022: An advanced treatment OWTS (RIDEM #2115-1576 Advantex to bottomless sand filter);
4. Three of the existing sheds will be removed, leaving only the 120 sf shed.
5. The applicant is proposing to decrease the impervious area on the site therefore stormwater peak flow mitigation is not required;
6. A rain garden is proposed to provide water quality treatment of the runoff from the new rooftop. The total proposed treatment volume is 210 cf;
7. The total proposed impervious cover will be 1479 sf. (13.61%), a decrease of 141 sf. Note – no allowance was made for shed exemption in this calculation. The property is eligible for a one-time 120 sf shed exemption;
8. The applicant's representatives Matthew J. Viana, PE, accepted as an expert witness, and Shahin Barzin, AIA, represented the applicant as expert witnesses before the Planning Commission on 4/6/22;
9. Jamestown Engineer Jean Lambert provided correspondence to William Moore, Building Official and Lisa Bryer, Town Planner dated March 17, 2022 regarding the Welch application (attached) which notes that, the proposal, in her professional judgement, the requirements for development within 82-314 of the Zoning Ordinance have been met;
10. The applicant testified that the lot is 10,886 square feet in strs in an RR-80 zoning district where 80,000 square feet minimum lot size is required; and,
11. Matthew J. Viana, PE, testified that 1) the current well will be decommissioned and a new well will be installed in a different corner of the property and 2) the 1,547 square feet of impervious cover included both the 68 sq ft shed and the 120 sq ft shed.

Recommended Conditions of Approval

1. A Special Use Permit for Section 314 and a zoning variance for being above the permitted 10% impervious cover 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 rain garden shown on the approved site plans must be installed and maintained as outlined on the notes on the approved site plan. The Operation and Maintenance (O & M) Plan (reproduced in 8.5" x 11" for stormwater mitigation (rain gardens) shall be recorded in the Office of the Town Clerk with Zoning Approval and evidence of such shall be provided to the Zoning Board and Enforcement Officer.

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 shown on the site plans. Erosion controls shall be maintained until final stabilization is achieved on the site.
6. Any additional future site work that increases the area of impervious coverage, including paving the driveway, will require a review following the requirements of the High Groundwater Ordinance.
7. Subsurface structure standards shall be met in regards to foundation based on ordinance 314.c.2 “any foundation elements below the season high groundwater table shall be engineered to allow for free passage of water”.

Attachments: 1) Memo dated March 17, 2022 from Jean Lambert, PE
2) A copy of the Application and Plan referenced above

C: Bill Moore, Building Official, Zoning Officer
John Welch



Town of Jamestown, Rhode Island

Engineering/GIS Office

93 Narragansett Ave ♦ Jamestown, RI 02835 – 1509

Date: March 17, 2022

To: William Moore, Building Official
Lisa Bryer, Town Planner

From: Jean Lambert, P.E.

RE: Zoning Section 82-314: High Groundwater Table and Impervious Overlay District, **Sub-District A**
John Welch: AP 1, Lot 221; 11 Bay View Drive North, Jamestown, RI

I have reviewed the site plans (3 sheets) entitled, “Welch Residence, 11 Bay View Drive North, AP1 Lot 221, Jamestown RI” dated March 2022, prepared by Millstone Engineering, P.C. for the above referenced property.

Existing Site/Soil Information:

The property is 10,866 square feet (sf) in area. The existing site is developed with a 1260 sf house, gravel driveway and 4 sheds (total existing impervious area is **1,620 sf or 14.85%**). Topography on the lot slopes from south to north on the site. There are no freshwater wetlands on the property.

Soil evaluation results show that the site falls under **Sub-district “A”** requirements of the High Groundwater Table and Impervious Overlay District with 16” to the seasonal highwater table and 24” to impervious soil. The maximum impervious cover allowed is **10.0% or a maximum of 1087 sf**. The existing site exceeds the allowable area by 533 sf.

Proposed Site:

The applicant is proposing to raze the existing house and rebuild a new house (1260 sf) on a slightly different foundation with a covered stair tower (99 sf). A new crushed stone driveway, advanced treatment OWTS (RIDEM #2115-1576: Advantex to bottomless sand filter) and rain garden are proposed. Two of the existing sheds will be removed. The OWTS permit is for 3-bedrooms and was issued on 1/04/2022.

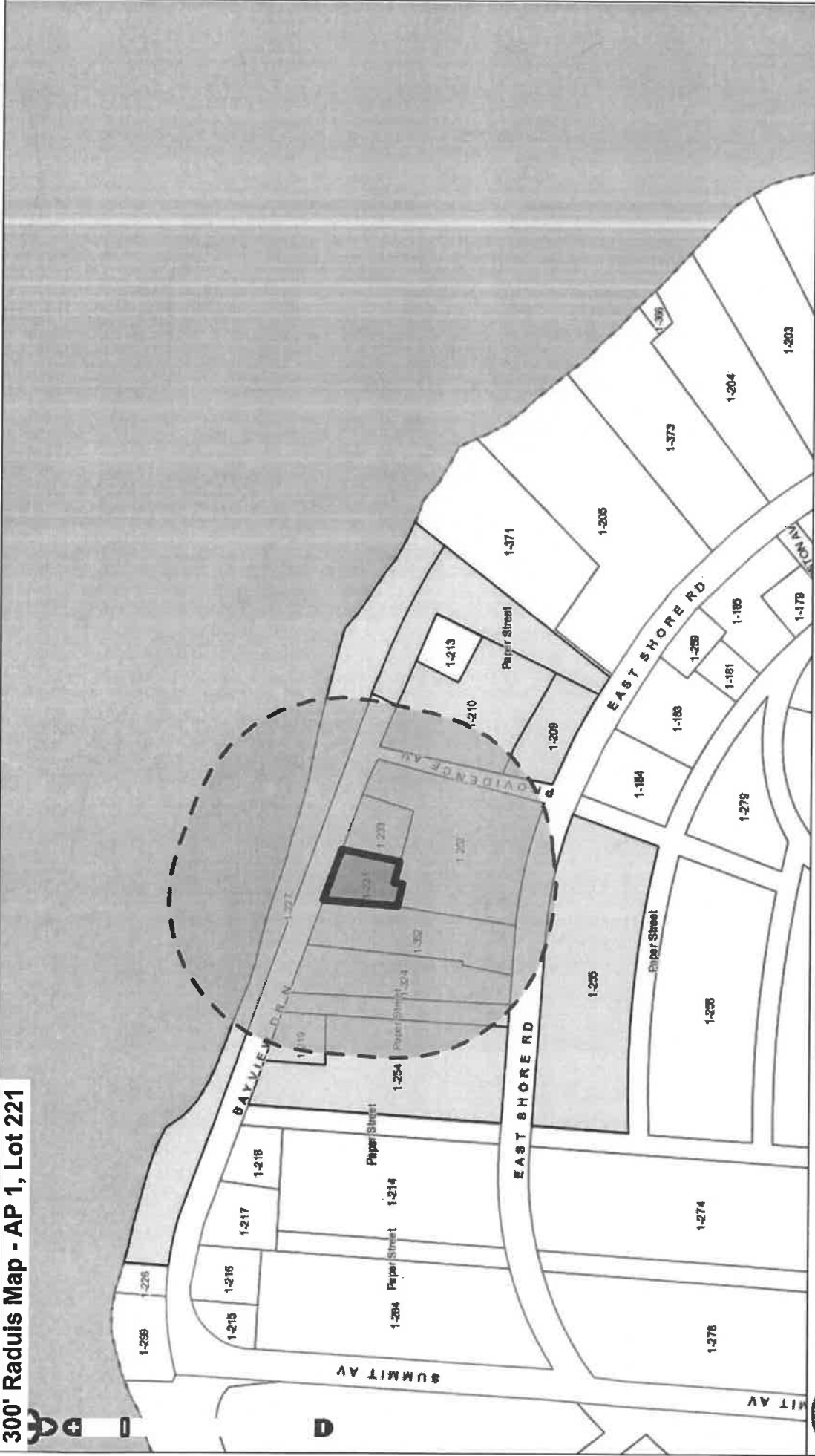
The applicant is proposing to decrease the impervious area on the site therefore stormwater peak flow mitigation is not required. A rain garden is proposed to provide water quality treatment of the runoff from the new rooftop. The total proposed treatment volume is 210 cf.

The total proposed impervious cover will be **1547 sf (14.24%)**, a **decrease of 67 sf**. Note – no allowance was made for a shed exemption in this calculation. The property is eligible for a one time 120 sf shed exemption.

Recommendations/Conclusions:

- The proposed project complies with the requirements of the HGWT.
- Erosion and sediment controls must be installed at the down gradient limits of site disturbance and maintained until stabilization of the site is attained.
- After installation, maintenance and inspection of the OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance.
- The rain garden shown on the approved site plans must be installed and maintained as outlined on the notes on the approved site plan.
- Any additional future site work that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance.

300' Radius Map - AP 1, Lot 221



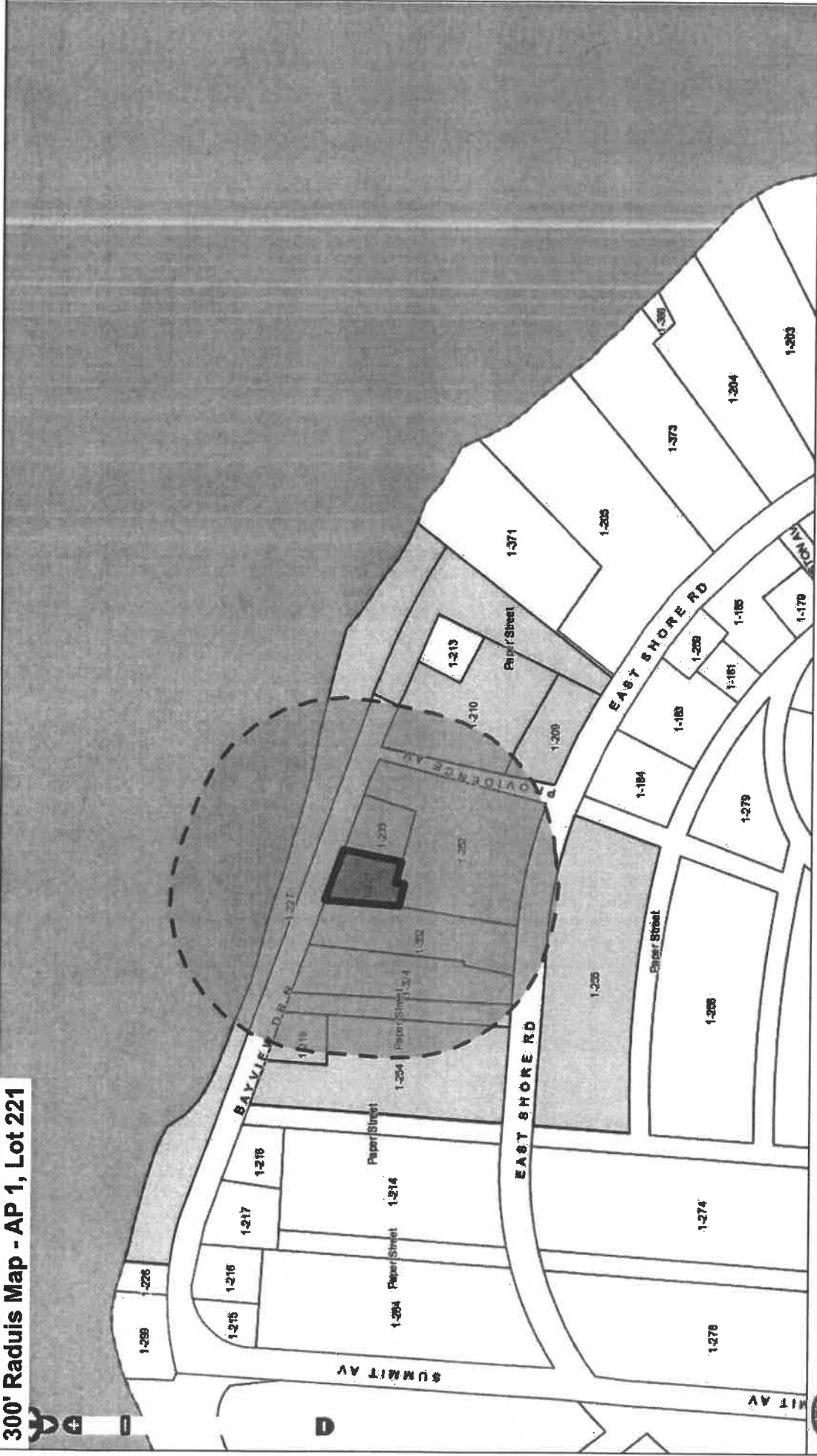
Town of Jamestown, Rhode Island
 Selected Parcel: 11 BAY VIEW DRIVE NORTH ID: 1-221
 Printed on 4/14/2022



MainStreetGIS
 MainStreetGIS, LLC
 www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The Town of Jamestown, Rhode Island and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

300' Radius Map - AP 1, Lot 221

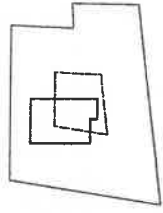


Town of Jamestown, Rhode Island
 Selected Parcel: 11 BAY VIEW DRIVE NORTH ID: 1-221
 Printed on 4/14/2022



MainStreet Maps
 MainStreetGIS, LLC
 www.mainstreetgis.com

This map is for informational purposes only, it is not for appraisal of, description of, or conveyance of land. The Town of Jamestown, Rhode Island and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.



Key Plan



#1. Finished Bathroom 04/24/2022

Rev	Description	Date

THE OWNER'S RESPONSIBILITY

Progress Prints

TITLE

1st Floor Plan

SCALE: 1/4" = 1'-0"

SEAL & SIGNATURE

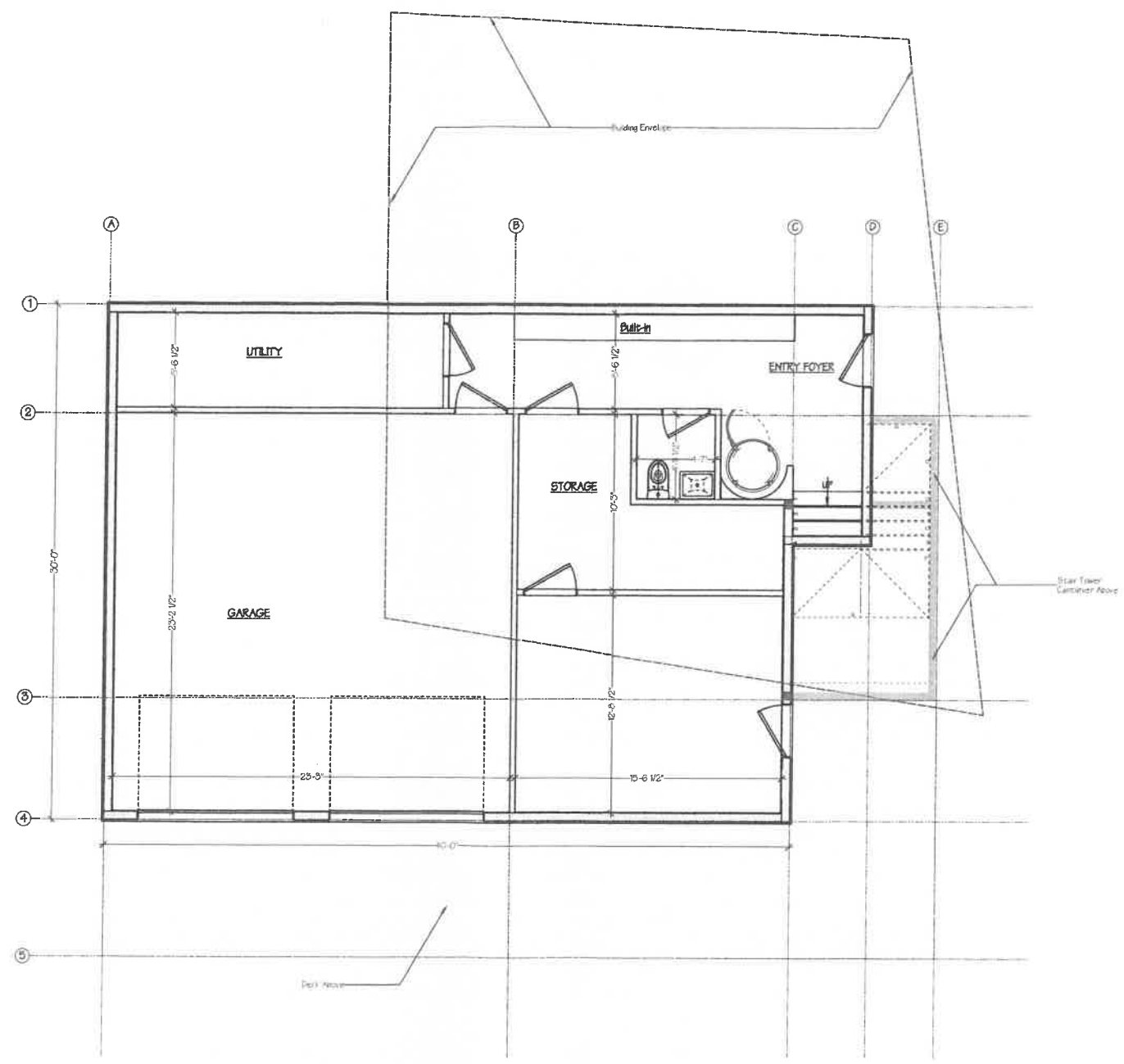
PROJECT

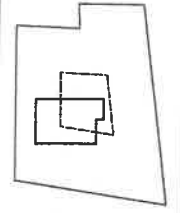
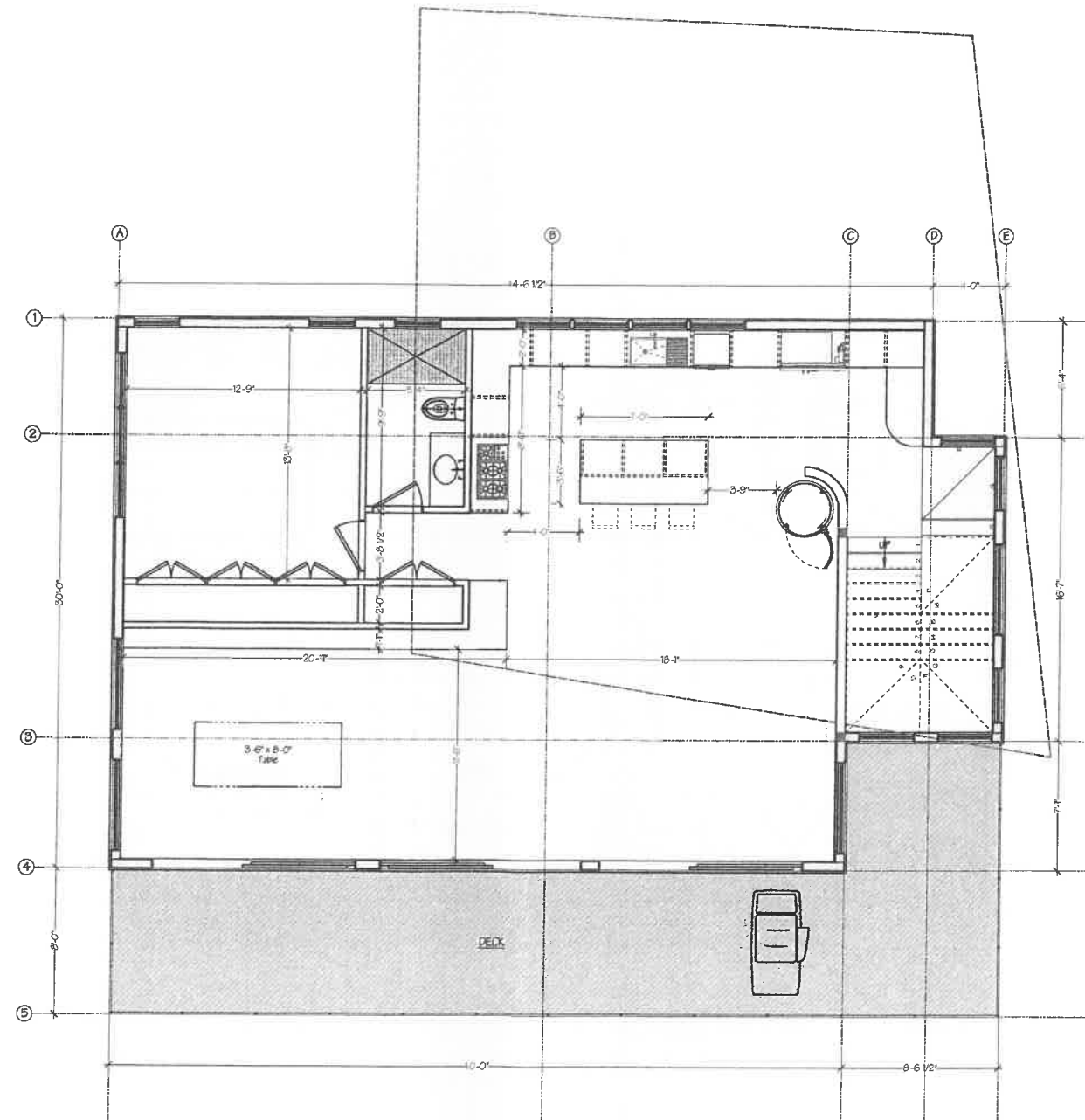
NEW RESIDENCE FOR

John Welch

11 Bay View Drive North
Jamestown RI
Plot 1, Lot 221

DATE: 02-04-2022
PROJECT No.
DRAWING No. 59
CHECKED No.
DRAWING No.
A-101.00





Key Plan



#1 Redwood Kitchen 04.04.2022

Rev	Description	Date

Progress Prints

TITLE

2nd Floor Plan

SCALE: 1/4" = 1'-0"

SEAL & SIGNATURE

PROJECT

NEW RESIDENCE FOR

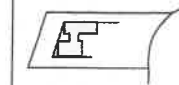
John Welch

11 Bay View Drive North
 Jamestown RI

Plot 1, Lot 221

DATE: 02-04-2022
 PROJECT No:
 DRAWING No: 02
 DRAWING No: 02

A-102.00



Key Plan

#1 Revisited Windows 04/08/2022

Rev	Description	Date
0001	ISSUED FOR PERMITTING	

Progress Prints

TITLE

Elevations

SCALE: 1/4" = 1'-0"

SEAL & SIGNATURE

PROJECT

NEW RESIDENCE FOR

John Welch

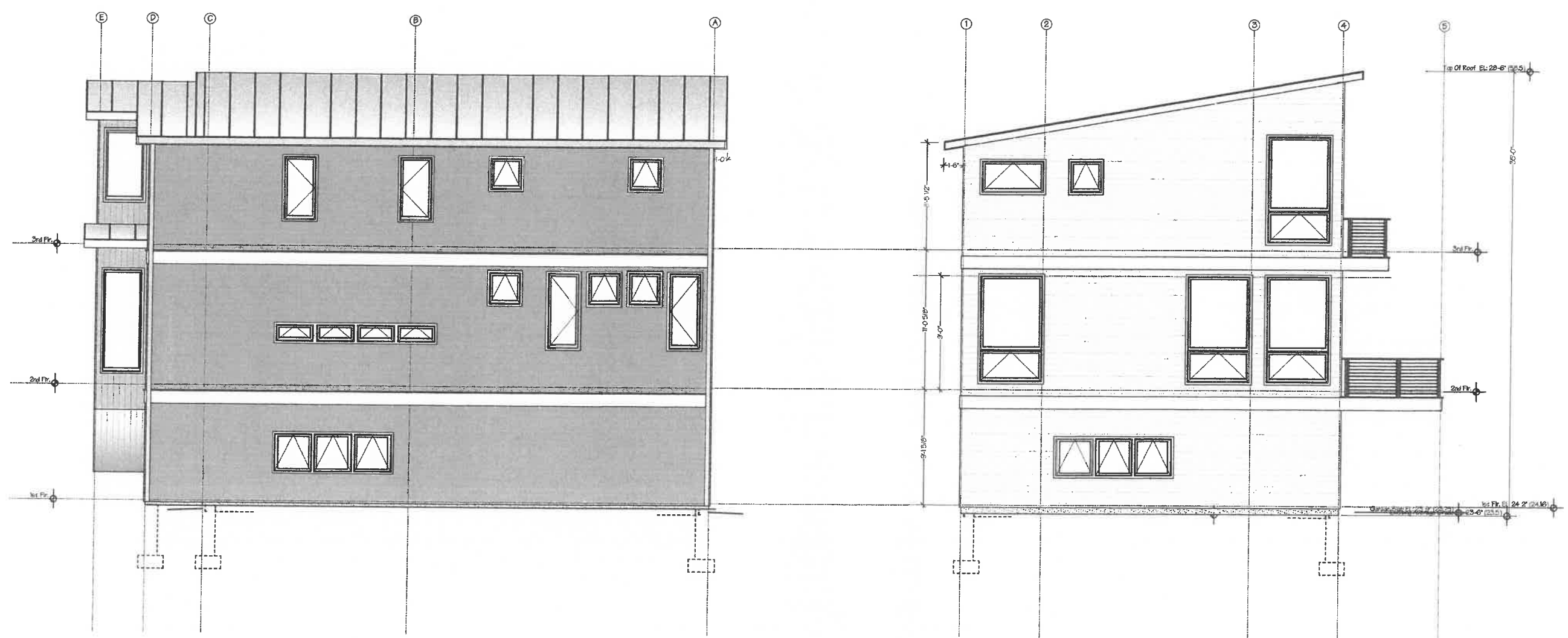
11 Bay View Drive North
 Jamestown, RI

Plot 1, Lot 221

DATE:	02-01-2022
PROJECT No:	
DRAWING No:	SB
CHK BY:	SB
DRAWING No:	

A-105.00

Page #:



1 South Elevation
 A-105.00

2 East Elevation
 A-105.00