

Department of  
Development Services

Town Hall  
45 Broad Street  
Westerly, RI 02891

*Town of Westerly*  
*Rhode Island*



RECEIVED FOR RECORD  
WESTERLY R.I.  
Apr 18 2017 at 08:48A  
BOOK 2017 PAGE 5946  
DOC #: 00001495

FOR RECORDING PURPOSES ONLY

**ZONING BOARD OF REVIEW**  
**DECISION**

April 13, 2017

Meredith and Whitney George  
24 Three Wells Lane  
Darien, CT 06820

**RE: 33 Ocean View Highway**  
**Assessor's Plat 173, Lot 54**  
**Zoning Submittal No. 17/2414**

On **April 5, 2017** the Zoning Application for the above-referenced property was presented before the Zoning Board of Review requesting a **Building Height Variance** from Section(s) 260-19 (Minimum Dimensional Requirements) of the Zoning Ordinance to **add a rooftop deck with access hatch and railing to a residential structure currently under construction** at the subject property located at the above-referenced property. The Public Hearing on this matter was held on **April 5, 2017** with a decision being rendered at that time.

**FINDINGS OF FACT**

Based on the information presented during the Public Hearing and the testimony given, a motion was made by **John Ornberg, Alternate**, duly seconded by **Al Clemence**, to adopt following Findings of Fact outlined below:

This request is being brought forward by the applicants and owners, **Meredith and Whitney George**, who are requesting a **4.25' Building Height Variance** from Section(s) 260-19 (Minimum Dimensional Requirements) of the Zoning Ordinance to **add a rooftop access hatch and railing to a residential structure currently under construction** at the subject property located at **33 Ocean View Highway**, otherwise identified as **Assessor's Plat 173, Lot 54**. The subject property is presently under construction to be used as a residence and is located in an **LDR-43** Zoning District. The neighborhood surrounding the subject property consists primarily of seasonal and year-round residences also located within the LDR-43 Zoning District.

The Zoning Board received comments concerning this application at a Public Hearing held on **April 5, 2017**. Zoning Board members **Mark Doescher**, **Walter Pawelkiewicz**, **Linda Bongiolatti**, **Albert Clemence**, and **John Ornberg** (voting alternate member) were present and heard testimony during the entirety of the Public Hearing, as well as **Larry Cioppa** (a non-voting alternate member).

The Zoning Board was provided with a Zoning Narrative prepared by Staff dated **March 29, 2017** which outlined the details of the application and was made part of the application file, thereby becoming part of the record.

The following individuals spoke as representatives (and experts, if any) of the applicant:

**Attorney Kelly Fracassa** served as legal representative of the applicants.

**Tony Nenna, Professional Engineer**, testified to the existing conditions of the property and the calculation for the Base Flood Elevation determined.

**William, Malmstedt, Architect**, testified as managing architect of the project that the railing was necessary to meet safety requirements.

No individuals spoke during the Public Hearing in support of or in opposition to the request.

The following information and materials were entered into the record as Exhibits:

**Property Deed of the owners**

**Photographs of the property**

Based on this evidence and testimony entered into the record, a motion was made by **J. Ornberg, Alternate**, duly seconded by **Al Clemence**, finding that the requested relief **satisfies** the standards of Section 260-33 (Variances), specifically sub-section D, Standards 1 through 4, and sub-section E, Standard 2, and in agreement that the granting of the variance:

1. **Is** due to the unique characteristics of the land on which it resides and is not due to the physical or economic disability of the applicant;
2. **Is justified** by a hardship that is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain;
3. **Will not alter** then general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or Comprehensive Plan;
4. **Is justified** as being the least relief necessary; and,
5. **Is justified** as the hardship suffered by the owner, if the dimensional variance is not granted, would amount to more than a mere inconvenience.

The motion in establishing these Findings of Fact 5-0 (Mark Doescher, Walter Pawelkiewicz, Lina Bongiolatti, Al Clemence and John Ornberg).

### **RELIEF REQUESTED**

§260-19 (Minimum Dimensional Requirements)

**4.25' Building Height Variance**

### **DECISION**

As supported within the above Findings of Fact, a motion was made by **John Ornberg, Alternate**, duly seconded by **Al Clemence**, to grant the requested **4.25' Building Height Variance** from §260-19: Minimum Dimensional Requirements of the Zoning Ordinance to **add a rooftop access hatch and railing to a residential structure currently under construction** at the subject property as requested.

The motion to grant the requested relief passed 5-0 (Mark Doescher, Walter Pawelkiewicz, Lina Bongiolatti, Al Clemence and John Ornberg).

Respectfully Submitted,

  
Jason A. Parker, AICP, CFM  
Administrative Official

MUNICIPAL CLERK  
TOWN CLERK  
Zoning

Town of Westerly  
Rhode Island

DEPARTMENT OF  
DEVELOPMENT SERVICES



Town Hall  
45 Broad Street  
Westerly, RI 02891

## Zoning Narrative

Date: **March 29, 2017**  
Petitioner: **Meredith and Whitney George**  
Location: **33 OCEAN VIEW HWY**  
**Assessor's Plat/Lot '173-054'**  
**Zoning Submittal No. 17/2414**

### SUMMARY:

The petitioner is requesting a **4.25' building height variance** from §260-19 (Minimum Dimensional Requirements) of the Zoning Ordinance to **construct a widow's walk with access hatch and railings on a residence currently under construction** at the above-referenced property.

### FINDINGS OF FACT:

#### *Existing Conditions*

- A. Parcel 173-054 consists of approximately seven (7) acres of land area with approximately 330 feet of frontage on Ocean View Highway. This parcel is located in an LDR-43 Zoning District.
- B. Lot 173-054 contains a single-family residence currently under construction proposed to be approximately 7,050 square feet upon completion.

#### *Current Proposal*

- C. The applicant is proposing to **construct a widow's walk with access hatch and railings on the residence currently under construction.**
- D. The proposed widow's walk exceeds the **35' maximum building height allowed** on this property and subsequently requires a **4.25' building height variance** from §260-19 Minimum Dimensional Requirements of the Zoning Ordinance.

Dimensional Information			
LDR-43 Dimensional Requirements	Primary Structure (Required)	Proposed	Variance(s)
Building Height (max.)	35'	39.25'	<b>4.25</b>

- E. Within the Zoning Application, the petitioner states "applicants seek to add widow's walk on top of existing flat roof. Railings are necessary for safety. Adding widow's walk allows fully enjoyment of the permitted residential use."
- F. At the March 1, 2017 Zoning Board meeting, the applicant was granted their request of waivers for the following checklist items associated with this application:
  - i. Item C – Letter from a biologist indicating that there are no coastal or freshwater wetlands on or in proximity to the site.

### RELIEF REQUESTED

§260-19 (Minimum Dimensional Requirements)

**4.25 Building Height Variance**

**STANDARDS TO BE MET**

In accordance with §260-33 Variances of the Zoning Ordinance, in granting variances the Zoning Board shall require that evidence satisfying the following standards be entered into the record of the proceedings:

1. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant;
2. That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain;
3. That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan upon which this chapter is based; and
4. That the relief to be granted is the least relief necessary.

In addition to the above standards, the Zoning Board shall require that evidence be entered into the record of the proceedings that:

5. The hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience, which shall mean that there is no other reasonable alternative to enjoy a legally permitted beneficial use of one's property. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief.

**RECOMMENDATION**

Staff remains neutral as to an opinion on the proposed construction. While the expansion of a structure nonconforming by dimension is allowed by dimensional variance under §260-32C(1) of the Zoning Ordinance, the applicant should be prepared to address the standards of review regarding hardship.



ZONING

8. How long have you owned the premises: Title acquired Dec. 10, 2012
9. Year that lot was platted and recorded: Unknown - house originally constructed in 1950
10. Have you submitted plans to the Zoning Inspector: No
11. Has a permit been refused: N/A If a permit has been refused, attach a copy of the denial in writing.
12. Size (in square feet) of all existing buildings and accessory structures:  
7, 055 sq. ft., plus porches and balconies
13. Size (in square feet) of all proposed buildings and accessory structures:  
Same - 7, 055 sq. ft. plus porches and balconies - new house under construction.
14. Indicate the number of families to reside in the building: One
15. Describe the extent of the proposed alterations: Addition of access hatch and railing to flat portion of the roof. New house is under construction.
16. Indicate the section of the Westerly Zoning Ordinance under which application for **dimensional variance** is made: Sec. 260-33

17. State what relief is sought (dimensions, in number of feet):

Side: \_\_\_\_\_ Side: \_\_\_\_\_ Rear: \_\_\_\_\_ Front: \_\_\_\_\_ Height: 4.25'

18. Clearly state the grounds for which this **dimensional variance** is sought: Applicants seek to add widow's walk on top of existing flat roof. Railings are necessary for safety. Adding widow's walk allows full enjoyment of the permitted residential use.

19. Request for waiver: Indicate checklist items that are requested to be waived by the Zoning Board and the reasons for the request:

Checklist item C, letter from biologist. All work will occur on top of a small portion of the existing building.

Respectfully submitted:

Print Name: Kelly M. Fracassa, Esq., attorney for applicants

Signature: \_\_\_\_\_

Address: 96 Franklin Street, Westerly RI 02891

Phone Number: 401-596-0321

INDEX OF ARCHITECTURAL DRAWINGS

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A-1.4	ATTIC PLAN
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A-2.2	EAST AND WEST ELEVATIONS
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A-3.3	BUILDING SECTIONS AND VALLEY SECTION DETAILS
ST-1.1	CRAWLSPACE STRUCTURAL PLAN
ST-1.2	FIRST FLOOR STRUCTURAL PLAN AND CONNECTION & CONCRETE DETAILS
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ST-1.4	ATTIC STRUCTURAL PLAN

REVISIONS

NO.	DESCRIPTION	DATE



# NEW RESIDENCE FOR: MEREDITH AND WHITNEY GEORGE

33 OCEAN VIEW HIGHWAY, WATCH HILL, WESTERLY, RHODE ISLAND 02891

**ARCHITECT:**

DOUGLAS VANDERHORN ARCHITECTS  
31 EAST ELM ST, GREENWICH, CT  
PHONE: (203) 622-7000

**STRUCTURAL AND CIVIL ENGINEER:**

SOUND VIEW ENGINEERS & LAND SURVEYORS, LLC  
239 GLENVILLE ROAD, SUITE 300, GREENWICH, CT 06831  
PHONE: (203) 532-1300

**MECHANICAL ENGINEER:**

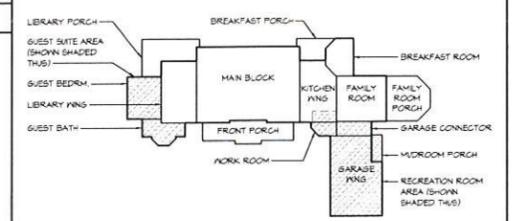
NORTHEAST GREEN CONSULTING  
11 BROADCOMMON ROAD, UNIT B #344, BRISTOL, RI 02809  
PHONE: (401) 245-1550

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TITLE SHEET, DRAWING INDEX, SYMBOLS, AND KEY  
NEW RESIDENCE FOR MEREDITH AND WHITNEY GEORGE  
33 OCEAN VIEW HIGHWAY, WATCH HILL, WESTERLY, RHODE ISLAND 02891  
DOUGLAS VANDERHORN ARCHITECTS  
31 EAST ELM STREET, GREENWICH, CT 06830 203 - 622 - 7000

KEY TO SECTIONS OF HOUSE



SCALE:  
1/4" = 1'-0"  
DATE:  
28 OCT 2016  
DRAWN BY:  
P.M., L.D.M., C.D.V.  
JOB NUMBER:  
1503

T-1

LEGEND	
	GRAVEL FILL
	GRAVEL FILL
	CONCRETE BLOCK (CMU)
	BRICK
	STONE VENEER
	WOOD FRAMING
	WOOD BLOCKING
	PLYWOOD
	FINISH WOOD
	BATT INSULATION
	RIGID/ FOAM INSULATION
	LSL-FRAMED WALL
	LOAD-BEARING WALL
	HIDDEN WALL/ OBJECT

SYMBOL LIST	
	DRAWING NUMBER - ELEVATION
	SHEET NUMBER
	DRAWING NUMBER - ELEVATION
	SHEET NUMBER
	DRAWING NUMBER - SECTION
	SHEET NUMBER
	DRAWING NUMBER - DETAIL
	SHEET NUMBER
	CONSTRUCTION DATUM
	ELEVATION HEIGHT
	DOOR SCHEDULE SYMBOL
	WINDOW SCHEDULE SYMBOL

ABBREVIATIONS			
ADJ.	ADJUSTABLE	F.F.	FIBERGLASS FLOOR
A.F.F.	ABOVE FINSH FLOOR	F.N.	FINSH
BD	BOARD	F.O.	FACE OF STLD
B.O.	BOTTOM OF	F.O.S.	FOUNDATION
CL.	CLOSET	FTG.	FOOTING
C.S.	GELINS	FRZ.	FREEZER
CONG.	CONCRETE	GYP.	GYPUM
CONSP.	CONSPORITION	HDR.	HEADER
COV.	COVER	HT.	HEIGHT
DA.	DIAMETER	ID.	INSIDE DIAMETER
DN.	DOWN	INSUL.	INSULATION
DN.	DOWN	L.C.	LEAD-COATED LEADER
EA.	EACH	LDR.	LEADER
ELEV.	ELEVATION OR ELEVATOR		
EQ.	EQUAL		
EXT.	EXTENSING EXTERIOR		
		MAX.	MAXIMUM
		MIN.	MINIMUM
		H.LDG.	HOLDING
		NOM.	NOMINAL
		NTS.	NOT TO SCALE
		O.D.	OUTSIDE DIAMETER
		OPENS.	OPENS
		OPP.	OPPOSITE
		PLYWD.	PLYWOOD
		PT.	POINT
		P.T.	PRESSURE-TREATED
		Q.S.	QUARTER-SAWN
		REF.	REFRIGERATOR
		RENF.	REINFORCED
		RENF.	REINFORCED
		REQD.	REQUIRED
		RM.	ROOM
		R.O.	ROUGH OPENING
		SM.	SIMILAR
		T.O.	TOP OF
		TYP.	TYPICAL
		U.N.O.	UNLESS NOTED OTHERWISE
		V.B.	VAPOR BARRIER
		V.I.F.	VERIFY IN FIELD
		W.	WITH
		W/O.	WOOD
		W.C.	WALL-CLOSET
		W/O.	WITHOUT



1 PRINCIPAL (NORTH) ELEVATION  
SCALE: 1/4" = 1'-0"

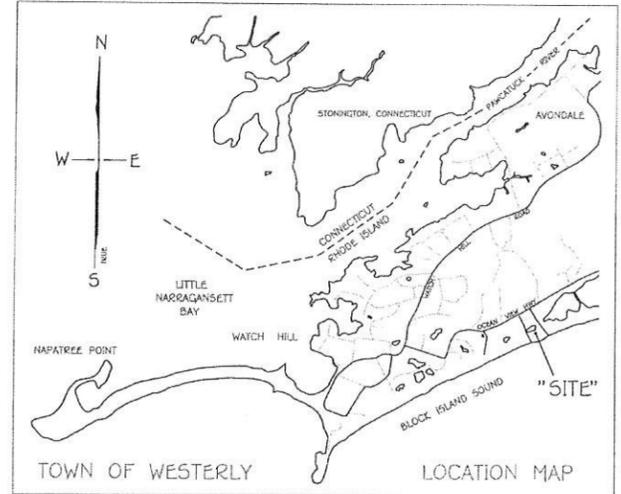
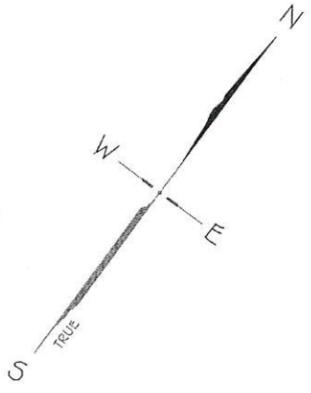
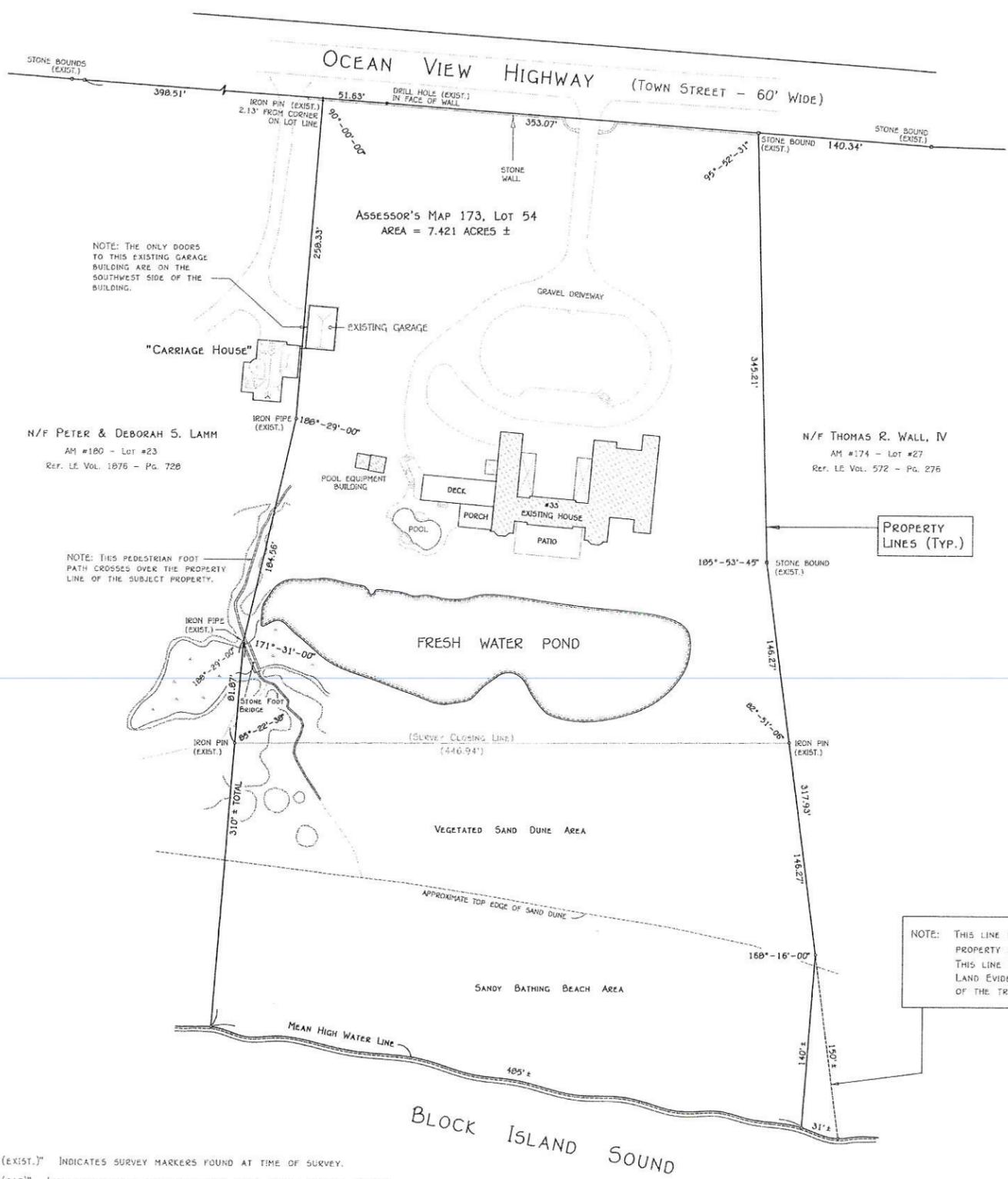


2 REAR (SOUTH) ELEVATION  
SCALE: 1/4" = 1'-0"

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NORTH AND SOUTH ELEVATIONS  
THE NEW RESIDENCE FOR MR. & MRS. GEORGE B. EDWARDS AND MRS. MARGARET M. EDWARDS, BRIDGE ISLAND 02811  
**DOUGLAS VANDERHORN ARCHITECTS**  
31 EAST ELM STREET, GREENWICH, CT 06830 203 - 622 - 7000

SCALE: 1/4" = 1'-0"  
DATE: 28 OCT 2016  
DRAWN BY: WLM, LDM  
JOB NUMBER: 1503



- NOTES:
1. THE SUBJECT PROPERTY IS DESIGNATED AS LOT 54 ON ASSESSOR'S MAP 173.
  2. THE DEED REFERENCE FOR THE SUBJECT PROPERTY IS TOWN OF WESTERLY LAND EVIDENCE VOLUME NO. 1937, PAGE 978.
  3. REFERENCE IS HEREBY MADE TO THE FOLLOWING PLANS:
    - A. "SURVEY PLAT AND PROFILE OCEAN VIEW HIGHWAY WESTERLY RI SEPT. 3RD 1894". RECORDED IN PLAT BOOK NO. 1, PAGE NO. 20. (SEE COUNCIL RECORDS BOOK 10, PG. 25)
    - B. "PARCEL OF LAND AT WATCH HILL - WESTERLY R.I. TO BE CONVEYED BY OLGA L. GRISCOM TO JAMES M. SNOWDEN SCALE 1"=20 FT. SEPT. 1949 ROSSI & LEWIS ENGR'S.". (PLAN IS NOT RECORDED)
    - C. "PLAT OF LAND OF JAMES M. & MARIE K. SNOWDEN SHOWING PARCEL NO. 1 BEING CONVEYED TO DONALD C. LILLIS OCEAN VIEW HIGHWAY WATCH HILL WESTERLY, R.I. SCALE 1"=40' MARCH 1966 ROSSI AND LEWIS, ENGR'S. WESTERLY, R.I." RECORDED IN PLAT BOOK NO. 10, PG. 30.
    - D. "PLAN OF LAND PREPARED FOR HELEN L. DILLON ASSESSORS PLAT 173 LOT 54 OCEAN VIEW HIGHWAY WESTERLY, RHODE ISLAND SCALE 1"=40' SEPTEMBER 18, 1996" PREPARED BY JIM KASIERSKI, PROFESSIONAL LAND SURVEYOR". RECORDED IN PLAN ENVELOPE NO. 680.
    - E. "PLAN OF LAND PREPARED FOR PHILLIP T. CUNNINGHAM ASSESSORS PLAT 173 LOT 54 OCEAN VIEW HIGHWAY WESTERLY, RHODE ISLAND SCALE 1"=40' OCTOBER 28, 1999 REVISED JANUARY 11, 2000". PREPARED BY JIM KASIERSKI, PLS, INC. (PLAN IS NOT RECORDED)
    - F. "PLAN SHOWING CLASS II BOUNDARY SURVEY PROPERTY OF THE SISTERS OF ST. JOSEPH CORPORATION TO BE CONVEYED TO PETER & DEBORAH S. LAMM ASSESSOR'S MAP 180, LOT 23 OCEAN VIEW HIGHWAY - WATCH HILL WESTERLY, RHODE ISLAND SCALE: 1"=40' AUGUST 19, 2004 JOSEPH P. TOSCANO JR. PLS WESTERLY, RHODE ISLAND". RECORDED IN PLAN ENVELOPE NO. 1152.

R.I.G.L. 34-13-1: INDEX OF ABUTTING STREETS  
OCEAN VIEW HIGHWAY (TOWN STREET)

PLAN SHOWING CLASS II BOUNDARY SURVEY  
PROPERTY OF  
**W. WHITNEY & MEREDITH MALLORY GEORGE,**  
TRUSTEES: THE W. WHITNEY GEORGE REVOCABLE TRUST &  
THE MEREDITH MALLORY GEORGE REVOCABLE TRUST

ASSESSOR'S MAP 173, LOT 54  
33 OCEAN VIEW HIGHWAY - WATCH HILL  
WESTERLY, RHODE ISLAND  
SCALE: 1"=50' JUNE 24, 2013

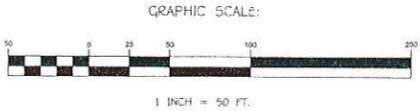
JOSEPH P. TOSCANO, JR. PLS  
WESTERLY, RHODE ISLAND  
(ADDRESS: 85 BEACH STREET - TEL: 596-2824)



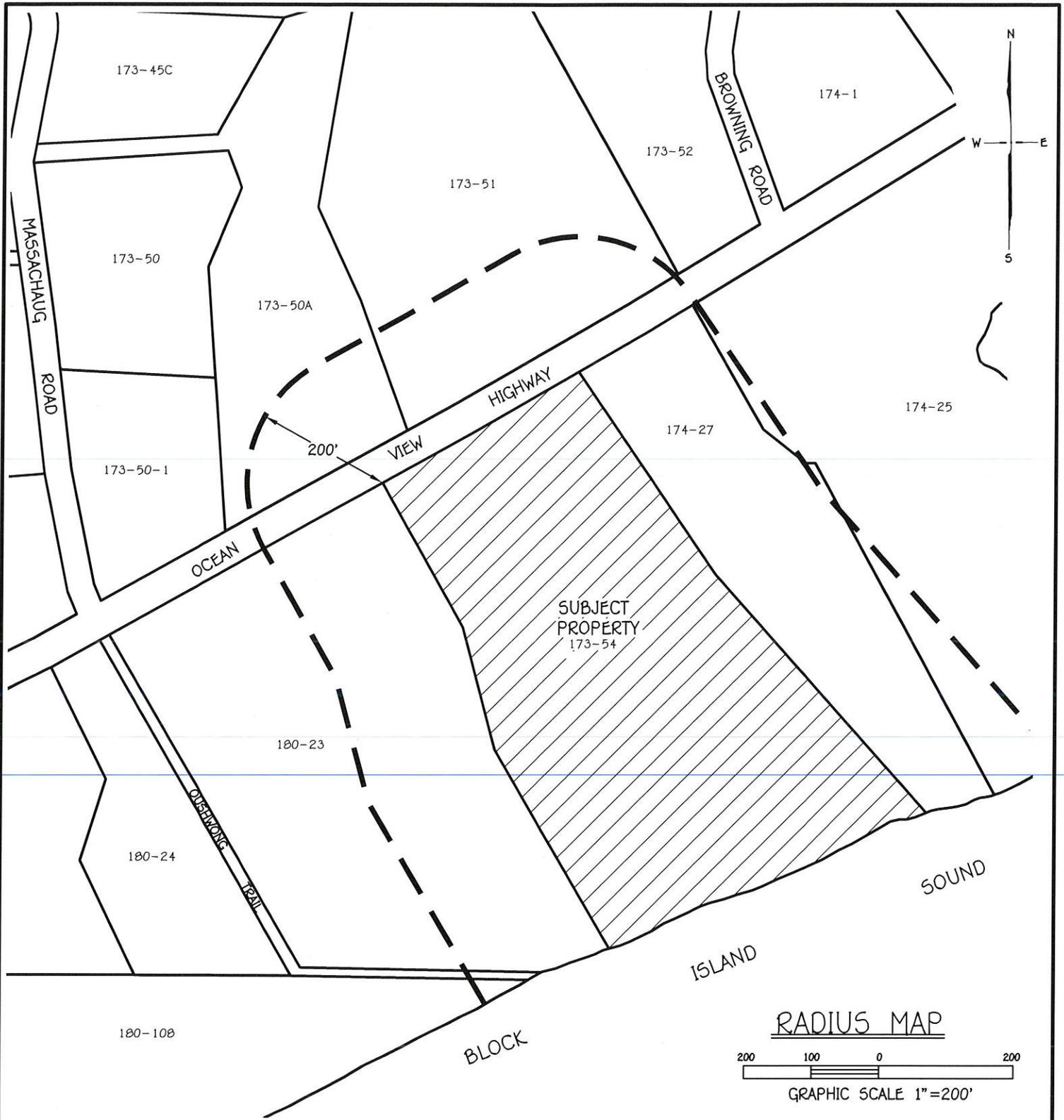
NOTE: THIS LINE IS SHOWN AND DELINEATED ON TWO PREVIOUS SURVEYS OF THE SUBJECT PROPERTY AS REFERENCED BY PLAN REFERENCES, NOTE 3, "D" AND "E" HEREON. THIS LINE IS NOT CORRECT ACCORDING TO DEEDS ON FILE WITH THE WESTERLY LAND EVIDENCE RECORDS, RECORDED PRIOR TO THE SURVEYS AS NOTED. THE AREA OF THE TRIANGULAR SHAPED PARCEL OF LAND IS APPROXIMATELY 2,100 SQ. FT.

THIS SURVEY AND PLAN CONFORM TO A CLASS II STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS AND IS SUBSTANTIALLY CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

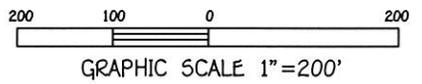
BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
REGISTERED PROFESSIONAL LAND SURVEYOR



- LEGEND:
- "(EXIST.)" INDICATES SURVEY MARKERS FOUND AT TIME OF SURVEY.
  - "(SET)" INDICATES SURVEY MARKERS PLACED AS A RESULT OF THIS SURVEY.
  - "AM # - LOT # " MEANS "TOWN OF WESTERLY ASSESSOR'S MAP & LOT NO."
  - "N/F" MEANS "NOW OR FORMERLY OWNED BY"
  - "REF. LE VOL. - PG." MEANS "LAND EVIDENCE VOLUME AND PAGE REFERENCE".



RADIUS MAP



ANTHONY A. NENNA

No. 7240

REGISTERED  
PROFESSIONAL ENGINEER  
CIVIL

APPLICANT: W. GEORGE  
LOCATION: 33 OCEAN VIEW HIGHWAY  
TOWN OF WESTERLY

DATE: FEBRUARY 17, 2017  
PLAT 173, LOT 54

PREPARED BY:

**On-Site Engineering, INC.**  
*Civil & Environmental Engineering*  
85 Beach Street, Building B  
Westerly, Rhode Island 02891  
401-348-6831

200 FOOT ABUTTERS LIST

Applicant: W. Whitney & Meredith M. George, Trustees  
 Property Address: 33 Ocean View Highway, Westerly, Rhode Island  
 Plat 173, Lot 54

Plat	Lot	Site Address	Owner's Name	Owner's Address
173	50A	30 Ocean View Highway	Brown GST Exempt Trust	275 Indies Way, Apt. 1504, Naples FL 34110-6531
173	51	34 Ocean View Highway	Thomas R. Wall, IV	Kelso & Company, New York NY 10022
174	25	39-43 Ocean View Highway	Thomas R. Wall, IV	1105 Park Avenue, New York NY 10022
174	27	35 Ocean View Highway	Thomas R. Wall, IV	1105 Park Avenue, New York NY 10022
180	23	29 Ocean View Highway	Peter & Deborah S. Lamm	300 Central Park West, New York NY 10024
180	108A	Off Manatuck Avenue	The Watch Hill Conservancy	56 Wells Street, Westerly RI 02891
180	108B	Off Manatuck Avenue	The Watch Hill Conservancy	56 Wells Street, Westerly RI 02891
180	108C	Off Manatuck Avenue	Concor C. & Meredith E. Flynn	4 Charles Street, Apt. 2, New York NY 10014
180	108D	Off Manatuck Avenue	Steven C. & Ann J. Tighe	2 Ninigret Avenue, Westerly RI 02891
180	108E	Off Manatuck Avenue	My Three Suns Home, LLC c/o Diamond Investments, LLC	Providence RI 02906
180	108F	Off Manatuck Avenue	Paul J. & Camelle Daqui	1116 Dormie Drive, Naples FL 34108
180	108G	Off Manatuck Avenue	The Watch Hill Conservancy	56 Wells Street, Westerly RI 02891
180	108H	Off Manatuck Avenue	Town of Westerly c/o John J. Holmgren	45 Broad Street, Westerly RI 02891
180	108I	Off Manatuck Avenue	Town of Westerly c/o John J. Holmgren	45 Broad Street, Westerly RI 02891
180	108J	Off Manatuck Avenue	Town of Westerly c/o John J. Holmgren	45 Broad Street, Westerly RI 02891
180	108K	Off Manatuck Avenue	Watch Hill Fire District	222 Watch Hill Road, Westerly RI 02891

For office use only  
Application number SSD 1536-1231 Application Date 10/28/15 Amount 100 Ck.No. 6010 NOTE 012



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Onsite Wastewater Treatment Program  
Office of Water Resources, Room 260

235 Promenade Street, Providence, RI 02908-5767



SYSTEM SUITABILITY DETERMINATION APPLICATION  
RESIDENTIAL

RECEIVED  
OCT 28 2015  
Department of Environmental Management  
Office of Customer & Technical Assistance

SITE INFORMATION  
WESTERLY

Site Location (Town)  
33 OCEAN VIEW HIGHWAY 02891 POLE #29 173 54 Public or Private  
Street Address of Dwelling Zip Code Pole Number Plat Lot Water Supply (circle one)  
W. WHITNEY & MERIDITH M. GEORGE, REV. TRUST 24 THREE WELLS LANE DARIEN CT 06820  
Owner Name Mailing Address (Street/PO Box) City/Town State Zip

Was the System installed after April 9, 1968  Yes  No If Yes, Application Number 0836-0814 (Attach 3 copies of approved permit and plan)  
Was a Change of Use or System Suitability Determination previously requested?  Yes  No  
If Yes, Application Number \_\_\_\_\_ Date Approved \_\_\_\_\_  
Are there any Deed Restrictions on occupancy, building size or other items which may impact sewage flow? If so, explain  
NO RESTRICTIONS

BUILDING USE

Current

Proposed

A. Building Use SINGLE-FAMILY RESIDENTIAL  
B. Number of Bedrooms 8 BEDROOMS (DESIGNED FOR 7) (attach copy of tax card)  
C. Number of Persons 5 FAMILY MEMBERS  
D. Water Consumption TYPICAL RESIDENTIAL

RECEIVED  
OCT 28 2015  
NOV 12 2015  
CODE ENFORCEMENT

CHARACTERISTIC OF EXISTING SEWAGE DISPOSAL SYSTEM

Size of Septic Tank 2000  
Type of Leachfield:  Trench  Chambers  Bed  Seepage Pit  Other  
Approximate Size of leachfield: 1176 OF ELJEN IN-DRAINS 24"x48" IN TRENCHES square feet

The owner assumes all responsibility for the truth and accuracy of the representations hereon, and on all forms, submittals, plans and sketches attached hereto, and assumes all liability and responsibility for the future failure of the OWTS system on this site, and agrees to hold the Rhode Island Department of Environmental Management harmless from any and all claims against it for such future failures.

I agree and understand that should this onsite wastewater treatment system malfunction, I will take immediate steps to legally correct the problem in accordance with RIDEM OWTS rules. Owner Signature [Signature] Date 10/20/15

DETERMINATIONS

EXTENT OF IMPROVEMENT

RECOMMEND ACTION

Approved  Increase in Flow  New System - Apply for Permit  
 Denied  No State Approval / prior 4/9/68  Alteration of System  
 Engineering Analysis Required  Change in Use  Field Work Required

COMMENTS: Per ISDS/OWTS # 0836-0814, system is adequate for proposed use.

Reviewer's Signature: [Signature] Date: 11/6/15 Date of Expiration: 7/1/21

Apr 18, 2016 at 01:17P

BOOK 2016 PAGE 6038  
DOC #: 00001540



State of Rhode Island and Providence Plantations  
**Coastal Resources Management Council**  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 116  
Wakefield, RI 02879-1900

(401) 783-3370  
Fax (401) 783-3767

### RESIDENTIAL ASSENT

CRMC File No.: 2016-03-007 CRMC Assent No.: A2016-03-007

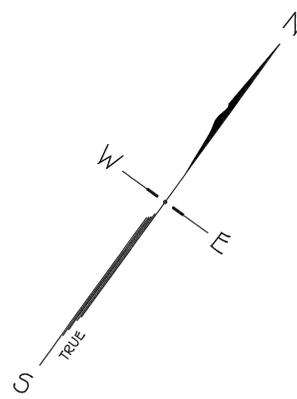
Whereas, W. Whitney George & Meredith Mallory George Rev Trust  
of c/o W. Whitney George  
24 Three Wells Lane  
Darien, CT 06820

has applied to the Coastal Resources Management Council for assent to: raze, remove and rebuild a single family dwelling; and hereby represents that she is the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **Raze, remove and rebuild a single family dwelling; located at plat 173, lots 54; 33 Ocean View Highway, Westerly, RI;** in accordance with said plans submitted to this Council and approved by this Council. In accordance with revisions to RIGL 46-23-6.3 Expiration Tolling Periods (as amended effective June 19, 2015), all work being permitted must be completed on or before **July 1, 2019** after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

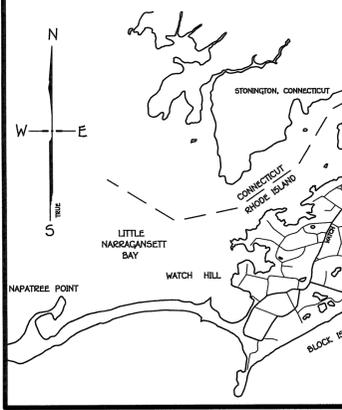
Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.



**LEGEND**

3.5+	SPOT ELEVATION
---	CONTOUR
⊖	STONE WALL
~	TREE LINE
- · - · -	FENCE
---	PROPERTY LINE
---	BUILDING SETBACK
CF-1 Δ	COASTAL FEATURE FLAG
TH-1	TEST HOLE
□	CATCH BASIN
○	UTILITY POLE
WG	WATER GATE
---	EXISTING WATER MAIN



**LOCATION MAP**  
SCALE: NONE

**ZONING REQUIREMENTS**

LDR-43		
	REQUIRED	PROVIDED
LOT FRONTAGE	200 FT.	353 FT.
TOTAL AREA	43,560 S.F.	323,260 S.F.±
SETBACKS		
FRONT YARD	35 FT.	223 FT.
SIDE YARD (EAST)	30 FT.	109 FT.
SIDE YARD (WEST)	30 FT.	120 FT.
REAR YARD	40 FT.	460 FT.±
BLDG. HEIGHT	35 FT.	39.25 FT.*

\* VARIANCE REQUIRED

**GENERAL NOTES**

1. THE ORIGINAL 8 BEDROOM SINGLE FAMILY DWELLING WAS DEMOLISHED WITH A PROF. BEDROOM DWELLING CURRENTLY BEING CONSTRUCTED. A WIDOWS WALK IS PROPOSED ROOF OF THE MAIN DWELLING.
2. THE SUBJECT PROPERTY IS SERVICED BY AN ONSITE WASTEWATER TREATMENT SYST. AND MUNICIPAL WATER. REFERENCE OF OWT5 APPLICATION NO. 0836-0814. A RIDEM RESIDENTIAL SYSTEM SUITABILITY DETERMINATION (SSD) APPLICATION WAS APPROVED ON 1/6, 2015 FOR THE PROPOSED BUILDING IMPROVEMENTS. REFERENCE IS MADE TO RIDEM APPLICATION NO. 1536-1231.
3. A COASTAL FEATURE IS LOCATED ALONG THE SOUTHERN PORTION OF THE SUBJECT AND COINCIDES WITH THE TOP OF EMBANKMENT. REFERENCE IS MADE TO CRMC ASSEI 2016-03-007.
4. THE PROPOSED SITE IMPROVEMENTS ARE LOCATED IN AN AE ZONE, ELEV. 12 AS D BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REFERENCE IS HEREBY MADE TO INSURANCE RATE MAP NO. 44009C0254J OCTOBER 16, 2013.

**BUILDING HEIGHT CALCULATION**

THE APPLICANT RECEIVED A ZONING CERTIFICATE ESTABLISHING THE MAXIMUM BUILDING HEIGHT ELEVATION=51.9. REFERENCE IS MADE TO ZONING APPROVAL NO. 15-1790.

AVERAGE EXISTING GRADE AT EXISTING CORNERS: 16.9

MAXIMUM ROOF HEIGHT ELEV.=16.9+35=51.9 (ALLOWED UNDER THE CURRENT ZONING CODE)

ELEVATION OF RAILINGS OF WIDOWS WALK=56.15 (PROPOSED)

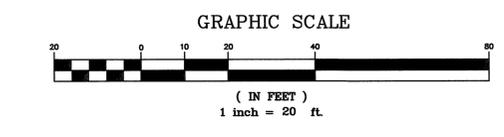
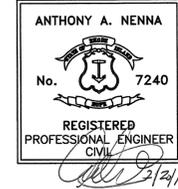
THEREFORE HEIGHT VARIANCE REQUEST=4.25 FT.

**SITE PLAN TO ACCOMPANY  
A ZONING VARIANCE APPLICATION**

PREPARED FOR

W. WHITNEY & MEREDITH MALLORY GEORGE TRUSTEES: THE W. WHITNEY GEORGE REVOCABLE THE MEREDITH MALLORY GEORGE REVOCABLE  
33 OCEAN VIEW HIGHWAY - PLAT 173, LO WESTERLY, RHODE ISLAND

SCALE: AS SHOWN FEBRUARY 17, 2017 JOB I.D. NO. 15



A.M. 180  
LOT 23  
N/F  
PETER & DEBORAH S. LAMM

A.M. 174  
LOT 27  
N/F  
THOMAS R. WALL, IV

BENCHMARK:  
TOP OF IRON PIPE  
ELEV.=21.56

