



TOWN OF JAMESTOWN

P.O. Box 377
93 Narragansett Ave.
JAMESTOWN, RHODE ISLAND 02835

Approved as written

Planning Office (401) 423-7210

PLANNING COMMISSION MINUTES

November 20, 2024

6:30 PM

Jamestown Town Hall

93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 6:34pm. The following members were present:

Michael Swistak – Chair

Duncan Pendlebury – Vice Chair

Rosemary Enright – Secretary

Diane Harrison

Bernie Pfeiffer

Dana Prestigiacomio

Not present: Mick Cochran

Also present:

Lisa Bryer, AICP - Town Planner

Wyatt Brochu, Esq. – Ruggiero, Brochu & Petrarca

Ashley Sweet, Weston & Sampson

Christian Infantolino, Esq. – Murphy, Prior & Infantolino

Patrick Freeman, PE, American Engineering

Robert Small – applicant

Rebecca Small - applicant

II. Citizen's Non-Agenda Item – none

III. Correspondence – none

IV. New Business

1. No items at this time

V. Old Business

1. Robert & Rebecca Small, 130 Seaside Drive, AP 5, Lot 270, High Groundwater Table and Impervious Overlay District – Zoning Ordinance Section 82-800 - Sub-district A, review and recommendation to the Jamestown Zoning Board: review, discussion, and/or action, and/or vote.

Attorney Christian Infantolino gave the project description of a proposed garage, crushed stone driveway and a raingarden. He introduced Patrick Freeman, PE with American Engineering. A motion was moved by Commissioner Swistak and seconded by Commissioner

Pendlebury to accept Patrick Freeman, PE as an expert witness. All in favor. Freeman explained that the property was developed with a 4-bedroom OWTS. The soil evaluations place the property in Subdistrict A. The elevations were not part of the planning packet and submitted as Exhibit 1 by Christian Infantolino. The second floor of the proposed garage will be conditioned space, but not plumed. The stone patio in the backyard is pervious. The question was asked about whether the plantings in the rain garden will impact the site distance? Freeman answered that the rain garden is 29 feet to the street.

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

At the November 20, 2024 Planning Commission meeting, the Planning Commission voted unanimously to recommend to the Jamestown Zoning Board, approval of the application of Robert and Rebecca Small: AP 5, Lot 270; 130 Seaside Drive, Jamestown, RI; being reviewed under Zoning Ordinance Section 800 - High Groundwater Table and Impervious Overlay District Sub-district A review in accordance with the plan entitled **“Town Submission for Rebecca Small, Located at Assessors Plat 5 Lot 270, 130 Seaside Drive, Jamestown, RI,” Sheet 1 of 1 dated October 29, 2024. Plans by American Engineering, Inc., 400 South County Trail, Suite A 201, Exeter, RI 02822.** The recommendation for approval is based on the following findings of facts and recommended conditions of approval as written and as amended at the November 20, 2024 meeting:

Findings of Fact

Existing Conditions:

1. The property is 21,600 square feet (sf) in area;
2. The existing site is developed with a 3-bedroom house, shed, crushed stone driveway, and a stone patio;
3. The total existing impervious area is **1,130 sf or 5.23%**;
4. Topography on the lot slopes from east to west (towards Seaside Drive);
5. There are no freshwater wetlands on the property;
6. 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 28” to impervious soil;
7. The maximum impervious cover allowed is **12.0% or a maximum of 2,592 sf**;

Proposed Conditions:

8. The applicant is proposing to construct a garage (720 sf), a new crushed stone driveway and rain garden;
9. There is an existing 4-bedroom conventional OWTS (RIDEM #9815-0517). The system is current for inspection (last inspected in October 2024);
10. A rain garden is proposed to mitigate the increase stormwater runoff associated with the site improvements. The required stormwater treatment volume for the new improvements is 252 cubic feet (cf). The total proposed volume is 259 cf;

11. The total proposed impervious cover will be **1,850 sf or 8.56%** where 12% is permitted;
12. The applicant's representatives: Christian Infantolino, Esq. of Murphy, Prior and Infantolino and Patrick Freeman, PE with American Engineering, and represented the applicant as an expert witness before the Planning Commission on 11/20/24;
13. Jamestown Engineer Jean Lambert provided correspondence to Dennis Begin, Building Official and Lisa Bryer, Town Planner dated November 5, 2024 regarding the Small application (attached) which notes that, the proposed project complies with the requirements of the HGWT ordinance. The site distance should be maintained from Seaside Drive and Spindrift Street is 29-feet, which meets the 25-foot requirement.

Recommended Conditions of Approval

1. A Special Use Permit is required per Section 800 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 garage, size and location of the rain garden, and verifying the elevations and grading shown on the proposed site plan;
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. Erosion controls shall be maintained until final stabilization is achieved on the site;
4. Maintenance and inspection of the OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance;
5. The rain garden 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 (vegetated swale) shall be recorded in the Office of the Town Clerk with the Zoning Approval and evidence of such shall be provided to the Zoning Board and Enforcement Officer;
6. Any additional future site work that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance;
7. An additional walkway must be pervious or approved by the Zoning Board;
8. Elevation plans added as Exhibit 1 by Christian Infantolino, Esq. were not included in the original application;
9. Stone patio in rear yard is pervious;
10. Rain garden designed for 10-year storm event.

The motion carried by a 6-0 vote.

Commissioner Pendlebury, Commissioner Enright, Commissioner Harrison, Commissioner Pfeiffer, Commissioner Prestigiacomo and Commissioner Swistak voted in favor of the motion. Commissioner Cochran was not present.

2. Comprehensive Community Plan Update & Re-write 2024/2025 – Review, Discussion, and/or Action and/or Vote
 - a. Review of Comprehensive Plan Element amendments: Land Use; Economic Development; Natural Resources

Ashley Sweet with Weston & Sampson gave a re-cap of the highly successful Comprehensive Plan Public Workshop held at the Jamestown Recreation Center on Wednesday, October 13, 2024. Sweet shared a handout with the 20 top issue/opportunity dots by category.

The Comprehensive Plan Element amendments for Land Use and Economic Development were reviewed and minor changes were made. Sweet gave a handout with proposed questions for reviewing Natural Resources, which will be discussed at the December 18, 2024 meeting.

VI. Reports - Review, Discussion and/or Action and/or Vote

1. Planner's Report
 - a. Future meetings – topics and application

Bryer said the December 4, 2024 meeting is cancelled due to no applications. The next meeting is December 18, 2024.

VII. Approval of Minutes – Review, Discussion and/or Action and/or Vote

1. October 16, 2024

A motion was moved by Commissioner Enright and seconded by Commissioner Pendlebury to approve the minutes from October 16, 2024 as amended. Commissioner Cochran abstained from the vote. All in favor.

Page 2, paragraph 3, sentence 2: changed to "... Variance previously needed to go before the Planning Commission and Zoning Board of Review."

Page 3, paragraph 1, sentence 1: "meantime" became one word

Page 3, paragraph 3, sentence 4: the word "then" removed

Page 3, paragraph 4, sentence 1: "Planning" changed to "Planner"

VIII. Adjournment

A motion to adjourn at 8:52 pm was moved by Commissioner Enright and seconded by Commissioner Pendlebury. All in favor.

Attest:

Lisa W. Bryer, AICP