

*(as amended 11/19/01)*

**TOWN OF JAMESTOWN**  
**BOARD OF**  
**WATER AND SEWER COMMISSIONERS**

Monday, October 15, 2001

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Philomenian Library, Conference Room, 26 North Road at 7:01 PM by Commission President Guy Settipane. The following members were present:

David Swain, Vice-President  
Kenneth G. Littman  
David Long  
Norma Willis

Also present were:

Maryanne Crawford, CPA, Town Administrator  
Steven Goslee, Public Works Director  
Denise Jennings, Assistant Finance Director/Water and Sewer Clerk  
Douglas DiSimone, Esq., Town Solicitor  
Arthur Christman, Fire Chief

**READING AND APPROVAL OF MINUTES**

- 1) 08/20/01 (regular meeting) (continued from 09/17/01)  
Motion was made by Commissioner Swain, seconded by Commissioner Long to table adoption of the 08/20/01 minutes until the next water and sewer meeting on 11/19/01. So unanimously voted.
- 2) 09//17/01 (regular meeting)  
Motion was made by Commissioner Willis, seconded by Commissioner Long to approve the minutes of 09/17/01. Motion so voted, 4 in favor; Commissioner Littman abstained. Commissioner Littman was not present at said meeting.

**REPORT OF TOWN OFFICIALS**

- 1) **Pumping Report:**  
Mr. Goslee reported that pumping was down slightly for the month and that rainfall was down compared to the average for the month of September, but was up overall since May. Mr. Goslee also reported that the reservoir was at 35 inches.

**Town wells:**

Mr. Goslee reported that well tests have come back from the well in front of the water plant and it appears as though the electrical tape used, was the cause the problem with the well testing. Mr. Goslee also reported that he has met with George Gifford and Dr. Frolich regarding the permit process and that JR1 (well) is still being used to blend water back with South Pond.

- 2) **Town project report:**

**Aeration System:**

Mr. Goslee reported that the aeration system will be shut down and winterized this week for the season and will be started again in May.

**North/South pipeline:**

Mr. Goslee: I spoke to Chris Yannoni from Fay, Spofford and Thorndike, Inc. about the final engineering plans and specifications for the pipeline. We anticipate going out to bid for this. Mr. Yannoni will have the drawings in the next few weeks.

**Wastewater Management Plan:**

Mr. Goslee stated that there was nothing new to report.

**Sewer Plant Rehabilitation:**

Ms. Crawford reported that she had received a report from Siegmund and Associates by facsimile late on Friday regarding the sewer plant rehabilitation, but it was very unclear and that she needed to meet with Mr. Siegmund to discuss the report.

Following clarification of a few items, motion was made by Commission President Settipane, seconded by Commissioner Swain to accept the Pumping Report and the Town Project Report as presented by Mr. Goslee. So unanimously voted.

**LETTERS AND COMMUNICATIONS**

(none)

**UNFINISHED BUSINESS**

- 1) Review draft of revised **application for utility service connection** (continued from 09/17/01)

(no discussion)

- 2) Review **Rules and Regulations of the Board of Water and Sewer Commissioners** (continued from 09/17/01)

Short discussion ensued regarding section 14A of the Rules and Regulations of the Board of Water and Sewer Commissioners. No action was taken. Motion was made by Commissioner Swain, seconded by Commissioner Long to continue discussion of the rules and regulations at the next Town Council meeting on 10/22/01. So unanimously voted.

A second motion was made by Commission President Settipane, seconded by Commissioner Willis to ask the Solicitor to review the entire rules and regulations and to report back at the next water and sewer meeting on 11/19/01. So unanimously voted.

- 3) Application of William S. Munger c/o Conanicut Marine Services, Inc. (Plat 8, Lot 760; 115 Bay View Drive) for **utility service connection** (continued from 09/17/01)

Motion was made by Commissioner Willis, seconded by Commissioner Littman to table discussion of the application of William S. Munger c/o Conanicut Marine Services, Inc. (Plat 8, Lot 760; 115 Bay View Drive) for utility service connection until the next water and sewer meeting on 11/19/01. So unanimously voted.

John A. Murphy, Esq., representing Jamestown Place Associates requested that the new

application (under new business) of Jamestown Place Associates (Plat 8, Lot 488; 28 Narragansett Avenue) for utility change of use be addressed first and suggested that any other small matters of the Commission be discuss prior to the application (under unfinished business) of Jamestown Place Associates (Plat 8, a portion of lots 488 and 562; 28 Narragansett Avenue/Knowles Ct.) for **utility expansion/change of use**.

The Commission agreed.

### **NEW BUSINESS**

3) Letter from Charles Webberly, Real Estate Consultant for Structure Consulting Group representing Verizon Wireless re: request to lease space at the Howland Avenue **water tank**. Mr. Webberly was present at the meeting. Commission President Settipane: Have you discussed your request with the Town Administrator? Mr. Webberly: Yes.

Joseph Hall, Esq., representing Structure Consulting Group c/o Verizon Wireless stated that his client is aware that they will have to go before the Zoning Board of Review. Ms. Crawford stated that she will discuss this issue with the Building and Zoning Official and that she would get back to Mr. Hall.

Ms. Crawford recommended that the Commission allow herself and the Solicitor to go into negotiations with Verizon Wireless. Motion was made by Commissioner Long, seconded by Commissioner Swain to allow the Town Administrator and the Solicitor to go into negotiations with Verizon Wireless. So unanimously voted.

1) Items requested by Commissioner Willis for discussion

b) **Water Resource Protection Committee**

Commissioner Willis: I recently read in the minutes of the Conservation Commission that it was indicated that fellow Commissioner Thomas Johnson was interested in serving as Conservation Commission representative to replace Mr. Powell on the Water Resources Protection Committee. There are no terms on this Committee. I am a little curious as to how all of this works regarding replacement of members. Committee member (WRPC) Ellicott Wright stated that he would welcome term limits.

2) Application of Jamestown Place Associates (Plat 8, Lot 488; 28 Narragansett Avenue) for **utility change of use**

John A. Murphy, Esq., representing Jamestown Place Associates stated that at the request of the Town, his client was to submit a separate application for the commercial building located at 28 Narragansett Avenue. Mr. Murphy stated that his client will be demolishing the cinder block portion of the existing building, which is now 12,000 square feet in size and that they will be leaving the wood structure portion of the building. The wood portion of the building is 4,000 square feet in size. Mr. Murphy also stated that he felt that the proposed use for this building will not be an expansion/change of use. The proposed use of office space, retail and storage is exactly the same as the prior use.

Following clarification of a few questions regarding existing and proposed bathrooms, motion was made by Commissioner Willis, seconded by Commissioner Littman to approve the application of Jamestown Place Associates (Plat 8, Lot 488; 28 Narragansett Avenue) for utility change of use.

Commissioner Long: Are they asking for a continuation of existing service? Mr. Murphy: It is vague in the rules and regulations as to what we are required to do. It was suggested to us by the Town, that since we have the application for the other project, that we apply for a separate application for this project. In the spirit of keeping everything clear, we have filed the second application. We may in fact use the space entirely as office space. There is no detriment to my client, to approve it as a service connection with a possible change of use. Commission President Settignano: It was applied for as a utility change of use. It appears as though it is a change of use from warehouse to retail. Mr. Murphy: It is proposed for office space also.

Motion was amended by Commission President Settignano, seconded by Commissioner Willis to approve the application of Jamestown Place Associates (Plat 8, Lot 488; 28 Narragansett Avenue) for utility change of use from warehouse to retail/office and that the approval is subject to such fees and compliance with retrofit of toilets as required in the Rules and Regulations of the Board of Water and Sewer Commissioners. So unanimously voted.

### **UNFINISHED BUSINESS CONT.**

- 4) Application of Jamestown Place Associates (Plat 8, a portion of lots 488 and 562; 28 Narragansett Avenue/Knowles Ct.) for **utility expansion/change of use** (continued from 10/09/01)

John A. Murphy, Esq., representing Jamestown Place Associates distributed a packet of information to the Commission, Town Administrator, Public Works Director and the Water & Sewer Clerk. The information submitted by Mr. Murphy included consumption for the 36 units at the Jamestown Bayview Condominium, consumption for two family dwellings/multi-family dwelling (as supplied by the Town) and Water Use Analysis of the proposed Jamestown Place twelve (12) unit condominiums on Knowles Court. Mr. Murphy gave a brief overview to the Commission on previous presentations made by himself and Mr. Offenber, of Northeast Engineers and Consultants, Inc. Discussion ensued regarding the information submitted by Mr. Murphy.

Commission President Settignano: Mr. Offenber, what is your title? Mr. Offenber: I am project manager for Northeast Engineers and Consultants, Inc. I attended the University of RI and graduated in 1987 as a Civil Engineer with an EIT. I am not a professional engineer. We have done a lot of water works projects and sewage treatment work. Commission President Settignano: Have you testified before other communities in the past? Mr. Offenber: I have testified in 33 of the 39 municipalities in the state, before Zoning Boards, Planning Board and have also testified as an expert witness in several court cases. Commission President Settignano: Unless there is any objection, I accept that Mr. Offenber is an expert in Civil Engineering.

Discussion continued regarding the comparison of usage between the Jamestown Bayview Condominium, two family dwellings/multi-family dwelling and the proposed twelve (12) unit condominium. Commission President Settignano allowed open discussion for five (5) minutes.

Following clarification of a few items, motion was made by Commission President Settignano, seconded by Commissioner Long to GRANT the application of Jamestown Place Associates for Expansion/Change of Use pursuant to the Board of Water and Sewer Rules and Regulations, Section 14 A, of the Urban Water District, to allow an expansion of water use for a residential multifamily structure on the premises of Plat 8 on the subdivided portions of Lot 562 and 488, said premises located in the CD Zoning District,

Pursuant to Section 14 A the applicant must demonstrate to the satisfaction of the Commission that the proposed extension and /or service connection and any changes in existing use or expansion:

1. Is consistent with our Comprehensive Community Guide Plan adopted December 31, 1991, as amended;
2. Will NOT result in an increase in consumption of water that would otherwise result if
  - i. The applicant dedicated the use of the premises to single or two family use as allowed by the Zoning Code, or
  - ii. The applicant continued the existing use.
3. Will not reduce the level of fire protection of the community.

This MOTION is based on the following findings of facts:

1. The application is consistent with the Comprehensive Plan which provides for a mix of commercial, residential and multifamily uses in the commercial downtown area. The application promotes affordable housing.
2. Fire Chief Arthur Christman has stated the project will not reduce the level of fire protection in the community.
3. Northeast Engineers & Consultants, Inc. represented that water usage at the proposed 12 unit multifamily structure, at 2 persons per unit, will not exceed a gross daily flow rate of 416 gallons per day which amounts to a per unit use of 17.33 gallons.
4. The Jamestown Water Supply Management Plan and Pare report, have determined the average size of a household unit as 2.37 occupants, with a per person water use of 53.7 gallons per day.
5. An average of six two family dwellings in the Town of Jamestown shows a per unit annual water flow of 26,782 gallons (divided by 365 days, divided by 2.37 per household) which equals a per person use of 30.96 gallons per day.
6. Northeast Engineers & Consultants, Inc. have represented that black/gray water (Clothes Washer/Laundry, water closet and external use) will NOT be tied in to the water connection and shall be supplied by a combination of well and cisterns located on the premises. The supplemental flow rate is indicated as 211.20 gallons per day.

Wherefore, the application is granted subject to the following conditions:

1. There shall be no more than eight (8) units in one (1) multifamily residential structure/premises on the subdivided lot comprising of portions of Lot 562 and 488 of Plat 8.
2. Portions of Lot 562 and 488 of Plat 8 shall be subdivided such that a lot size of 24,777 square feet is created.
3. Each unit subject to connection of municipal water shall be limited by service to 1 dishwasher machine, 1 kitchen sink, 1 lavatory and 1 showerhead. Said information as

represented by Northeast Engineers & Consultants, Inc. in their daily flow rate for Jamestown Place as attached in exhibit A.

4. This grant is subject to the installation of a well and or well in conjunction with cisterns, which shall produce no less than 2111.20 gallons of water per day. Said well and cisterns shall be subject to the approval of the RI Department of Health, RI Department of Environmental Management and Town of Jamestown.
5. There shall be no commingling of municipal and non-municipal water supply to the premises.
6. The grant is subject to payment to the Town of Jamestown the amount of \$2000.00 per unit for sewer connection and \$2000.00 per unit for water connection.
7. A separate water meter servicing the non-municipal wastewater shall be installed subject to the terms and conditions of the Jamestown Department of Public Works.
8. If yearly water consumption exceeds 151,840 gallons, the Board of Water and Sewer Commissioners of the Town, upon notice and opportunity of the applicant to be heard, may modify this agreement as it deems necessary and appropriate in the best interest of the Town.

Discussion ensued regarding the motion made by the Commission President. The following motions were made to amend the original motion presented.

Motion was made by Commissioner Long, seconded by Commissioner Swain to amend item #8 under “application is granted subject to the following conditions” to delete all of item #8. So unanimously voted.

Motion was made by Commissioner Willis, seconded by Commissioner Long to amend item #4 under “application is granted subject to the following conditions” to delete “the approval of the RI Department of Health, RI Department of Environmental Management and Town of Jamestown” and add “all applicable State and Local regulations.” So unanimously voted.

Motion was made by Commissioner Willis, seconded by Commission President Settupane to amend item #2 under “application is granted subject to the following conditions” to delete “subdivided such that a lot size of 24,777 square feet is created” and add “subdivided.” So unanimously voted.

Motion was made by Commission President Settupane, seconded by Commissioner Long to amend item #3 under “application is granted subject to the following conditions” to read as follows “Each unit subject to connection of municipal water shall be limited by service to fixtures namely a dishwasher machine, kitchen sink, lavatory and showerhead. Said limitations as represented by Northeast Engineers & Consultants, Inc. for the daily flow rate for Jamestown Place.” Motion withdrawn.

Motion was made by Commission President Settupane, seconded by Commissioner Swain to amend item #3 under “application is granted subject to the following conditions” to read as follows “Each unit subject to connection of municipal water shall be limited by service to the daily flow rate as represented by Northeast Engineers & Consultants, Inc for Jamestown Place.” Motion so voted, 4 in favor; Commissioner Littman opposed.

Motion was made by Commissioner Long, seconded by Littman to amend item #1 under “findings of facts” to delete “promotes affordable housing” and add “promotes additional housing supply in the village district”. So unanimously voted.

Motion was made by Commissioner Swain, seconded by Commissioner Long to amend item #1 under “application is granted subject to the following conditions” to delete “Plat 8” to add “Plat 8 to be connected to town water and sewer.” So unanimously voted.

Commission President Settipane read the main motion as amended. Discussion followed regarding the previous motion.

Motion was made by Commissioner Littman, seconded by Commissioner Willis to reconsider the previous motion made by Commissioner Swain, seconded by Commissioner Long to amend item # 1 under “application is granted subject to the following conditions”. So unanimously voted.

Motion was made by Commissioner Littman, seconded by Commissioner Willis to amend item #1 under “application is granted subject to the following conditions” to read as follows “There shall be no more than eight (8) units on the subdivided lot comprising of portions of Lot 562 and 488 of Plat 8, to be supplied by the municipal water service and up to twelve (12) units for sewer connection. So unanimously voted.

Motion was made by Commissioner Settipane, seconded by Commissioner Long to adopt the main motion as amended. So unanimously voted

The main motion as amended and so unanimously voted is as follows:

TO GRANT the application of Jamestown Place Associates for Expansion/Change of Use pursuant to the Board of Water and Sewer Rules and Regulations, Section 14 A, of the Urban Water District, to allow an expansion of water use for a residential multifamily structure on the premises of Plat 8 on the subdivided portions of Lot 562 and 488, said premises located in the CD Zoning District,

Pursuant to Section 14 A the applicant must demonstrate to the satisfaction of the Commission that the proposed extension and /or service connection and any changes in existing use or expansion:

1. Is consistent with our Comprehensive Community Guide Plan adopted December 31, 1991, as amended;
2. Will NOT result in an increase in consumption of water that would otherwise result if
  - i. The applicant dedicated the use of the premises to single or two family use as allowed by the Zoning Code, or
  - ii. The applicant continued the existing use.
3. Will not reduce the level of fire protection of the community.

This MOTION is based on the following findings of facts:

1. The application is consistent with the Comprehensive Plan which provides for a mix of commercial, residential and multifamily uses in the commercial downtown area. The

application promotes additional housing supply in the village district.

2. Fire Chief Arthur Christman has stated the project will not reduce the level of fire protection in the community.
3. Northeast Engineers & Consultants, Inc. represented that water usage at the proposed 12 unit multifamily structure, at 2 persons per unit, will not exceed a gross daily flow rate of 416 gallons per day which amounts to a per unit use of 17.33 gallons.
4. The Jamestown Water Supply Management Plan and Pare report, have determined the average size of a household unit as 2.37 occupants, with a per person water use of 53.7 gallons per day.
5. An average of six two family dwellings in the Town of Jamestown shows a per unit annual water flow of 26,782 gallons (divided by 365 days, divided by 2.37 per household) which equals a per person use of 30.96 gallons per day.
6. Northeast Engineers & Consultants, Inc. have represented that black/gray water (Clothes Washer/Laundry, water closet and external use) will NOT be tied in to the water connection and shall be supplied by a combination of well and cisterns located on the premises. The supplemental flow rate is indicated as 211.20 gallons per day.

Wherefore, the application is granted subject to the following conditions:

1. There shall be no more than eight (8) units on the subdivided lot comprising of portions of Lot 562 and 488 of Plat 8, to be supplied by the municipal water service and up to twelve (12) units for sewer connection.
2. Portions of Lot 562 and 488 of Plat 8 shall be subdivided.
3. Each unit subject to connection of municipal water shall be limited by service to the daily flow rate as represented by Northeast Engineers & Consultants, Inc. for Jamestown Place.
4. This grant is subject to the installation of a well and or well in conjunction with cisterns, which shall produce no less than 2111.20 gallons of water per day. Said well and cisterns shall be subject to all applicable State and Local regulations.
5. There shall be no commingling of municipal and non-municipal water supply to the premises.
6. The grant is subject to payment to the Town of Jamestown the amount of \$2000.00 per unit for sewer connection and \$2000.00 per unit for water connection.
7. A separate water meter servicing the non-municipal wastewater shall be installed subject to the terms and conditions of the Jamestown Department of Public Works.

**NEW BUSINESS CONT.**



1) Items requested by Commissioner Willis for discussion cont.

a) **Public Works Dept.** re: separated labor costs

Commissioner Willis: Are labor costs now being segregated? Ms. Crawford: Not as of yet. If it is the pleasure of the Commission to do all labor costs, with staffing limitations I do not see this happening. However, if it is your pleasure I will do this. Commissioner Willis: Sav Rebecchi is present this evening. I have talk to him about the way to this. Mr. Rebecchi: In my specialty in project management, it is my understanding that your interest was to have a record of activities done by the Public Works Dept. separated and costed. This can be done in a general format or detailed format. The Commission asked Mr. Rebecchi to put his ideas in writing for the next water and sewer meeting on 11/19/01. Motion was made by Commissioner Swain, seconded by Commissioner Littman to continue this matter to the next water and sewer meeting on 11/19/01. So unanimously voted.

c) **Water Study Committee**

Commissioner Willis: In accordance with the written charge of the Water Study Committee, it appears as though the Committee is to be chaired by the whole Board of Water and Sewer Commissioners. Many of the members of this Committee have moved out of Town. How do we go about filling these vacancies? I would like a status update on this Committee at all of the water and sewer meetings. Motion was made by Commissioner Swain, seconded by Commissioner Willis to send letters to the Water Resource Protection Committee and the Water Study Committee inquiring as to their interest in continuing to serve on these committees and to continue discussion of this matter at the next water and sewer meeting on 11/19/01. So unanimously voted.

### **BILLS AND PAYROLL**

Motion was made by Commissioner Willis, seconded by Commission President Settupane to approve Water and Sewer Bills and Payroll. So unanimously voted.

### **TOWN BUSINESS**

(none)

### **ADJOURNMENT**

There being no further business before the Commission, motion by Commissioner Willis, seconded by Commissioner Long to adjourn the meeting at 10:37 PM. So unanimously voted.

Attest:

Denise Jennings  
Assistant Finance Director/Water and Sewer Clerk

xc: Commission Members (5)  
Town Administrator  
Town Solicitor  
Public Works Director