



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

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A meeting of the Building Code of Appeals for the Town of South Kingstown, County of Washington, in the State of Rhode Island was held at the Town Hall, 180 High Street, Wakefield on Thursday, October 20, 2022.

Members Present:

Edward Melchiori
Paul Schurman
Laura Krekorian

Members Absent:

Michael Joyce
Thomas Gilchrist

Also present: James Gorman, Building Official and Clerk, and Jessica Spence, Administrative Support Associate.

The following petition was heard:

Petition of MTK ESM, LLC, 629 Succotash Road, Wakefield, RI 02879. The applicant is seeking to construct a commercial building with the lowest finished floor below the Base Flood Elevation. Relief is requested from State Building Code (2021), Appendix G, Section G105.4 Functionally Dependent Facilities. A variance is authorized to be issued for the construction or substantial improvement of a functionally dependent facility provided that the criteria in Section 1612.1 are met and the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to methods and materials that minimize flood damages during the design flood and do not create additional threats to public safety.

Owner is MTK ESM LLC for premises located at 650 Succotash Road, South Kingstown, RI 02879. Assessor's Map 87-2, Lot 4, Zoned CW.

The following documents were entered into record:

- Application signed and dated October 4, 2022;
- Construction Documents (A0.0, A0.1, A0.2, A1.1, A1.1a, A1.2, A1.2a, A1.3, A1.3a, A1.4, A2.1, A3.1, A3.2, A4.1, A4.2, A5.1, A6.1, A6.2) prepared by Frank Karpowicz AIA and dated April 27, 2021
- Electrical Engineering Design (E-1, E-2, E-3, E-4, E-5, E-6) prepared by Mark G. St. Jean, PE and dated April 27, 2021
- Site Engineering (C1, C2, C3, C4, S1, S2, S3, S4, S5, S6, S7, S8) prepared by St. Jean Engineering, LLC and dated April 16, 2021

Mr. Gorman called the meeting to order at 4:30 pm, the necessary quorum was present.

Perry Raso, applicant, was present.
Joshua Parks, attorney was present.
Frank Karpowicz, AIA was present.
Richard St. Jean, PE was present.

Mr. Raso gave a brief description of what he intends to do, which would be to build a shellfish hatchery to provide shellfish to his business as well as other business. The hatchery will be doing research with URI and USDA regarding aquaculture. The building is a small footprint, so they have added a 2nd floor mezzanine.

Mr. St. Jean referenced the existing site plans from 2021 and explained what was on site at the time. They are in a VE15 and AE13 flood zone. The hatchery will fit within this area. The plans were prepared for CRMC and the Town's TRC and have been approved. During the TRC review the scope of the project expanded and the building itself was designed for the VE15. On the first floor there are going to be water tanks, pumps and oyster beds to grow the oysters and a small bathroom. The elevation for the first floor is 7'4-1/2". Mr. St. Jean has designed many waterfront buildings. During the design process the flood insurance study were examined to determine where the still water elevation was, and the building was designed accordingly. Borings into the soil to check the density of the soil have been done with good findings. The design has spread footings and erosion protection on the outside of the building. There would be rip-wrap around the perimeter of the building. There are (5) five double flood vents as an added measure. The inside of the building is 1800 sf. Mr. St. Jean then explained flood crest and the design. All of the mechanicals are up above flood elevations. All of the electrical branch circuits are dropped from the ceiling. All the columns are steel columns and anchored into the concrete and are designed to withstand wave and wind action. The foundation is 16" thick.

Discussion ensued regarding the electrical system.

Mr. St. Jean explained that the tables and tanks could be anchored down.

Mr. Raso explained the bottle system that is used in hatching procedure.

Mr. Raso stated that he believes that there is an allowance for this type of variance.

Mr. Gorman explained that the building and the function of the building are directly related to the proximity of water.

Discussion ensued regarding the interior components used in the operation of the hatchery.

Mr. Raso stated that the larvae is extremely delicate and expressed concerns about potential contact with metals. Additionally, the tanks need to be free moving so they can be moved around during research and development.

Discussion ensued regarding floating debris.

Ms. Krekorian expressed concerns about the bathroom and the other room located on the ground level and believes the bathroom should be installed above flood level.

Mr. Raso further explained the tank design.

Mr. St. Jean explained how the tanks and tables could be held down through a ballast system.

Mr. Karpowicz explained that there are a couple of ways the tanks could be tied down, either with a ballast system or carabineer clip system.

Discussion ensued regarding the bathroom and additional room downstairs.

Mr. St. Jean explained that he has run across a few instances where there is defined space below the flood elevation and that mostly becomes an issue of ADA compliance.

Discussion ensued in regard to dead storage space and the requirements of granting of a variance.

General talk ensued about the existing septic system.

Questions ensued in regard to fill in a flood zone and if that would be allowable in the flood zone.

Mr. Gorman explained that fill added to the exterior of the building would need to be engineered.

Mr. St. Jean explained that CRMC closely monitors the entire site.

Mr. St. Jean indicated that they could put a flood vent into the bathroom to offset any potential flood scenarios.

Mr. Raso explained that the other small room is used as a root stock room and that needs to remain as sterile as possible for successful hatching.

Mr. St. Jean indicated that they could also put flood vents in the root stock room to allow water to flow in and out.

Discussion ensued regarding the key components of granting the variance; such as wet proofing, anchoring and others.

Mr. St. Jean stated that any stress created by ceiling anchoring could be accommodated.

Several separate discussions ensued.

More discussion on the granting of the variance ensued.

Mr. Gorman indicated that all the Board can act on is the Building Code.

Mr. Parks stated that the proposed facility will actually lessen the non-compliance of what was previously located on the site and be more in line with a commercial waterfront use.

Discussion ensued in regard to the potential impact this proposal could have on any future FEMA ratings for the Town if this variance was granted.

Mr. St. Jean stated that they do have CRMC approval and also explained how wave action is calculated and that everything was designed for a VE15 zone.

Board discussion ensued.

Mr. Gorman reviewed the conditions for issuance.

Whereas the following motion was made:

Mr. Sherman made a motion to approve the petition of MTK ESM, LLC with a stipulation that a method is devised to restrain the tanks and tables, additionally they will add flood vents in the root stock room and bathroom, as well as undercutting the openings to the root stock room and the bathroom.

The motion was seconded by Mr. Melchiori.

Discussion ensued.

Mr. Schurman made the motion to grant the petition and was duly seconded by Mr. Melchiori

Whereas a voice vote was taken.

Motion passed: Vote 2-1

(P. Schurman-Aye, E. Melchiori-Aye, L. Krekorian-Nay)

There was no other business to discuss.

Mr. Schurman made the motion to adjourn which was duly seconded by Ms. Krekorian

Motion passed unanimously: Vote 3-0

(P. Schurman-Aye, E. Melchiori-Aye, L. Krekorian-Aye)

Meeting adjourned at 5:45 pm