

Approved as amended
PLANNING COMMISSION MINUTES
October 18, 2023
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:01pm and the following members were present:

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

Also present:

Lisa Bryer - Town Planner
Carrie Kolb – Planning Assistant
Wyatt Brochu, Esq. – Ruggiero, Brochu & Petrarca
Brian Haskell, PE

II. Citizen’s Non-Agenda Item

III. Correspondence

1. TRC recommendation to Zoning Board of Review for 29 Marine Avenue, AP 9 Lot 442, for Development Plan Review for construction of a detached crafted cottage and west end workshop on an undersized lot in the Jamestown Special Development District
Correspondence was recognized as received.

IV. New Business

1. Brian and Ada Haskell, 66 Seaside Drive, AP 14 Lot 70, High Groundwater Table and Impervious Overlay District – Zoning Ordinance Section 82-314 - Sub-district A, review and recommendation to the Jamestown Zoning Board: review, discussion, and/or action, and/or vote

Brian Haskell, PE of 66 Seaside Drive represented himself before the Planning Commission. Haskell is a PE in Rhode Island with a background working on various projects and he has construction experience. The objective for the project is to create laundry room and home office.

The original laundry is in an unfinished basement, which his wife does not like. The current office desk space is very small and he works from home.

66 Seaside Drive is at the corner of Seaside Drive and Hull Street. The lot is 19,050 sq ft. Zoning allows for 13% lot coverage, and the high groundwater ordinance restricts development to 2,000 sq ft. A soil evaluation was done one year ago with the results of ground water at 46 inches and impervious soil at 36 inches. These results place the property in subdistrict A and require special use permit. Haskell described proposed addition plans with foundation of slab on grade that supports a 2 story structures. The addition will be on the east side in the backyard and doesn't encroach on setbacks. The addition will be 9 ft by 14 ft and perpendicular to the house.

There is an existing brick paver patio. The plans call to re-construct most of the existing patio into a permeable patio. The new patio has additional storm water retainage. Net reduction of stormwater of 67 cubic feet of stormwater with reducing the impervious surface in the patio and adding retention under the deck.

Commissioner Pendlebury asked about a note in the plans for a carport? Haskell explained that "carport" area of the patio is not going to be part of the re-construction. It is not car friendly, but more the size of the area. The O&M plan says not to use salt and sand in the permeable area and the "carport" is near an entry way door. Commissioner Enright suggested re-naming the "carport" to entry patio. Bryer noted that there is no way to get an automobile to the "carport" area without driving over the permeable paving patio and it should not be driven over for compaction reasons. It was agreed.

Discussion ensued regarding existing structure and the addition. There is an existing two-story structure with a bedroom and stair case up to the second floor. Haskell will build up on part of the existing because there is a gable wall on grid line 1 and grid line 2. There will also be an outside staircase from the second floor as a second egress.

Discussion ensued regarding stormwater. Commissioner Swistak said that the new permeable pavers are what makes this project work and asked Haskell about his planning and stormwater experience. Haskell said Jean Lambert helped him with the stormwater and he did use the RI Stormwater Manual. Haskell spent four years in Bangladesh and dealt with stormwater there. He worked on the Navy base on projects and lived in international destinations with challenging weather conditions.

A motion was moved by Commissioner Swistak and seconded by Commissioner Pendlebury as follows:

At the October 18, 2023 Planning Commission meeting, the Planning Commission voted unanimously to recommend to the Jamestown Zoning Board, approval of the application of Brian and Ada Haskell: AP 14, Lot 70; 66 Seaside Drive, 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 "Site Plan, 66 Seaside Drive, Jamestown RI" dated 6/21/23, and supporting documents prepared by Brian Haskell,

PE for the above referenced property.

The recommendation for approval is based on the following findings of facts and recommended conditions of approval as amended at the Planning Commission meeting and as noted in the Memo from Jean Lambert, PE dated October 12, 2023:

Findings of Fact Section 314

Existing Site

1. The property is 19,050 square feet (sf) in area;
2. The existing site is developed with a house, shed and driveways (total existing impervious area is **2268 sf or 11.9%**). The existing dwelling is a 3-bedroom house and the applicants are proposing 4-bedrooms (see proposed site #2 information on 4 bedroom OWTS approval);
3. Topography on the lot slopes from east to west (towards Seaside Drive) 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 48" to the seasonal highwater table and 36" to impervious soil;
6. The maximum impervious cover allowed is 13.0% (note stated as 10% on application) or 2000 sf. maximum by ordinance;
7. The applicant represented himself and is a registered PE in the State of Rhode Island.

Proposed Site

1. The applicant is proposing to construct an addition (126 sf) and remove a 403 sf concrete patio. The patio will be reconstructed with permeable pavers (detail provided on site plan);
2. The existing OWTS (RIDEM #0815-0874: 4-bedroom conventional) is current for maintenance (last inspection October 2022);
3. The total proposed impervious cover will be **1986 sf (10.0%)**;
4. Stormwater runoff associated with the site improvements will be mitigated via infiltration in a separate proposed permeable paver area. A storage volume of 69 cf is proposed (67 cf required);
5. The proposed project complies with the requirements of the HGWT Ordinance;
6. The site is an existing nonconforming lot where all setbacks will be conforming;
7. Jamestown Engineer Jean Lambert provided correspondence to the Building File and Lisa Bryer, Town Planner dated October 12, 2023 regarding the application.

Recommended Conditions of Approval

1. NO additional bedrooms allowed – existing OWTS permit allows 4 bedrooms only;
2. Erosion and sediment controls must be installed at the down gradient limits of site disturbance and maintained until stabilization of the site is attained;
3. After installation, maintenance and inspection of the OWTS shall continue as

required by the Town Onsite Wastewater Management Ordinance;

4. The permeable pavers shown on the approved site plans must be installed and maintained as outlined on the approved site plan and the submitted Operation and Maintenance Plan. The installation of the permeable pavers must be in accordance with the Rhode Island Stormwater Manual;
5. There is no driving over or parking on the permeable pavers;
6. There is no roof over the “carport” as labeled and change wording to “patio” on the plans;
7. Clarification and change is needed on plans; label as existing plans and proposed plans;
8. Any additional future site work that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance.

So voted:

Commissioner Pendlebury – aye

Commissioner Cochran - aye

Commissioner Enright – aye

Commissioner Harrison – aye

Commissioner Pfeiffer – aye

Commissioner Prestigiacomo – aye

Commissioner Swistak – aye

Motion carries 7-0

V. Old Business

1. 2023 Community Survey update, review, discussion, and/or action, and/or vote
The survey with new questions has been uploaded into Alchmer, the new survey company. We will be sending a link in a few weeks so the Planning Commission can test the survey. The survey takes about 20 minutes to complete.

VI. Reports

1. Planner’s Report

A. Future meetings – topics and applications

- 1) Joint Town Council workshop on the Zoning Ordinance (tentatively November 1, 2023)

The Town Council scheduled the Zoning Workshop to be held during regularly scheduled Planning Commission meeting as a joint Planning Commission/Town Council workshop on Wednesday, November 1, 2023 at 7pm. The Planning Commission will start at 6:00pm if there are any applications, and at this time there are none.

VII. Approval of Minutes – review, discussion and/or action and/or vote

1. September 20, 2023

A motion was moved by Commissioner Enright and seconded by Commissioner Cochran to approve the minutes from the September 20, 2023 meeting as amended. All in favor. Swistak abstained

Page 3: Paragraph 3, Sentence: remove “as”

Page 3: Paragraph 4, Sentence 6: remove “the” add “to”: The application is to...

Page 3: Paragraph 4, Sentence 8: add “in”: Also included in the application...

Page 4; Paragraph 1, Sentence 2: changed to: “There is a list of relief in the application package marked as Exhibit A”

Page 5; Paragraph 2, Sentence 2: remove “on”: “not expanding the impervious”

Page 5; Paragraph 2, Sentence 3: add “and”: “use, and traffic impacts...”

Page 5; Paragraph 5, Sentence 5: “Narragansett Avenue for which the Village District Regulations were developed and so it is really administrative housekeeping”

Page 5; Paragraph 6, Sentence 4: remove “on it”

Page 5; Paragraph 7, Sentence 1: remove “taking a lower level and turning it” change to “turning the sub-grade”

Page 5; Paragraph 7, Sentence 2: remove “which” and “takes you”

Page 6; Paragraph 1, Sentence 1: change “created aesthetic” to “aesthetic created”

Page 6; Paragraph 1, Sentence 2: remove “there”

Page 6; Paragraph 3, Sentence 1: change “less” to “fewer”

Page 6; Paragraph 4, Sentence 4: change to “...but that the Zoning Ordinance enacted in 2010 laid upon the lot created non-conformities.”

Page 7; Paragraph 3, Sentence 1: remove: “the”: “Freeman explained that...”

Page 7; Paragraph 3, Sentence 6: remove: “there is” change to “and”, remove “it” change to “water”

Page 7; Paragraph 3, Sentence 7: remove “them” change to “the run-off”

Page 7; Paragraph 3, Sentence 9: remove “it” change to “the water”

Page 7; Paragraph 3, Sentence 10: “connection that will direct all run-off into the retention pond when it is at a low level. Once...”

Page 7; Paragraph 3, Sentence 13: remove “It” change to “The plan”

Page 8; Paragraph 5, Sentence 4: combine “down” and “ward” into “downward”

Page 9; Paragraph 2: Sentence 1: remove “at” change to “and”

Page 9; Paragraph 2: Sentence 2: “They are summarized in the report.”

Page 9; Paragraph 2: Sentence 3: remove “on”

Page 9; Paragraph 3: Sentence 2: remove “the”: “The differential is that special...”

Page 9; Paragraph 3: Sentence 4: remove “were” change to “was”

Page 10; Paragraph 5: Sentence 9: after “into” add “a Looking Upwards unit”

Page 10; Paragraph 5: Sentence 10: change “Totten’s” to “Tottens”

Page 11; Paragraph 1: Sentence 1: remove “in”

Page 11; Paragraph 1: Sentence 2: remove “that”

Page 11; Paragraph 5; Sentence 2: remove “it” change to “the pond”

VIII. Adjournment

A motion to adjourn at 7:49pm was moved by Commissioner Enright and seconded by Commissioner Cochran. All in favor.

Attest:

Carrie Kolb