

Approved as written
PLANNING COMMISSION MINUTES
April 17, 2024
6:30 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 6:38pm 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, AICP - Town Planner
Carrie Kolb – Planning Assistant
Wyatt Brochu, Esq. – Ruggiero, Brochu & Petrarca

II. Citizen’s Non-Agenda Item -none

III. Correspondence

1. No items at this time.

IV. New Business

1. Development Plan Review for Conanicut Island Sailing Foundation (CISF) Sailing Center and Campus Plan at Fort Getty Town Park, Plat 11 Lot 8, 1050 Ft. Getty Road - review, discussion, and/or action, and/or vote.

The applicant asked for this item to be continued to a future date. Date not determined yet.

2. William McCaffrey, 232 Beacon Street, AP 16 Lot 67 & 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.

William McCaffrey, applicant, described the project. He explained that he lives at 982 East Shore Road and his son Neil, rents the property at 232 Beacon Street and will be the contractor. The proposed project will remove the deck, build a 20’x 17’ addition and build a new deck. McCaffrey explained that he went through the High Groundwater process when the house was built in 2019. He had to go to Zoning for a side lot setback because the original foundation was used, which was 17 feet off the property line and 20 feet was needed. McCaffrey explained that the engineering was done by Commonwealth Engineering for the storm water plan. McCaffrey

said that they purchased the adjacent lot, which added 7,200 sq ft, and they will be combining the lots 67 & 70. McCaffrey said that some of the materials from the removed deck will be re-used. Commissioner Swistak asked if the lots were already combined? McCaffrey said that he thought they were.

Commissioner Enright asked what percentage of the property was wetlands? McCaffrey said that he wasn't sure off the top of his head, but it was in the application. Commissioner Pfeiffer said that the whole plan looked like wetlands. Kolb said that Lambert's memo states, "All proposed work is outside of the wetland and perimeter wetland."

Commissioner Harrison asked if the addition was on the north side? McCaffrey said it was on the east side. Commissioner Harrison asked about the number of bedrooms and bathrooms. McCaffrey said 2 bedrooms and 3 full bathrooms. Commissioner Enright asked if they will increase the septic? McCaffrey said that they cannot do that because the OWTS permit is only for a 2 bedroom septic and the geology of the area will not allow for more.

Discussion ensued regarding the merging of lots 67 & 70. The application is based on the overall square footage of both lots. Bryer said that they will need to complete an administrative subdivision. Commissioner Swistak said they may want to record a new deed. Brochu said a new deed would be a legal description of all the lots on one deed.

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

At the April 17, 2024 Planning Commission meeting, the Planning Commission voted unanimously to recommend to the Jamestown Zoning Board, approval of the application of William McCaffrey, applicant: AP 16, Lots 67 and 70, 232 Beacon 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 plans entitled "Stormwater Plan for AP 16 Lot 67 & 70, 232 Beacon Avenue" dated 2/12/2024 prepared by Commonwealth Engineering.

The recommendation for approval is based on the applicant's proposal to merge lots 67 and 70 and on the following findings of facts and recommended conditions of approval as noted in the Memo from Jean Lambert, PE dated April 4, 2024 and amended at the Planning Commission meeting:

Findings of Fact Section 314

Existing Site

1. The property, based on lots 67 & 70 being merged, is 28,800 square feet (sf) in area with a total buildable area of 23,640 sf (minus the existing freshwater wetlands on the property);
2. The existing site, based on AP 16 Lot 70, is developed with a house, garage, pervious driveway, and a well (total existing impervious area is **1,538 sf or 6.5%**) based on the house being located on Lot 70 currently;
3. Topography on the lot slopes from east to west on the site;

4. There are freshwater wetlands on the property and all proposed work is outside of the wetland and perimeter wetland;
5. Soil evaluation results show that the site falls under **Sub-district “A”** requirements of the High Groundwater Table and Impervious Overlay District with 12” to the seasonal highwater table and 25” to category 9 soils;
6. The maximum impervious cover allowed is **9% or 2,127 sf**;

Proposed Site

7. The applicant is proposing to construct a 17 x 20’ addition on the east side of the existing dwelling;
8. The existing OWTS (RIDEM #1515-0479: 2-bedroom advanced treatment) is current for maintenance;
9. The total proposed new impervious cover will be **340 sf** with a total of **7.9%** impervious cover;
10. One new rain garden is proposed to mitigate the increase stormwater runoff associated with the site improvements. A 143 sf rain garden with a total treatment volume of 95 cf will be installed;
11. The proposed project complies with the requirements of the HGWT Ordinance;
12. Jamestown Engineer Jean Lambert provided correspondence to Peter Medeiros, Building Official and Lisa Bryer, Town Planner dated April 4, 2024 regarding the application (attached);
13. The Zoning Board of Review granted a previous variance/special use permit for the property dated September 25, 2019.

Recommended Conditions of Approval

1. Lots 67 and 70 shall be merged by Administrative Subdivision;
2. No additional bedrooms allowed – existing OWTS permit allows 2 bedrooms only;
3. Erosion and sediment controls must be installed at the down gradient limits of site disturbance and maintained until stabilization of the site is attained;
4. Maintenance and inspection of the existing OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance;
5. The rain gardens shown on the approved site plans must be installed and maintained as outlined on the notes on the approved site plan and the operation and maintenance plan. The Operation and Maintenance (O & M) Plan (reproduced in 8.5” x 11” for the stormwater mitigation (rain garden) 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 as well as the Planning Department;
6. Any future site work that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance.

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So voted:

Commissioner Pendlebury – aye

Commissioner Enright – aye

Commissioner Pfeiffer – aye

Commissioner Swistak – aye

Motion carries 7-0

Commissioner Cochran – aye

Commissioner Harrison – aye

Commissioner Prestigiacomo – aye

V. Old Business

1. No items at this time

VI. Reports

1. Planner's Report

A. Future meetings – topics and applications

Bryer reported that the next meeting on May 1, 2024 would hear the following applications:

27 Luther Street and the Golf Course and maybe CISF.

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

1. March 20, 2024

A motion was moved by Commissioner Enright and seconded by Commissioner Cochran to approve the minutes of the March 20, 2024, meeting as written. All in favor.

VIII. Adjournment

A motion to adjourn was moved by Commissioner Pendlebury and seconded by Commissioner Cochran. All in favor.

Attest

Carrie Kolb