

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW

Application for Exception or Variation under the Zoning Ordinance

Zoning Board of Review;

Jamestown, R. I.

Date 6/20/2024

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 Scott Kirmil, Adrienne Perry Kirmil, Patricia R. Perry Address 213 Seaside Drive, Jamestown, RI

Owner Scott Kirmil, Adrienne Perry Kirmil, Patricia R. Perry Address 213 Seaside Drive, Jamestown, RI

Lessee N/A Address _____

1. Location of premises: No. 213 Seaside Drive Street

2. Assessor's Plat 15 Lot 210

3. Dimensions of lot: frontage 75 ft. depth 234 ft. Area 17,405 sq. ft.

4. Zoning Districts in which premises are located: Use R40 Area 20,000 SF Height 35'-0"
(R20 standards apply)

5. How long have you owned above premises? 8 years

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

7. Size of existing building 1,352 SF

Size of proposed building or alteration 2,139 SF

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

front 32'-4" rear 152'-0" left side 24'-3" right side 21'-6"

9. Present use of premises: Single Family Dwelling

10. Proposed use of premises: Single Family Dwelling

Location of septic tank & well on lot See attached OWTS Plan

11. Give extent of proposed alterations _____

Demolish existing single family home and construct a new single family home.

12. Number of families for which building is to be arranged: Single Family Dwelling

13. Have you submitted plans for above to Inspector of Buildings? No

Has the Inspector of Buildings refused a permit? No

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 

Address 213 Seaside Drive,

Jamestown, RI

Telephone No. 701-696-6045

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

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

Special Use Permit pursuant to Sec. 82-301 entitled “ Special use permits authorized by this ordinance [chapter]” and Sec. 82-800 entitled “High groundwater table and impervious layer overlay district” to construct a single family home. The property falls under Sub-District “A”. The depth to highwater table is 24” (18” required) and the depth to impervious soil is 26”(42” required). Under Sec. 82-800(1) entitled Performance Standards, a Special Use Permit is required for relief from the standard providing that “The bottom of any structure’s slab, not including pilings/footings, shall be separated from the seasonal high groundwater levels by at least one (1) foot.”

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

Applicant proposes razing the existing single family home and constructing a new home. The new home will be superior to the existing home regarding environmental impacts. Existing impervious coverage is 18.8% and proposed impervious coverage is 12.3%. A new advanced treatment OWTS will be installed. Extensive stormwater runoff mitigation and treatment will be provided. The property slopes from east to west and into Narragansett Bay, so there will be no impact from runoff to neighboring properties.

Advertisement

Application of Scott and Adrienne Kirmil and Patricia R. Perry whose property is located at 213 Seaside Drive, Jamestown, Rhode Island, and is further identified as Tax Assessor's Plat 15, Lot 210 for a Special Use Permit under Sec. 82-301 entitled "Special use permits authorized by this ordinance [chapter]" and Sec. 82-800 entitled "High groundwater table and impervious layer overlay district" to raze the existing home and to construct a new single family home.

Said property is located in an R-40 zone and contains 17,405 square feet.



Office of the Town Planner
MEMORANDUM

TO: Jamestown Zoning Board of Review
FROM: Lisa Bryer, AICP Town Planner for The Jamestown Planning Commission
RE: Motion for Zoning Section 82-800: High Groundwater Table and Impervious Overlay District, **Sub-District A** Kirmil Residence: AP 15, Lot 210; 213 Seaside Drive, Jamestown, RI
DATE: June 21, 2024

At the May 15, 2024 Planning Commission meeting, the Planning Commission voted to recommend to the Jamestown Zoning Board, approval of the application of Kirmil Residence: AP 15, Lot 210; 213 Seaside Drive, Jamestown, RI; being reviewed under Zoning Ordinance Section 82-800 – High Groundwater Table and Impervious Overlay District Sub-District A in accordance with the site plan entitled, “Kirmil Residence, 213 Seaside Drive, in Jamestown RI” dated 4/22/24, prepared by Cordtsen Design Architecture, along with supporting documents for the above referenced property. Please see the subsequent memo from Jean Lambert dated June 18, 2024 related to recommended condition of approval #6.

The recommendation for approval is based on the following findings of facts (and recommended conditions of approval) as noted in the Memo from Jean Lambert, PE dated April 26, 2024 and amended at the Planning Commission meeting:

Findings of Fact Section 800

Existing Conditions:

1. The property is 17,405 square feet (sf) in area and located in a R-40 zone where 40,000 sf is the minimum lot size. The lot is existing nonconforming by size;
2. The existing site is developed with a house, dock, shed and paved driveway (total existing impervious area is **3,274 sf or 18.8%**);
3. The property has an existing OWTS that will be replaced (see proposed conditions below);
4. Topography on the lot slopes from east to west (towards Narragansett Bay) on the site;
5. There are no freshwater wetlands on the property; the CRMC coastal feature is the top of the bluff and there is a 50' CRMC coastal buffer. The property is within the jurisdiction of CRMC;
6. Soil evaluation results show that the site falls under **Sub-district “A”** requirements of the High Groundwater Table and Impervious Overlay District with 24” to the seasonal highwater table (per RIDEM verification) and 26” to impervious soil;

7. The maximum impervious cover allowed is **12.0% or 2088 sf**.
8. The applicant's representative Spencer Macomb of Cordtsen Design, a Rhode Island registered architect, was accepted as an expert witness, at the Planning Commission meeting and present at the Planning Commission on May 15, 2024;

Proposed Site Conditions:

1. The applicant is proposing to demolish the existing house, impervious driveway and walkway, and shed. A new 1795 sf house, 200 sf pool and pervious paver driveway and patios are proposed. The existing 144 sf dock gazebo will remain;
2. The total proposed area impervious is **2,139 sf (12.3%)**;
3. There is a **1,135-sf reduction** in impervious surfaces on the site;
4. **The project exceeds the 12% allowable impervious cover** but otherwise complies with the requirements of the HGWT;
5. The applicant has proposed stormwater mitigation via infiltration through the pervious paver driveway and patio. A detail for the pervious pavers has been submitted with the site plans. These infiltration systems will provide peak storm runoff and water quality mitigation;
6. A new OWTS (RIDEM #2115- 0306: 4-bedroom Advantex to BSF) will be installed;
7. Jamestown Engineer Jean Lambert provided correspondence to the Building File and Lisa Bryer, Town Planner dated April 26, 2024 regarding the application (attached);
8. The site conditions are improved by a substantial reduction of impervious cover.

Recommended Conditions of Approval:

1. The proposed project complies with the requirements of the HGWT Ordinance. The applicant proposes a substantial reduction in impervious cover, is installing a nitrogen reducing OWTS, and is providing extensive stormwater runoff mitigation and treatment;
2. The site must comply with zoning setbacks;
3. The proposed pool will be constructed above existing grade and is therefore permitted;
4. Erosion and sediment controls must be installed at the down gradient limits of site disturbance and maintained until stabilization of the site is attained;
5. After installation, maintenance and inspection of the OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance;
6. A water table cross section shall be provided and the foundation must be 12 inches above the water table, to be approved administratively with review by Town Engineer, Jean Lambert;
7. Any future site work that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance;

Attachments: 1) Memo from Jean Lambert, PE dated April 26, 2024
2) Memo from Jean Lambert, PE dated June 18, 2024

C: Building Official/ZEO
Scott Kirmil, Applicant



Town of Jamestown, Rhode Island

Engineering/GIS Office

93 Narragansett Ave ♦ Jamestown, RI 02835 – 1509

Date: April 26, 2024

To: Project Building File

From: Jean Lambert, P.E.

RE: Zoning Section 82-314: High Groundwater Table and Impervious Overlay District, **Sub-District A**
Kirmil Residence: AP 15, Lot 210; 213 Seaside Drive, Jamestown, RI

I have reviewed the site plan entitled, "Kirmil Residence, 213 Seaside Drive, in Jamestown RI" dated 4/22/24, prepared by Cordtsen Design Architecture, along with supporting documents, for the above referenced property.

Existing Site/Soil Information:

The property is 17,405 square feet (sf) in area. The existing site is developed with a house, dock, shed and paved driveway (total existing impervious area is **3,274 sf or 18.8%**). Topography on the lot slopes from east to west (towards Narragansett Bay) on the site. There are no freshwater wetlands on the property; the CRMC coastal feature is the top of the bluff and there is a 50' CRMC coastal buffer.

Soil evaluation results show that the site falls under **Sub-district "A"** requirements of the High Groundwater Table and Impervious Overlay District with 24" to the seasonal highwater table (per RIDEM verification) and 26" to impervious soil. The maximum impervious cover allowed is 12.0% or 2088 sf.

Proposed Site:

The applicant is proposing to demolish the existing house, impervious driveway and walkway, and shed. A new 1795 sf house, 200 sf pool and pervious paver driveway and patios are proposed. The existing 144 sf dock gazebo will remain. The total proposed area impervious is **2,139 sf (12.3%)**. A new OWTS (RIDEM #2115-0306: 4-bedroom Advantex to BSF) will be installed.

There is a **1,135-sf reduction** in impervious surfaces on the site. The applicant has proposed stormwater mitigation via infiltration through the pervious paver driveway and patio. A detail for the pervious pavers has been submitted with the site plans. These infiltration systems will provide peak storm runoff and water quality mitigation.

Recommendations/Conclusions:

- **The proposed project complies with the requirements of the HGWT Ordinance. The applicant proposes a substantial reduction in impervious cover, is installing a nitrogen reducing owts, and is providing extensive stormwater runoff mitigation and treatment.**
- The site must comply with zoning setbacks.
- The proposed pool will be constructed above existing grade and is therefore permitted.
- 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.
- Any additional future site work that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance.



Town of Jamestown, Rhode Island
Engineering/GIS Office

93 Narragansett Ave ♦ Jamestown, RI 02835 – 1509

Date: June 18, 2024

To: Lisa Bryer, Town Planner
Project Building File

From: Jean Lambert, P.E.

RE: Zoning Section 82-314: High Groundwater Table and Impervious Overlay District, **Sub-District A**
Kirmil Residence: AP 15, Lot 210; 213 Seaside Drive, Jamestown, RI

As requested by the Planning Commission, the applicant has reviewed the proposed building construction to minimize the extent that the lower level slab is located within 12” of the seasonal high-water table on the subject property.

The attached memo from Cordtsen Design Architecture, Inc outlines the final proposal for the lower level of the structure.

Recommendations/Conclusions:

- **The applicant will provide pipes in the footings to allow free passage of water below the foundation in all areas that do not satisfy the 12” separation.**
- **The proposed project includes a substantial reduction in impervious cover (1135 sf), the installation of a nitrogen reducing owt (RIDEM #2115-0306), and extensive stormwater runoff mitigation and treatment.**
- **The applicant must request relief from the Zoning Board because a portion of the lower level slab does not provide a 12” separation from the seasonal high groundwater level on the site.**



CORDTSEN DESIGN ARCHITECTURE, INC
42 West Main Rd • Middletown • RI
CordtsenDesign.com • 401.619.4689

To: Jean Lambert, PE

From: Jed Sopchak, CDA

Re: Kirmil Residence: AP 15, Lot210; 213 Seaside Drive, Jamestown, RI.

Date: June 18, 2024

Based on the proposed design, 725 SF of the footprint does not satisfy the required 12" separation from the seasonal high groundwater table. Of the 725 SF, 265 SF does sit above the water table, and the remaining 460 SF sits below the water table. As mapped out in the performance standards, we will provide transfer pipes in the footings to allow free passage of water below the foundation in all areas that do not satisfy the 12" separation.

**KIRMIL RESIDENCE
213 SEASIDE DRIVE,
JAMESTOWN, RI**



DRAWING LIST

- X0.1 EXISTING SITE PLAN**
- A0.1 PROPOSED SITE PLAN**
- A1.0 FIRST FLOOR PLAN**
- A1.1 SECOND FLOOR PLAN**
- A1.2 THIRD FLOOR PLAN**
- A2.0 EXTERIOR ELEVATIONS**
- A2.1 EXTERIOR ELEVATIONS**

**CORDTSEN
DESIGN
ARCHITECTURE**

42 West Main Road
Middletown, RI 02842

CordtsenDesign.com
401.619.4689

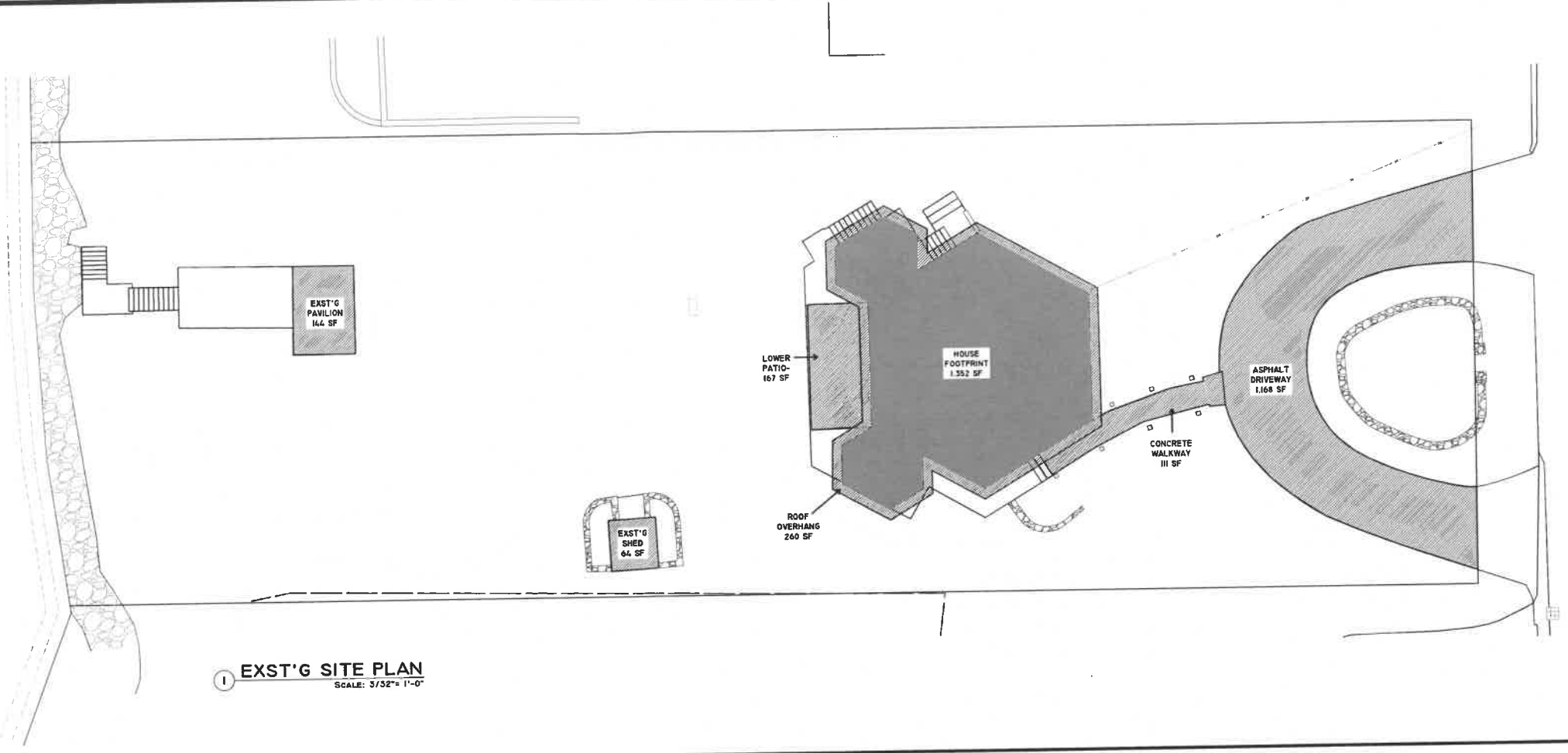


**ZONING SUBMISSION
6-21-24**

THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF CORDTSEN DESIGN ARCHITECTURE, INC.

EXISTING IMPERVIOUS LOT COVERAGE BREAKDOWN	
HOUSE FOOTPRINT -	1,352 SF
ROOF OVERHANGS -	268 SF
EXST'G PAVILION-	144 SF
EXST'G ASPHALT DRIVEWAY-	1,168 SF
EXST'G CONCRETE WALKWAY-	111 SF
EXST'G SHED-	64 SF
EXST'G LOWER LEVEL PATIO-	167 SF
TOTAL IMPERVIOUS AREA -	3,274 SF

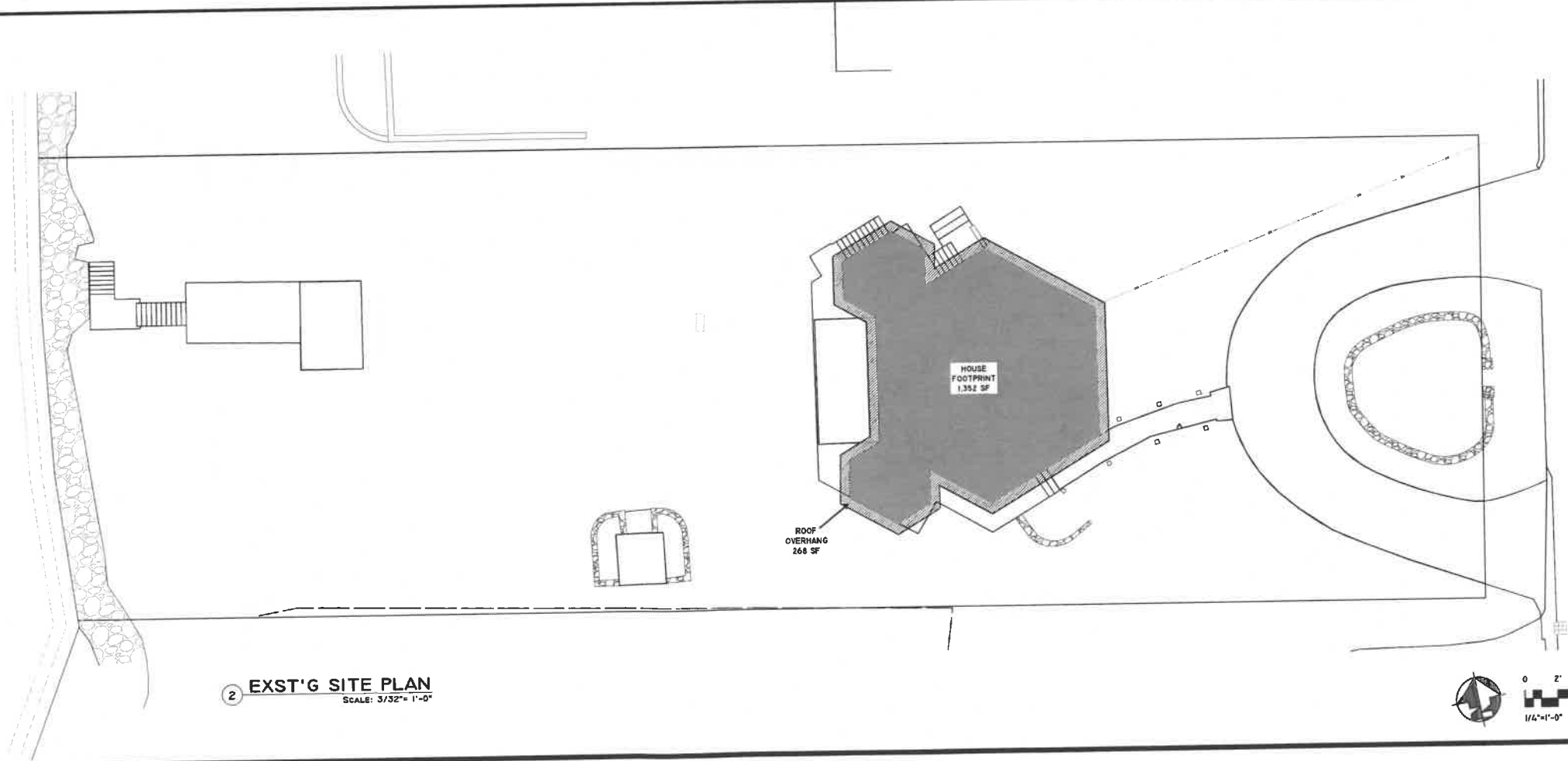
NARRAGANSETT BAY



1 EXST'G SITE PLAN
 SCALE: 3/32" = 1'-0"

STRUCTURAL LOT COVERAGE BREAKDOWN	
HOUSE FOOTPRINT -	1,352 SF
ROOF OVERHANGS -	268 SF
TOTAL SLC AREA -	1,620 SF
TOTAL SLC AREA + 50% = 2,430 SF ALLOWED	
TOTAL SLC PROPOSED = 2,139 SF	

NARRAGANSETT BAY



2 EXST'G SITE PLAN
 SCALE: 3/32" = 1'-0"

****LOT IS BELOW 20,000 SF & TREATED AS R20****
 REF SEC.82-605- TABLE 6-2
JAMESTOWN ZONING:

ZONING DISTRICT: R20
 ZONING USE: SINGLE FAMILY DWELLING

YARD SETBACKS, MINIMUM REQUIRED:
 30'-0" FRONT
 10'-0" SIDE
 30'-0" REAR

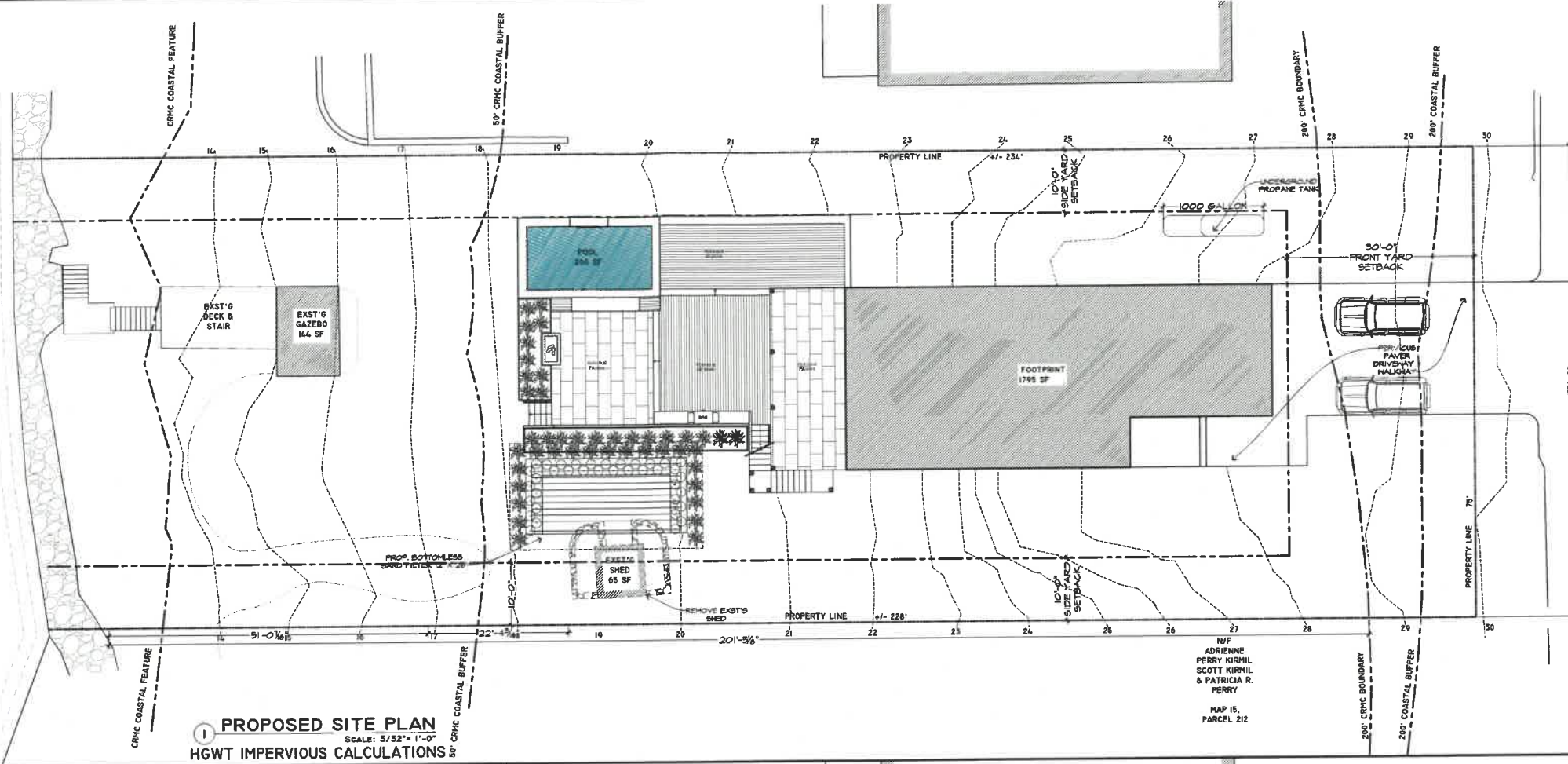
YARD SETBACKS, PROPOSED:
 30'-0" FRONT
 10'-0" SIDE
 30'-0" REAR

BUILDING HEIGHT, MAXIMUM ALLOWED: 35'-0"
 FROM AVERAGE NATURAL GRADE (25'-0")= 60'-0"
BUILDING HEIGHT, PROPOSED: 34'-6" ABOVE
 25'-0"= 59'-6"

LOT COVERAGE, ALLOWED: 12% OF 17,405
 SF= 2,087 SF
LOT COVERAGE, EXISTING: 1,817 SF= 10.4%
LOT COVERAGE, PROPOSED:
REFERENCE DRAWING:

HIGH WATER CRIDINANCE IMPERVIOUS LOT COVERAGE	
HOUSE FOOTPRINT-	1,795 SF
POOL-	200 SF
EXST'G PAVILLION-	144 SF
TOTAL PROPOSED-	2,139 SF (12.3%)

NARRAGANSETT BAY



1 PROPOSED SITE PLAN
 SCALE: 3/32"= 1'-0"
 HGWT IMPERVIOUS CALCULATIONS

SEASIDE DRIVE

****LOT IS BELOW 20,000 SF & TREATED AS R20****
 REF SEC.82-605- TABLE 6-2
JAMESTOWN ZONING:

ZONING DISTRICT: R20
 ZONING USE: SINGLE FAMILY DWELLING

YARD SETBACKS, MINIMUM REQUIRED:
 30'-0" FRONT
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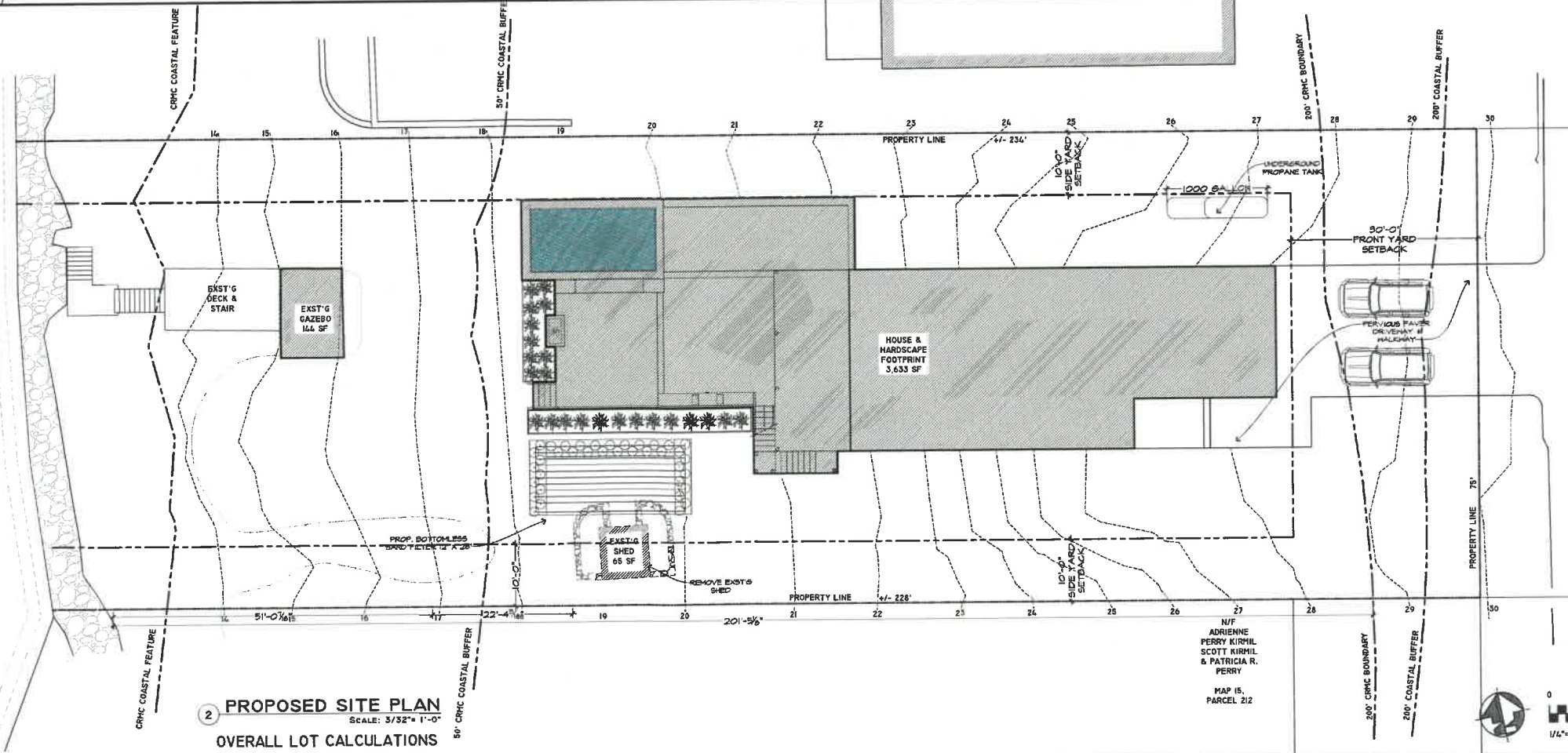
YARD SETBACKS, PROPOSED:
 30'-0" FRONT
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 30'-0" REAR

BUILDING HEIGHT, MAXIMUM ALLOWED: 35'-0"
 FROM AVERAGE NATURAL GRADE (25'-0")= 60'-0"
BUILDING HEIGHT, PROPOSED: 34'-6" ABOVE
 25'-0"= 59'-6"

LOT COVERAGE, ALLOWED: 12% OF 17,405
 SF= 2,087 SF
LOT COVERAGE, EXISTING: 1,817 SF= 10.4%
LOT COVERAGE, PROPOSED:
REFERENCE DRAWING:

JAMESTOWN LOT COVERAGE	
HOUSE & HARDSCAPE FOOTPRINT-	3,633 SF
GAZEBO -	144 SF
TOTAL-	3,777 SF
PROPOSED- 3,777 SF OF 17,405 SF = 21.7 %	
ALLOWED- 4,351 SF OF 17,405 = 25 %	

NARRAGANSETT BAY



2 PROPOSED SITE PLAN
 SCALE: 3/32"= 1'-0"
 OVERALL LOT CALCULATIONS

SEASIDE DRIVE



REVISIONS:
ZONING SUBMISSION
 DESCRIPTION: SITE PLAN
 SCALE: As Noted
 DATE: June 21st, 2024

KIRMIL RESIDENCE
 213 Seaside Drive
 Jamestown, Rhode Island

A0.1

DATE OF CONSTRUCTION: THIS DRAWING IS NOT TO BE USED FOR ANY CONSTRUCTION OR ANY OTHER PURPOSES WITHOUT THE WRITTEN APPROVAL OF CORDTSEN DESIGN ARCHITECTURE, INC.