



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, January 6, 2014
7:00 PM

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing, and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. It is the Town Council's hope that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS AND RESOLUTIONS

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.

A) Licenses and Permits

- 1) Applicant: Conanicut Island Art Association
- Event: Town Hall Gallery Openings for 2014
- Dates: January 16, April 17, & October 16
- Location: Town Council Chambers

V. OPEN FORUM

Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue

- A) Scheduled to address
- B) Non-scheduled to address

VI. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

- A) Town Administrator's Report
 - 1) Collins Center Recreation Study Implementation
- B) Water and Sewer Report: Public Works Director Michael Gray

VII. UNFINISHED BUSINESS

- A) Traffic Committee Charge

VIII. NEW BUSINESS

- A) Set date for Goals and Objectives work session
- B) Agenda items for January 21, 2014

IX. ORDINANCES AND APPOINTMENTS

- A) Appointments
 - 1) Jamestown Housing Authority – One (1) unexpired five-year term ending December 31, 2017
 - i) Letter of resignation – Carole Phillips
 - ii) Letter of interest – Cheryl Main
 - 2) Newport County Convention and Visitors Bureau – One (1) unexpired three-year term to September 7, 2014; interviews conducted
 - a) Letters of interest
 - i) Robin Watters
 - ii) Frank (Rusty) Sallee
 - b) Letter of Recommendation
 - i) Jamestown Chamber of Commerce for Rusty Sallee

X. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately.

- A) Adoption of Council Minutes
 - 1) December 2, 2013 (workshop)
 - 2) December 2, 2013 (regular meeting)
 - 3) December 2, 2013 (executive session)
 - 4) December 16, 2013 (work session)
 - 5) December 16, 2013 (regular meeting)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Affordable Housing Committee (09/04/2013)
 - 2) Jamestown Affordable Housing Committee (09/11/2013)
 - 3) Jamestown Affordable Housing Committee (09/25/2013)
 - 4) Jamestown Affordable Housing Committee (10/16/2013)
 - 5) Jamestown Philomenian Library Board of Trustees (11/12/2013)
 - 6) Jamestown Planning Commission (09/04/2013)
 - 7) Jamestown Planning Commission (09/18/2013)
 - 8) Jamestown Planning Commission (10/02/2013)
 - 9) Jamestown Planning Commission (10/16/2013)
 - 10) Jamestown Planning Commission (11/06/2013)
 - 11) Jamestown Planning Commission (11/20/2013)
 - 12) Jamestown Planning Commission (12/04/2013)
- C) CRMC Notices

- 1) Proposed amendments to the CRMC Program Section 110 applications for Category A and Category B Assents; written comments to be submitted by January 3, 2014 for public hearing on January 14, 2014
- 2) Public Notice of Assent to construct and maintain a 1200 lb. tender lift on the terminus of an existing dock by Timothy and Lynn Palmer of Weston, MA for the property located on East Shore Road described as Plat 4 Lot 127
- D) Resolutions and Proclamations from other Rhode Island cities and towns
 - 1) Charlestown Town Council Resolution re: Newport Pell Bridge Safety
- E) Abatements/Addenda of Taxes

XI. COMMUNICATIONS AND PETITIONS

- A) Communications
 - 1) Letter of South Kingstown Town Clerk Dale Holberton re: Resolution on Newport Pell Bridge Safety
 - 2) Email of Sav Rebecchi re: review of Zoning Ordinance Sec. 82-1105 Pre-existing conditions Paragraph C
 - 3) Email of Abby Campbell-King re: video coverage of Town Hall meetings
 - 4) Letter of For Our Daughters RI Chairman Maureen Martin re: radio talk show host John DePetro's public statements against women
 - 5) Letter of Junior Achievement President Lee Lewis re: JA's mission and programs and announcing grant award from the van Beuren Charitable Foundation
 - 6) Letter of Charlotte Zarlengo re: Lyme Disease in Jamestown with copy of *Boston Globe* article
 - 7) Email of Sav Rebecchi re: membership of the reorganized Traffic Committee
 - 8) Public Notice of Statewide Planning Program re: Rhode Island State Rail Plan public hearings on Thursday, January 23, 2014
 - 9) Letter of Town Administrator Paicos to John Enright and Connie Payne thanking them for their recognition of the work performed by Public Works Director Mike Gray and his staff

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library.

In addition to the two above-mentioned locations, notice also may be posted, from time to time, at the following location: Jamestown Police Station; and on the Internet at www.jamestownri.net/council/council.html

ALL NOTE: This meeting location is accessible to the physically challenged. If communications assistance is needed, or other accommodations to ensure equal participation, please contact the Town Clerk by phone at 401-423-9800, by facsimile at 401-423-7230, or by email at cfernstrom@jamestownri.net not less than three (3) business days prior to the meeting.



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
 Oliver H. Stedman Government Center
 4808 Tower Hill Road, Suite 3
 Wakefield, RI 02879-1900

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

PUBLIC NOTICE

File Number: 2013-11-060 Date: December 13, 2013

This office has under consideration the application of:

Timothy & Lynne Palmer
 115 Chestnut Street
 Weston, MA 02493

for a State of Rhode Island Assent to construct and maintain:

a 1200 lb tender lift on the terminus of an existing dock.

RECEIVED
 13 DEC 20 PM 3:13

Project Location:	330 East Shore Road
City/Town:	Jamestown
Plat/Lot:	4 / 137
Waterway:	Narragansett Bay – East Passage

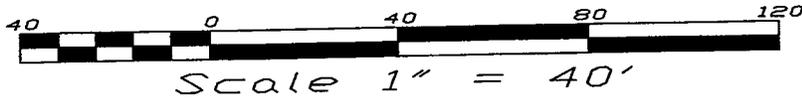
Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

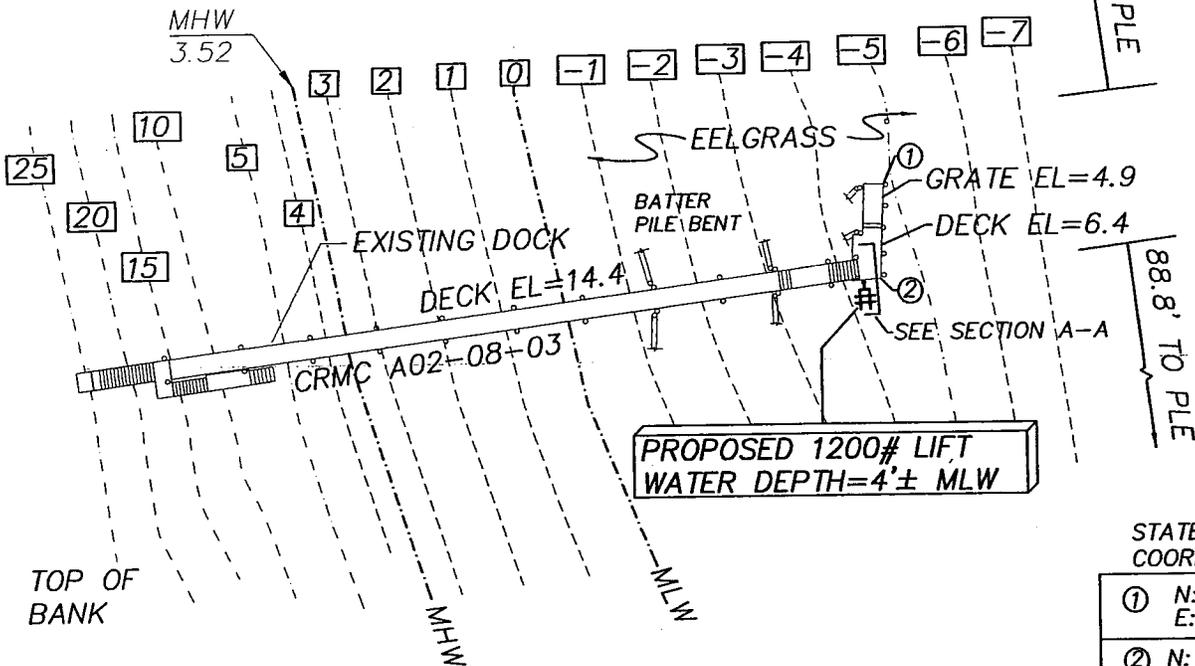
You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before January 13, 2014.

/lat



EBB
FLOOD
NARRAGANSETT BAY
EAST PASSAGE
CRMC TYPE 2 WATER



STATE PLANE
COORDINATES

①	N: 163233.6 E: 365893.5
②	N: 163213.9 E: 365892.8

EXISTING DOCK AS SHOWN FROM
AS BUILT SURVEY ON 10-5-13

LEGEND

- MLW MEAN LOW WATER
- MHW MEAN HIGH WATER
- PLE PROPERTY LINE EXTENSION
- EXISTING PILE
- PROPOSED PILE

PLAN VIEW
1"=40'



PROPOSED 1200 POUND BOAT LIFT
FOR: TIM PALMER
330 EAST SHORE ROAD, JAMESTOWN, RI 02835
AP 4, LOT 137
BY: WARREN HALL, CIVIL ENGINEER
11-9-13 1" = 40' SHEET 1 OF 2

WARREN F HALL

REGISTERED
PROFESSIONAL ENGINEER

RECEIVED
NOV 11 2013



Oliver Stedman Government Center
4808 Tower Hill Road; Suite 116
Wakefield, RI 02879
401-783-3370

In accordance with and pursuant to the provisions of the "Administrative Procedures Act" (Section 42-35-3 of the General Laws of Rhode Island) and the Rule and Regulations of the Coastal Resources Management Council, notice is hereby given of the intention of the Coastal Resources Management Council to change the management plans, policies, procedures and regulations of the agency regarding planning and management of the coastal resources of the State relative to Chapter 46-23 of the State of Rhode Island.

The following changes are proposed:

(Note: new text is underlined and deleted text is ~~strikethrough~~)

RI Coastal Resources Management Program – Section 110 – Applications for Category A and Category B Assents

Revise Section 110.C as follows:

C. Applications eligible for administrative review include the following.

- Subdivisions of 20 units or less;
- Residential docks less than 200 feet (MLW) in length in the Sakonnet River or the open waters of Narragansett Bay; ~~up to 75 feet (MLW) in all other waters;~~
- Residential docks up to 75 feet (MLW) in all other waters;
- Terminal floats less than 200 square feet;
- Aquaculture sites of up to three (3) acres in the salt ponds or upper Narragansett Bay; less than 10 acres elsewhere;
- Structural shoreline protection facilities of less than 300 linear feet;
- Dredging, and dredge material disposal at pre-approved locations of less than 100,000 cubic yards for marinas or state navigation projects;
- Beach Nourishment projects;
- Wetland mitigation that is habitat restoration when an applicant is a federal, state, or municipal entity;
- Harbor management plans that are recommended for approval;
- Boat and float lifts;
- Habitat Restoration projects undertaken by public entities or in partnership with public entities;
- RIDOT road and bridge projects; and
- Limited Marinas (defined in Section 300.4).

Purpose: To provide for additional application activities eligible for administrative review and approval.

The Council has complied with the requirements of R.I. Gen. Laws Section 42-35-3 by considering alternative approaches to the proposed regulation(s) and has determined that there is/are no alternative approach(es) that would be as effective and less burdensome. The Council has also determined that the proposed regulation(s) do(es) not overlap or duplicate any other state regulation. The Council has complied with the requirements of R.I. Gen. Laws Section 42-35-3.3 by submitting copies of the proposed regulation(s) to the Governor's Office and the Economic Development Corporation (EDC).

13 DEC -4 AM 11:00
TOWN OF
FREE

Parties interested in or concerned with the above proposed changes are invited to **submit written comments** by January 3, 2014. All such comments should be directed to Grover J. Fugate, Executive Director, at the above address.

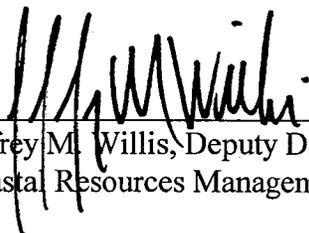
A public hearing has been scheduled for these proposed changes to be held in the Boardroom, Narragansett Bay Commission, One Service Road, Providence, RI, on Tuesday, January 14, 2014, at 6:00 p.m.

Copies of the proposed regulations are also available from the Coastal Resources Management Council offices and its website – www.crmc.ri.gov.

Individuals requesting interpreter services for the hearing impaired must notify the Council office at 783-3370, 72 hours in advance of the hearing date.

Further information may be obtained by contacting the Coastal Resources Management Council offices at 783-3370.

Signed this 2nd day of December, 2013.



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

/lat

**TOWN OF CHARLESTOWN
RESOLUTION IN SUPPORT OF
NEWPORT PELL BRIDGE SAFETY**

WHEREAS, the health, safety, and welfare of the citizens of the State of Rhode Island requires that the Newport Pell Bridge be safely equipped, operated, and maintained; and

WHEREAS, the safe passage over said bridge by the citizens of the State of Rhode Island and all users requires that Rhode Island law enforcement officials strictly enforce laws prohibiting speeding and distracted driving thereon; and

WHEREAS, said safe passage requires that a center median barrier be installed on said bridge to prevent the rising number of cross-over collisions, as established by studies undertaken by the Rhode Island Turnpike and Bridge Authority.

NOW, THEREFORE BE IT RESOLVED, that we, the Charlestown Town Council, hereby request that Rhode Island Law enforcement officials strictly enforce laws prohibiting speeding and distracted driving on the Newport Pell Bridge, and that the Rhode Island Turnpike and Bridge authority give priority to and install forthwith a center median barrier on said bridge.

By resolution of the Charlestown Town Council
at a meeting held on December 9, 2013

Amy Rose Weinreich, CMC
Attested To By
Amy Rose Weinreich, CMC Town Clerk



Traffic Commission

(5) Staff Members

Unspecified

Meetings are held only when matters have been referred to the Committee. They then meet at 7:00 p.m. at the Police Station.

Charge:

³⁴ The Traffic Commission will investigate parking and traffic issues including but not limited to, stop signs, speeding, parking and other related issues in the Town of Jamestown and make recommendations to the Town Council.

~~³⁵ There are to be five (5) members that will consist of Town staff or their designee as follows:~~

³⁷ There are to be six (6) members that will consist of Town staff or their designee as follows:

- Town Administrator
- Town Planner
- Public Works Director/Town Engineer
- Chief of Police
- Two (2) Town Council Members

³⁶Current Members:

Term Ending:

Kevin Paicos - Town Administrator	Unspecified
Lisa Bryer – Town Planner	Unspecified
Michael Gray – Public Works Director	Unspecified
(Position combined with (Position) Town Engineer	Unspecified
Edward Mello – Chief of Police	Unspecified
Mary Meagher – Town Council Member	Unspecified
Thomas Tighe – Town Council Member – Chair	Unspecified

Citizen-at-Large:

**Restructured
2/17/2009
to Staff Only**

³⁴ Pursuant to a Vote of the Jamestown Town Council on June 11, 2001. The Parking Committee was originally formed early in 1998 and was charged with investigating parking issues only, not traffic.

³⁵ Pursuant to a Vote of the Jamestown Town Council on March 24, 2003.

³⁶ At a meeting of the Town Council on February 17, 2009, the Council voted to restructure the committee.

³⁷ At a meeting on May 20, 2013, Council voted to restructure committee to include 2 Council Members

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TOWN OF JAMESTOWN
TAX ASSESSOR
93 Narragansett Avenue
Jamestown, RI 02835

To: PRESIDENT, JAMESTOWN TOWN COUNCIL

From: JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS/ADDENDA OF TAXES FOR **JANUARY 6, 2014** MEETING

ABATEMENTS TO 2012 TAX ROLL

#08-0421-20M Hendry, Allan W.	Motor Vehicle - 2008 Mercury Reg. #803100 Registered in W. Warwick 11-10-11 – Abate 51 days	\$22.87
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ABATEMENTS TO 2013 TAX ROLL

#01-0471-30 Andreozzi, William Geno Jr., Trustee	Plat 3, Lot 226 - Property Transfer 11-27-13 to Account #02-0035-00	\$2,586.38
#06-0255-50 Fitzgerald, David E. & Mia W.	Plat 9, Lot 327 - Tax Appeal - Adjusted land value Based on location - New Value \$2,379,100	\$1,740.38
#07-0056-50 Gallucci, Robert T., Trustee	Plat 7, Lot 98 - Tax Appeal - Reduced land value based on flooding - New value \$2,021,900	\$679.88
#08-0273-56M Haun, Bonnie M.	Motor Vehicle - 2007 VW Reg. #514350 & PUNG Soldier/Sailor Exemption	\$58.40
#08-0421-20M Hendry, Allan W.	Motor Vehicle - 2008 Mercury Reg. #803100 Registered in W. Warwick 11-10-11 – Abate 365 days	\$59.32
#11-0400-10 Kirby, Vincent C. & Lisa M.	Plat 8, Lot 213 - Tax Appeal - Land value reduced by Tax Board - New Value \$1,180,700	\$554.75
#13-0323-70 Maloney, Kathleen	Plat 5, Lot 327 - Property Transfer 11-22-13 to Account #22-0058-00	\$1,859.25
#13-0409-07 Manning, Joseph M., Trustee	Plat 5, Lot 521 - Property Transfer 11-26-13 to Account #03-1255-10	\$2,237.38
#14-0469-00 Nunes, Robert F. et al	Plat 8, Lot 569 - Tax Appeal - Assessment reduced No finished basement or attic – New Value \$422,000	\$664.13
#16-0303-00 Pearson, Robert E. & Janice L.	Plat 5, Lot 460 - Tax Appeal - Adjusted depreciation New Value \$380,000	\$124.25
#16-0771-00 Pierz, Madeline Kelly	Plat 8, Lot 625 - Tax Appeal - Increased depreciation based on storm damage - New Value \$1,176,700	\$209.13
#19-0029-00 Salk, Teresa E.	Plat 7, Lot 88 - Tax Appeal - Reduced land value based on flooding - New value \$2,021,900	\$1,641.50
#21-0035-00 Underhill, Bruce W. & Hazel J.	Plat 8, Lot 328 - Tax Appeal - Adjusted depreciation House being renovated - New Value \$726,000	\$155.75

ADDENDA TO 2013 TAX ROLL

#02-0035-00 Bagley, Matthew M. & Gadde, Amber N.	Plat 3, Lot 226 - Property Transfer 11-27-13 from Account #01-0471-30	\$2,586.38
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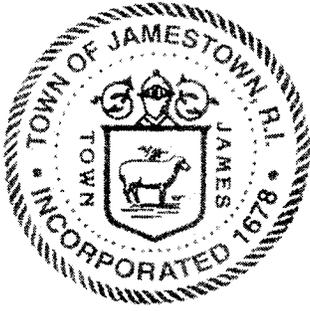
#03-1255-10 Corpenna Development Group, LLC	Plat 5, Lot 521 - Property Transfer 11-26-13 from Account #13-0409-07	\$2,237.38
#22-0058-00 Vayl, Michael	Plat 5, Lot 327 - Property Transfer 11-22-13 from Account #13-0323-70	1,859.25

TOTAL ABATEMENTS	\$12,593.37
TOTAL ADDENDA	\$6,683.01

RESPECTFULLY SUBMITTED,

Kenneth S. Gray

KENNETH S. GRAY,
TAX ASSESSOR



THE TOWN OF JAMESTOWN

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

Kevin Paicos, Town Administrator
Phone: (401) 423-7201
Fax: (401) 423-7228

December 30, 2013

John Enright and Connie Payne
23 Felucca Ave.
Jamestown RI 02835

Dear John and Connie;

Please accept this letter of thanks for your recent letter recognizing Mike Gray's and his Staff's work in connection with your damaged mailbox.

We are quite proud of our reputation for excellent customer service and no one epitomizes that more than Mike and his crew.

It was thoughtful of you to take the time to send me your letter.

I couldn't be happier that this will be one of the anecdotes that you use to describe the joy of living in Jamestown!

Please be sure that I will thank Mike personally for his good work...and he will just as assuredly continue to do that good work!

Best wishes to you and your families for a peaceful, prosperous New Year's.

Warm Regards,

Kevin Paicos, Town Administrator

Cc: Town Council ✓
Mike Gray

**STATE PLANNING COUNCIL
STATEWIDE PLANNING PROGRAM
RHODE ISLAND DEPARTMENT OF ADMINISTRATION
One Capitol Hill
Providence, RI 02908-5870**

PUBLIC NOTICE

Rhode Island State Rail Plan

The Rhode Island State Planning Council will conduct two public hearings to accept comments on the draft Rhode Island State Rail Plan.

The *Rhode Island State Rail Plan* draft is under consideration by the Rhode Island State Planning Council. The *Rhode Island State Rail Plan* contains goals, objectives, policies, implementation actions, and potential projects for the State's passenger and freight rail transportation system over the next twenty years. The Rhode Island Department of Administration, Division of Planning's Statewide Planning Program, working in collaboration with the Rhode Island Department of Transportation, is responsible for the development of this Plan. This Plan was also developed with public and private rail stakeholder participation, as well as state and federal agency collaboration. This Plan has been prepared to ensure compliance with the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) and Moving Ahead for Progress in the 21st Century (MAP-21).

The *Rhode Island State Rail Plan* is available for review at the R.I. Statewide Planning Program website at www.planning.ri.gov/transportation/default.htm or at the Program's office, One Capitol Hill, 3rd floor, Providence, RI between 8:30 a.m. and 4:00 p.m., Monday through Friday.

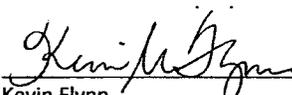
Comments on the *Rhode Island State Rail Plan* will be accepted at the following two public hearings:

Thursday, January 23, 2014 at 10:00 a.m.
Department of Administration
William E. Powers Building
Conference Room A, 2nd Floor
One Capitol Hill, Providence, RI

Thursday, January 23, 2014 at 6:30 p.m.
Department of Administration
William E. Powers Building
Conference Room A, 2nd Floor
One Capitol Hill, Providence, RI

All persons may present their views on the draft document in person at the public hearings, through a representative, or by filing a written statement with the Secretary of the State Planning Council. Written statements may be mailed to Karen Scott, Assistant Chief, RI Statewide Planning Program, One Capitol Hill, Providence, RI 02908, or submitted at a hearing. All comments must be received before the close of the public hearings.

This meeting place is accessible to individuals with disabilities. Any individual requiring a reasonable accommodation in order to participate in this meeting should contact James A. Pitassi, Jr. at 222-6395 (voice) or #711 (R.I. Relay) at least three (3) business days prior to the meeting. Any individual requiring the services of an interpreter to participate in this meeting should contact Michael Moan at 222-1236 (voice) at least three (3) business days prior to the meeting. Public transit schedule information for the public hearings is available from RIPTA at (401) 781-9400 or www.ripta.com.


Kevin Flynn
Secretary, State Planning Council

From: "Sav Rebecchi" <srebecchi@cox.net>
Subject: Traffic Committee
Date: December 17, 2013 3:20:31 PM EST

Dear Council members and Town Administrator Paicos,

After viewing the Record of your meeting of 12/16/13, I have a concern about the standing that was given to the Jamestown Shores Association on the reorganization of the Traffic Committee.

As the founding sponsor of the Upper Shores Alliance aka. (USA790.org) I am concerned that the majority of the property owners in the Shores will not be represented.

The Jamestown Shores Association is a private club of approximately 100 households who have a large percentage of their membership living on Seaside Drive.

They do not... in any way... represent the other 790 households that make up the Shores neighborhood.

The JSA is on record of requesting restrictions for parking at Heads Beach and No Parking along Seaside Drive within 1,000 feet of the parking lot. This was done without regard to those of us who live in the upper part of the neighborhood.

Fortunately the Council sitting at the time, did not accept their request but that did not stop a No Parking sign from being installed just north of the Beach by some unknown person or perhaps an act of God.

Members of the JSA were on the original Traffic Committee who developed the Parking report that resulted in the "lowest priority" to the maintenance of the "9" - Public Rights of Way to the waterfront in the Shores neighborhood.

It's a disturbing fact that 2 of the three members on the sub-committee who developed the Parking standards were abutters to waterfront ROWs and yet not one person who lived in the upper Shores was represented. Even though 9 out of every households in the Shores do not live on the waterfront and have deeded access to the ROWs.

Recently the JSA has fought any attempt to improve the Right's of Way in the Shores to support their waterfront members interest.

We hope that once and for all the Town of Jamestown recognizes that just because a private club names their group with the idea of representing others does not mean that they do. As a former member and President of the JSA, be assured that they are not speaking for the majority of Shores property owners.

Therefore, I am asking that you reconsider the proposed make up of the Traffic Committee and avoid giving standing to a special interest group that does not have consent of their entire neighborhood nore the legal authority to represent them.

Thank You for your time.

12/14/2013

Kristine -

We appreciate that the Council is seriously looking into the Lyme Disease problem on the Island. Our hope is that the island deer population is culled significantly, as soon as possible, by whatever means accomplishes this quickly.

We have had as many as eleven deer in our yard at one time! Rarely a day goes by that we don't see two or three. And with them come the ticks! All our efforts to keep them away have been unsuccessful.

As you can see from the enclosed article Lyme Disease can be a silent killer.

Charlotte Zarlenga

3 heart cases, deaths tied to Lyme

Concern rises with finding of undetected inflammation

By Beth Daley
GLOBE CORRESPONDENT

Three people in the Northeast who abruptly died in the past 13 months had an undetected heart inflammation caused by Lyme disease, according to a federal study that suggests death from the deer tick-borne bacteria is more common than previously thought.

The study was prompted by a tissue bank

doctor's discovery of an odd pattern of inflammation in the heart of a Massachusetts man who was found dead after a car accident a year ago. Testing showed the man had unrecognized Lyme disease, which probably led to cardiac arrest, causing his car to veer off the road.

He and the other two patients, from New York and Connecticut, were all between the ages of 26 and 38, researchers reported Thursday.

None was known to have Lyme disease before dying.

Only four deaths have been previously attributed in published medical reports to heart inflammation caused by Lyme disease, but the infection is a growing problem in the United States, particularly in the Northeast.

Officials at the US Centers for Disease Control and Prevention say they are troubled by the recent cases, but their investigation so far shows

LYME DISEASE, Page A12

T O N G L O B E

FRIDAY, DECEMBER 13, 2013

Health|Science

Three fatal heart cases are tied to Lyme disease

LYME DISEASE
Continued from Page A1

deaths from Lyme heart complications are still exceedingly rare.

"This is not a new phenomenon," said Dr. Joseph D. Forrester, a CDC scientist and one of the authors of the paper published Thursday in the Morbidity and Mortality Weekly Report. "However, given the severity of what happened and the tragedy of three young people to die suddenly, it was very important to investigate these cases."

The CDC is urging people in New England and other areas with a high incidence of Lyme disease to see a doctor immediately if they experience heart palpitations, chest pain, lightheadedness, fainting, or shortness of breath, in addition to more commonly recognized Lyme symptoms of fever, rash, and body aches.

There are an estimated 300,000 cases of Lyme each year in the United States, most in the Northeast. Only about 1 percent of Lyme patients are believed to have severe heart inflammation, known as carditis, which is treatable with appropriate antibiotics and, in rare cases, a pacemaker. But the fact that otherwise healthy young people with no significant symptoms could unexpectedly die from undiagnosed Lyme disease adds to health officials' growing worries about the disease, discovered 40 years ago in Connecticut.

The discovery made all of us nervous," said Catherine M. Brown, Massachusetts public health director, in a report of the summer's case. She said it underscores the need to prevent Lyme disease in the first place and to know if ear-

How Lyme disease can affect the heart

The bacteria that cause Lyme disease can affect all layers of the heart, but the most common result is heart block. Recent deaths of three young adults suggest that while it is rare, the condition can be fatal.

HEART BLOCK

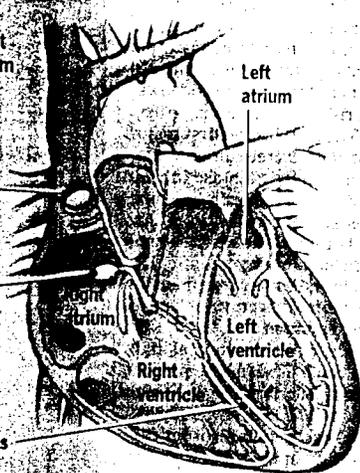
Electric signals that control heart rhythm are stopped or delayed.

Normal heartbeat

- 1 S-A node starts the signal, causing the atrium to contract.
- 2 A-V node picks up signal as the atrium contracts and passes it to the bundle branches.
- 3 Bundle branches carry signals telling the ventricles to contract.

Serious heart block has been found in about 1 percent of Lyme disease cases reported to the CDC.

SOURCE: Centers for Disease Control and Prevention DAVID BUTLER/GLOBE STAFF



ly so that patients get appropriate antibiotic treatment.

The deaths occurred between November 2012 and last July, and health officials did not identify the victims. The investigation began after the Massachusetts man was found unresponsive in a car after it went off the road. There was no sign of trauma, and he was pronounced dead at a nearby hospital. He was an organ donor, so his heart was recovered by the New England Organ Bank and sent to CryoLife Inc. in Georgia, a tissue processing and medical device company that provides heart valves and

patches for cardiac surgery.

CDC officials said the man had early signs of coronary artery disease, but it is unknown whether that increased his risk for death.

During a pathology examination of the man's heart, a CryoLife doctor, Thadeus Schulz, noticed an unusual pattern of inflammation around blood vessels in the heart that was similar to features he had seen in biopsies from people with Lyme disease when he worked in New York, said Dr. Gregory Ray, medical director of CryoLife.

Continued on next page

The Boston Globe

FRIDAY, DECEMBER 13, 2013



Junior Achievement of Rhode Island, Inc.

120 Waterman Street, Suite 200
Providence, RI 02903
phone: 401-331-3500
fax: 401-331-3400
email: jar@ja.org
http://jarhodeisland.org

December 5, 2013

The Honorable Kristine Trocki
President
Jamestown Town Council
37 Clinton Avenue
Jamestown, RI 02835

Dear Ms. Trocki:

I am pleased to share with you a press release that was distributed earlier this week regarding a grant that Junior Achievement has received from the van Beuren Charitable Foundation to expand programs in Newport County. We are proud to have the foundation's support and look forward to bringing JA's programs on financial literacy, work readiness, and entrepreneurship to Newport's students.

With a mission to inspire and prepare young people to succeed in a global economy, JA has been part of the Rhode Island community since 1948, serving more than 390,000 students in that time. Our programs aim to address some of the most critical issues facing our state – high school graduation rates and the graduation rate gender gap, early childhood literacy, the workforce skills gap, the lack of youth financial literacy, and urban and urban-ring school development – all at no cost to the schools.

For more information on Junior Achievement, please visit our website at <http://jarhodeisland.org>. If you would like to see any of our programs in action, don't hesitate to contact me directly at (401) 331-3850 or via e-mail at lee.lewis@ja.org.

Sincerely,

A handwritten signature in cursive script that reads "Lee Lewis".

Lee Lewis
President

Enclosure

cc: Richard V. Simone III
Chairman of the Board, Junior Achievement of Rhode Island
Vice President of Events & Special Projects, Seven Swords Media



For Immediate Release
December 2, 2013

For More Information, Contact
Jeffrey M. Cartee, Director of Development
(401) 331-3850
jeff.cartee@ja.org
[@JARhodeIsland](https://twitter.com/JARhodeIsland)

**JUNIOR ACHIEVEMENT RECEIVES \$13,125 GRANT FROM THE
VAN BEUREN CHARITABLE FOUNDATION TO SUPPORT NEWPORT COUNTY EXPANSION**

Providence, RI – Junior Achievement of Rhode Island, which provides programs on financial literacy, work readiness, and entrepreneurship, announced it has received a \$13,125 grant from the van Beuren Charitable Foundation (vBCF). The grant will support the expansion of JA's education programs into Newport County.

Junior Achievement began its expansion in Newport County in 2011 when it was reaching four classrooms and 80 students. The grant from vBCF, which is dedicated to protecting and preserving the unique characteristics of Newport County and improving the quality of life for its residents, will help Junior Achievement reach its goal of 30 classrooms, impacting over 650 students for the 2013 – 2014 academic year.

"We are proud to be funded by such a well-respected organization as the van Beuren Charitable Foundation" said Lee Lewis, president of Junior Achievement of Rhode Island. "This grant will help JA to continue to provide the youth of Newport County with the skills they need to survive, thrive and contribute to our state and regional economy."

Junior Achievement programs, taught by community and business leaders - rather than paid staff, empower students to make a connection between what they learn in school and how it can be applied in the real world – enhancing the relevance of their classroom learning and increasing their understanding of the value of staying in school. Participation in these programs provides students with the ability to build a foundation of financial security and career accomplishment that will benefit them, their families, and their communities.

In 2012 – 2013, JA programs reached 10,339 students in 76 schools across Rhode Island.

About Junior Achievement Rhode Island (JA)

Junior Achievement is the state's largest organization dedicated to giving young people the knowledge and skills they need to own their economic success, plan for their future, and make smart academic and economic choices. JA programs are delivered by corporate and community volunteers and provide relevant, hands-on experiences that give students from kindergarten through high school knowledge and skills in financial literacy, workforce readiness and entrepreneurship. Today, JA reaches more than 7 percent of the Rhode Island student population per year in more than 21 communities across Rhode Island. For more information, visit our website at <http://jarhodeisland.org>, connect with us on Facebook at www.facebook.com/juniorachievementri, or follow us on Twitter at www.twitter.com/JARhodeIsland.

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*Steering Committee: Michael Araujo | Rev. Duane Clinker | Roy Coulombe | Robin Covington | Ciara Guzman
Paul Harrington | Sister Ann Keefe, SSJ | Marcia Reback | Liz Larkin | Val Lawson | Maureen Martin
Linda McDonald, RN | Jim Riley | Mary Riley | Paul Saccoccia | Anne Sliney, RN*

December 4, 2013

Dear Councilperson Trocki,

I write to you today to call your attention to an incident that we believe warrants your immediate attention and action. On September 27, 2013, 630 WPRO talk radio host John DePetro referred to a number of women demonstrating outside a political event as “whores” (as well as other derogatory terms, including “cockroaches” and “hags”) on the air. This is not the first time Mr. DePetro has made hateful statements against women in a public forum—notably he was dismissed from radio station WRKO in 2006 for calling Massachusetts gubernatorial candidate Grace Ross a “fat lesbian” on his show. He has promoted a “blame the victim” ideology in at least one instance involving the brutal rape and murder of a Massachusetts woman. And earlier this year, he was accused of sexually harassing a female co-worker.

As an organization, For Our Daughters exists to combat misogyny in public speech and debate. We will not remain idle while WPRO empowers a misogynist and ask that you stand with us now in our fight against radio that degrades women.

We believe talk radio should be a forum where ideas are passionately debated, without malice. But no woman—or any individual for that matter—should be subjected to this type of degradation. Labeling women as “whores” based on political differences is offensive, unacceptable and disturbingly un-American.

We respectfully ask that you help us fight this misogynistic behavior by refusing to appear on any WPRO talk show until Cumulus Media terminates its relationship with John DePetro. Kindly email ForOurDaughtersRI@gmail.com before December 13th with a response to this correspondence indicating whether you intend to honor this request. You can also Tweet your response to @ForRIDaughters.

To learn more about about this fast-growing campaign, please visit ForOurDaughtersRI.org. As you will see, more than 2,700 signatures appear on our petition asking Alex and Ani to cease advertising with WPRO while Mr. DePetro remains on the air. That number grows - every minute. For the betterment of our state, it is time to take a stand for women everywhere. We look forward to you joining us. Should you have any questions, I can be reached at (401) 487-1293.

Sincerely,

Maureen Martin, Chairwoman, For Our Daughters RI

13 DEC 16 11 01 AM

Subject:

FW: FYI - Town Council Meeting last night

13 DEC 16 11:08 AM

Hi Kristine,

May I compliment and cheer you all for your discussion and vote on the demo delay in lower Shorbey last night !

I was sitting in the back row next to Betty Hubbard and watched the proceedings. As an architect and resident, I have been going to some of the Planning meetings as I have great concerns about the buildings in the town.

I feel after 15 years of living here, we are starting to get moving towards appreciating and protecting the historic nature of the town. I also understand some of the objections by builders and real estate agents as they may not see the long run advantages to their careers with a community which supports conservation and preservation of historic structures.

My present concern is that for many in the community, "The Jamestown Record" is their only source of information on discussions in Town Hall meetings unless they attend or take time out to look at hours of tape . Most, like me, read Sav' s "reports" and think it is an official record (At least I did !) As you heard last night, Sal has a strong personal opinion about individual rights over community concerns. He has a right to those opinions, but not while he is present as the "reporter" and using the title "The Jamestown Record" he presents his editorials as on line reporting on town hall meetings. What he reports on out side of Town Hall is fine.

Since this council and the town administration are now reviewing web presence as part of the Recreation Study, might you also look at an alternate source of information on Town Hall other than "The Jamestown Record". As (I believe)

Might the town hire a recorder/ reporter , a town employee, to cover the meetings ? I would like to see the Town Council and Administration go forward in presenting ways for conservation and preservation based on the surveys and facts that are and will be on hand .. Sav may not be able to do that in an objective manner. I believe the next 6 months could be a "teachable moment" for the community. There needs to be unbiased reporting about the important work the Town Council, The Planning Board , and Town Offices are doing for our community.

I appreciate all the time you are putting in , if you have a moment I would like to discuss further these thoughts with you . This is not an official "letter" but I just wanted to share my concerns . You are doing such a good job !! If you have time, let's have coffee.

Abby Campbell-King AIA
423-3321
abbyarch1@cox.net
abbyarch.com

From: Sav Rebecchi [srebecchi@cox.net]
Sent: Wednesday, December 11, 2013 9:46 AM
To: trockijamestowntc@gmail.com; kst@trockilaw.com; meagherjamestowntc@gmail.com; Mihalyjamestowntc@gmail.com; dickinsonjamestowntc@gmail.com; tighejamestowntc@gmail.com
Cc: kpaicos@jamestownri.net; Town Clerk Cheryl Fernstrom
Subject: Review of Zoning Ordinance, Sec. 82-1105C

Hello Councilors,

Please identify this email as official correspondence to the Council.

After your last meeting and learning about the specific language that was causing concern with Historic Property from the Town Solicitor I have reviewed the Zoning Ordinance and am following up on my findings.

I am most concerned about the current language in our Official Zoning Ordinance and believe that a change be approved by the Council as soon as possible unless, of course, the Town Solicitor indicates we are not at risk for litigation.

The language I am referring to is Sec. 82-1105. Pre-Existing Conditions. Paragraph - C, which states...

"Any addition to or modification of a Building of Value that has been designated as such or to a building actually or potentially eligible for inclusion on a state, local or national historic register, shall be subject to approval by the Jamestown Planning Commission."

This section I believe was added to the Zoning Ordinance in March of 2010.

I know there has been much discussion of the term "Building of Value" and that there is work underway to clearly define how it is to be applied in the future.

My concern is with the language that follows the BoV identification which is... "or to a building actually or potentially eligible for inclusion on a state, local or national historic register".

To be more specific, I'll eliminate the very troubling reference to "or potentially eligible for" which I also understand has added to the need for specifics.

So we are left with "or to a building actually - on a state, local or national historic register".

The use of the word "or", I believe means either "Building of Value" or "a building actually - on a state, local or national historic register".

With that in mind it would appear that since March of 2010... **any modification to a building listed in the Purple Book* and those actually on the National Record... should have appeared before the Planning Commission for review.**

Since I have recorded most all Planning Meetings from February 2010, I recall only one hearing under that regulation which was done this July with the Scartabello property at 14 Holmes Court.

The Scartabello case comes to mind because their plan had received permits for construction and had been through the Technical Review Process **but** was later forced to appear before Planning with a revised plan after complaints from Shoreby Hill neighbors. Section 82-1105 C was listed as one of two regulations that triggered the Planning Commission's involvement.

Understanding that the recent moratorium protects the Town from liability in the Lower Shoreby Hills, my question and concern is that the language/regulation still exists and creates a potential for someone to claim that any work done on any one of those properties listed failed to follow the Zoning Ordinance. (never mind those with "potential to be listed).

The single use of the section 82-1105 C in July of 2013 with the Scartabello property, also could indicate to some that there has been "selective" or "prejudicial" use of the Zoning Ordinance.

Not having time to review all building permits issued since March of 2010, I can't say that it has actually happened. Hopefully it hasn't.

Understanding the process to amend any ordinance requires an investment in advertising and time for a Public Hearing and this paragraph is just one small piece of repairing/improving the language regarding historic properties, but I believe the potential for violations and litigation far outweighs the costs.

Thank you for your time in hearing my concern.

Sav Rebecchi
13 Sail Street

* The Purple Book - Rhode Island Historical Preservation & Heritage Commission document - Historic and Architectural Resources of Jamestown



Town of South Kingstown, Rhode Island

TOWN CLERK'S OFFICE

180 High Street
Wakefield, RI 02879
Tel. 401-789-9331

December 2, 2013

13 DEC -9 11:11
TOWN CLERK'S OFFICE

Cheryl A. Fernstrom, Town Clerk
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835-1199

Dear Mrs. Fernstrom:

We are in receipt of your letter dated November 20, 2013 on behalf of the Jamestown Town Council providing background information and requesting support for their resolution seeking safety improvements to the Newport Pell Bridge.

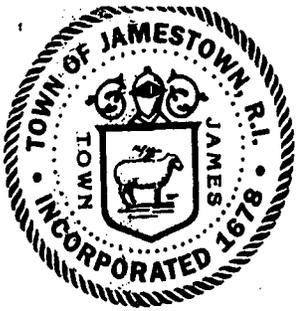
At the Town Council meeting held on Monday, November 25th your communication was received and placed on file. The Town Council discussed the issue, and agreed with the need for safety improvements to the Newport Bridge, but did not reach a consensus to support a center median barrier as the best solution. No further action was taken.

Very truly yours,

Dale S. Holberton, CMC
Town Clerk

DSH:smf

cc: Town Manager



TOWN OF JAMESTOWN

One Day Event/Entertainment Application

\$5.00 Application Fee

Date Rec'd _____
Office will enter date _____

RECEIVED
TOWN OF JAMESTOWN
13 DEC -6 AM 11:21

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures
(This form can be used with or without vendors)

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: (if applicable) Town Hall Gallery openings
 Date of Event: Jan 16, Apr. 17 & Oct. 16/2014 Hours of Event: 5-7 p.m.
 Location of Event: Jamestown Town Hall Number of people attending: 30 approx.
 Name of Applicant/ Business: Conanicut Island Art Association (CIAA)
 Mailing Address: PO Box 229 Business Phone #: 423-2776
Jamestown, RI
 Contact Person: Priscilla Foley Blackman Phone Number: 423-2776

List the type of entertainment being requested, if applicable (Band, DJ, etc.) _____

Who will the event benefit? artists

Type of Operation: (Private, State Sponsored, Non-Profit): Non-profit

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): 1348

If the applicant is a Non-Profit organization, is it registered with the State? Yes No _____

RI Tax ID #: 22-2505460 00 Non-Profit ID #: same

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50
(\$5.00 each Vendor/Peddler in addition to Application Fee)

A list of vendor/peddler and fee must be submitted to the Town Clerk's Office with this license. Vendor/Peddler list Must include name, address, phone number, date of birth, type of merchandise to be sold and exact location of sales.

What types of items will be sold at this event? art work

Will food be sold at the location? If yes, you must contact the R.I. Department of Health Yes No

Will alcohol be provided and/or served at this event? If yes, Alcohol Liability Insurance must be provided Yes No *not yet decided*

Will traffic control or a public facility be needed? Yes No *(see cover letter)*
If yes, Please contact the Jamestown Police Department, Public Works Department and/or the Recreation Department for rates and forms for approval.

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property. Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

Signature of Applicant: Priscilla Foley Blackman, Treas. CIAA

Please attend the Town Council meeting on the 6th day of Jan, 2014 for Council review.

Approved As Written
PLANNING COMMISSION MINUTES
December 4, 2013
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Michael Jacquard	Michael Smith

Not present:

Richard Lynn

Also present:

Lisa Bryer, AICP – Town Planner
Cynthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
John Somyk, applicant, arrived at 8pm

I. Approval of Minutes November 20, 2013

A motion was made by Commissioner Pendlebury and seconded by Commissioner Cochran to accept the minutes. Due to a question from Sav Rebecchi regarding a statement he made the commission is going to postpone the approval of the minutes until the next meeting so the planning assistant can check the recording.

II. Correspondence

1. Letter from James J. Burgess Re: Historic Zoning of Lower Shoreby Hill. Received

III. Citizen's Non Agenda Item –

Sav Rebecchi – Sail St. was surprised to see that the appeals provision was not included in the moratorium as adopted by the Town Council. He thought if someone decided to eliminate it then it would come back to the Planning Commission. Lisa Bryer said that is a question to ask Town Solicitor Peter Rugeiro and the Town Council. Wyatt Brochu suggested that what Sav is asking for or talking about is not within the Planning Commission purview, it needs to be directed to the town clerk.

IV. Reports

1. Town Planner's Report
2. Chairpersons report – at last meeting of the Town Council they approved a moratorium for demolition and construction for building in the lower Shoreby Hill neighborhood. They

recognized that it might be a surprise for other people outside Shoreby Hill and so they limited it to that area. Emergency repairs can be done. June 2nd is the expiration date.

3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee
4. Sub Committees

V. Old Business

- 1) **John Somyk – Plat 5, Lot 175 & 194 – Riptide St. – Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District – Zoning Ordinance Section 82-308 Variance Request for Development within the 150’ freshwater wetland setback – Recommendation to Zoning Board – continued**

This application goes back to June of 2013. At Mr. Somyk’s request he asked for an extension to look into various different possibilities. There has not been any additional information of plans submitted. Based on that the Planning Commission has the original proposal to make a recommendation on. Mr. Somyk said he was not going to attend the meeting.

Maureen Coleman, representing the Conservation Commission, has nothing more to add. There are no new concerns.

A motion was made by Commissioner Cochran and seconded by Commissioner Smith with a notation to amend the numbering and the date of the memo “to recommend to the Jamestown Zoning Board, denial of the application of John Somyk – Assessor’s Plat 5 Lot 175 and 194; being reviewed under Zoning Ordinance Section 308 – Setback to Freshwater Wetlands and Section 314 - High Groundwater Table and Impervious Overlay District Sub-district A review in accordance with the plans entitled **Proposed Site Plan for John Somyk, Property located at Assessor’s Plat 5 Lot 175 and 194, Riptide Street, Jamestown, RI, dated 4/16/12 and Planting Plan by the Gifford Design Group, Inc. dated March 2013.** The recommendation for denial is based on the following findings of fact:

Findings of Fact Section 314 and 308

The applicant is proposing to construct a two bedroom 24’ x 40’ dwelling on two lots, Lots 175 and 194 totaling 21, 600 square feet.

1. Applicant plans to combine Lots 175 & 194 subsequent to and as part of the Zoning Board approval.
2. The lots in question have not been publicly accepted nor have maintained access and therefore no existing street frontage, and the applicant will require a variance to allow access to the property via a right-of-way easement through Lot 177.
3. The existing 12 x 16 structure currently existing on lot 175 will be demolished. There is no existing foundation.
4. Applicant has obtained RI DEM approval for an ISDS/OWTS for a two-bedroom dwelling. This approval includes a deed restriction requirement, limiting the dwelling to no more than two bedrooms.
5. The proposed dwelling is 26’ from the nearest wetland edge.

6. The relief necessary conflicts with our responsibility to prevent further impacts where intense development in combination with limited land development suitability have resulted in localized flooding, incidents of groundwater contamination, low well yields and salt water intrusion.
7. The relief necessary conflicts with our responsibility to protect the island's vulnerable and limited water supplies by maintaining maximum groundwater recharge of rainfall and treated wastewater to replenish drinking water supplies and avoid salt-water intrusion.

Page 120:

Due to public health implications and a limited water supply, resources such as ground water recharge areas, including wetlands and public drinking water supplies must be given the highest priority for protection. Ground water recharge areas include wetlands throughout the Jamestown Shores neighborhoods and the north end of the Island.

Page 260 – Action Plan

Policy #5: Immediately act to manage, protect and restore groundwater resources in dense rural areas.

Page 262 – Action Plan

Review for amendment Section 308 of the Jamestown Zoning Ordinance to protect development from impacting groundwater resources and other natural resources.

8. The relief necessary conflicts with our responsibility to ensure environmental compatibility and safeguards to protect the natural environment (82-600I).

Page 32:

In addition to farmland, other areas of Jamestown need to be protected to safeguard the Island's natural environment and finite resources. Areas worthy of preservation and protection from development include: the public drinking water supply watershed; wetlands, both coastal and freshwater areas; scenic views; historic resources; unique and rare habitats; large acres of habitats; linkages connecting significant open spaces; properties that will help to protect the Jamestown Shores water quantity and quality, and any properties whose preservation and protection will protect the water resources of Jamestown.

9. The relief necessary conflicts with our responsibility to strictly enforce the 150 ft setback of ISDS (OWTS) from wetlands per the Jamestown Comprehensive Plan – Natural Resources/Water Resources.

Page 85:

A major concern in Jamestown is the proper placement of ISDS. Section 308 of the Zoning Ordinance prohibits the construction or location of sewage disposal beds, seepage pits, cesspools or disposal trenches or other facilities designed to leach liquid wastes into soil within 150 feet of a bog, floodplain, pond, marsh and swamp as defined in the ordinance. Because of the Town's recognition of the importance of wetland quality protection, the requirements of this section are more restrictive than the State's requirements.

Page 260 – Action Plan

Strictly enforce the 150 foot setback of ISDS from wetlands.

10. The relief requested contradicts the efforts by the Town of Jamestown to protect this fragile wetland/ watershed area by limiting development and preventing overdevelopment – notable in this effort is the purchase of a significant amount of acreage and permanently protect it from any development.

Jamestown Comprehensive Plan

Page 77:

The primary problem with the water quantity in Jamestown is in areas of high density. Density in the Jamestown Shores area is between 2 to 4 homes per acre. Development of this density would utilize between 400 to 800 gallons of water per day per acre. This usage is more than the total available groundwater supply and does not include a buffer. Development density of this magnitude will result in overdrafts to the groundwater supply, especially during droughts or times of heavy seasonal water usage.

In areas of high-density development, there is a serious concern for the groundwater supply. The Town attempted to control density in the Jamestown Shores area with the adoption of a lot merger provision (1967) in addition to rezoning to R-40, which require a minimum lot size of 40,000 square feet. Even still, there are many substandard lots with dwellings and many grandfathered substandard lots eligible for residential development.

Page 78:

These findings demonstrate that the high house density has adversely affected groundwater quality in Jamestown Shores area.

11. The applicants OWTS permit from RI DEM indicates the leach field is approximately 51' from a freshwater wetland edge at the nearest point. This location requires a variance of 99' (66%) based on the 150' wetland setback requirement of the Zoning Ordinance 82- 308.
12. Based on the proposed location of the dwelling and proximity to a wetland edge, the applicant is requesting a side setback of 10' on the eastern side of the property. The Zoning Ordinance requires 20'.
13. The site of the proposed project is in an area of high density development, the Town is concerned with protecting water quality and quantity, as documented by the Jamestown Comprehensive Plan.
14. Based on soil evaluation reports, the subject lot is in sub-district A.
15. The applicant's representative Mike Darveau has submitted expert testimony before the Planning Commission on 12/19/12 as an expert witness with regards to Land Surveying and OWTS Design and evidence that the proposed project meets the design requirements of Zoning Ordinance 82-314 High Ground Water Table and Impervious Overlay District as documented in a report prepared by Darveau Land Surveying Inc. dtd 11/8/12.
16. The Jamestown Conservation Commission has reviewed the application and recommended against approval of the application as documented in their memorandum to the Planning Commission dtd 4/16/12. Specifically the Commission concluded that the proposed development represents an unacceptable addition to the cumulative impact in the area of the subject site.
17. The applicant has obtained an Insignificant Alteration Permit from RI DEM for a proposed single family 2 bedroom dwelling, and associated driveway, ISDS, and deck. Reference Application 06-0039, dtd 8/18/06.
18. The applicant has provided a Narrative, by Gifford Design Group, Inc. dated February 2013, addressing the standards in Zoning Section 82-308 - Setback from Freshwater Wetlands.
19. Applicant has not provided information regarding impacts of run-off from proposed driveway from property to the wetlands.

20. Applicant indicated agreement with fertilizer prohibition requirement – but there are many questions as to how this would be enforced. Reference the Conservation Commission memo to P.C.
21. The applicant has submitted a landscaping plan, stamped by a Registered Landscape Architect, George Gifford of Gifford Design Group, LLC, as required in 82-308 4(b).
22. No evidence was presented documenting that the proposed size of the dwelling could not be reduced.
23. The Jamestown Conservation Commission provided correspondence dated March 12, 2013 noting their unanimous vote to recommend against approval of a variance request of this magnitude (attached).
24. Jamestown Public Works Director Michael Gray, PE and Jamestown Environmental Scientist Justin Jobin provided correspondence to Lisa Bryer, Town Planner dated March 14, 2013 regarding the Somyk application with respect to Zoning Section 82-308 – *Setback to Freshwater Wetlands*. (attached)
25. Jamestown Public Works Director Michael Gray, PE and Jamestown Environmental Scientist Justin Jobin provided correspondence to Lisa Bryer, Town Planner dated March 14, 2013 regarding the Somyk application with respect to Zoning Section 82-314 – High Groundwater and Impervious Layer Overlay District. (attached)
26. Maureen Coleman representing the Conservation Commission, on March 20, 2013, again testified that the proposed project should not be recommended for approval and is contrary to the intent of the Jamestown Comprehensive Plan to preserve the wetlands in that area.
27. Scott Rabideau of Natural Resource Services Inc., was hired as a consultant to the Town on this application. He appeared before the PC as an expert witness in the field of Wetland Biology, and provided a verbal description of his findings. Of particular concern is the design of the infiltration system at the driveway location. The water table should be verified since the separation is minimal and does not conform to the 2010 DEM/CRMC Stormwater Design & Installation Manual, which calls for 2 feet of separation from high groundwater - where the current design provides only for 6 inches. Further the infiltration system would be considered a 'volume' system and not a 'treatment system' which would be expected to have a lesser impact on wetlands and groundwater.
28. The opinion of the PC is that the hardship imposed by the nearby wetlands is a general condition of the area, and not specific to the lot, which would prevent the applicant from meeting Special Use Permit standard #1, under Sec 82-606.
29. The Town of Jamestown has made a significant effort to preserve the wetland complex associated with this lot for the purpose of groundwater protection for the entire Jamestown Shores region by acquiring 86+ lots and protecting them from development with conservation easements.
30. The Town of Jamestown adopted a greater standard than the State of Rhode Island for setback to freshwater wetlands for all OWTS leach fields for the purpose of protecting freshwater wetlands and their buffers and the significant purpose they serve in protecting groundwater quality.
31. In recommending adoption of the amendments to the Zoning Ordinance related to 308 and 314, the Planning Commission found that a high level of protection is needed to protect the Island's

highly vulnerable water supply and to restore contaminated wells. In addition they found that the purposes of the amendments to the high ground water table and impervious layer overlay district (Chapter 82 of the Jamestown Code of Ordinances, Sections 103, 308 and 314) are to:

- a. Ensure proper septic system operation and provide adequate pathogen treatment.
- b. Maintain groundwater nitrogen at safe concentrations for private wells,
- c. Control volume of stormwater runoff through on-site infiltration to recharge groundwater supplies, promote natural pollutant removal processes, and dilute wastewater effluent and other contaminants entering groundwater.
- d. Protect and restore wetland buffers to maintain their water quality function, filtering sediment, other pollutants in surface runoff, and promoting denitrification of shallow groundwater.
- e. Provide for use of advanced treatment systems where necessary and provide for their adequate maintenance.

32. Recent changes to FEMA Flood Maps/Zones may have an impact on the proposed project, and applicant should have an engineer obtain a new Flood Zone determination and verify that these changes do not affect the location or proposed elevation of the dwelling.

33. If the Zoning Board were to grant the requested variances, additional restrictions should be imposed to prevent a property owner from adding any other structures to the property, i.e. swimming pools, recreation equipment, patios, paved driveway, hardscape etc. This requirement should be a deed restriction to prevent any further impact and/or encroachment on the wetland.

Should the Zoning Board approve this application, against the recommendation of the Planning Commission we recommend, at a minimum, the following Conditions of Approval:

1. The proposed driveway, over property owned by others, shall be maintained as a pervious surface and not be paved
2. The applicant shall submit a landscaping plan, stamped by a Landscape Architect as required in 82-308 4(b) prior to the Zoning Board hearing.
3. The applicant shall provide information verifying that the OWTS location and design has not changed from the original approval to the proposed plan.
4. OTWS Maintenance Plan shall be submitted and recorded.
5. Storm water mitigation plan shall be recorded.
6. Access Easement must be prepared and recorded that addresses the potential of future termination of the easement over AP 5 Lot 177.

So unanimously voted: Michael Swistak – Aye
Rosemary Enright – Aye
Michael Jacquard - Aye

Duncan Pendlebury – Aye
Mick Cochran - Aye
Michael Smith - Aye

2) Buildings of Value – Discussion - continued

Commissioner Swistak wanted to check in with the Planning Commission to make sure they all agree as to what we have done so far: The moratorium is now in place, we have not designated

any buildings of value, we have not defined any criteria which would help us define what a building of value is, nor have we started to talk about any guidelines with regards to what level of protection a building of value may get. He asked the Planning Commission if they still felt it was a good idea to have a discussion on protection of historic buildings and properties. If anyone has a different point of view, let's talk about it before we move on. Commissioner Smith thinks that Buildings of Value and their designation are important to Jamestown. Commissioner Enright is in favor and also we must consider the landscapes too. Commissioner Swistak said the word on the street is that the Planning Commission has already done a lot of work and made a lot of decisions on this issue and it is simply not true.

Commissioner Cochran thinks lower Shoreby Hill has all that the National Registry says it does and maybe more. It is important that homeowners do not lose any rights but it is also important to keep the character of Jamestown. We need the homeowners to agree with us as far as importance.

Commissioner Pendlebury said Historic Districts become resources of value that we do not want to lose.

Town Planner Lisa Bryer said buildings and places have value in Jamestown. The preamble of our comprehensive community plan speaks directly to this issue in the discussion of rural character and about what this means for Jamestown. The same way history here in Jamestown is important to our character. I think we need to take a step back to make sure if the community is on the same page with us; does everybody agree. She went back to the last community survey and the community response to historic preservation? When asked about how they feel about the value of this history, whether it is historic buildings or landscapes, they feel strongly in favor of it but they are unsure of the regulation aspect. When asked about creating historic districts for the purpose of building regulation, the response has never been over 50 percent for the last 20 years. Then when asked if they are you in favor of the preservation of Historic Landscape and Historic Buildings the response is over 90% in favor. So this workshop should be more about gaining consensus of the importance of Jamestown's history than about addresses because once we start talking about specific buildings, the discussion quickly turns into a discussion about property rights.

Ms. Bryer has been thinking about the format of the workshop and would like to have several speakers and a facilitator. She asked Arnold Robinson who was the Town consultant for developing the National Register nomination for Shoreby Hill Historic District if he would speak at the workshop. He is a dynamic speaker and very passionate about his work. Don Powers was our main consultant for the Charrette and developed the design guidelines. Specific recommendations on Historic issues were made in the Vision Report. He is on board to speak and attend the workshop and Robert Leaver will facilitate it. This is where she would like to start with regards to the workshop. When we start talking about addresses and specific buildings it takes the discussion away from the question "do we think our history is important". She wants to shy away from the individual buildings maps right now and wants to focus more on education and consensus building. She asked the commission their thoughts on this.

Commissioner Swistak was here when Mr. Robinson came to speak to us and really liked what he had to say. Commissioner Cochran will work on questions with Ms. Bryer as will Commissioner Enright. Commissioner Pendlebury said if we have a workshop on the 15th of January he thinks we will need a second one too.

We need to get the word out. At the end of day we have to get a broader group of people to decide how we want to preserve our resources. We need to determine the area we are talking about, if we avoid it at the first meeting we need to have additional public input on that. Where do people start to push back, what will the regulations encompass?

A discussion ensued with regards to the overall schedule between now and June. January will be the first one and then February/March to fine tune. We will decide on a time at our next meeting and get flyers out and an article in the Jamestown Press.

Sav Rebecchi – great idea to get peoples input. He is speaking as a citizen. As a citizen who has spent a lot of time studying the town charter and served on the committee. He owns a publication and people speak to him. He brought up to the Town Council that we do not need the moratorium. In our code which he read from, he believes that the Planning Commission already has the authority to review any additions or modifications to a building designated as or eligible for the National Register.

Commissioner Pendlebury said the building official says it is not clear and he does not have a clear indication of what that really meant and there is no map in the zoning ordinance for him to be guided. Potentially is too vague of a word said Commissioner Jacquard that is why Fred Brown is not comfortable with enforcing it.

Jennifer Clancy, North Road –thinks it is premature to start talking about this, she thinks the workshop will be great, even when a survey is distributed sometimes the public does not know what you are asking and a workshop environment will help facilitate the public's opinion. Commissioner Pendlebury would like to invite the Chamber to attend our next meeting and weigh in and give their thoughts on what does it mean. Also invite the Historical society.

The historical society has a written policy said Commissioner Enright and she can forward that information to us.

VI. New Business

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Cochran at 8:35 p.m. So unanimously voted.

Attest:



Cynthia L. Reppe
Planning Assistant

This meeting was digitally recorded

Approved As Written
PLANNING COMMISSION MINUTES
November 20, 2013
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Richard Lynn	Michael Smith

Not present:

Michael Jacquard

Also present:

Lisa Bryer, AICP – Town Planner
Cynthia Reppe – Planning Assistant
Sav Rebecchi
Shelly Widoff
Jack Heelan
Betty Hubbard
Elizabeth Delude-Dix

I. Approval of Minutes November 6, 2013

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to accept the minutes as written. So unanimously voted.

II. Correspondence – nothing at this time

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee
4. Sub Committees

V. Old Business

- 1) John Somyk – Plat 5, Lot 175 & 194 – Riptide St. – Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District – Zoning Ordinance Section 82-308 Variance Request for Development within the 150' freshwater wetland setback – Recommendation to Zoning Board – continued

Commissioner Swistak updated the commission and said this was continued from June 2013 at the applicants request, we have not sent our final conclusions to zoning yet. The applicant had some ideas for the land that Lisa Bryer, Town Planner sent to the Land Trust that did not materialize. Conservation Commission said if they do not move the septic they would not be inclined to support it. Solicitor Brochu could not be here tonight so this will be continued until the December 4th meeting. A motion to continue this agenda item until December 4, 2013 was made by Commissioner Smith and seconded by Commissioner Cochran. So unanimously voted.

- 2) **Demolition Delay Ordinance – Review and Recommendation – Continued**
This will be wrapped into draft documents we will look at it holistically

- 3) **Buildings of Value – Proposed Amendments to Zoning Ordinance and Recommendation to Town Council**

Commissioner Swistak said at our last meeting we had a discussion with Town Administrator Kevin Paicos and Town Solicitor Brochu about how our zoning ordinance could be interpreted or misinterpreted with regards to Buildings of Value. We then requested Ms. Bryer prepare a memo to Zoning Enforcement Officer Fred Brown but after a discussion with him and Mr. Paicos it was decided that it would not happen. Mr. Brown feels it is not enforceable at this time. It is Mr. Brown's opinion that in order to enforce he needs a re-write with respect to the Buildings of Value. As a temporary measure we have a tool that can be used, a moratorium. I would like the Planning Commission to consider this option which will allow any significant work or demolition in the Historic Districts or structures on the National Register will have a 6 month waiting period to allow us to re-write the ordinance. Rather than hand over changes to the ordinance piecemeal to the Town Council we can do it comprehensively and have more time to get it done right. Commissioner Pendlebury said he thinks this makes more sense for Mr. Brown too.

Commissioner Pendlebury noted and Town Planner Lisa Bryer confirmed that we did this with Multi Family and duplex structures in the Village District previously until we could amend the ordinance. It was very successful. If we are going to ask Peter Rugeiro to come up with language we have to come up with a time frame. Tasks we have to accomplish include drafting the demolition permits, hold a workshop for buildings of value and landscapes of value, developing review standards and determining how are we going to regulate them. We should be able to come up with something within 6 months. Does the Planning Commission think this is feasible? Commissioner Lynn is in agreement.

In order to do this right we need Buildings of Value identified and mapped. Commissioner Smith is OK with it. Commissioner Smith questioned what structures are we talking about? Commissioner Enright had a list updated from the National Register to include the following:

Planning Commission Minutes

November 20, 2013

Page 3

Jamestown Archaeological District (12/10/89)

Shoreby Hill Historic District, roughly bounded by Whittier Road, Prudence Lane, Emerson Road, Conanicus Avenue, Knowles Court, Coronado Street & Longfellow Road (9/15/11)

Windmill Hill Historic District, Eldred Avenue and North Main Road (10/2/78)

Conanicut Battery, Access from Beavertail Road (7/2/73)

Beavertail Light, Beavertail Road (12/12/77)

Dutch Island Lighthouse, Dutch Island (south end of) (2/25/88)

Joyner Archaeological Site (RI-706), Eldred Avenue (11/1/84)

Keeler Archaeological Site (RI-707), Eldred Avenue (11/1/84)

Old Friends Archaeological Site, Eldred Avenue (11/7/95)

Horsehead/Marbella, 240 Highland Drive (6/16/99)

Conanicut Island Lighthouse, 64 North Bay View Avenue (2/25/88)

Jamestown Windmill, North Road (3/14/73)

Artillery Park (and Churchyard Cemetery), North Road and Narragansett Avenue (3/7/73)

Friends Meeting House, North Road and Weeden Lane (3/7/73)

Fort Dumpling, Ocean Street (3/16/72)

The Planning Commission discussed an allowance for emergency situations, say for instance a new roof and things of that nature. We will request that the solicitors office to craft it, it is up to him and then council has to approve it. A question was asked regarding any known permit applications currently in Fred Brown's office. Not at this time. If we make this recommendation tonight by the time the council does this there is still time for property owners to react and get their permits in.

Sav Rebecchi – Sail St. – “I certainly see no problem with having a moratorium on anything that was identified as historic value prior to Shoreby Hill. The reason I say that is, there is no definitive standing that everyone in Shoreby Hill agreed to be part, to be listed on the National Registry knowing that the ultimate result would be the town having regulation and control over their home and what can be done with it.”

Shelly Widoff – 27 Standish – on March 16, 2010 she received a letter from the trustees of Shoreby Hill and read the letter to the planning commission.(It is attached at the end of the minutes.)

Betty Hubbard 41 Emerson Rd. She has a timeline (attached at the end of the minutes) and the secretary can supply the minutes of all the meetings, both upper and lower brought up the issue and described what they were after, they just wanted protection for their houses, they requested to form a historic district study.

Jack Heelan 43 Standish Rd. – it has impacted him the most. He has 3 houses in lower Shoreby that abut his property, they went from 1200 sq. ft. homes to about 4800 sq. ft. the town issued permits for the 2 abutting properties but he thinks that the town is now taking away his rights. Now he cannot do this if he chooses to. 10 years ago Shoreby was historic but not now.

Commissioner Swistak recapped and said maybe voluntary. We are trying to protect our historic gems.

Commissioner Cochran said homeowners can come forward, historians could nominate and the planning commissioners could do the same thing, virtually anyone could bring up a home. The town council put this back in the planning commissions hands to work on the buildings of value because of the private roads issue.

Commissioner Pendlebury said we are talking about zoning and you cannot opt out of zoning. He is looking at the context of the town. He thinks you have to throw a broad net. Everybody has to participate. Set the moratorium. Commissioner Pendlebury said Jamestown is a historic place and we are talking about preservation, there is an economic benefit in preserving the history of a place to the benefit of the community.

Town Planner Lisa Bryer said we have done things that are not popular before like the High Groundwater Table Ordinance. And now we look back and it has been tremendously successful. We need time to see where we are going with this without the pressure of potential demolition.

Elizabeth Delude Dix – East Shore Rd. – she appreciates that the commission understands that this applies to everybody and engaging in this difficult process of self-government, she appreciates the time and effort of the planning commission. She wants to highlight that there are real benefits to the public good of our shared history, we must protect and preserve our shared history.

Commissioner Cochran said the next step is not to give Mr. Brown (Zoning enforcement officer) the right to scrutinize the tear down, it gives him the opportunity to say no you have to wait for 6 months before he will entertain the permit. What we are talking about is significant changes. Commissioner Smith says this is a house by house deal (spot zoning) in his opinion. That is why we need to be smart. Commissioner Enright says we need time and this cannot be rushed into.

A motion was made by Commissioner Swistak and seconded by Commissioner Smith to have the town planner Lisa Bryer to send a memo to the town council asking for a moratorium from demolition and significant changes to structures listed on the National Register and to make allowances for emergency and routine maintenance and to allow an appeals process from either planning, zoning or TRC, whichever board makes sense.

So unanimously voted.

Ms. Bryer said lets come up with a schedule as to where we are going to from here. She will work with Commissioners Cochran and Enright on this.

VI. New Business – nothing at this time

A motion to adjourn was made by Commissioner Cochran and seconded by Commissioner Enright at 8:53 p.m. So unanimously voted.

Attest:

Cynthia L Reppe
Cynthia L Reppe

This meeting was digitally recorded

To: Members of the First Subdivision of Shoreby Hill
From: The Trustees of the First Subdivision of Shoreby Hill
Date: March 16, 2010
Subject: Shoreby Hill nomination to NRHP

Late last year, the Town of Jamestown applied for, and subsequently received, a state grant from the RI Historical Preservation and Heritage Commission to research and prepare the nomination papers for Shoreby Hill to be listed on the National Register of Historic Places. The National Register of Historic Places is the federal government's official list of properties which are significant in American history and worthy of preservation.

Listing in the National Register is a tool to encourage the preservation and recognition of our national heritage. It is not a local Historic District. There are no restrictions on properties listed on the National Register, unless you are applying for tax benefits.

Work under the state grant is now commencing. The Town of Jamestown has just selected Arnold Robinson Preservation and Planning Services to perform the work. One of the most important steps in this process is to conduct an historical and architectural survey of Upper and Lower Shoreby Hill properties in order to document the buildings and landscape elements of the neighborhood. Survey forms for each building and significant landscape element will be prepared and will include a physical description, architectural style, historic significance and photos. This work will begin in the last two weeks of March and continue through April. All survey work is exterior and performed from the street. You will likely see Arnold Robinson in our neighborhood, taking notes and photographs of every home.

If you wish, you can assist the process by providing some information about your house. A completed form from an earlier State survey is enclosed. Please confirm or provide any of the following: when it was built, who was the architect, who were the original owners, when garages or other outbuildings were constructed, and when major changes or additions were made. Many of you have lived in this community for generations or have researched your homes. We would appreciate it if you would share your knowledge of this special place!

The Trustees are very excited that this project is underway. To share information, or if you have any questions or concerns, you can send an email, drop a note, or give any of us a call. We would love to hear from you.

Thanks!

Barbara Herrmann
Secretary
First Subdivision of Shoreby Hill, Inc.

Contact Information for this Project:

Barbara Herrmann	23 Hawthorne	bh1tg@comcast.net	Cell-617-233-2547
Bette Hubbard	41 Emerson Rd	bhubbard@aol.com	401-423-2475
Arnold Robinson	Consultant	arobinson66@cox.net	401-855-2046
Lisa Bryer	Town Planner	lbryer@jamestownri.net	401-423-7010

SHOREBY HILL HISTORIC DISTRICT TIMELINE

2006

August 23rd First Subdivision Annual Meeting – authorized Suzy Andrews, Barbara Herrmann, Betty Hubbard and Jim Upton to join with volunteers from Second Subdivision to form a Historic District Study Committee

2007

June 21st Study Committee held Public Informational Meeting in the Jamestown Library with Pam Kennedy of RIHPHC to speak about Historic Districts

July 9th Lower Shoreby Annual Meeting – Betty Hubbard reported on Public Meeting and members agreed with committee plans to mail postcard survey to determine interest in Shoreby becoming a historic district

October 19th Jamestown Vision Charter Report recommends that Jamestown pursue historic preservation citing Shoreby Hill “with its striking crescent of substantial homes”

2008

June 19th Jamestown Vision Pattern Book printed

April 28th Postcard Survey Results show 74% support with 85% of residents responding

August 28th Lower Shoreby Annual Meeting voted to hold Special Meeting about becoming a Historic District

October 2nd Special Meeting attendees voted to send letter to council requesting a local historic district for Lower Shoreby Hill (19-11)

2009

January 1st Jamestown Historical Society letter of support received

March 3rd Historic District Study Committee Working Document printed

May 5th Historic District Study Committee presentation to Planning Commission with abbreviated version of their Working Document

July 6th Town Council voted to support application for RIHPHC Grant to hire professional for research and preparation for listing on the National Register of Historic Places

Planning Commission Minutes

November 20, 2013

Page 8

July 13th Lower Shoreby Annual Meeting

September 20th Historic District Informational Meeting in the library

October 5th Council announced receipt of RHPHC Grant and asked Study Committee to work with Town Planner to interview candidates

2010

July 13th Lower Shoreby Annual Meeting, Arnold Robinson already into research

2011

July 6th RHPHC letter to residents asking for comment or objection to listing (4 objected in Lower, 4 in Upper)

July 11th Lower Shoreby Annual Meeting

September 15th Shoreby Hill officially listed on The National Register of Historic Places

2012

July 9th Lower Shoreby Annual Meeting voted to hold Special Meeting with Town Planner to consider any and all options for preservation

October 15th Special Meeting in library after which residents voted to renew request to council for traditional historic district legislation (18-3)

2013

September 5th Planning Commission voted to recommend historic district zoning

July 8th Lower Shoreby Annual Meeting

September 16th Council Public Hearing, continued twice (11/18 and 2/3/14)

Approved As Written
PLANNING COMMISSION MINUTES

November 6, 2013

7:30 PM

**Jamestown Town Hall
93 Narragansett Ave.**

The meeting was called to order and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Michael Jacquard	Richard Lynn
Michael Smith	

Also present:

Lisa Bryer, AICP – Town Planner
Cynthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
Kevin Paicos – Town Administrator
Barbara Hermann
Betty Hubbard
Abby Campbell King

I. Approval of Minutes October 16, 2013

A motion was made by Commissioner Pendlebury and seconded by Commissioner Enright to accept the minutes as written. So unanimously voted.

II. Correspondence

1. FYI – Damle/Marsh Administrative Subdivision. Received
2. FYI – Catalozzi Memo to Zoning Board. Received

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report
The town council had the first workshop on the golf course. Bill Burgin Architect presented a schematic. There were several people from the Performing Arts groups weighing in on what they wanted at the golf course.
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee

4. Sub Committees

V. Old Business

**1) Discussion of the Zoning Ordinance provisions related to Buildings of Value
Buildings of Value**

Town Planner Lisa Bryer said the Planning Commission has been talking about this for the last 6 months. We know we are interested in utilizing this provision of the zoning ordinance. I have supplied the commissioners with a lot of information. A recommendation was made at the end of the last meeting to start small. We discussed starting with the National Historic Register. There may be an opportunity to utilize this right away with little change to the existing language in the ordinance. Let's look at the Secretary of the Interiors standards and also our design guidelines. The workshop will go a long way determining structures and landscapes.

Our goal Commissioner Swistak said is to get all building permit applications which have an effect on buildings of value to have it start right now. Town Solicitor Wyatt Brochu said the current language in the ordinance is not predicated for permits. Repairs or alterations that do not require a permit will not come before us and the language is not in our ordinance.

The wording in our ordinance said Commissioner Pendlebury is "any" that is a large word. How does the public understand that they have to take a path to the Planning Commission? In the absence of definitions we need to define first.

Commissioner Smith said we have not identified the properties to the public as of yet. If they are identified to the public then the property owners will know.

Solicitor Brochu said it is not only buildings of value in this provision, from staff perspective it is the implementation. That is only half of the concept, if there are buildings on the state register they need to come before the planning commission.

Commissioner Cochran said first things first is to determine buildings of value. The provisions in the ordinance only apply to the Village District. That is step 1, then step 2 is to come up with a list of buildings which is a change to the zoning ordinance which requires mapping, town council and public hearing.

Wyatt Brochu said Shoreby Hill exists as a National Registered district. Fred Brown interprets the ordinance.

Commissioner Swistak said to Mr. Rebecchi this is only the second meeting we have talked about it, we are trying to decide should we send a memo to Fred Brown asking him to send all inquiries to Planning if they are on the National Historic Register. Mr. Rebecchi sees nothing wrong with saying to him operate the way you have been until we sort this out.

Ms. Bryer said when Shoreby Hill Historic group originally requested this it was for Historic Zoning district and they also wanted all the houses in lower Shoreby to be designated buildings of value.

Mr. Paicos is familiar with historic zoning. Typically it is an overlay district with geographic boundaries with the proper boards representing.

He thinks this is a more modern concept that identifies not just areas but structures. When this is clear and precise then we have done a good thing. Clearly the citizen polling in the Comp plan indicates the residents want this. He thinks it needs to be clear and concise.

Barbara Hermann - 22 Hawthorne – each one is on the list right now in Shoreby Hill. Houses listed on the National register.

Abby Campbell King – Friendship St. – a demolition delay ordinance is important.

Ms. Bryer said she gave the Planning Commission a model ordinance for both the states of CT and MA in their packets. They are generally age based in her research. Commissioner Enright agrees the demo delay is very important.

Betty Hubbard – 41 Emerson – whether each individual house is on the register, think about the importance of the fabric to pay attention to the non- contributing as well as the contributing structures. She thinks to use the pattern book is a good guide and adding a few things specific to Shoreby Hill. Contributing houses require a more stringent look.

Solicitor Brochu said to summarize we are discussing having Mr. Brown look at this and reconsider his interpretation of the ordinance.

Solicitor Brochu said the demo delay is an ordinance amendment and easier to legislate. This will be applied town wide based on the age of the structure, then decide where to put it in the ordinance.

Let's bring back a demo ordinance at the next meeting too.
Commissioner Enright likes the Connecticut example.

The Planning Commission discussed having a workshop with the public to educate them on Buildings of Value. Get everyone in the same room and identify all the structures and educate them. We need to do some leg work and look at each house in the purple book. Staff will do this within the next month.

Commissioner Pendlebury said the character and context of the town is important. Narragansett Ave context is important, it is the character of Jamestown. The views too are part of the character coming down North Rd. There are some buildings in this town that cannot be replaced. In these discussions we use the word history. History is like 30 seconds ago in his opinion, it is much more than that.

Kevin Paicos said he and Lisa Bryer will speak to Fred Brown tomorrow morning and let him know what the Board is thinking.

2) Accessory Family Dwelling Units – Discussion and Recommendation of Proposed Amendments

The Accessory family dwelling unit (AFDU) provisions were adopted by the town council on Oct 7th.

Lisa Bryer reported to the Planning Commission on her thoughts and recommendations for amending the ordinance and the rationale. We recommended adopting the provisions in order to serve a need, unfortunately I met with two potential applicants in the first week and neither were eligible. So it made me re-analyze the ordinance and think more about who our client is and did we hit the mark with this ordinance? Ms. Bryer thought there were several ways we could relax the ordinance a bit and not have a detrimental effect on the island. The first area is related to undersized lots and the second is related to detached structures. Initially we did not allow AFDU on undersized lots and allowing AFDU in detached structures required a Special Use Permit. Since many of our lots are undersized not allowing them at all would exclude much of the island, including all of the Jamestown Shores. The Planner noted that in situations where there are no exterior changes to the structure, there is not an increase in the bedroom count and in the case of private wells and OWTS, it is approved for the number of bedrooms requested, it should be allowed by right.

In the second instance of detached structures, the current ordinance requires a special use permit for all AFDUs in detached structures and a variance would be required if it does not meet the setback requirements of the primary structure. I would suggest that AFDUs be permitted by right and a special use permit is only required if the detached structure does not meet the setbacks for a primary structure.

Commissioner Enright is against detached structures. Enright feels that it could end up looking like 2 houses on the lot.

Perhaps we should have a percentage requirement; maybe a detached structure should not be more than 25% of existing structure. Bryer thinks the not more than 33% of the livable floor area provision applies to detached structures too.

Sav Rebecchi – a detached unit is very valuable if the person is a caregiver. The focus was not for the person that has a large house they can afford to do other things if they are not doing it already. This was put in place to help the person with less money.

Add the minimum square footage for detached. Put a maximum size refer to sec 82-311

A motion was made by Commissioner Swistak and seconded by Commissioner Cochran to recommend changes to the AFDU sec 82-1400 to the Town Council as suggested. This will be forwarded to the Town Council for approval.
So unanimously voted.

VI. New Business – nothing at this time

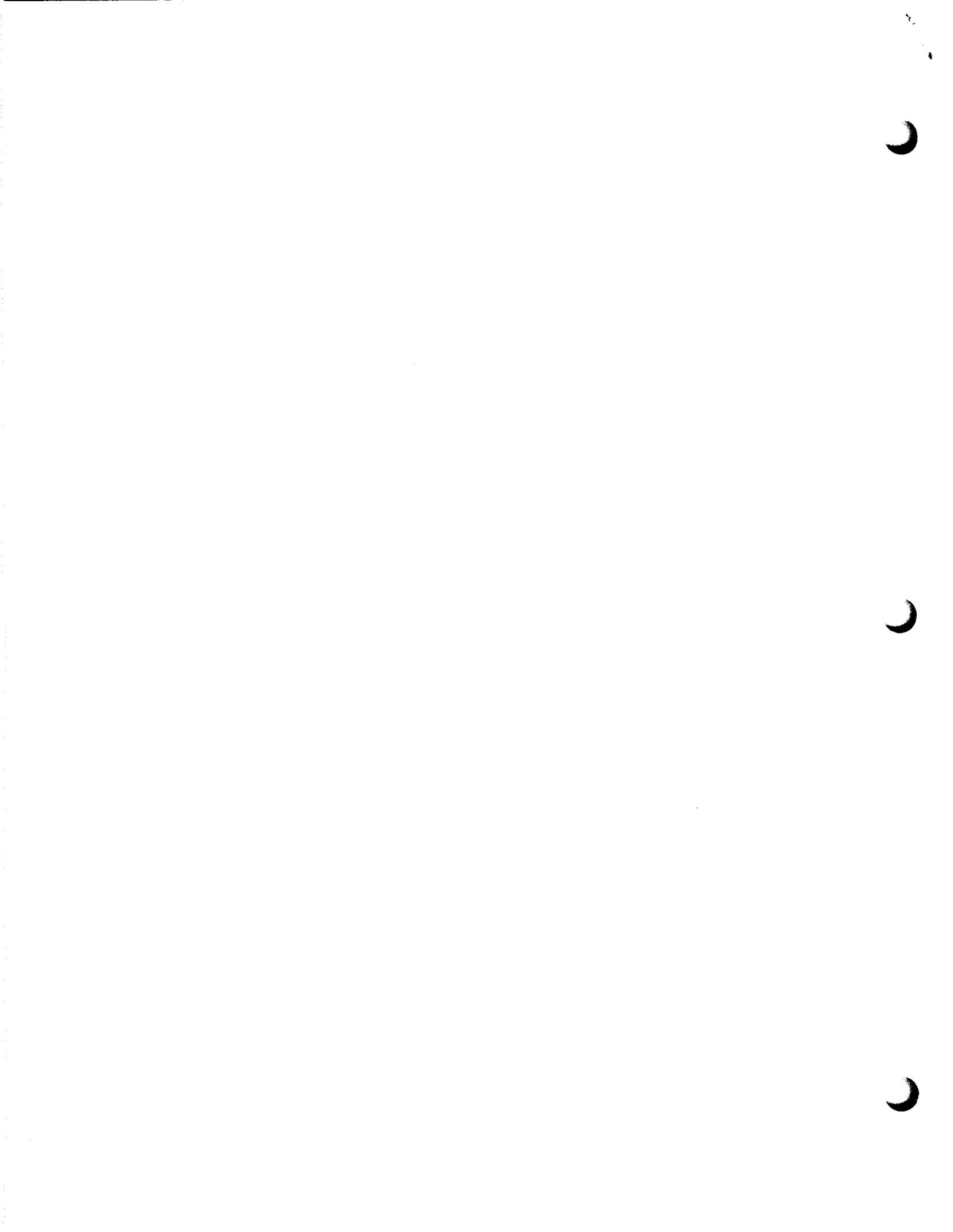
The first meeting in January is on January 1st which is a holiday so we will meet
The third Wednesday.

A motion to adjourn at 9:26 was made by Commissioner Cochran and seconded by Commissioner Enright. So unanimously voted.

Attest:

Cynthia L Reppe
Cynthia L Reppe

This meeting was digitally recorded



13 DEC -2 11:10 AM

Approved As Written
PLANNING COMMISSION MINUTES
October 16, 2013
7:30 PM

Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 p.m. and the following members were present:
Michael Swistak – Chair Duncan Pendlebury – vice Chair
Rosemary Enright – Secretary Michael Jacquard
Michael Smith

Not present:
Mick Cochran
Richard Lynn

Also present:
Lisa Bryer, AICP – Town Planner
Cynthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
Justin Jobin – GIS Environmental Scientist
Daniel Cotta, P.E. – American Engineering, Inc.
Michael McCormick – Professional Land Surveyor - Alpha Associates, LTD

I. Approval of Minutes October 2, 2013

A motion to approve the minutes was made by Commissioner Pendlebury seconded by Commissioner Smith to accept the minutes with the following changes:

Page 5, 4th paragraph -

Commissioner Smith Swistak said he sees faces that were here for the Historic District meetings and would like to hear their input.

So unanimously voted.

II. Correspondence

1. FYI – Memo to Zoning Board- Re: Cofone – HGWTO motion. Received

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report – we have a new Town Administrator Kevin Paicos he is starting part time on through November. He will be here Monday, Thursday and Friday. Accessory dwelling unit ordinance was approved by the Town Council with 1 change. They will only allow 1 water and sewer and utility connection.
2. Chairpersons report

3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee
4. Sub Committees

V. Old Business – nothing at this time

VI. New Business

- 1) **Catalozzi – 234 Seaside Dr. Jamestown RI – Plat 15, Lot 217 - Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A review-Recommendation to Zoning Board**

Engineer Dan Cotta has testified before the Planning Commission on several occasions stated Commissioner Swistak. A motion was made by Commissioner Smith and seconded by Commissioner Enright to accept Dan Cotta as an expert witness. All in favor.

Mr. Cotta said the house will be razed and a new house will be built. They will be removing the paved driveway and putting a permeable surface driveway in. He explained the site drainage and the rain garden. The maintenance for the rain garden will be recorded with the plan. The foundation is within the water table not the slab.

Justin Jobin, environmental scientist for the town informed the Planning Commission that this application started in 2007. Mr. Jobin met with Mr. Catalozzi a few times and the applicant has redesigned everything; he is reducing the impervious coverage of the lot so it meets the standards of the ordinance. The applicant has been cooperative throughout the process. They currently have a cesspool. They are improving the system so it meets the ordinance.

Commissioner Pendlebury asked what the difference between gravel and permeable pavers are for a driveway. Mr. Cotta explained permeable pavers are equivalent to a gravel surface in terms of runoff coefficient.

Commissioner Pendlebury asked if they are required to ask us for a waiver for the well distance? Justin Jobin answered no.

A motion was made by Commissioner Smith and seconded by Commissioner Enright "To recommend to the Jamestown Zoning Board, approval of the application of Alberta M. Catalozzi –Plat 15, Lot 217 – Seaside Drive. The Planning Commission reviewed this application under Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A in accordance with the plans entitled **Site Plan for Eric Catalozzi, located at 234 Seaside Drive, Jamestown, Rhode Island, Sheet 1 dated 10/1/13**. The recommendation for approval is based on the following findings of fact and subject to the following conditions of approval:

Findings of Fact

1. The applicant is proposing to raze an existing 25' by 41' dwelling (1,025 square feet) and to construct a 24' x 40' (960 square foot footprint) two bedroom dwelling.
2. The lot is 8,658 square feet.
3. There are no wetlands on or within the vicinity of the property.
4. Based on soil evaluation reports, the subject lot is in sub-district A.
5. Justin Jobin, Environmental Scientist, has been meeting with the applicant throughout the design phase to insure the application meets the criteria of the ordinance.
6. A Memorandum (attached) dated October 7, 2013 to Town Planner Lisa Bryer, provided by Michael Gray, PE and Justin Jobin, Environmental Scientist notes that the proposal improves existing conditions by:
 - a. Replacing an existing cesspool with a advanced treatment OWTS system
 - b. Relocating the well to provide increased separation to the proposed leachfield
 - c. Reducing impervious cover from 21.1 percent to 11.9 percent
 - d. Providing a raingarden, as requested by staff but not required by ordinance, to infiltrate stormwater from the proposed carport.
7. The application is not proposing the use of fill on this lot and is reducing the amount of fill in some areas as much as one foot.
8. The proposed dwelling utilizes a SeptiTech OWTS, ultraviolet light system, and bottomless sand filter leachfield which provides advanced treatment and meets the requirements of this ordinance and provides a significant upgrade over existing cesspool.
9. The proposed impervious cover is 11.9 percent, reduced from the existing percentage of 21.1 percent, which meets the ordinance requirement of twelve (12) percent.
10. The application meets the standards of 82-314 according to a Memo to Lisa Bryer, provided by Michael Gray, PE and Justin Jobin, Environmental Scientist dated October 7, 2013. The Memo (attached) states that the application "meets the requirements of the ordinance."

Conditions of Approval

1. The Operation and Maintenance (O & M) requirements for pervious driveway, stormwater mitigation and OWTS shall be recorded in the Office of the Town Clerk with the Zoning Approval. The language for such O and M shall be approved by the Director of Public Works prior to recording.
2. The O & M shall indicate that driveway shall remain pervious in perpetuity. Any change in this requirement will require additional approval by the Zoning Board of Review. In addition, the O & M shall note that the raingarden shall be maintained in accordance with designer specifications. "

So unanimously voted.

2) Aston Plat – Curci/Bell – 83 Cole St. – Jamestown RI - Plat 9, Lot 146 - Minor Subdivision – Preliminary Plan Review and Approval

Commissioner Pendlebury recused.

Michael McCormick a professional land surveyor from Alpha Associates, LTD He gave a brief description of his background. He attended URI and is currently licensed in RI. Commissioner Smith made a motion to accept Mr. McCormick as an expert witness and it was seconded by Commissioner Jacquard. So unanimously voted.

Mr. McCormick gave a description of the property at 83 Cole St.. They will be razing the existing structures on the site and building 2 structures approx 1500 sq ft each. The lots will be serviced by public water and sewer. The post runoff will be below what is existing at this time. Town Planner Lisa Bryer updated the Commission on the TRC review which they have the minutes from. There are no outstanding issues, it meets all the requirements of zoning. There is an existing well on the property. They will probably excavate and remove it Mr. McCormick said. At the TRC it was suggested to keep the well to use for irrigation if it is viable.

Commissioner Enright said there are stone walls around the property and they are historic. She would like a recommendation to maintain the stone walls as much as possible. Commissioner Smith wants to know if high water tests have been made. Mr. McCormick said it is probably a 4-6 ft water table in that area. Commissioner Enright asked should it be included in the motion that the current building is condemned? Yes. She mentioned it was restored in 1959.

Add to the draft motion;

Findings of Fact

The building is condemned, the applicants are not the owners, the stone walls are historic and date back to the farmland days.

Conditions of Approval add - maintain the stone walls to the extent that is practical.

Mr. Curci wants to know if they have to rebuild the stone walls? No, just maintain wherever practical. He also asked about the Design guidelines for the village district. He stated the house design needs to be affordable, how much of a stumbling block will I have because it is in the village district? The only thing that was mentioned at the TRC was to keep the garage behind the main plane of the front door. A motion was made by Commissioner Enright and seconded by Commissioner Smith to approve the following motion:

“At the October 16, 2013 Planning Commission meeting, the Planning Commission voted To Grant Preliminary Plan approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plans entitled "**Minor Subdivision, “Aston Plat” Assessors Plat 9, Lot 146, Jamestown, Rhode Island; Prepared for d.a. Curci Builders, Inc.; prepared by Alpha Associates, Ltd., 35 Rocky Hollow Road, East Greenwich, RI 02818; dated September 2013 based on the following Findings of Fact and subject to the following Conditions of Approval:**

A. Findings of Fact

The Planning Commission makes the following findings:

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan;
2. Each lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance. The property is zoned R-8 and both lots will be over 8,000 square feet in size and the existing dwelling will be razed and both new structures will meet the required setbacks for that zone. This parcel is within the Village Special Development District and to be consistent with the Jamestown Vision, Pattern Book and Design Guidelines, it is recommended that "parking (garage) be located to the side or rear of the principal building, well behind the plane of the front door...";
3. No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance as both lots will be serviced by public water and sewer;
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval;
5. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
6. All subdivision lots have adequate and permanent physical access to a public street, namely, Cole Street;
7. The subdivision provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community;
8. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
9. All lots in the subdivision have access to sufficient potable water for the intended use. Both lots will be serviced by public water;
10. The Building is condemned by the Building Official;
11. The applicants are not the owners of the property and the applicants have filed a notarized owner authorization form that is on file with the Planning Office;
12. The stone walls are historic and some may date back to the original farmland subdivision.

B. Conditions of Approval

1. The approval is for a total of 2 lots;
2. The applicant has agreed to utilize a house plan that would be consistent with the goals and recommendations of the Jamestown Vision Pattern Book and Design Guidelines which provides for the garage and parking to be located to the rear or side of the principal building, well behind the plane of the front door. The plans will be reviewed by the Building Official at the time of building permit submission;
3. That payment of a fee in-lieu-of land dedication shall be required for this subdivision for the new lot only in the amount required by Article IIID of the Jamestown Subdivision Regulations. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan;
4. Granite monuments or where granite monument are not suitable, other suitable survey markers other than concrete, shall be placed at all corner points at the new property line;
5. Maintain the stone walls on site to the extent practical;

6. The Planning Commission delegates final plan review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plat;
7. This approval shall be recorded with the Town Clerk within 30 days of signature; and,
8. This approval shall expire one year from the date of approval by the Planning Commission.”

A motion to adjourn at 8:25 p.m. was made by Commissioner Smith and seconded by Commissioner Enright. So unanimously voted.

Attest:

Cynthia L Reppe

Cynthia L Reppe
Planning Assistant

This meeting was digitally recorded

Approved As Written
PLANNING COMMISSION MINUTES

October 2, 2013

7:30 PM

Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 p.m. and the following members were present:

Michael Swistak – Chair Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary Mick Cochran Michael Smith

Not present:

Michael Jacquard, Richard Lynn

Also present:

Lisa Bryer, AICP – Town Planner

Cynthia Reppe – Planning Assistant

Wyatt Brochu – Town Solicitor

Anthony Cofone

Joshua Rosen – P.E. Commonwealth Engineers & Consultants

Doug DeSimone

Shelly Widoff

Barbara Hermann

Eleanor Burgess

Jim Burgess

Eric Lexow

Betty Hubbard

I. Approval of Minutes Sept 18, 2013

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to accept the minutes as written. So unanimously voted.

II. Correspondence – nothing at this time

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee
4. Sub Committees

V. Old Business

1) Anthony Cofone – Assessors Plat 3A Lot 157, Catamaran Street-Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A review-Recommendation to Zoning Board - Continued

Mr. Anthony Cofone made changes to the plan and introduced his engineer Joshua Rosen from Commonwealth Engineers and Consultants.

Mr. Rosen gave the commission his background. He is a civil engineer. He graduated 11 years ago from Roger Williams University. He has his class 3 OWTS designers license. Commissioner Smith made a motion to accept Mr. Rosen as an expert witness; it was seconded by Commissioner Cochran. So unanimously voted.

He will go through each item and address how they revised the plan. The first two were in reference to the original plan that had a 13% impervious footprint. The new plan is 9% and they now have reconfigured the deck so it is all contained in the building envelope. The stormwater control has been changed and now they have expanded the basin to accommodate for the 10, 25 and almost 100 year storm. The 10 and 25 year storms will be contained although a small amount, .07 cubic ft, will exit in a 100 year storm. This is a very prudent design. The foundation cross section has been shown. Operation and maintenance and restrictions will be followed and recorded with the approval, and they outline typical procedures. A well variance was approved by RIDEM and documentation was shown.

Commissioner Pendlebury asked about the memo from Mike Gray and Justin Jobin and was wondering if they are still concerned about the spillway. They are not concerned about it due to the redesign and the reduction of water that will reach Catamaran Street.

Commissioner Cochran was not present at the meeting that this application was heard the first time so Mr. Rosen showed Commissioner Cochran the plan and answered all his questions with regards to the flow of water and fill.

Commissioner Enright asked about a garage. At this time they will not be putting a garage in. She also asked will the driveway go in the middle of the lot? Mr. Cofone said it is to the right of the house. It is 12 feet from the pond area.

Commissioner Swistak asked about recommended plantings. The stormwater basin is designed to be grass and no plantings are included. That should be noted on the plan and in the operation and maintenance language noted Solicitor Brochu. This will be an added condition that no plantings occur in the stormwater basin.

A motion was made by Commissioner Cochran and seconded by Commissioner Smith to accept the motion as amended as follows:

“At a meeting of the Jamestown Planning Commission on October 2, 2013, The Commission voted to recommend to the Jamestown Zoning Board, approval of the application of Anthony Cofone. –Plat 3 Lot 157 – Catamaran Street. The Planning Commission reviewed this application

under Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A in accordance with the plans entitled **Site Plan and Site Plan Details for A.P. 3A Lot 157 Catamaran Street in Jamestown, Rhode Island, Sheets 1-3, dated revised 9/13/13.** The recommendation for approval is based on the following findings of fact and subject to the following conditions of approval:

Findings of Fact

1. The applicant is proposing to construct a 648 square foot footprint, three story house.
2. The lot is 7,200 square feet.
3. There are no wetlands on or within the vicinity of the property.
4. Based on soil evaluation reports, the subject lot is in sub-district A.
5. The application was reviewed by the Planning Commission on September 4, 2013. At that meeting, the Planning Commission had serious concerns with the application exceeding the permitted impervious cover, the required setback variance, the amount of fill, water discharging onto Catamaran Street, a well variance, and maintenance documents for the pervious driveway and the rain garden.
6. A Memorandum (attached) dated August 30, 2013 to Town Planner Lisa Bryer, provided by Michael Gray, PE and Justin Jobin, Environmental Scientist notes a host of deficiencies, that have since been addressed appropriately (See finding of fact #9), including impervious cover that exceeds the ordinance, excessive fill and grading, stormwater control and inadequate separation to the water table, zoning setback and insurance that the two bedroom deed restriction is recorded and a foundation cross section is provided showing the foundation and footings in regard to the seasonal high water table.
7. The proposed impervious cover is 9 percent, which meets the ordinance requirement of nine (9) percent.
8. The revised plans show two bedrooms, which is consistent with the RI DEM approval for an ISDS/OWTS for a two-bedroom dwelling. This approval includes a deed restriction requirement, limiting the dwelling to no more than two bedrooms.
9. The application meets the standards of 82-314 according to a Memo to Lisa Bryer, provided by Michael Gray, PE and Justin Jobin, Environmental Scientist dated September 25, 2013. The Memo (attached) states that the application "in our opinion meets the requirements of the ordinance."
10. The proposed Norweco Singulair onsite wastewater treatment system and bottomless sand filter leach field provides advanced treatment, and meets the requirements of the ordinance.
11. The Well is located 26 feet from the edge of pavement of Catamaran Street. A well variance was received from RIDEM, Office of Water Resources, Permitting Section. This Well Variance Affidavit is required to be recorded in the Office of the Jamestown Town Clerk.
12. There is no basement being proposed and the foundation is designed to have water flow through it.
13. In order to mitigate increased runoff from the proposed improvements, the applicant has proposed the use of a shallow drainage basin at the southwesterly corner of the lot to collect a

portion of the proposed overland lawn and driveway runoff as well as the entire roof runoff which will be directed to the basin via roof downspouts proposed at the west corners of the proposed dwelling. The proposed mitigation meets the criteria of the ordinance.

14. Joshua Rosen, PE, Commonwealth Engineers and Consultants, Inc. presented the application on behalf of the applicant, and was accepted as an expert witness with regards to drainage and OTWS design.
15. RIDEM requires maintenance of all storm water mitigation systems by the owner, which is critical to continued mitigation of runoff. The applicant has stated in a Memo to Lisa Bryer, Town Planner that Siegmund Environmental Services, Inc. will be contracted to maintain the OWTS.

Conditions of Approval

1. The RIDEM Well Variance Affidavit shall be recorded in the Office of the Town Clerk
2. The OWTS 2 Bedroom deed restriction, required by RIDEM, shall be recorded in the Office of the Town Clerk
3. The Operation and Maintenance (O & M) requirements for pervious driveway, stormwater mitigation and OWTS shall be recorded in the Office of the Town Clerk with the Zoning Approval. The language for such O and M shall be approved by the Director of Public Works prior to recording.
4. The O & M shall indicate that driveway shall remain pervious in perpetuity. Any change in this requirement will require additional approval by the Zoning Board of Review. In addition, the O & M shall note that there shall be no plantings within the grass swale drainage basin and it shall be maintained as a "grassed drainage basin."

So unanimously voted.

2) Historic Preservation Strategies

A. Demolition Permit

B. Building of Value

Town Planner Lisa Bryer reminded the Planning Commission that at the August 5th Planning meeting we talked about Buildings of Value and they were interested at that time in pursuing such all over the island. At that time, she committed to giving the issue more thought and come back with a game plan. The Planning Commission wanted to keep that designation and put criteria for review language in the ordinance once the Buildings of Value are designated on the map.

We all agreed that we have buildings of value that need protection and that we should make an attempt to move forward and protect them? They are all in agreement. The question now is how to accomplish this.

What is our final goal? Do we want to just make sure they are not demolished or do we want the structures historically preserved? Are we talking about the classic buildings like the windmill, meeting house, etc?

Commissioner Pendlebury said we need to go back to the elements of the comp plan for a foundation to the plan. Do people want the character of the town to be maintained by maintaining the historic character and rural character? Do we use this as a foundation? Since we are talking about private property we have to encourage the homeowners that they want this, said Commissioner Cochran. The Commission agreed that we need to put the language that is already there in the Village special development district to include buildings of value all over the island. We have the purple book so we should start there and then get the communities input. Make a text amendment to include the whole island.

Commissioner Smith asked if there is going to be a historic district commission: will this be their purview? Not necessarily, it is not laid out in state enabling like Historic District Zoning. It is up to the Town Council. He thinks we need more guidance from the Town Council if we are going to do this.

Commissioner Enright thinks we need direction from the Town Council and we have to consider how will it be put into the zoning law. Even if the Planning Commission is involved in the definition, they cannot take on the responsibility of enforcing it. She thinks it is a Historic Commissions job.

Commissioner Smith Swistak said he sees faces that were here for the Historic District meetings and would like to hear their input.

Eleanor Burgess 29 Longfellow in lower Shoreby Hill is not a proponent of the Historic District. She prefers houses of value rather than a commission. She said she has inquired about the original voting for the historic district in Shoreby and is not being told how the votes went who the voters were etc. She loves Jamestown, lower Shoreby is mostly summer residents. She thinks that there is a huge new area of architects that are producing fabulous houses. Mary Meagher, Wharton etc, she would rather that it be up to planning or zoning.

Shelly Widoff - 27 Standish Rd lower Shoreby Hill- she is against the historic district commission proposal, her understanding is the Buildings of Value is an alternative to the historic commission. If the purple book designates this as a beginning she is all for it. She would like to see the planning commission move forward and designate and identify these buildings of value.

Eric Lexow - Shoreby Hill - he is confused and is not quite sure what we are trying to accomplish if you had a statement of what you are trying to accomplish maybe then you could accomplish what you are setting out to do.

Barbara Hermann 23 Hawthorne - she would love to see the Planning Commission embrace a Historic Commission and enforce 821105c that says any building has to go in front of the Planning Commission, we just need to give Mr. Brown the list. What are your standards of review? There is training so it is not so open ended. Apply them. Start with enforcing the ordinance that has been on the books since 2010.

Betty Hubbard has no thoughts on this issue at this time. When the association wrote the letter requesting a historical district they also requested buildings of value for Shoreby Hill at that time.

Wyatt Brochu said this commission does not have the capability of enforcing this; it resides with Mr. Brown. If he interprets the ordinance a certain way it is up to him not the Planning Commission.

Commissioner Smith said he thinks the state register and purple book would line up with regards to buildings of value. Commissioner Pendlebury read the actual name of the "purple book" which includes other things in addition to houses; landscapes and view sheds.

A discussion ensued regarding buildings of value which are not necessarily historic but are treasured and are valuable to the community character.

Commissioner Enright asked, "What are we trying to do? Are we trying to create buildings in a historic districts? A neighborhood? Are we trying to retain the character in Jamestown?" There are things that happen downtown that are not characteristic with a historic model.

Commissioner Pendlebury said sub paragraph C states buildings of value but we do not have any designated. Do we want to keep that in the zoning ordinance? We should develop an advisory group to come up with what standards we want.

Mary Meagher - 23 Melrose Ave. - the language is loose in the ordinance and that is why Mr. Brown does not enforce it. You need standards and she can ask the town council to put it on the next agenda. She thinks that it is not only buildings of value but also landscapes of value. She agrees with Commissioner Cochran's and Pendlebury's ideas. Newport uses the secretary of interior standards but they do have a historic planner on staff.

Shelly Widoff - said since the Buildings of Value concept is already on the record that they follow through with their review and standards and be definitive before the town council goes through with the historic commission. She thinks that is the proper methodology that the buildings of value come before the historic.

Let's start with the secretary of interior standards. Enright does not necessarily think that buildings of value have to be historic. Pendlebury: we need to make sure that the building coming down is being replaced with that of equal or better value. He thinks this is a complicated subject. Does the owner wish to have it identified as a building of value? Let's start with them and then move forward. Once a home is identified as a building of value it cannot opt out. This would be the first time in history that a zoning ordinance would be by volunteer basis, said Ms. Bryer. It is most likely those structures, whose owners do not want to be designated that we have to worry about. But there does have to be community buy-in.

Do we want to expand this to include the whole island? Agreed by all that yes this was our intent. Start with those places that are on in the purple book.

Jim Burgess 29 Longfellow – struggle is why do people value their houses, it may not be because they are historic but in his case it is the location, the proximity to the water. What matters to him is his view and access to town not necessarily the architecture or the fact that is may be historic.

Mary Meagher responded to Mr. Burgess comment; zoning is an imposition on the property owner by its nature. We are trying to preserve our history and culture and it is important to the community.

Mr. Jim Burgess - what are you asking us to do, do you want our house to be preserved as a museum? The actual house itself? It is currently very vague.

Commissioner Swistak said we want a list, we want to expand the area to include buildings of value on the entire island, a set of criteria on what makes it a building of value. Our Zoning Ordinance is a bit unclear right now and we need to find out what we are responsible for and finally we need a set of standards. We recognize that we are going to scare the daylights out of people that do not want it.

Commissioner Pendlebury said there is no intention that we are creating museums, it is context that we are trying to preserve. He agrees with Mary Meagher and it is not just the structures, but how they address the street and their context within the landscape.

Commissioner Cochran it is true it is a zoning law, but he thinks we should allow leeway for homeowners to speak up about whether they want to be involved; that is the democratic way.

Swistak thinks a workshop would be appropriate. Smith would like to see some examples of buildings of value. The town of Bristol has one and Commissioner Enright said one of the towns has a voluntary aspect to it. Maybe Cranston, Betty said, Bristol or Barrington Rosemary said. Lisa Bryer thinks that she has enough to move forward and demolition can be included but it is a separate process. A workshop at a regular Wednesday meeting was suggested.

The Planning Commission was reminded that Monday night is the public hearing for the accessory dwelling ordinance.

VI. New Business – nothing at this time

A motion to adjourn at 9 pm was made by Commissioner Smith and seconded by Commissioner Cochran. So unanimously voted.

Attest:



Cynthia L Reppe, Planning Assistant

This meeting was digitally recorded



10 DEC -2 AM 11:30
TOWN PLANNING

Approved As Written
PLANNING COMMISSION MINUTES
September 18, 2013
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

The meeting was called to order at 7:30 p.m. and the following members were present:

Michael Swistak – Chair Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary Mick Cochran
Michael Jacquard

Not present:

Richard Lynn
Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner

I. Approval of Minutes September 4, 2013

A motion was made by Commissioner Pendlebury and seconded by Commissioner Cochran to accept the minutes with the following changes:

Page 4, 7th paragraph, last sentence ~~More separation could be created but that requires more fill.~~

Page 5, 3rd paragraph, first sentence Mr. DeSimone The applicant respectfully asked for a continuance.

So unanimously voted.

II. Correspondence

1. FYI – Memo to Zoning Board Re: Nunes Administrative Subdivision. Received

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report
2. Chairpersons report
3. Town Committees
 - a. Harbor
 - b. Buildings and Facilities
 - c. Affordable Housing Committee
 - d. North Rd. Bike Path Committee
4. Sub Committees

V. Old Business

1) Comprehensive Plan Update

Town Planner Lisa Bryer went through the update with the Commission page by page. The commission would like language added regarding the process going on today for replacement of the Golf Course building.

A discussion ensued regarding Fort Getty Campground and the changes that have happened in 2012. The planner will update that section in addition to the Actions section of the Comprehensive Plan as discussed.

VI. New Business – nothing at this time

A motion to adjourn was made by Commissioner Cochran and seconded by Commissioner Enright at 8:50 p.m. So unanimously voted.

Attest:

Lisa Bryer
Town Planner

This meeting was digitally recorded

Approved As Amended
PLANNING COMMISSION MINUTES
September 4, 2013
7:30 PM
Jamestown Town Hall
93 Narragansett Ave.

13 DEC -2 AM 10:45
PLANNING COMMISSION

The meeting was called to order at 7:30 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Michael Jacquard
Richard Lynn	Michael Smith

Not present: Mick Cochran

Also present:

Lisa Bryer, AICP – Town Planner
Cinthia Reppe – Planning Assistant
Wyatt Brochu – Town Solicitor
John Murphy – Attorney
Norman Orall – PE – Commonwealth Engineers & Consultants
Douglas DeSimone
Anthony Cofone

I. Approval of Minutes July 17, 2013

A motion was made by Commissioner Pendlebury and seconded by Commissioner Jacquard to accept the minutes as written. So unanimously voted.

Approval of Minutes August 7, 2013

A motion was made by Commissioner Enright and seconded by Commissioner Jacquard to accept the minutes as written. So unanimously voted.

II. Correspondence

1. FYI – Letter Re: from Barbara Herrmann- 14 Holmes Ct. Received
2. FYI – Memo to Zoning Board – Spinakkers Café. Received
3. FYI – Memo to Town Council – Spinakkers Café. Received
4. FYI – Letter from Newport Chamber – Statewide Planning. Received

III. Citizen's Non Agenda Item – nothing at this time

IV. Reports

1. Town Planner's Report
2. Chairpersons report
3. Town Committees

- a. Harbor
- b. Buildings and Facilities
- c. Affordable Housing Committee
- d. North Rd. Bike Path Committee

4. Sub Committees

Burgin Lambert is the architect group selected for the golf course building currently working with the planning department staff, inventorying the needs for the Golf Course. The council will hold a public workshop to discuss the 2nd floor of the building if there is to be one. It will need development plan review possibly down the road about 6-8 months from now.

V. Old Business – nothing at this time

VI. New Business

1) Robert F. Nunes, Plat 8 Lots 85 and 569. 7 and 11 Watson Avenue. 2 Lot Subdivision (Administrative) with Variances required. Preliminary Review and Approval

Attorney John Murphy presented this application. Both lots are non conforming or this could be done administratively. These lots go back to the 1930's and one of the houses built was put partially on the other lot. Each house will be on its own lot after this subdivision and after the zoning board approves they will come back to Town Planner Lisa Bryer.

Commissioner Enright asked about the property to the west, it says owner unknown. A discussion ensued regarding ownership of this area. Mr. Murphy is currently in the process of a title search and will see if it can be determined who owns that strip of land.

Town Solicitor Wyatt Brochu asked Mr. Murphy to please address this issue before it goes to zoning. Commissioner Swistak said we will add a condition in this regard.

Commissioner Pendlebury asked if the existing dwelling gets demolished does the variance run with the building? If they take the building down then they have to go before the zoning board.

They would like a finding of fact added that states that Mr. Murphy represented the applicant and answered questions asked by the board.

A motion was made by Commissioner Swistak and seconded by Commissioner Smith to grant conditional Administrative Subdivision approval in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the plans entitled "**Administrative Subdivision Plan for Robert F. Nunes, Plat 8 Lots 85 and 569, 7 and 11 Watson Avenue, Jamestown, Rhode Island; prepared by Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864; dated August 22, 2013** based on the following Findings of Fact and subject to the following Conditions of Approval:

A. Findings of Fact

1. The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan and/or shall satisfactorily address the issues where there may be inconsistencies:

2. Neither lot in the subdivision conforms to the standards and provisions of the Jamestown Zoning Ordinance. Both lots are existing, non-conforming by size and frontage. Lot 569 will become conforming by frontage and will increase conformity by size. Lot 85 will become more non-conforming by size and frontage;
3. No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance as both existing dwellings are connected to public sewer;
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, since no further development is proposed as part of this subdivision;
5. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
6. All subdivision lots have adequate and permanent physical access to a public street, namely, Watson Avenue. Lot frontage on a public street without physical access shall not be considered compliant with this requirement;
7. The subdivision provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community;
8. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
9. All lots in the subdivision have access to sufficient potable water for the intended use. Both dwellings are connected to public water.
10. Attorney John Murphy represented the applicant at the Planning Commission and answered questions of the Commission.

B. Conditions of Approval

1. This subdivision is for the purpose of correcting a non-conformity whereby a lot line runs through a structure, and according to the applicant's Zoning "Application" "will allow a lot line adjustment that will result in lots conforming to the requirements of section 82-303 (one residence per lot)";
2. That payment of a fee in-lieu-of land dedication shall not be required for this subdivision as required by Article IIID of the Jamestown Subdivision Regulations because no new lots are being created;
3. Zoning Board of Review approval shall be granted for the requested variances prior to final subdivision approval:
 - Lot 85 – Variance for side lot setback of 4 feet where 6 are required on east side of lot
 - Lot 569– Variance for side lot setback of 4 feet where 6 are required on west side of lot
 - Lot 85 - Variance for existing non-conforming lot by size becoming more non-conforming by size (listed on revised application to Zoning Board);
4. Granite monuments, or where granite monuments are not suitable, other suitable survey markers, other than concrete, shall be placed at all corner points at the new property line;
5. The owner of the adjacent property to the west shall be identified and conclusive evidence be provided to the Zoning Board with the application;
6. This approval shall be recorded with the Town Clerk contemporaneously with the Final Plat; and,

7. This approval shall expire ninety days from the date of approval unless the Final Plat is signed by the Administrative Officer and recorded in the office of the Town Clerk of the Town of Jamestown.

So unanimously voted.

2) Anthony Cofone – Assessors Plat 3A Lot 157, Catamaran Street-Zoning Ordinance Section 314 High Groundwater Table and Impervious Overlay District Sub-district A review-Recommendation to Zoning Board

Engineer Norman Orall PE, will give a presentation on this application.
Justin Jobin received some new information this morning from the applicant's engineer.

Norman Orall PE has been a civil engineer for 23 years. He attended UMass Amherst and has been working in RI since 1999. A motion was made by Commissioner Smith and seconded by Commissioner Jacquard to accept Mr. Orall as an expert witness. So unanimously voted.

Mr. Orall explained this is a 7200 sq. ft. lot and is known as Plat 3a lot 157 and is in subdistrict A. Based on the ordinance he said they are seeking a recommendation for zoning. He explained the plan with the garage underneath and the house above it.

How much fill are you proposing asked Commissioner Swistak. Approximately 2 feet in spots but it will vary. A 10 foot triangle as much as 2 feet and then a 20x20 area 18 inches. On the worksheet submitted it sited 10percent impervious coverage. The Town Engineer Comments noted that it is really 12 percent. This should be corrected prior to submitting to Zoning.

Douglas DeSimone said the applicant had a 6 year old water table study previously that showed it being 28-30 inches so when Mr. Cofone first spoke to him DeSimone said yes it will work, but that was based on the wet season monitoring, not the required soil evaluation. DeSimone indicated that he can make the house work at 28x28 but that will bring it to just under 10%, which they are planning on doing. ~~More separation could be created but that requires more fill.~~

Justin Jobin addressing the first 2 questions: First, the ordinance is very specific requiring that the maximum impervious coverage be determined by the most restrictive soils information. Based on that, the maximum impervious coverage is 9%. Secondly, We understand that fill is necessary for the proper installation of the septic system components, the fact remains that 2 feet of fill will significantly alter the drainage on this lot, his main concern is that by exceeding the impervious coverage limits, will lead to an increase in runoff , which puts additional strain on the mitigation efforts.

Jobin went on to say that the drainage basin proposed, though recently revised, still only provides for 5 inch separation to the water table. In addition, the spillway from the basin directly flows onto Catamaran. In his opinion, this at the very minimum would cause a nuisance to the abutters, and could lead to freezing and ice build-up in the street, creating obvious safety concern.

Mr. Jobin when asked by the applicant recommended creating another rain garden if possible. If it were possible to design this to not increase the runoff it would be approved? Pre and post drainage

patterns were provided by Mr. Orall. He stated that he has tried to mimic existing patterns, by rerouting and slowing runoff and maintaining the 10 year storm on the lot. Mr. Jobin, disagreed, stating that eventually all the runoff would be directed to Catamaran St.

Solicitor Brochu said there are 2 levels of review here (1) 82-314 Requirements and (2) Special Use Permit requirements. The 10 year storm is the floor not the ceiling, additional standard can be required under the SUP Process. Jobin then stated that we are looking at 2 different things, 1) mitigating the runoff from Impervious surfaces for a 10-year storm as required and 2) dealing with stormwater runoff created by fill and grading. His concern is during a rain event it is going to over burden the rain garden. The calculations take into account the roof Mr. Orall said, Mr. Jobin is still concerned with the spillway and stated the proposed elevations of the spillway. Mr. Jobin also stated that the drainage calculations for the updated rain garden have not yet been submitted to the Town. Mr. Orall indicated that they will not change since the capacity did not change.

~~Mr. DeSimone~~ The applicant respectfully asked for a continuance. The Commission concurred. Solicitor Brochu noted that when you come back make sure to have maintenance plan for rain gardens, and for keeping the driveway pervious. The restrictions will be recorded for future owners too. The Commission asked if this property was the subject of a well variance? The applicant answered no. The Commission would like that verified. Mr. Cofone is in agreement to continue to a future meeting. He does not want to decrease to 9% but will try to satisfy the requirements.

A motion was made by Commissioner Smith and seconded by Commissioner Jacquard to continue to another meeting. All in favor.

3) Solicitor Comments and Discussion: Code of Ethics, Recusals, and Open Meetings Requirements

This was brought up by Mr. Rebecchi after attending the Governors Open Meeting Summit regarding recusal. Mr. Rebecchi and Mr. Brochu attended this meeting. Mr. Brochu said sometimes the speaker does not state the law at these meetings but best practices. There is an important distinction. He took Mr. Rebecchi's statement and called the speaker who said that RI ethics laws do not require that you publicly state the reason you are recusing or that you leave the podium, as noted by Mr. Rebecchi several meetings prior. That is more of a conservative recommendation. The chair noted that we have always followed the practice of the person leaving the podium. Nothing was done improperly. He does not see a need to go above or beyond. Solicitor Brochu recommended that the Planning Commission put this on the agenda for discussion if you want to change the procedure in the "Rules of Procedure" for the Planning Commission.

Mr. Rebecchi said the reason this became interesting is within different boards and cities he has witnessed different procedure with regards to this. He would like consistency.

With regards to the minutes brought up by an email correspondence the detailing of them, the minutes are not a transcript of a meeting it is a summary. Commissioner Enright asked what is the legal status of the recording? Solicitor Brochu said that is the record. The minutes legally only have to show the votes.

Planning Commission Minutes

September 4, 2013

Page 6

A board or commission consensus is considered a vote. There is a difference between a consensus and an approval of an application. Distinction needs to be made between a consensus and an actual motion for approval. Sometimes the board will give the applicant a consensus of what they are looking for and then change their mind. That is OK.

A motion to adjourn was made by Commissioner Smith and seconded by Commissioner Enright at 9:05 p.m. So unanimously voted.

Attest:

Cynthia L Reppe

Cynthia L Reppe

JAMESTOWN PHILOMENIAN LIBRARY
Minutes of the Regular Meeting of the Board of Trustees
Tuesday, November 12, 2013

The meeting was called to order at 5:02 p.m. by President Kitty Wineberg. The meeting took place in the Sydney Wright Museum room of the library.

In Attendance: Kitty Wineberg, Laura Yentsch, Heidi Keller Moon, Nancy Logan, Delia Klingbeil, Craig Watson, and Donna Fogarty.

Absent: Karen Montoya

Guest: Lisa Sheely, Children's Librarian (reporting on the New England Library Conference)

- I. **Roll Call of Members:** The meeting opened with a call to order at 5:02 p.m.
- II. **New England Library Conference:** Lisa Sheely attended the conference and reported on the seminars that she attended. She informed the Trustees about the keynote speaker, the Common Core Standards (backing up the text, speaking, listening, vocabulary development, lexile level), school focus on non-fiction material, technical applications for story time, rating library materials (censorship), family engagement in the library, censorship on the Internet, MA e-book project, and virtual author talks. The conference was a success.
- III. **Disposition of Minutes:**
 - a. The minutes of October 9th were reviewed. The minutes were unanimously approved and accepted by the Trustees.
- IV. **Financial Reports:**
 - a. Library: Delia referred to the second page of the financial report. We did receive the RI Foundation \$10,000 from 2012; the \$10,000 from 2013 is still there. Newport Architecture LLC was paid, as was the library conference. Kitty asked about the April items from page 2, which were listed as not cleared. Delia said that most have been cleared, except the conference. Heidi asked about the procedure to pay something from the Trustee account. Donna will submit a bill to Tina; Tina writes a check from our account, a report is sent to Delia.
 - b. Donna referred to the monthly accounts. Bills include landscaping; book account was highlighted on page 2. Balance in the 355 account will carry over to the next report.
- V. **President's Report:**
 - a. Craig reported the Museum Advisory Committee. The meeting was convened to talk about how to manage the artifacts in the Sydney Wright Museum room; at this meeting, the context of this exhibit was reframed. The exhibit is a sacred site; items charged with spiritual meanings are kept for the Narragansett Tribe. The Narragansett Tribe does not want the items on display in the general traffic. The artifacts not a tourist attraction. This is a shift and changes the options. The next step is for the committee to meet with a representative from the Narragansett Tribe. Artifacts can be given to the Narragansetts, but this must be discussed with the representative from the Tribe. The hope is that the meeting might be held by the end of this year. (In the past, the artifacts were used as an educational tool, but this was not the intention of the Tribe.)
- VI. **Library Director:**
 - a. There is a new upgraded ILS.
 - b. Lisa Sheely attended the New England Library Conference.

- c. Deborah Homer is on vacation for three weeks this month.
 - d. Donna attended a quarterly membership meeting; cat 6 or cat 6E was stressed for coming technical needs
 - e. Donna met with Kevin Paicos in late October; there is another meeting on Nov. 15th. He will hold Department Head meetings.
 - f. Donna discussed gifts received in memory of Kimberly McDonough.
 - g. The Holiday Book sale will be held December 7th and 8th.
 - h. The library received 50 boxes of new books to be sold at the sale.
 - i. Newsbank is a new online resource.
 - j. Author's Talk: Rory Raven will speak on **Burning of Gaspee: Revolution in Rhode Island** on Nov. 21st at 7 p.m.
 - k. There is a Genealogy Workshop this evening.
- VII. **Friends of the Library Report:**
 Laura Yentsch delivered a report to the Trustees present at the meeting.
- VIII. **Communications:** Trustees received invitations to "The Essential Library."
- IX. **Old Business:**
- a. Parking/Arts Center: The parking continues to be an issue; we will strive to work with the Arts Center to discuss how to resolve the parking issue.
 - b. Trustee Bylaws: Kitty distributed Bylaw Changes to review for the next meeting. The discussion will take place next month; the voting will take place in January.
- X. **New Business:**
- a. Donations: Report already given by Donna.
- XI. **Public Presentation:** There was no public presentation.

The meeting was adjourned at 6:15p.m. The next regular meeting of the Trustees will be held on December 10, 2013 at 5 p.m.

Respectfully submitted by
 Secretary Laura Yentsch

13 DEC -2 11:07

Affordable Housing Committee Minutes

October 16, 2013

**Jamestown Town Hall
Conference Room
93 Narragansett Ave
6:00 p.m**

The meeting was called to order at 6:00 p.m. and the following members were present: Derek Hansen, Judith Sutphen, Jerry Scott, Valerie Molloy, Lisa Bryer. Heather Lopes arrived at 6:10 p.m.

I. Approval of Minutes from September 25, 2013

A motion was made by Valerie Molloy and seconded by Jerry Scott to accept the minutes with the following change:

Page 2, last paragraph add a new sentence; **So unanimously voted.**

So unanimously voted.

Derek Hansen said Shahin Barzin who attended our last meeting and is considering applying to the committee wants to know what the time commitment will be. Derek will give him more information about that after the next meeting.

Derek Hansen, Chair asked Lisa Bryer Town Planner about the Roger Williams grants that she applied for and when we might hear back. She said probably not until after November.

II. Discussion – Actions and Goals – Continued

Derek would like to finish up with the next two Action priorities.

Survey, Education and Bayside Terrace we covered already. Now we need to go over Identifying Locations and Fundraising. These were the top 5 actions that the committee voted on at prior meetings.

Identify Locations - Jerry Scott says sit down with Ken Gray. Lisa Bryer and Cyndee Reppe have done a great deal of work on this so we have the village area mapped out already. Next step is are they viable sites? That needs to be determined. They cannot legally be subdivided by zoning but for affordable housing they could be. Jerry wants to know if they can take advantage of the 9% tax credit by doing this. The following is a list for Identifying locations:

- Meet with Ken Gray
- Review village area lots that can be subdivided
- Prioritize real possibilities
- Send letter to generate interest
- Add information from Zillow etc.
- Check into 9% for tax credit
- Review possibility of duplex, multi family unit, etc.
- Outside of Village (town owned property) those lots are wet – get codes from Ken
- Vacant land

Lisa Bryer knows every single lot that is town owned she would be very surprised if there is a piece of land that would be appropriate for affordable housing development.

Derek Hansen and Jerry Scott will meet with Ken Gray during the day. Derek can manipulate the data in the spreadsheet.

Criteria that we need to consider:

Burial grounds

Wetlands

Water and sewer

Existing developments

Lot size

Structure placement

Petition HUD to change the income qualification to Newport County from Providence County. Lisa Bryer will put this in the action plan

Fundraising

This needs to be discussed with the town council first for permission. It was suggested that we give this to the Equity Project. Derek thinks we are not the best suited for fundraising. Fundraising is necessary because of the large gap between funding available and cost of housing because our land values are so high. CCHC knows Jamestown and knows what works for the town where as some developers do not know what Jamestown needs. We could help others with fundraising. Heather Lopes and Judith Sutphen both agree fundraising needs to go in tandem with education.

Is it done within the context of this committee, no Derek says. The education portion does. Should we meet with the Equity project? Yes.

Have an agenda and have our goals and plans done.

We need to get our action plan together then we can go to them.

Affordable Housing Committee Minutes

October 16, 2013

Page 3

Valerie Molloy said it is a fine line for the education factor. She also thinks it has to be very specific on how it's laid out.

III. Assign Tasks – this will be continued until the next meeting

A motion to go into Executive session was made by Heather Lopes and seconded by Jerry Scott. So unanimously voted.

A motion to seal the minutes of the Executive Session was made by Heather Lopes and seconded by Jerry Scott. So unanimously voted.

There were no votes taken during Executive Session.

A motion adjourn at 7:20 p.m. was made by Judith Sutphen and seconded by Jerry Scott. So unanimously voted.

IV. Executive Session – Acquisition of real property pursuant to RIGL 42-46-5(a)(5)(real estate)

Lisa Bryer gave an update on Cathy Goodes property on North Rd.

Do we have the right to use the right of way exclusively? It has been looked into by an attorney. The town and 2 lot owners all have rights to the right of way.

Mike Gray said he cannot say if it is buildable or not. An engineer has to look at it in his opinion. It is still wet. Probably no basement would be feasible. At one time an estimate of between \$27,000 to \$100,000 is what it would cost for engineering. Some drainage in the street was improved but that was to improve street drainage not to drain private property.

We need to see if we can get an engineer to give us a free opinion on what can be done. Heather Lopes will talk to her about getting something in writing.

A motion to come out of Executive Session was made by Heather Lopes and seconded by Jerry Scott. So unanimously voted.

13-07-2-2-1106-1

Approved As Written

Affordable Housing Committee Minutes

September 25, 2013

**Jamestown Town Hall
Conference Room
93 Narragansett Ave
6:00 p.m**

The meeting was called to order at 6:00 p.m. and the following members were present:
Derek Hansen, Jerry Scott, Heather Lopes, Judith Sutphen, Valerie Molloy, Debra
Murphy, Lisa Bryer

Also present:

Cynthia Reppe, Planning Assistant
Shahin Barzin

I. Approval of Minutes from September 11, 2013

A motion was made by Heather Lopes and seconded by Judith Sutphen to accept the minutes as written. So unanimously voted.

II. Discussion – Actions and Goals – Continued – continue until next meeting

III. Application to “Roger Williams University” Community Partnership Program, Affordable Housing-focused Initiative for Jamestown.

Lisa Bryer, Town Planner described the community partnership program, it is both educational for students and valuable to the communities they partner with. He program has been around for two years and they open up applications twice a year. Derek Hansen said when they look at applications they look for:

Excellent Learning, Direct Community Benefit, Excellent Community Partner, Genuine Need and they love joint applications (partners) like CCHC or The Equity project.

Why do we need their program he asked, often a project is in its early stages, we cannot go to the Town Council yet for funding so this is where they come in. The program involves both undergrads and masters and they get credit for it. This will be the first time Jamestown is applying. Lisa provided a list of possible projects that Derek wanted to

discuss; let's think of ideas of how we can best utilize this opportunity. The Committee discussed the Survey, Education and Funding. Jerry Scott would like to know what has been accomplished while they have been in existence. It is on the website, 55 completed projects and 35 in the works right now.

Judith Sutphen said let's not worry about what project we are putting forward and just put the projects out there. We need ideas, not just a list of needs, examine different alternatives, compare options and what is easier to fund (strategically).

Valerie Molloy brought up the ambulance barn and suggested that we put apartments above it. Her opinion is Affordable housing should be for our volunteers.

In terms of projects the Survey was discussed – need and public perception; we need to do the survey before we know what the need is. They have specifically done survey work. We would ask them to administer the survey and analyze the results.

Heather Lopes gave an update on Bayside. She spoke to CCHC and found that the subsidies are as follows: 11 are project based, 4 are not being utilized at this time of the motel looking building. The main house has 9 apartments 2 have project based subsidies and 7 do not. There are 20 total now. 7 are empty they will not be section 8 when they are rented out.

Linking housing need with sustainability (social structure) the community as a whole wants to maintain the town's rural character. Sustaining a diverse community is what the goal is for the committee, and we discussed this as a possible research project.

Shahin Barzin asked what the goal of the Affordable Housing Committee is, who is for? Jamestown? Volunteers? Town Planner Lisa Bryer gave him an update on what the charge is and what we are working on. The property value is a tremendous limitation. Mr. Barzin was given a update on the 10 percent goal and why we are attempting to meet it. A discussion ensued regarding giving volunteers and Jamestown's a preference. Ms. Bryer explained the fair housing requirement to Mr. Barzin.

There is interest in an Arnold Ave project but selling additional density to make it work would need some creative architecture; it is owned by 3 family members. The attorneys that represent the owners came to the office last week. It is the only R40 property downtown.

The committee ranked each project that they would like Lisa Bryer to apply for. Bayside Terrace, Arnold Ave, Survey/Education after survey.

A motion was made by Jerry Scott and seconded by Judith Sutphen to go into executive session. So unanimously voted.

A motion was made to seal the minutes of Executive Session by Judith Sutphen and seconded by Jerry Scott. **So unanimously voted.**
There were no votes taken during Executive Session.

The next meeting will be the 16th of October.

We will finalize the goals continued from this agenda and assign tasks at next meeting.

A motion to adjourn at 7:40 p.m. was made by Heather Lopes and seconded by Debra Murphy. So unanimously voted.

Attest:

Cynthia L Reppe

IV. Executive Session – Acquisition of real property pursuant to RIGL 42-46-5(a)(5)(real estate)

Heather Lopes stated a property owner came to her regarding a potential lot behind her house on North Rd. It is a 10,000 sq ft lot John Murphy just submitted a title search for the property since the access to the property is through a right of way that gives the lot access to Watson Avenue. Lopes showed the committee a map of the property. Access to the property is important because it is the only way to get to it. The town has drainage underneath the lot. The owner is willing to sell it to the town. It is not currently subdividable but would be so for affordable housing. Heather Lopes thinks it is a viable option. Mike Gray, Public Works Director said show me a sketch of what you want to put there first and he will look at the drainage issues. This is what killed the project previously. The town has subsequently done drainage improvements. The beauty of it is you are not paying market rate for the property.

Can we get her all the tools necessary to do it herself? The neighbor next door has an odd lot that could potentially be a part of the lot if purchased.

The committee agreed they would like to look into this lot so to summarize: Get with Mike Gray regarding drainage and design, find out about the ROW, talk to the neighbor regarding the small strip of land (Derek or Judith will do this).

How is the appraisal determined? Jerry Scott asked if we can contact Habitat for Humanity about this project?

A motion was made to come out of Executive Session by Heather Lopes and seconded by Lisa Bryer. So unanimously voted.

13 OCT -2 11:16 AM
13 OCT -2 11:16 AM

Approved As Written

Affordable Housing Committee Minutes

September 11, 2013

**Jamestown Town Hall
Conference Room
93 Narragansett Ave
6:00 p.m**

The meeting was called to order at 6:00 p.m. and the following members were present:
Derek Hansen, Judith Sutphen, Heather Lopes, Debra Murphy, Jerry Scott, Lisa Bryer
Also present: Cinthia Reppe

I. Approval of Minutes from September 4, 2013

A motion was made by Judith Sutphen and seconded by Debra Murphy to accept the minutes as written. So unanimously voted.

II. Discussion – Actions and Goals

Derek Hansen, Chair of the committee led a discussion using posters on the wall. He has listed all the actions from the Comprehensive Plan Action Plan as well as ideas from past meetings for each member to see. He wants each member to vote on their top three or four priorities that they would like the Affordable Housing Committee to work on.

A discussion about asking for a budget from the town council ensued. Currently we do not have a budget for this committee and this would have to be allocated during the budget process which takes place next spring. The committee would like to ask for a budget to accomplish some of their goals.

Jerry Scott wants to interview or poll the current town employees on their housing needs. He and Debra would both like to have a general public meeting. A discussion about how to conduct the survey ensued.

Lisa Bryer thinks funding is the most important of these entire but feels it is not a job of this committee. Lisa stated we cannot do any of this without money.

Affordable Housing Committee Minutes

September 11, 2013

Page 2

Once a survey is done we will have some data, said Judith she says she has no problem going to people and asking them for money. Lisa Bryer said if the committee decides that they want to fundraise, we need to talk to the Town Council since that is not part of our charge.

Jerry Scott asked does everybody know how tax credits work. He explained it and said we need to go to some of the banks and ask about it if they are doing it. There is a fee of up to 9% interest.

Hansen lets delve into each of these issues, there is a lot of energy around fundraising and the survey. Let's start with the survey which includes public awareness and education. A sub-committee of 2 people should draft the survey. What do we want to accomplish in the survey? Establish need, put color around who needs it which actually puts a face on it. Many people think that creating affordable housing will open Jamestown up to undesirable people moving here. People want to live where they have connections. Another piece is to establish eligibility. CCHC will not go forward with building a unit unless there is a buyer already qualified. Establishing the need for renting or owning and which is more desirable.

Judith would like the committee to go on a field trip to Sandy Woods. We can ask CCHC about setting that up for us. Addressing the NIMBY attitude can be included in the survey in addition to the income level. Derek said along with that establishing Jamestown housing problems; elderly and taxes, demographics, income, family size is all part of what we want in the survey.

Bayside Terrace – we can give suggestions, Judith wants Steve Ostiguy to let us know how much it is going to cost to finish this project. The committee would like to get tenancy information; we need to know current status of the project, expansion potential, completion plan, goal intention. The land/lot size is approximately 2 acres.

Education – Donating money to the Equity Project can be set up after we have a meeting with them. They discussed possibly having 2 liaisons to the Equity Project Group. Do flyers after the survey, letting the residents know about the different homeowner programs available from all the different organizations. Contact the Jamestown Press to see if we can start with maybe a series of articles, conceptualize a series whether its interviews or something else. Have questions sent to us here as the affordable housing committee put it in the press. Write an article about Sandy Woods after our trip. Social media was suggested.

Jerry Scott suggested setting up a meeting with the fire department, Police Dept., and the school. Ask them what they would like to see in Jamestown.

The following is a table is a summary of what the committee discussed:

Prioritizing Actions

Each committee member was asked to vote on their top four action priorities for the committee from the Housing section of the draft Comprehensive Plan and other actions the committee had brainstorm. Results of the voting (only actions receiving votes making them priorities are listed):

Top Priorities		
Item #	Action Item	Votes
Survey		6
A.	Conduct needs survey	5
O.	Interview possible tenants/owners	1
Identify Locations		6
1.1	Identify locations for development	5
3.2	Target buildings for adaptive re-use	1
Education		5
1.1	Raise awareness through education	2
E.	Education – articles in the Jamestown Press	1
H.	Create education & fundraising presentation	1
N.	General public meeting	1
Funding		4
I.	Raise money	1
J.	Encourage Council to increase funding and/or issue bond, create line of credit, etc.	3
Bayside Terrace		2
K.	Explore options at Bayside Terrace	2

Priority Actions - Brainstorming

After agreeing on the five priority areas above, the committee brainstormed possible goals and/or sub-actions for the following areas:

- Survey – Goals
 - Establish need
 - Type of need – rent/own
 - Appeal of unit types – single family, duplex, multi
 - Establish current Jamestown housing problems – elderly, etc.
 - Who would live in affordable housing in Jamestown
 - Putting a face on it
 - People live where connected (work, family, etc.)
 - Eligibility for mortgage
 - Attitudes toward affordable housing
 - Dispel NIMBY attitude
 - Include income level requirements in survey
 - Address belief affordable housing would raise taxes?
 - Demographics – age, income, family size, etc.
- Education
 - Public meetings/workshops
 - Meetings with potential users – firemen, police, teachers, etc.
 - Articles in Press
 - Series
 - Answer questions about AH from community
 - Article about Sandy Woods visit
 - AH section in Press?
 - How to fund?
 - Equity Project
 - Flyers
 - Develop presentation on issue
 - Electronic
 - Email list
 - Social media – tough given Town imposed constraints
 - Developing eligible owners/tenants
- Bayside Terrace
 - Suggestions?
 - Help with money?
 - Understand situation better – meet with CCHC
 - Project financials/financing
 - Tenancy make-up
 - Project history
 - Current status
 - Expansion potential
 - Lot size (believed to be 2 acres)
 - Completion plan, funding requirements
 - Goal/intention for the property

Affordable Housing Committee Minutes

September 11, 2013

Page 5

- Committee decided to continue discussion of Funding and Identifying Locations at the next meeting.
- Committee also expressed interest in touring Sandy Woods development with CCHC

The next meeting is Sept 25th at 6 pm. We will go over Locations and Money. Continue discussion on goals and action plan, set the October calendar and go into Executive Session.

A motion to adjourn at 7:30 p.m. was made by Heather Lopes and seconded by Debra Murphy. So unanimously voted.

Attest:

Cynthia L Reppe

Cynthia L Reppe



10 DEC -2 11:10
1

Approved As Written
Affordable Housing Committee Minutes

September 4, 2013

**Jamestown Town Hall
Conference Room
93 Narragansett Ave
6:00 p.m**

The meeting was called to order at 6:00 p.m. and the following members were present:
Derek Hansen, Judith Sutphen, Heather Lopes, Debra Murphy, Jerry Scott, Lisa Bryer,
Valerie Molloy

Also present:

Cynthia Reppe, Christian Belden

I. Approval of Minutes from August 21, 2013

A motion was made by Heather Lopes and seconded by Jerry Scott to accept the minutes as written. So unanimously voted.

II. Discussion – Church Community Housing Corp

Derek Hansen would like Christian Belden to speak briefly about the last few years and what has been done with regards to Jamestown Projects. Lisa Bryer would like Christian to give a brief history of CCHC and how they started. He would also like to hear what this committee can do to help CCHC with projects. Jerry Scott would like tax credit information.

Mr. Beldens's hope for being here is to continue the mutually rewarding relationship that we have had thus far, and to continue to support Jamestown.

The following are programs that CCHC does for Jamestown:

Home repair loan

Homebuyer education program

Single Family home ownership program – CCHC retains ownership of the land

Rental housing development

Christian distributed information and papers to the members.

CCHC has done 91 home repair loans in Jamestown – totaling \$765,300 since approximately 1987, 9 homeownership assistance loans for down payment or closing costs, up to \$5000 totaling \$33,354 and there are currently 2 loan applications in the pipeline for Jamestown.

He handles building projects and oversees the whole project starting with construction and others in the office handle the education.

In 1969 a group of Churches met to discuss how their members could not afford to buy houses so they pulled together and built a few homes. This is how Church Community Housing Corp started but now there is not any religious affiliation, they cannot have any and be able to get federal funds.

Historically they work in Newport County but recently they started developing in North Kingstown and South County.

Derek Hansen asked if there are any single family home rentals? Christian noted that if there is it is rare. You cannot get enough rental income for a single family home with the high land prices in Jamestown. They are currently trying to develop more 3 and 4 bedroom apartment buildings.

How does CCHC make money? They earn a developers fee. They receive additional operating support from the CDBG program income. They are a 501 (c) 3 non profit corporation.

Bridges is a 5 unit project they are currently working on. He explained the project briefly.

They apply for Comprehensive Permits but try to request as little as possible for special use and variances. They also get monies from Building homes RI as bond referendum and Threshold Funds available for the Bridges project.

Jamestown's Affordable Housing Trust Fund – an anomaly to have tax payers help to support affordable housing. They average 6 sources of funding per project. CCHC does not usually get donations.

Heather Lopes asked about the outlook for Jamestown with regards to rental units. Is it feasible for this committee to try? Land values and Native American (archeological issues) are a few of the problems Jamestown is faced with. Having few lots with water and sewer is another stumbling block for Jamestown.

Pods for aging parents Valerie Molloy suggested. The town is looking at an ordinance now for accessory apartments for family members.

Christian Belden gave the committee information on Sandy Woods farm which consists of 50 apartments for moderate income families and 23 additional units for sale at market rate, this is part of a low income housing tax credit project.

The Committee asked how they get land. Lisa Bryer said you have to have willing sellers like they did for Sandy Woods and Block Island project. Sometimes getting the word out

Affordable Housing Committee

September 4, 2013

Page3

helps. Heather Lopes asked do you have suggestions for us to put it out to the public to sell their properties for affordable housing. Christian Belden said often these properties are sold below the appraised value if the seller sells for less the difference is considered a charitable donation.

The Affordable Housing Committee has always been frustrated as far as what we can do to be proactive, we will be talking about ways of being most useful.

Christian said the tax credit rental process is difficult for investors with less than 30 units.

What preferences can we give to Jamestown residents? Preferences are a touchy subject for RI housing issues related to fair housing and equal opportunity etc. Most people only want to live in a place if they are familiar with it so it naturally will attract Jamestown's instead of those from other communities.

Derek Hansen heard acquisition money is easier to get for funding. CDBG funds for acquisition is much easier than using it for construction.

Who are CCHC's competitors? Other organizations like them are affordable housing non profits, Blackstone Valley, Narragansett Affordable housing, Washington County, Womens CDC of Providence, Woonsocket. There are several for profit organizations out there also.

They just partnered with Habitat in Charlestown. They were asked to do this project by RI Housing. All of the units are Affordable.

Can we put more apartments at Bayside Terrace? Some are section 8, vouchers and project based section 8 that stays with the apartment. They do not have the same qualities. If we found an investor could we add to it by putting a second story? You do not want to force people out. They had some plans but no investors. With the project for the front building they waited for vacancies so people would not be displaced. Renovation funding is tough to get. CDBG you will not get more than 200,000.

Judith Sutphen said it is highly visible and she would like to devote some time to Bayside, she would like to help them and get them funding for rehab. She wants to focus on this. Aside from the PR aspect even on a moral basis the back units are horrific in her opinion. She will bring up next week. We will meet for 1.5 hours next week and each members homework is to make a list of actions and goals for the next meeting where we will brainstorm and select the top 3 things to work on.

A motion to adjourn at 7:17 was made by Heather and seconded by Judith. So unanimously voted.

Attest:

Affordable Housing Committee
September 4, 2013
Page4

Cynthia L Reppe
Cynthia L Reppe
Planning Assistant

TOWN COUNCIL WORK SESSION
December 16, 2013

I. CALL TO ORDER

The Joint Jamestown Town Council and School Committee Pre-Budget Work Session was called to order at 6:04 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue.

II. ROLL CALL

Town Council members present:

Kristine A. Trocki, President
Mary E. Meagher, Vice President
Thomas P. Tighe
Eugene B. Mihaly
Blake A. Dickinson

School Committee members present:

Cathy Kaiser, Chair
Sarah Baines
Ryan Conlon

School Committee members absent:

Julia Held
Bruce Whitehouse

Also present:

Kevin E. Paicos, Town Administrator
Wyatt A. Brochu, Town Solicitor
Christina D. Collins, Finance Director
Marcia Lukon, School Superintendent
Jane Littlefield, Director of Finance
Cheryl A. Fernstrom, Town Clerk

III. BUDGET ISSUES FOR FY 2014 (JULY 1, 2013 TO JUNE 30, 2014)

Dr. Lukon explained the Program Budget and the Chart of Accounts established by the RI Education Department and implemented by State law.

IV. BUDGET ISSUES FOR FY 2015 (JULY 1, 2014 TO JUNE 30, 2015)

School Committee Chair Cathy Kaiser stated this is the annual pre-budget work session, as required by law, for review of the upcoming budget to provide background

information, what may be anticipated, and solicit Council feedback. The School Department's goal is student achievement and improvement of skills.

Superintendent Lukon stated the School Department uses zero based budgeting and explained the process that includes review of each line item. New lines are added or eliminated as needed; new services are added; services no longer needed or no longer effective are removed. They build the budget from "zero" as a team. Each line item, program and process is evaluated; staffing is evaluated and adjusted as required. Budget requirements are different than in the past and the budget reflects that. The changes required will get our students ready for the future. The Race to the Top award was referenced, which put RI on the fast track, and Jamestown is in good shape. The budget cannot be stagnant, must evolve to keep up with the changing curriculum, cannot be compared to past budgets, and instruction materials and technology adjust to what is required.

Dr. Lukon reported the student population is slightly increased. The fluctuating military population affects the budget, and their numbers are increasing, over 100 students for the past two years, and this figure is unknown until August of each year. The greatest impact is high school students. Tuition is established through a formula, and this year it is \$10,500 per student for 155 students (some are special needs with higher tuition). Discussion ensued of adjustments and variables that affect tuitions and costs. The school district is obligated by law to provide any services required by student IEP's (Individual Education Programs). The school department works with a liaison to the Naval War College to assist with school programs and budgeting, but not all variables are realized until students arrive. Adjustments in staffing are done to accommodate student population and needs. Budgeting is done to meet all needs and required changes in the most cost-effective manner.

Dr. Lukon noted the department accepts every dollar available to help achieve the educational initiatives. Professional development and its importance in preparing the staff to deal with the new requirements were reviewed. The data collection process and newly-developed software programs help them make the best decisions going forward. The information is wonderful, but very time consuming to process. Common core State standards and changes in methodology to achieve the required outcomes were noted. The new standards adopted by 46 states include a reading requirement that is about two grade levels higher than NECAP. The math and language arts curriculum were also revised to meet the new standards. Dr. Lukon noted the work done by Director of Curriculum, Assessment and Professional Development Cathy Almazor to implement the new standards. Staff expectations are escalating, and the school department needs to continue the professional development in order to keep up. Technology is huge, and the community is supportive in providing it. Online testing is a new requirement, and the trial run begins in January, with testing in segments throughout the year. The new system will make data available sooner to assist teachers in the class room. The children are challenged and rising to the occasion; we need to continue to ramp up the requirements.

There is more technology than can be managed by staff, and someone to assist teachers in using the technology effectively is needed.

Councilor Dickinson asked about assistance with technology. Dr. Lukon noted 46 states are sharing the information, which is not provided by government entities. There is one more NECAP testing this year, before it goes away. The new standards are so much higher, and test scores at first may not be as high as in the past; all will catch up and this is a good place to aspire to.

Dr. Lukon noted the major costs are staffing, salaries, and benefits, dictated by contractual obligations and State and Federal mandates. Compliance is reviewed regularly, and shows no areas of non-compliance. Tuitions for North Kingstown High School, charter schools, special education, and out of district students were referenced. The department continued to keep elementary and middle students in the district and provide the programs needed. Special needs high school students must be serviced out of district.

The costs associated with special services are mandated by IEP's, some requiring a multitude of services. Programs are adjusted as needed, and can't be cost based. Director of Student Services Ken Duva is doing an excellent job. Special education students must be moved to higher core standards, which is challenging and requires an intensified effort. How do we close those gaps – the department is still working on this. Grant funding and Federal government requirements where grant funding can be spent is very challenging. The department wants to do things effectively for our community, and so far it is working. The Operating Budget history over the last five years was referenced and reviewed. The overall change from the previous year is a decrease of \$285,000, or 2.39%. The overall change for the last five years is a decrease of \$129,000, or 1.1%. The initial step in developing a budget is not the cost, but services required. Each budget may be different; but the department is prepared to defend the budgets based on what is required.

Councilor Dickinson asked about Federal funding. Director of Finance Jane Littlefield stated it is less than 3%. Dr. Lukon referenced Federal mandates required by law, but the funding for those mandates never came through as promised. Decreased State Aid and the decreasing State aid formula over the next 10 years were referenced. The Jamestown community is the major funding source for the budget. \$1,500,000 was moved to a special account to fund OPEB, leaving approximately \$1,000,000 in the reserve fund, but this will not be confirmed until the audit is complete. The reserve was \$2,300,000 last year. Finance Director Collins noted the annual audit work session that will be scheduled January 6th or January 21st. Dr. Lukon noted the school department spends only to cover its needs, and doesn't budget for items it if the funding is not required. Director of Finance Littlefield noted costs are down and revenues are up, a combination that resulted in a positive of \$200,000.

Dr. Lukon referenced the previous curriculum and new curriculum requirements. Problem solving and deep thinking are stressed in the new curriculum. Teachers will go

more deeply into the subjects to build on for the future. All requirements for K – 12 increased significantly, and staffing requirements need more support. The intervention data looks positive; increased reading staffing is needed so that each child makes adequate progress; the common core math is very intense; and there are changes in the budget to meet the needs of students and to challenge those ready for the higher curriculum. There are six students at Lawn School who completed Algebra 1 and Algebra 2 and taking geometry.

Town Administrator Paicos noted the very strong partnership that exists between the town and schools. One of the major budget concerns is health insurance, and the Town has done a remarkable job on cost containment, though we are probably looking at an adjustment this year, perhaps in the high single digits. The school department is funding OPEB and the Town is using a pay as you go format. Wage increases are on the horizon, and the Town has a reserve of 18% to protect it against emergencies; it is well reserved and in good shape.

Dr. Lukon noted the school department is anticipating entering negotiations soon, as contracts expire at the end of the fiscal year. Vice President Meagher asked about major capital improvements, and Director of Finance Littlefield noted a new boiler is on the horizon, but otherwise the department is pretty stable, and fuel increases are expected to remain steady. Councilor Dickinson referenced State figures. Per Dr. Lukon and Ms. Littlefield, some of the State figures are inaccurate and numbers inverted, which is confusing and misleading, and the school department has no jurisdiction over what the State reports. Councilor Dickinson noted he will forward questions to the Superintendent and Director of Finance. Expenses for high school students is included in lower grade costs then divided by the number of K – 8 students, not including the number of high school students, which is allocated to North Kingstown. This is very confusing and results in inaccurate figures. Discussion continued.

V. ADJOURNMENT

There being no further business to discuss, the pre-budget work session was adjourned at 7:02 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)
 Town Administrator
 Finance Director
 Town Solicitor

**TOWN COUNCIL MEETING
December 16, 2013**

I. ROLL CALL

Town Council Members present:

Kristine S. Trocki, President
Thomas P. Tighe
Eugene B. Mihaly
Blake A. Dickinson
Mary E. Meagher, Vice President

Also present:

Kevin E. Paicos, Town Administrator
Christina D. Collins, Finance Director
Wyatt A. Brochu, Town Solicitor
Lisa Bryer, Town Planner
Michael Gray, Public Works Director
Catherine Kaiser, School Committee Chair
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and led the Pledge of Allegiance.

III. OPEN FORUM

Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue.

- A) Scheduled to address
 - 1) William Kelly, Reservoir Circle.

Mr. Kelly shared copies of the *Jamestown Press* with Council members and noted the cover page for December 5th showing Santa Claus coming to Town and the number of residents, including children, climbing on the rocks and getting ready to greet Santa at Easy Ferry. It was lucky that no one fell off the dilapidated pier due to the danger risk. Mr. Kelly made a plea to the Council to improve the blighted pier that has been neglected since June of 1969. The liability factor that exists at East Ferry was emphasized. Mr. Kelly noted the task could be accomplished by use of Town staff without additional studies or the hiring of a consultant (the fine job done at the Transfer Station by Town staff and the thousands of dollars saved was referenced). Mr. Kelly respectfully requested the Town include the East Ferry pier and surrounding area in their Capital Improvement projects area and stated this is a Harbor project. The site plans and budget submitted

previously and the work done by RT Group (2009) were referenced. He believes the costs could be significantly reduced, there are creative ways to find funding for such a project, and the Touch-and-Go pier should be part of the East Ferry Pier improvements. The mid 1960's picture was displayed and lengthy discussion ensued. Public Works Director Gray referenced other past proposed projects to improve the pier area. He feels the project should stay within the maintained area, as there is an unstable base. Mr. Gray noted last year the Council approved \$15,000 for a schematic preliminary review of East Ferry and that entire East Ferry area needs review. The Ferry Landing budget for proposed improvements was \$200,000. Mr. Kelly feels it should be done as one project, not in sections, using a comprehensive approach to get improvements done for the entire area.

Councilor Mihaly agrees with a comprehensive approach, the Council does not want this to get lost, and the risk conditions must be reduced. Mr. Gray stated this can be revisited and cost options provided as we approach budget season. President Trocki thanked Mr. Kelly for bringing this forward.

B) Non-scheduled to address. None.

IV. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

A) Town Administrator's Report

1) North Main Road Speed Warning/Indicator. Town Administrator Paicos referenced the memo from Chief Mello that explained the genesis of the speed indicator installation. Usually when such a device is to be implemented it comes before the Council for approval/affirmation. In the future installation of such regulatory devices will appear before the Council for discussion. Council members appreciate the recognition of the process and feel it would be positive to have a dialogue prior to implementation.

Parking Committee Meeting. Green Street Project. Town Administrator Paicos noted the question at the Traffic Committee Meeting regarding the reinstallation of signage at Green Street. Public Works Director Gray will have the signage replaced this week.

North Road Street Lights. Town Administrator Paicos referenced concern for non-functioning street lights along North Road. Chief Mello will have police crews take an inventory of non-functioning street lights beginning this evening, and will take about one week. The inventory will be forwarded to National Grid, which usually needs two weeks time for repair, resulting in operating street lights within three weeks. Citizens should report any street lights that are still out after the three-week period.

Hamilton Avenue. Mr. Paicos reported signage and parking along (State road) Hamilton Avenue was brought before the State Traffic Commission. The State Traffic Commission's decision was not what the Town requested. Any questions or concerns should be brought to the Town Administrator, Police Chief Mello, Public Works Director Gray or the Traffic Committee at their January 9, 2014 meeting at 4:00 p.m.

Ordinance Books. Town Administrator Paicos referenced the Code or Ordinance Books prepared for Council members for use as a reference tool. When the new equipment for paperless meetings is received, the Code of Ordinances can be accessed electronically during meetings.

IBPO Union Contract. Town Administrator Paicos reported he met with the negotiating team for the IBPO contract extension for the current fiscal year. It appears all sides are in agreement and the only change for the July 1, 2013 to June 30, 2014 contract was a 2.5 % cost of living adjustment. Town Solicitor Ruggiero was thanked for his efforts. This will get prepared, signed, and completed. The grievance filed was settled and will be written up and signed soon. Collective bargaining for FY 2015 will come before the Council in executive session in January, with negotiations to begin in late January or early February.

National Grid. Town Administrator Paicos reported National Grid proposed changes to their two (2) switching stations in Town that will change the appearance and load capacity. National Grid will present their proposal to staff when ready, and will probably appear on the Council agenda in late January or early February for spring construction.

V. UNFINISHED BUSINESS

A) Scheduling of Interviews for Town Board/Commission/Committee openings/vacancies.

A motion was made by Eugene Mihaly with second by Mary Meagher to move Item V. A) to be addressed under VII. A). President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

VI. NEW BUSINESS

A) Reorganization of the Traffic Committee and Advertising for new members. Town Administrator Paicos noted the interest in soliciting citizen members for the Traffic Committee to join the two Council members to comprise the Committee. Citizens would bring concerns to the Committee for solving, if not, it would be brought back to Town staff for solving, and if necessary the issues would be brought back to the Council. After review an ordinance would be proposed to Council, sparing the full Council from detailed, tedious work, and a more efficient model to address the issues.

Councilor Tighe proposed to use the prior model with representation from the Jamestown Chamber of Commerce, Jamestown Shores Association, Harbor Commission, two citizens at large, and two Council members, for a total of seven (7) members.

A motion was made by Eugene Mihaly with second by Blake Dickinson for reorganization of the Traffic Committee to be comprised of seven (7) members; two (2) from the Council, one (1) from the Chamber of Commerce, one (1) from the
Town Council Meeting 12.16.2013

Shores Association, one (1) from the Harbor Commission, and two (2) from the general public. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The only positions to be advertised are the citizen-at-large members. Representative members will be affirmed by the Council at a regular meeting when all names have been submitted.

B) Affordable Housing. Vice President Meagher requested this agenda item to determine how to take advantage of opportunities that may become available to create affordable housing. The State requires 10% of housing stock to be qualified as affordable housing, and Jamestown has 5% affordable housing stock (better than many communities). Since 2005, \$475,000 has been set aside for Affordable Housing, with approximately \$65,000 remaining. The Town's initiatives include the Swinburne Street project and Hammett Court. Opportunities were missed as we didn't have access to funds, and options were reviewed by Solicitor Ruggiero, Finance Director Collins and Planner Bryer. Finance Director Collins explained the Town can borrow funds through a Bond or FTM warrant. The Town cannot go to Bond without a project, and it would be better to set aside a portion of the undesignated fund balance for affordable housing. This requires a line item on the FTM warrant for voter approval and would give the Town the ability to take advantage of opportunities as they arise. As a line item special fund the Town could act quickly with another agency, such as Church Community, to acquire property for affordable housing. The warrant item would note the funds are from the undesignated fund, with restrictions as set by criteria, and would be neutral to taxpayers. Discussion ensued of the reserve.

Town Administrator Paicos noted this is part of a plan to be developed and Council should determine if this is a priority. All Council members feel a responsibility towards affordable housing and this is a priority. Details of the action plan will be brought back for approval at a future meeting. Discussion continued.

C) Appointment of Tree Warden. Town Administrator Paicos noted State statute requires the Council to annually appoint a Tree Warden. Unlike other committee appointments this is a 1099 compensated contractor. The incumbent Tree Warden is highly qualified and there are recommendations for his reappointment. The position was advertised with the other committee vacancies erroneously. The other person who applied was contacted and explained the process. Discussion continued.

A motion was made by Mary Meagher with second by Eugene Mihaly to reappoint Steve Saracino as Tree Warden. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

D) Awarding of Bid: Hazard Mitigation Plan update to Vanasse Hangen Brustlin, Inc. for an amount not to exceed \$9,500.00, as recommended by Town Planner Lisa Bryer. Planner Bryer gave an overview of the \$13,000 matching grant from RIEMA.

Now RIEMA has new requirements which include climate change, we have appropriate funding, and someone to help update the plan.

A motion was made by Eugene Mihaly with second by Mary Meagher to award the bid for the Hazard Mitigation Plan update to Vanasse Hangen Brustlin, Inc. for \$9,500 as recommended by Town Planner Lisa Bryer. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

VII. ORDINANCES AND APPOINTMENTS

A) Appointments/Vacancies/Resignations (Confirmation of Appointments)
[*Denotes applicant applied for multiple committees].

Town Administrator Mr. Paicos stated tonight the Council is reaffirming appointments made to clear up procedural issues. Council needs to make decisions to perform interviews, review new applicants, and/or reconsider some positions.

- 1) Affordable Housing Committee – One (1) unexpired three-year term ending May 31, 2016
 - a) Letter of interest
 - i) Barbara Szepatowski*

A motion was made by Mary Meagher with second by Thomas Tighe to appoint Barbara Szepatowski to the Affordable Housing Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 2) Beavertail State Park Advisory Committee
 - a) Letter of resignation
 - i) Anna Templeton-Cotill
 - b) Letter of interest
 - i) Barbara Szepatowski*

A motion was made by Mary Meagher with second by Eugene Mihaly to appoint Barbara Szepatowski to the Beavertail State Park Advisory Committee.

Discussion. Barbara is an engineer and will bring her skills to the Committee.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

A motion was made by Blake Dickinson with second by Mary Meagher to accept the resignation of Anna Templeton-Cotill and send her a letter of thanks for her

services. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 3) Harbor Commission – Two (2) three-year terms ending December 31, 2016 – Non-Riparian Recreational Boater
 - a) Third term limit reached
 - i) Chris Brown
 - b) Request for reappointment
 - i) David Cain
 - c) Request for appointment
 - i) Bruce Dickinson

Councilor Dickinson recuses on the appointment of Bruce Dickinson and files the appropriate form.

A motion was made by Mary Meagher with second by Blake Dickinson to reappoint David Cain to the Harbor Commission. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Mary Meagher with second by Eugene Mihaly to appoint Bruce Dickinson to the Harbor Commission. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Recuses.

- 4) Jamestown Housing Authority – One (1) unexpired five-year term ending December 31, 2017
 - a) Letter of resignation
 - i) Carole Phillips
 - b) Letter of interest
 - i) Cheryl Main

A motion was made by Mary Meagher with second by Eugene Mihaly to continue this appointment to the next meeting agenda for further clarification whether that position must be a resident of Pemberton Apartments. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 5) Juvenile Hearing Board – One (1) three-year term ending December 1, 2016
 - a) Letter of resignation
 - i) William Piva
 - b) Letter of interest to be moved from Alternate Member to Member
 - i) Agnes Cotter Filkins

A motion was made by Eugene Mihaly with second by Thomas Tighe to appoint Agnes Cotter Filkins to the Juvenile Hearing Board member position. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Blake Dickinson with second by Mary Meagher to accept Bill Piva's resignation and send a letter of thanks for his services. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- c) Two (2) Alternate Member two-year terms ending December 1, 2015
 - i) Request for reappointment – Andrew Ford
 - ii) Letter of interest - Barbara Szepatowski*

A motion was made by Eugene Mihaly with second by Blake Dickinson to reappoint Andy Ford as an Alternate member. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Eugene Mihaly with second by Blake Dickinson to appoint Barbara Szepatowski as an Alternate member. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 6) Library Board of Trustees – Two (2) three-year terms ending December 31, 2016
 - a) Third term limit reached
 - i) Heidi Keller Moon
 - b) Letter of resignation
 - i) Nancy Logan
 - c) Letters of interest
 - i) Liz Brian
 - ii) Paul Housberg

The Council feels the Library Board of Trustees position warrants interviewing. Discussion continued.

A motion was made by Mary Meagher with second by Eugene Mihaly to continue this agenda item to the next regular meeting and schedule interviews for Liz Brian and Paul Housberg. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 7) Newport County Convention and Visitors Bureau – One (1) unexpired three-year term to September 7, 2014

- a) Letter of Resignation
 - i) Jeff McDonough

President Trocki recuses on this appointment and files the appropriate form. Vice President Meagher presides over the meeting.

A motion was made by Thomas Tighe with second by Blake Dickinson to accept the resignation of Jeff McDonough and send him a letter of thanks for his services on behalf of the Town. President Trocki, Recuses; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- b) Letters of interest
 - i) Robin Watters*
 - ii) Frank (Rusty) Sallee
- c) Letter of Recommendation
 - i) Jamestown Chamber of Commerce for Rusty Sallee

A motion was made by Thomas Tighe with second by Eugene Mihaly to interview the two applicants and continue this item to the next meeting. President Trocki, Recuses; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

President Trocki resumes presiding over the meeting.

- 8) Planning Commission – Three (3) four-year terms ending December 31, 2017
 - a) Requests for reappointments
 - i) Richard Lynn
 - ii) Michael Smith
 - iii) Michael Cochran
 - b) Letters of interest
 - i) Abigail Campbell King
 - ii) Bernd Pfeiffer*

This commission requires talents and a good amount of attention. There are five (5) applicants for three (3) spots.

A motion was made by Mary Meagher with second by Blake Dickinson to schedule interviews for the Planning Commission new applicants, Abigail Campbell King and Bernd Pfeiffer, and continue to the next agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 9) Tree Preservation and Protection Committee – One (1) three-year term ending December 31, 2016

- a) Letter of interest
 - i) Paula Samos

A motion was made by Mary Meagher with second by Eugene Mihaly to appoint Paula Samos to the Tree Preservation and Protection Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 10) Zoning Board of Review
 - a) Third term limit reached
 - i) Thomas Ginnerty
 - b) Two (2) five-year terms ending December 31, 2018
 - i) Request for reappointment – Richard Boren
 - ii) Request for appointment from 1st Alternate to Member – Richard Cribb
 - c) Three (3) Alternate Member terms ending December 31, 2014
 - i) Request for appointment from 2nd Alternate to 1st Alternate – Richard Allphin
 - ii) Request for appointment from 3rd Alternate to 2nd Alternate – Judy Bell
 - d) Letters of interest
 - i) Terrence Livingston
 - ii) Bernd Pfeiffer*

Discussion ensued of the Zoning Board procedure to move alternates up to regular members. There would be one alternate position vacancy, with two applicants.

A motion was made by Mary Meagher with second by Blake Dickinson to reappoint Richard Boren as Member, to appoint Richard Cribb from 1st Alternate to full Member, to appoint Richard Allphin from 2nd Alternate to 1st Alternate, and to appoint Judy Bell from 3rd Alternate to 2nd Alternate. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Mary Meagher with second by Eugene Mihaly to schedule interviews for Terrence Livingston and Bernd Pfeiffer for the Zoning Board of Review 3rd Alternate vacancy. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

There are eight (8) appointments for interviewing - two (2) interviews for Library Board of Trustees; two (2) interviews for Newport County Convention and Visitors Bureau, two (2) interviews for Planning Commission, and two (2) interviews for Zoning Board of Review Alternate. Seven (7) interviews will be conducted, as one candidate has applied for two positions. A two-hour time slot was set for interviews, beginning at 5:00 p.m. on Monday, December 23, 2013. Interviews will last 10 to 15 minutes. A letter of thanks

Town Council Meeting 12.16.2013 Page 9 of 10

will be sent to all Board/Commission/Committee members who have reached their term limit or submitted letters of resignation.

VIII. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately

A) Finance Director's Report

A motion was made by Mary Meagher with second by Eugene Mihaly to approve the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

Finance Director Collins referenced the annual Audit Work Session that is traditionally scheduled to precede the first meeting in January. The Council agreed to schedule the annual audit work session on Monday, January 6, 2014 at 6:00 p.m., followed by the Water and Sewer Commissioners Meeting (7:00 p.m.), and regular Town Council Meeting (7:15 p.m.).

IX. EXECUTIVE SESSION

The Town Council may seek to go into Executive Session to discuss the following items:

A) Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining (IBPO Contract)

There is no Executive Session this evening.

X. ADJOURNMENT

A motion was made by Mary Meagher with second by Eugene Mihaly to adjourn the meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The regular meeting was adjourned at 8:51 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)
Town Administrator
Finance Director
Town Solicitor

**TOWN COUNCIL WORKSHOP
December 2, 2013**

I. CALL TO ORDER

President Trocki called the Town Council Workshop to order at 5:33 p.m. in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue.

II. ROLL CALL

Town Council members present:

Kristine S. Trocki, President
Mary E. Meagher, Vice President
Thomas P. Tighe
Eugene B. Mihaly
Blake A. Dickinson

Also in attendance:

Town Administrator Kevin E. Paicos
Town Solicitor Peter D. Ruggiero
Assistant Town Solicitor David R. Petrarca, Jr.
Harbor Commission Director/Police Chief Edward Mello

Board/Commission/Committee Members:

Agnes Filkins
Barbara Szepatowski
Carol Nelson-Lee
Cathy Kaiser
Derek Hansen
Gary Girard
James Rugh
Joseph Logan
Julia Held
Linda Warner
Lois Migneault
Michael deAngeli
Michael Testa
Richard Allphin
Richard Boren
Ron Barber
Tony Antine
Valerie Malloy
Town Clerk Cheryl A. Fernstrom

**III. OPEN MEETINGS ACT, ACCESS TO PUBLIC RECORDS, AND ETHICS
WORKSHOP: Conducted by Solicitor Ruggiero for Town Council Members
and Board, Commission, and Committee Chairs and Members**

Town Solicitor Peter Ruggiero gave an overview of tonight's workshop. Assistant Solicitor David Petrarca gave a history of the laws. A PowerPoint presentation included:

Access to Public Records Act.

- Purpose under RIGL §38-2-1.
- What is a public record
- APRA basics – any request for public records should be forwarded to the Town Clerk, designated as the Access to Public Records officer ASAP, due to the limited time frame of 10 days to provide the requested record(s)
- Assume all records are public
- Exceptions exist – drafts, notes, memoranda, working papers per RIGL §38-2-2(4)(K); correspondence of/to elected officials relating to those they represent per RIGL §38-2-2(4)(M)
- Individual home addresses - Harbor Commission request from mooring service referenced
- Emails as public records
- Staff meetings not subject to
- Committee and Board emails to Council considered public documents
- All correspondence subject to discovery
- Disclaimer on emails recommended

Open Meetings Act.

- Purpose under RIGL §42-46-1
- What is a public body; what is a quorum; what is a meeting
- Common OMA issues
- Rolling quorum
- Texting inside and outside of meetings, and emailing
- Electronic communication (only to schedule a meeting)
- Do not “reply to all”
- Use of electronic communication, when allowed – for active duty members or members with a disability that cannot otherwise participate
- Public Comment – may respond during properly noticed open forum
- Public bodies are required to have open forum
- Socializing of members of public bodies – violation if public business is discussed
- Case comparison – Cannistra v Warwick City Council Finance Sub-Committee; Areglado v Charlestown Town Council; Neubert v Governor's Office & Exeter Town Council. Interpretations were referenced and how they would be ruled today
- OMA violation consequences – civil fine up to \$5,000 for willful violation, plus attorney fees and costs
- Committees and sub-committees reviewed – determination of quorum
- Sub-committees can vote
- One person is not a sub-committee
- Sub-committee meetings must be posted

- Notice requirements – 48 hours prior to meeting on SOS website – emergency less than 48 hours, with certain provisions
- Site walk must be noticed at address – starting point
- Must be a municipal entity to appoint the subcommittee
- Subcommittee can meet with staff, but not if there is a quorum; as soon as discussion takes place it is in violation.
- Context if setting must be reviewed

Ethics in RI

- RI constitution, Article III Section 7; RIGL §36-14, Code of Ethics
- Prohibited activities outlined
- No nepotism – any person within his or her family, business associate, or business
- Recusal – different than abstention; the legal process and reasons for recusal outlined; recommended councilor or board/commission/committee member leave the table when recusing; member should have no non-verbal communications as well; when in doubt seek an advisory opinion.
- Questions – solicitors are available – can give advice, but no a legally binding opinion.
- Hardship exceptions explained
- Annual financial disclosure – all elected officials and specified appointed officials must file; all board/commission/committee members must file; annual requirement with deadline the last week in April; must be filed within 30 days; fines for non-filing

IV. DISCUSSION/QUESTIONS AND ANSWERS

Staff members asked questions of interest and questions regarding potential issues. Solicitors Ruggiero and Petrarca answered questions.

V. ADJOURNMENT

There being no further business to discuss, the Town Council Workshop was adjourned at 6:42 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor

**TOWN COUNCIL MEETING
December 2, 2013**

I. ROLL CALL

Town Council members present:

Kristine S. Trocki, President
Mary E. Meagher, Vice President
Thomas P. Tighe
Eugene B. Mihaly
Blake A. Dickinson

Also in attendance:

Kevin E. Paicos, Town Administrator
Peter D. Ruggiero, Town Solicitor
David R. Petrarca, Jr., Assistant Town Solicitor
Frederick Brown, Building/Zoning Official
Lisa Bryer, Town Planner
Christina Collins, Finance Director
Michael Gray, Public Works Director
Edward A. Mello, Police Chief
William Piva, Recreation Director
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

President Trocki called the regular meeting to order at 7:08 p.m. in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue and led the Pledge of Allegiance.

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND RESOLUTIONS

A) Presentation

1) Recreation Study Presentation: Monica Lamboy and Rob Hayley of the Edward J. Collins, Jr., Center for Public Management.

Representatives Monica Lamboy and Rob Hayley were in attendance, provided background information on the Collins Center, a brief history of the process followed to develop the report, and gave a PowerPoint presentation on the Organizational Assessment of the Parks and Recreation Department. The Assessment is a descriptive profile of operations, including financial information, best practices guidelines, and input from the community survey and meetings. The October 21st initial presentation was referenced, and the team noted it was a pleasure to work with the community, administration, and staff in preparing the Assessment.

The PowerPoint included:

Strengths of the Department

- Staff works with multiple community groups to accommodate recreational needs
- Solicits sponsorships from local businesses to support events
- Provides many popular events such as the Jack-o-Lantern Jog, Summer Concert Series, and many others

Improvement Opportunities - Recommendations:

- Acquire software package that allows online registration and records critical information for participants. System should:
 - Allow online payments
 - Facilitate analysis of program costs/revenues
 - Retain participant information
 - Department should enhance its website to provide more information and interactivity for visitors
 - Provide information on how to volunteer
 - Ability for participants to offer suggested improvements

Management and Planning Improvement Opportunities - Recommendations:

- Develop a set of performance measures to report progress to Town Administration
- Facilitate communication from department to stakeholders
- Engage in strategic planning process that involves a wide segment of the Town
- Think strategically to prevent stagnating programs and services; Strategic planning broadens the base of input
- Develop new job descriptions for each Department position; current ones are incomplete and inaccurate; should reflect minimum mental and physical requirements
- Finance Department should conduct random field audits of cash handling and night deposit procedures.

Programmatic Services - Recommendations:

- Department should be more strategic and visionary when developing recreational programs and include
 - Census data
 - Public health data
 - Community surveys
- Department should establish attendance targets for Teen Center, with regular attendance monitoring
- Use of technology
- Provide clarity on space allocation

Program services improvement opportunities - Recommendations:

- Department should enhance communications about program offerings so that potential customers learn of programmatic offerings
- Town should go through process to determine what constitutes a “Town Program”

- Town should develop a standardized manner of compensating instructors of programs

Facilities improvement opportunities - Recommendations:

- Facility size and design should be driven by Town goals
- Town should explore construction of a cultural arts facility
- Design of second floor of the Country Club should be multi-purpose
- Town should identify alternate locations to hold adult fitness activities displaced from second floor of the Country Club
- Town should develop a bicycle master plan
- Town should consider building a year-round public swimming pool.

Staffing and operations improvement opportunities - Recommendations:

- Town should transfer the responsibility for parks and grounds maintenance, including Ft. Getty, from Parks and Recreation to the Public Works Department
- Both departments currently provide grounds maintenance services in a small geographic area
- Consolidating would offer increased flexibility in deployment of staff
- Town should transfer responsibility for enforcement of rules and regulations at Ft. Getty from Parks and Recreation to another department
- Consolidate current Senior Center and Parks and Recreation Department operations under a single organization
 - Similar missions for both organizations
 - Some intergenerational programming offered, but this is not a result of active coordination between departments
- Town should train employee to be certified playground safety inspector
- Town should create a Ft. Getty Improvement Fund that funds capital improvements and supplements current capital expenditures for the Park.

Questions/Comments.

Gayen Thompson of Grinnell Street commented favorably on the report, would like to find out more about the management of Ft. Getty, and expressed concern for what a friend experienced as a lack of capacity at the trash disposal area and needed upgrades to the electrical system to accompany the increased annual fee for seasonal campers.

Sav Rebecchi of Sail Street asked whether the Study gives an idea of appropriate demographics for a town the size of Jamestown and guidelines for what services should be provided for a town this size.

Monica Lamboy stated there is no formula or ratio - it is the choices and priorities of each community. The best practices document is a good place to start, and the median age (51), minimum participations, and other factors should be reviewed through the strategic planning process. Electronic registration would make the operation easier and show whether there is enough interest in an activity. No two communities are alike.

Councilor Mihaly commented the Study is a fine piece of work and very helpful.

Vice President Meagher concurred and stated the technology information piece if helpful.

The Executive Summary will be on the Town website tomorrow. The strategic plan is an important beginning activity. As Ft. Getty preceded the Town Administrator, this may have been handled by the Recreation Director by tradition. Discussion involved what should be provided for our community with a median age of 51. Town Administrator Paicos noted some recommendations can be done immediately, and some require assessment to develop goals and priorities.

President Trocki noted the inventory of recreation and cultural activities later in the agenda. Looking at all Town facilities, we need help gathering information to develop data on priorities. All are important steps required before allocating funds or building a facility. This is a very thorough report and there is a lot to learn.

Vice President Meagher noted improvements to the website underway and a Town calendar for facilities and other additional technology improvements will be helpful. Councilor Mihaly stressed we first must figure out what we want to do, where to house it, where to put things, and the costs to implement them.

Vice President Meagher liked the idea of Fort Getty maintenance under Public Works, and it will be interesting to determine where to assign enforcement. President Trocki noted we must be realistic. Councilor Tighe referenced a seasonal person for enforcement duties.

Vice President Meagher noted it will be interesting to hear about bicycle facilities. This is not a recreation program, but it is part of recreation and why people live here. President Trocki commented it is our goal to have a happy, viable community that provides recreational services. Swimming lessons should be provided to our children, and other activities should be offered to adults and seniors to facilitate a healthy lifestyle.

Gayen Thompson of Grinnell Street commented the report included handicapped access. She has advocated for that, and one of the best resources is the Military, as many young adults need handicapped accessible recreation, which does not exist in Town. Access needs to be addressed for all ages.

Councilor Dickinson read the report in detail and was very pleased. Two points noted were the lack of a strategic plan for supplying recreational services and the lack of tools to implement it. We also lack access to government, support for programs, and how to measure success and disseminate information.

Rob Hayley gave kudos to the Ft. Getty Master Plan Committee.

Vice President Meagher commented on the recommendation to explore the inclusion of a cultural arts facility. She is comfortable looking at goals and using the facilities we do

have, what we do provide, how we use the facilities, and what we want to provide. Where do we go from here?

Rob Hayley stated an implementation plan was included with a timeline with realistic expectations. The first step is a computerized registration system, preceded by the strategic plan.

Town Administrator Paicos stated like all consultant reports there is the necessary review component by staff. He will appoint staff for report review. The review may not agree with all recommendations, but many aspects are applicable and should be implemented. It is hoped an action plan will be presented to the Town in 30 days outlining what staff proposes and areas of agreement and disagreement in spreadsheet form. Probably 80% to 90% of the report should be implemented. However, the pool requires a lot of thought. A target date of mid January is set.

A motion was made by Eugene Mihaly with second by Mary Meagher to move Agenda Item VII. Unfinished Business A) to the next item to be addressed. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

VII. UNFINISHED BUSINESS

- A) Recreation Study update/Inventory of recreational and cultural programs
 - 1) Collins Center proposal and costs – discussion and possible action

President Trocki referenced the program proposal. Monica Lamboy and Rob Hayley are in attendance and explained the scope of services and cost proposal for the inventory. It includes a questionnaire to gain an idea of who has needs, what they are, and whether they are being met. The goal is to develop a table that identifies schedules and needs and what is being met. Town Administrator Paicos noted the Recreation Director is preparing an inventory of activities offered through the Recreation Department and other organizations. The document should be ready in 4 to 6 weeks (probably the end of January) and would be a basic tool to formulate what is needed and what is possible, and assist the architect working on the golf course. Lengthy discussion ensued.

The proposed cost is for the Recreational Inventory by the Collins Center is \$3,850 including three onsite visits. Funding has been identified by the Finance Director.

A motion was made by Mary Meagher with second by Eugene Mihaly to approve the proposal from the Edwards J. Collins Center in the amount of \$3,850. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- B) Resolution

- 1) No. 2013-23 Establishing a Temporary Moratorium on Building and Demolition Permit Applications Concerning Structures, Districts and Sites Designated on the National Register of Historic Places in the Town of Jamestown, discussion and possible action.

The Planning Commission memorandum recommending the Council enact a temporary moratorium, as unanimously passed at their regular meeting, was referenced. If passed the Resolution would provide enforcement and prevent a rush while Planning is reviewing Zoning Ordinance amendment recommendations. Solicitor Ruggiero noted that interior alterations are exempt, but all exterior renovations and alterations would not be allowed by the moratorium. Emergency repairs would be allowed at the discretion of the Building/Zoning Official.

Councilor Mihaly asked if modifications would be barred, and if there was an appeal process. Solicitor Ruggiero stated if it changes the appearance it would be under the resolution. Vice President Meagher stated the Resolution places a six-month moratorium on permitting any and all demolition, development, or redevelopment in the areas listed on the National Register of Historic Places.

Solicitor Ruggiero gave an overview of the proposed Resolution and moratorium. This came out of the proposed creation of the Historic District for Shoreby Hill, which is continued to February. The Planning Commission is grappling with the issue and how to address it properly, which may take 3 to 4 months. The current regulatory provisions are ambiguous and may lead to litigation if the regulations were enforced. Properties have changed hands, renovations are proposed, and the purpose is to halt major alterations and give Planning time to develop their recommendations. Building/Zoning Official Fred Brown noted the 2009 revisions and stated he is uncomfortable with what he considers unenforceable ordinance provisions. It will take some time to review and produce the proper stand alone ordinance, and this is a good first step to protect the historic areas.

Vice President Meagher noted this issue has been very prominent, Shoreby Hill represents 3% of the homes in Jamestown, concern exists that the icons of Jamestown are potentially at risk, and Planning is looking to develop a methodology to deal with this.

Solicitor Ruggiero reviewed what is covered under the moratorium. Interior renovations are exempted, property maintenance and stabilization, or anything of a threatening nature to the structural integrity of the property, is allowed. This is a legally defensible approach and he recommends its adoption. Councilor Dickinson expressed concern for exposing the Town to liability for 3% of the residents and finds it problematic. Councilor Mihaly expressed concern there is no exception provision for minor renovations. Solicitor Ruggiero stated if someone disagrees with the Building/Zoning Official's denial of a building permit, it could be appealed to the Zoning Board or Superior Court.

President Trocki understands the dilemma and the need for the regulations. It seems clearer to have a tailored moratorium that allows some activities. Our Solicitor

Town Council Meeting 12.02.2013 Page 6 of 17

recommends this is the best we can do, and that is that she bases her decision on. Councilor Dickinson commented on the existing Zoning Ordinance and potential liability exposure. Solicitor Ruggiero noted the Zoning Ordinance gives jurisdiction to the Planning Commission over historic properties, but regulatory language is ambiguous and needs to be revised. A property owner could challenge a ruling, and it may not be defensible. The Planning Commission wants to clear up the ambiguity.

Town Administrator Paicos noted Jamestown has historically significant assets. The moratorium was triggered by Lower Shoreby residents expressing concern those buildings might be sacrificed as a mechanism was not in place to protect them. Until an ordinance is prepared, damage could occur, and the logical step is moratorium. People are asked to give up their rights for 6 months to protect our unique historic buildings. Once that happens, it cannot be undone.

Vice President Meagher noted this is not internal renovations that do not affect the exterior of structures. The Historic Districts were referenced, not just Shoreby Hill, and she is concerned for the breadth of what is listed the National Register. She feels the moratorium should only include Lower Shoreby Hill. Lengthy discussion continued.

Solicitor Ruggiero noted the current proposal is the only area currently regulated. Planning would like to reach out and regulate the other areas. President Trocki wants to be fair. Councilor Dickinson is comfortable with giving the Town the tools needed, but he is unsure this is appropriate. Town Planner Lisa Bryer noted Planning was looking for a fair rationality in picking districts and structures with historic significance. Vice President Meagher stated it is her recommendation is to limit it to Lower Shoreby. Councilor Mihaly supports that. Exhibit A to the Resolution lists the properties, and it would have to be amended.

Public Comment.

Holly Gifford of Whittier Road commented on her family's old home that is for sale, and the moratorium would directly affect her family. Any parties interested in the property do not want to keep it the way it is. It is small, in need of repair, and the price has come down as a result. If it cannot be significantly changed when the moratorium is adopted, 3 of the 4 interested parties will rescind their interest, placing the family in a challenging financial position. They cannot afford legal counsel to fight the moratorium, hopes there is another alternative, that all affected by the moratorium can have input, and 6 months is a long time to wait.

President Trocki noted the moratorium is up to 6 months, and perhaps less if the ordinance revisions are completed prior to the 6 month period.

Deb Foppert, an Attorney in Jamestown, noted she is here on behalf of clients. The National Register protects buildings. One of her clients has a buyer for their home who will tear it down. If there is going to be a moratorium, limiting it to where the issue is,

Lower Shoreby Hill, or to just buildings in the National Register. This is a surprise and her client will not be able to sell their home.

Gayen Thompson noted she hopes people will not dig up archaeology and the idea of limiting the moratorium to Lower Shoreby is a compromise we can live with.

Sav Rebecchi of Sail Street noted he is in favor of homes selling in Shoreby Hill. He admires the efforts to place properties on the National Register and the efforts to protect Shoreby Hill by Betty Hubbard. The Historic District proposal recognizes Shoreby Hill as a private subdivision seeking extra protection from the Town. This moratorium is taking rights away from people, when all are not in agreement to do, which is unfair. He believes the Planning Commission concurred to go ahead with the moratorium as long as an applicant had an option to go before the Zoning Board or a technical review committee, which is missing from the Resolution. There is no real rush or threat to buildings on the National Register, except those perceived by the residents of Shoreby Hill, and we have no liability until we put a building of historic value on the Zoning map.

Solicitor Ruggiero stated this is not so. There are provisions in the ordinance for properties designated as historic or in an historic district; there is an “or” that creates a jurisdiction without standards.

Sav Rebecchi stated once we start doing this, it is over. Please step back to notify all the people who would be affected by the moratorium to let them know this will happen.

Vice President Meagher noted this is not the request of a single individual, historic buildings in Jamestown deserve protection, and there is a community-wide interest. Once a house is demolished you can't bring it back. She proposes to protect historic properties and to limit the moratorium to Lower Shoreby Hill.

President Trocki stated it removes the element of surprise to limit the moratorium to Lower Shoreby. She cares about the character of Jamestown and preserving it, this is a short-term hold, and a temporary solution to protect Jamestown until a viable solution can be developed. No one wants to take anyone's property rights away.

Arek Galle of Clinton Avenue, a landscape architect and planner, noted the moratorium is a blunt instrument and may cause some injury somewhere. We're trying to take this discussion to a higher level. He referenced the “Three Sisters” as an example and protection of significant buildings that shape the character of Jamestown. The trick is to buy the correct amount of time to find the proper process that is fair, and it may not take six months. Make sure the moratorium is broad enough so that it doesn't have to be revisited down the road.

Vice President Meagher stated her concern is that people are not part of the discussion (perhaps from the Archaeological District). The moratorium would take us to May 2nd

when people will be working on their homes again. The discussion will be broad, but the moratorium needs to be precise.

Councilor Dickinson noted we need to give Building/Zoning Official Brown the tools he needs to protect the Town and significant buildings. He is uncomfortable with supporting a moratorium as it is unclear who supports this moratorium. This is private property and we do not have the right to restrict what people will do with their property. He would give in a little for limiting it to Lower Shoreby Hill, but is otherwise opposed.

Councilor Mihaly stated there is no perfect solution and the dialogue has been going on for quite some time. This moratorium gives time for a better solution and will not cause a hardship. There are no such things as absolute property rights and we all surrender by living in a community.

A motion was made by Eugene Mihaly with second by Blake Dickinson to strike everything on the list in Exhibit A except for Lower Shoreby and adopt the Resolution.

Discussion. Vice President Meagher further delineated the area as a modified Exhibit A as listed in the National Register of Historic Places as the First Subdivision of Shoreby Hill, also known as Lower Shoreby Hill, recorded in 1898, as described on the map shown on the screen (Figure 200-1 Jamestown Historic District Map, Plat 8 – First Subdivision of Shoreby Hill). Internal renovations and remodeling will be exempt from the moratorium.

A motion was made by Eugene Mihaly with second by Blake Dickinson to amend the original motion to include the language “to adopt the Resolution with a modified Exhibit A as described in the National Register of Historic Places as the First Subdivision of Shoreby Hill, also known as Lower Shoreby Hill, recorded in 1898, and described on the map shown as a portion of Assessor’s Plat 8 depicting the First Subdivision of Shoreby Hill, with internal renovations and remodeling exempt from the moratorium, and such language shall be added to the Resolution as Item No. 6.”

Discussion. The document can be amended, adopted, and prepared for distribution tomorrow morning. The amendment shall be adopted first.

Back to the vote on the amendment. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

A motion was made by Eugene Mihaly with second by Mary Meagher to pass the Resolution of the Town Council No. 2013-23 as amended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Resolution will be revised and circulated tomorrow.

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.

A) Licenses and Permits

1) One Day Event/Entertainment License Applications

- a) Applicant: Mark Baker
Event: Jamestown Tree Lighting Ceremony
Date: December 7, 2013
Location: East Ferry

A motion was made by Mary Meagher with second by Eugene Mihaly to approve the One Day Event/Entertainment License application of Mark Baker for the Tree Lighting Ceremony. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- b) Applicant: Lisa Bryer
Event: 8th Grade Fundraiser Yard Sale
Date: December 7, 2013
Location: Jamestown Fire Station

A motion was made by Mary Meagher with second by Eugene Mihaly to approve the One Day Event/Entertainment License application of Lisa Bryer for the 8th Grade Fundraiser Yard Sale. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- c) Applicant: Jamestown Chamber of Commerce
Event: Polar Express - movie holiday showing
Date: December 21, 2013
Location: Jamestown Recreation Center

A motion was made by Blake Dickinson with second by Mary Meagher to approve the One Day Event/Entertainment License application of Jamestown Chamber of Commerce for the Polar Express movie holiday showing. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- d) Applicant: 1st Day Plunge Committee/Bob Bailey
Event: Jamestown 1st Day Plunge
Date: January 1, 2014
Location: East Ferry Beach

A motion was made by Mary Meagher with second by Eugene Mihaly to approve the One Day Event/Entertainment License application of 1st Day Plunge Committee

for the Jamestown 1st Day Plunge. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

V. OPEN FORUM

Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue

A) Scheduled to address. None

B) Non-scheduled to address

Gayen Thompson voiced her opposition to the Hull Cove trail boardwalk and will share her letter with town administration.

VI. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

A) Town Administrator's Report. Town Administrator Paicos will pass on his report this evening.

B) 3rd Quarter 2013 GZA Monitoring Report. Public Works Director Gray noted the summary pages of the report. The landfill site remains constant and trends that are tracked are significantly decreasing. He reports essentially they have capped the landfill. The upper storage pad and compost area are finished; drainage is in; the site was seeded. The one challenge is preventing erosion over the winter.

VII. UNFINISHED BUSINESS

B) Fort Getty landscape project Permitting Phase, subject to availability of funding. Arek Galle of GLA/BETA referenced his proposal outlining the Design Development and Permitting phase. The tasks developed for the next level are as follows:

• Task 1	Landscape and Site Design	50 hrs	Cost: \$ 7,130
• Task 2	Stormwater Design	113 hrs	Cost: \$17,065
• Task 3	CRMC Permitting	42 hrs	Cost: \$ 5,130
• Task 4	On-Site Wastewater Treatment System Design	28 hrs	Cost: \$ 4,210
• Task 5	RIDEM (RIPDES) Permitting	42 hrs	Cost: \$ <u>4,940</u>

Total Phase 2 Design and Permitting Cost: \$38,475

A motion was made by Mary Meagher with second by Kristine Trocki to accept the proposal, using available funding in the Fort Getty Fund, mindful of the fact some of these pieces may not go forward. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

C) Appointments/Reappointments/Interviews for Board/Commission/Committee vacancies discussion and possible actions

The memos regarding the Zoning Board and other appointments and current vacancies were referenced. The Zoning Board appointments would be effective as of January 1, 2014. Councilor Dickinson stated he must recuse on one appointment. Discussion ensued of how to proceed with reappointments, new applications, and resignations. Vice President Meagher noted the reappointments listed under Consent Agenda and questioned what candidates should be interviewed, what appointments should be addressed during Consent Agenda, who should be interviewed, and should other appointments be scheduled for the next meeting. Councilor Dickinson thought if there were reservations regarding any candidates we hold the appointments. Solicitor Ruggiero noted the past practice of moving alternate members to full member positions when a member has reached their term limit or decides not to serve, and that is how they have been presented. Council members state they do not have an issue with promoting alternate members. Councilor Dickinson asked to pull the Tree Warden appointment, as there are two applicants. Vice President Meagher asked if the other appointments could be made along with the Consent Agenda appointments. President Trocki stated that is very possible.

A motion was made by Thomas Tighe with second by Blake Dickinson to appoint the three applicants requesting reappointment to the three openings on the Conservation Commission, Ted Smayda, George Souza, and Anne Kuhn-Hines. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Thomas Tighe with second by Blake Dickinson to reappoint David Cain to the Harbor Commission. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Thomas Tighe with second by Blake Dickinson to appoint Alternate Member Agnes Filkins to the Regular Member position to replace William Piva. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Thomas Tighe with second by Blake Dickinson that since Mr. Piva was one of the original members of the Juvenile Hearing Board, a letter of thanks for his services should be sent to him. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Thomas Tighe with second by Blake Dickinson to reappoint Andrew Ford to the Juvenile Hearing Board Alternate position.

Discussion. It is fine to reappoint him as an Alternate.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

A motion was made by Thomas Tighe with second by Eugene Mihaly to reappoint Richard Lynn, Michael Smith, and Michael Cochran to the Planning Commission for the three openings.

Discussion. There are two other applicants, so there are 5 applicants for 3 openings, interviews should be conducted, and these appointments will be held.

A motion was made by Thomas Tighe with second by Eugene Mihaly to reappoint James Rugh to the Quonset Development Corporation Board of Directors. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Thomas Tighe with second by Blake Dickinson to reappoint John Collins to the Tree Preservation and Protection Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

There are two openings on Tree Preservation and Protection Committee. There are two applicants for the Tree Warden position, and interviews will be scheduled.

A motion was made by Mary Meagher with second by Eugene Mihaly to reappoint Richard Boren to the Zoning Board of Review as a regular member. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Thomas Tighe with second by Mary Meagher to appoint Zoning Board 1st Alternate Richard Cribb to the Zoning Board of Review regular member position. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

Discussion ensued of Zoning Board alternate positions.

A motion was made by Mary Meagher with second by Eugene Mihaly to appoint Zoning Board 2nd Alternate Richard Allphin to the Zoning Board 1st Alternate position, and appoint Zoning Board 3rd Alternate Judy Bell to the Zoning Board 2nd Alternate position. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Eugene Mihaly with second by Thomas Tighe to appoint Bruce Dickinson to the Harbor Commission Non-Riparian Recreational Boater

position. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Recuses.

A motion was made by Mary Meagher with second by Thomas Tighe to appoint Cheryl Main to the Jamestown Housing Authority. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Mary Meagher with second by Eugene Mihaly to appoint Liz Brian and Paul Housberg to the Library Board of Trustees. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Mary Meagher with second by Blake Dickinson to appoint Robin Watters to the Newport County Convention and Visitors Bureau. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Mary Meagher with second by Blake Dickinson to appoint Paula Samos to the Tree Preservation and Protection Committee upon the resignation of David Frank. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Council encourages citizens to apply for the vacancies that exist for the Juvenile Hearing Board, Jamestown Housing Authority, Affordable Housing Committee, Beavertail State Park Advisory Board, Tax Assessment Board of Review, and Town Building and Facilities Committee.

VIII. NEW BUSINESS

- A) Conanicut Island Sailing Foundation Summer 2014 Programs – Request for Council approval
- 1) *Sea Adventure Camp* (marine/environmental science and sailing camp) for six (6) one-week sessions July 7 through August 15 at Fort Getty
 - 2) *Wednesday Night Free Sailing* for six (6) sessions July 9 through August 13 at Fort Getty

Meg Myles was in attendance and requests a multiple year approval. Solicitor Ruggiero recommended as the Town is in the middle of the recreation study, the Council should not approve multiple years at this time. CISF could come back once the study is completed. Discussion continued.

A motion was made by Blake Dickinson with second by Eugene Mihaly to approve the requests of CISF for approval of the Sea Adventure Camps and Wednesday

Night Free Sailing. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

Other items requested can be addressed administratively through Town Administration. The input from Recreation Director Piva was appreciated.

B) Disbanding of Town Administrator Search Committee

A motion was made by Mary Meagher with second by Eugene Mihaly to disband the Town Administrator Search Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

C) Fort Getty 2014 Season fees, rules and regulations, and season dates

Solicitor Ruggiero, Town Administrator Paicos, and Recreation Director Piva prepared the 2014 season rules. Mr. LaFlamme's input was noted. The User Agreement is terrific. The season is proposed for May 14 to September 14, consistent with this year; the season begins and ends on a Thursday. The changes made last year worked well; there is no need to change the rates at this time. The dates of the camping season were reduced last year to 122 days, and additional requests to reduce the season further were referenced. Councilor Dickinson would like an evaluation of the process comparing multiple seasons. Perhaps next year it might be appropriate to raise the non-resident rates and the ratio. President Trocki is in favor of keeping rates the same for this season, as listed in the packet. Is it desirable to omit the transient sites and have all sites reserved for seasonal campers.

A motion was made by Mary Meagher with second by Thomas Tighe to approve the 2014 season dates of May 14 to September 14, keep the Pavilion rates the same as last year, keep the camping user permit the same as last year, and adopt the revised rules and regulations for the 2014 camping season. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

IX. ORDINANCES AND APPOINTMENTS

None.

X. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately.

A motion was made by Mary Meagher with second by Blake Dickinson to remove F) Reappointments from the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

Vice President Meagher removes B) 3) Zoning Board of Review Minutes for discussion, as they reference “to allow the existing restaurant to offer beer and wine service to its customers.” She asked for a report regarding the regulations on a BYOB. Solicitor Ruggiero will work with Town Administrator Paicos and Police Chief Mello.

A motion was made by Mary Meagher with second by Thomas Tighe to approve the Consent Agenda as amended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
 - 1) November 4, 2013 (regular meeting)
 - 2) November 18, 2013 (workshop)
 - 3) November 18, 2013 (regular meeting)
 - 4) November 21, 2013 (special meeting)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Harbor Commission (10/09/2013)
 - 2) Jamestown Tree Preservation & Protection Committee (10/15/2013)
 - 3) Jamestown Zoning Board of Review (09/24/2013)
- C) Zoning Board of Review abutter notice:
 - 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing November 19, 2013 at the Jamestown Town Hall 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: application of Anthony W. Cofone, whose property is located at Catamaran Street and further identified as Assessor’s Plat 3A, Lot 157 for a special use permit from Article 3, Section 82-314 (High groundwater table & impervious layer overlay district) to construct a two bedroom single family dwelling. Said property is located in a R40 zone and contains 7200 sq. ft.
- D) CRMC Notices
 - 1) Semi-Monthly Meeting Agenda for November 26, 2013
 - a) Map of proposed mussel farm
- E) Abatements/Addenda of Taxes

XI. COMMUNICATIONS AND PETITIONS

- A) Communications
 - 1) Letter of James J. Burgess re: Historic Zoning for Shoreby Hill

A motion was made by Kristine Trocki with second by Mary Meagher to approve the Communications. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

XII. EXECUTIVE SESSION

The Town Council may seek to go into Executive Session to discuss the following items:

- A) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Discussion and establishment of performance objectives regarding the Town Administrator)
- B) The Town Council may meet in open session to discuss and establish performance objectives regarding the Town Administrator

A motion was made by Eugene Mihaly with second by Blake Dickinson to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (1) Personnel at 10:17 p.m.

Pursuant to RIGL §42-46-5(a) the following vote was taken by the Jamestown Town Council to discuss Personnel. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Jamestown Town Council resumed its regular meeting at 12:25 a.m. President Trocki stated that no votes were taken during the Executive Session.

A motion was made by Blake Dickinson with second by Thomas Tighe to seal the Minutes of the Executive Session: President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

XIII. ADJOURNMENT

A motion was made by Blake Dickinson with second by Mary Meagher to adjourn the meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

The regular meeting was adjourned at 12:26 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)
 Town Administrator
 Finance Director
 Town Solicitor