



TOWN COUNCIL AGENDA
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, November 15, 2021
6:00 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:
<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

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.

Attachments for items on this meeting agenda are available to the public on the Town website at:
<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2021-meetings-minutes/2021-meetings/-fsiteid-1>

I. EXECUTIVE SESSION

The Town Council may seek to enter into Executive Session for review, discussion and/or potential action and/or vote on the following:

- A) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Review of Judges Ruling), Paul and Janice Balzer v. Jamestown C.A. No. 1:19-cv-00109-WES-PAS

II. ADJOURNMENT OF EXECUTIVE SESSION

The Town Council's Open Meeting will begin at 6:30 pm

III. ROLL CALL

IV. CALL TO ORDER, PLEDGE OF ALLEGIANCE

V. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Approval of Minutes; review, discussion and/or action and/or vote
 - 1) 9/20/2021(regular meeting)
 - 2) 10/18/2021 (regular meeting)

- B) Open Forum – Water & Sewer Matters

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

 - 1) Scheduled request to address - none
 - 2) Non-scheduled request to address

- C) Report of Town Officials:
 - 1) Pumping Report
 - 2) Town Project Reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility

- D) Letters and Communication
 - 1) None

- E) Unfinished Business
 - 1) None

- F) New Business
 - 1) None

- G) **The Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners**

VI. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

VII. OPEN FORUM

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

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

VIII. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. 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. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

A) **Town Council Sitting as the Alcoholic Beverage Licensing Board**

- 1) Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following **RENEWAL** applications have been received by the Town Council for licenses under said Act, for the period December 1, 2021 to November 30, 2022 (duly advertised in the *Jamestown Press* on **October 28th and November 4th**); Review, Discussion and/or Action and/or Vote:

a) **Class B Victualer Liquor Licenses:**

Conanicut Restaurant Group II, LLC

dba: Beech

13 Narragansett Avenue

Epic Decade, LLC

dba: Curiosity & Co

14 Narragansett Avenue

- i) Approval of Liquor License renewal application for **Class B Victualer Liquor Licenses**, upon resolution of debts, taxes, State approval and appropriate signatures as well as, when applicable, proof of insurance for the year December 1, 2021 to November 30, 2022.
 - ii) Set the **Class B Victualer Liquor License** Cap at Nine
- 2) 2021-2022 Alcoholic Beverage License Limit report
 - 3) **The Town Council Adjourns from Sitting as the Alcoholic Beverage Licensing Board**

B) **Licenses and Permits**

- 1) Review, Discussion and/or Action and/or Vote to **Approve Renewal Applications** that have been received by the Town Council for **Victualing & Holiday License** upon resolution of debts, taxes, State approval and appropriate signatures as well as, when applicable, proof of insurance for the year December 1, 2021- November 30, 2022
 - a) Conanicut Restaurant Group II, LLC, dba: Beech
 - b) Epic LLC, dba: Curiosity & Co.

- 2) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote to **Approve Renewal Applications** that have been received by the Town Council for **Entertainment License** upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2021-November 30, 2022:
 - a) Building and Zoning Official William Moore summary report
 - b) Conanicut Restaurant Group II, LLC, dba: Beech
 - c) Epic LLC, dba: Curiosity & Co.
 - d) Jamestown Beer Holdings LLC dba: Jamestown Beer Holdings

- 3) One Day Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event. Review, Discussion and/or Action and/or Vote on the following:
 - a) Applicant: Clean Ocean Access
 Event: Clean Ocean Access Cove Cleanup
 Date: December 4, 2021, 12pm – 2:00 p.m.
 Location: Hull Cove, Jamestown

C) **Public Hearings**

- 1) Proposed Amendments to the Code of Ordinances, Chapter 10, Animals, Article I -In General; Sections 1-2; Article III Dogs and Cats, Section 10-67, Section 10-70, 10-72 through Section 10-75. These Amendments are proposed to update and modernize the existing Dog Leash and Dog At Large ordinance (duly advertised in the *Jamestown Press* on **November 4th**); Review, Discussion and/or Action and/or Vote:
 - a) Amended Dog Ordinance

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

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator’s Report: Jamie A. Hainsworth
 - 1) Broadband Utility RFP update
 - 2) Letter of October 29th from Jamestown Conservation Committee
 - 3) Municipal Parking Lot, Narragansett Avenue
 - 4) Friends of Jamestown Rights of Ways+Roads
 - 5) Covid-19 update

- B) Parks and Recreation Director’s Report: Raymond DeFalco
 - 1) Fort Getty update

- C) Town Clerk’s Report: Roberta J. Fagan
 - 1) Business License Report

X. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote authorizing Town Administrator Hainsworth to send letter to RI DOT regarding Walcott Avenue and Hamilton Avenue
 - 1) Letter from Town Administrator Hainsworth to RIDOT

- B) Review, Discussion and/or Action and/or Vote regarding Jamestown Housing Authority:
 - 1) Acknowledgement of email from Kathy Powers to Town Council President Nancy Beye in which she tenders her resignation as Resident Commissioner of the Jamestown Housing Authority effective November 30, 2021. Expression of thanks from the Town Council to Ms. Powers for her commitment and service as Resident Commissioner to the JHA for the past 4 years, since her appointment on November 6, 2017.

 - 2) Request for a vote of the Town Council to approve sending a letter to Ms. Valerie Molloy, Chair of the Board of Commissioners of the Jamestown Housing Authority, and Ms. Marcia Sullivan, Executive Director of the Jamestown Housing Authority, urging that: JHA immediately establish a process by which residents of the Jamestown Housing Authority can nominate through "open election" candidates for potential appointment to the JHA Board of Commissioners position of Resident Commissioner, so that the Town Council can select a suitable person from the nominees to assume the role of Resident Commissioner, as provided in R. I. General Laws 45-26-4 (a) 2, as soon as is practicable after November 30, 2021 when the position becomes available.

- C) Review, Discussion and/or Action and/or Vote to consider Short Term Rental Ordinance Provisions
 - 1) A synopsis of a potential Short-Term Ordinance
 - a) Memorandum from Town Councilor Mary Meagher, regarding issues discussed at the STR Subcommittee
 - 2) Scope of ordinance management including potential hiring of a management company
 - 3) Funding for administration of potential ordinance

- D) Review, Discussion and/or Action and/or Vote regarding cell phone coverage in Jamestown
 - 1) Letter to the Jamestown Town Council from the Jamestown Cell Coverage Coalition (JC3)
 - 2) Letter to the Jamestown Town Council from Louis Vitali, Manager, Mariner Tower

XI. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote regarding scheduling Special Meeting
 - 1) Request to schedule a Joint Meeting on December 6, 2021 at 5:30 p.m. between Jamestown Town Council and the Jamestown School Department as per RIGL §16-2-21

XII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Appointments, Vacancies and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
 - 1) Jamestown Housing Authority – Resident Commissioner (One vacancy with a five-year term ending date of December 31, 2023; duly advertised
 - a) Letter of resignation
 - i) Kathy Powers
 - 2) Library Board of Trustees (One [1] Member vacancy with a three-year term ending date of December 31, 2023) duly advertised
 - a) Letter of application
 - i) Mackenzie Richards
 - ii) Joseph Cannon
 - iii) Robert Flath

XIII. 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 for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) November 1, 2021 (Special Interview Session)
 - 2) November 1, 2021 (Regular Meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Planning Commission (September 1, 2021)
 - 2) Jamestown Planning Commission (September 15, 2021)
 - 3) Jamestown Planning Commission (October 6, 2021)
- C) Abutter Notifications: Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing on November 23, 2021 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following:
 - 1) Town property: Plat 15 – Lots 61 & 90. Application of Alkione Giovan, whose property is located at 74 Ship St., and further identified as Assessor’s Plat 15, Lot 58 for a variance from Article 3, Section 82-302, Table 3-2 & Art. 6, Sec. 82-605 & 82-606 to add a second floor, connecting bedroom at level one to a living room and add 2 bedrooms and full bathroom upstairs

by way of a second-floor addition. Seeking relief on side lot for 8'6" where 10' is allowed and rear setback of 26' where 30' is allowed. Said property is located in a R40 zone and contains 7405 sq. ft.

- 2) Town property: Plat 7, Lot 4 & Plat 8, Lots 283 & 5. Application of Conanicut Marine Services, Inc, whose business operates on the property is located at 260 Conanicus Avenue, and further identified as Tax Assessor's Plat 8, Lot 278 for a Modification to a Special Use Permit granted under Article 6, Special Use Permits and Variances, Section 600 and 602. This application is made pursuant to the provisions of section 82-302, Table 3-1, Permitted Uses of the zoning ordinance. The Applicant seeks to reduce the lot size from 444,885 sq. ft to 244,882 sq. ft. Said property is located in a R-20 zone and contains 444,885 square feet.
- 3) Town property: Plat 8, Lot 573. Application of We Dig Investments, LLC, whose property is located at 29 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 631 for a variance from Article 3, Section 82-600, 605, 606, & 607, (height variance, SF variance, 3 stories variance), to build a mixed use, retail & multi-family structure; 3 stories where 2 max. is allowed; 40.91 ft. from grade, 35 ft. allowed; and 10,258 sq. ft. lot where 20,000 sq. ft. is required. Said property is located in a CD zone and contains 10,258 sq. ft.

XIV. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

A) Communications Received:

- 1) Copy of Letter to: Finance Director Christina Collins
From: Jennifer W. Fairbank, Visiting Nurse Home & Hospice
Dated: October 22, 2021
Re: Thank you for community support allocation of \$8,000
- 2) Copy of Letter to Matthew Largess, Largess Forestry, Inc.
From: Anne Kuhn-Hines, Chair, Jamestown Conservation Commission
Dated: October 22, 2021
Re: Thank you for donation
- 3) Copy of Letter to: Jamestown Town Council
From: Jamestown Cell Coverage Coalition (JC3)
Dated: October 27, 2021
Re: Update and information from JC3
- 4) Copy of Letter to Jamestown Town Council
From: Louis Vitali, Manager of Mariner Tower
Dated: November 8, 2021
Re: Cell phone tower

- 5) Copy of Letter to Jamestown Town Council
From: CYC Commodore Charles Beal
Dated: October 29, 2021
Re: Letter in response to Mary Lou Sanborn's letter of October 27, 2021
- 6) Copy of Memo to Town Administrator Jamie Hainsworth, Director of Public Works Michael Gray and Jamestown Planner Lisa Bryer
From: Anne Kuhn-Hines, Chair, Jamestown Conservation Commission
Dated: October 29, 2021
Re: Proposal for Steamboat Street – Wetland Restoration
- 7) Copy of Email to President Nancy Beye
From: Kathy Powers
Dated: November 3, 2021
Re: Resignation as Jamestown Housing Authority Resident Commissioner effective November 30, 2021
- 8) Copy of Letter to Jamestown Town Council
From: Mary and Tot Wright
Dated: November 2, 2021
Re: Proposed pickle ball courts at Ft. Getty
- 9) Copy of Letter to Jamestown Town Council
From: Bob Sutton
Dated: November 3, 2021
Re: Proposed pickle ball courts at Ft. Getty
- 10) Copy of Letter to Jamestown Town Council
From: Jean MacMillan
Dated: November 6, 2021
Re: Proposed pickle ball courts at Ft. Getty
- 11) Copy of Letter to Jamestown Town Council
From: Laura Carlson
Dated: November 8, 2021
Re: Rescue Barn Proposal

XV. 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. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

ALL NOTE: If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to rfagan@jamestownri.net not less than three (3) business days prior to the meeting.
Posted on the RI Secretary of State website on November 10, 2021

**TOWN OF JAMESTOWN
TOWN COUNCIL MEETING
for
TOWN, WATER AND SEWER MATTERS**

September 20, 2021

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue at 6:31 PM by Commission President Nancy A. Beye.

The following members were present:

Mary E. Meagher, Commission Vice-President
Erik G. Brine
Michael G. White
Randall White

Also, present were:

Jamie A. Hainsworth, Town Administrator
Roberta J. Fagan, Town Clerk
Christina D. Collins, Finance Director
Michael Gray PE, Public Works Director
Peter D. Ruggiero Esq., Town Solicitor
Denise Jennings, Water and Sewer Clerk

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None)

READING AND APPROVAL OF MINUTES

1) August 16, 2021 (regular meeting)

Motion was made by Commissioner Meagher, seconded by Commissioner Michael White to accept the August 16, 2021 regular meeting minutes. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Michael White, Aye; Commissioner Randall White, Aye

OPEN FORUM

Commission President Beye noted that this open forum would be for water and sewer matters only.

1) Scheduled requests to address:

(None)

2) Non-scheduled request to address:

(None)

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

The Public Works Director reported the following:

- JR-1 is currently in service.
- Pumping was down for the month of August, which will cause a drop in revenue.
- Rainfall was up for the month of August.
- North Reservoir is @ 57MG, usable storage-60MG.
- South Pond is @ 6MG, usable storage- 6MG

2) **Town project reports:** *(See attached Project Update Report dated September 2021)*

Following a brief report by the Public Works Director, it was the consensus of the Commission, to accept the Public Works Director's report, as submitted.

LETTERS AND COMMUNICATIONS

(None)

UNFINISHED BUSINESS

NEW BUSINESS

ADJOURNMENT

Motion was made by Commissioner Meagher, seconded by Commissioner Michael White to adjourn the meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners at 6:37 PM. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye; Commissioner Randall White, Aye

Attest:


Denise Jennings
Water and Sewer Clerk

Project Update September 2021

WELLS

JR-1, JR-3

- JR-1 is currently in service. The well pumps water at a rate of 50 gpm directly into the transmission main feeding the water plant from the reservoir.

TREATMENT PLANT

- The water department staff continue to collect monthly samples from North Kingstown Water at their Saunderstown Water storage tank for analytical testing. The results will be used to evaluate whether introduction of water from the NK system could affect corrosion control in the Jamestown distribution system as required by the RIDOH.
- Staff responded during Tropical Storm Henri on Sunday August 22nd and the remnants of Hurricane IDA on Sept 1st and 2nd. There was one issue that developed with electronic controls for our pumps but there was no impact to our customers. Staff responded quickly and were able to troubleshoot the problem and get the system back on line. Power outages can cause damage to electronic equipment that control our treatment facilities. If a storm is expected, we place our treatment facility on generator power before the event to protect the electronics from power surges caused by outages or damage from tree limbs.

TRANSFER PUMPING/RESERVOIR

- The water department staff monitored dam water levels during the tropical storm Henri on August 22nd and the rain event caused by the remnants of IDA on September 1st and 2nd. More than 6" of rain was received during IDA. No issues were reported from South Pond or North Reservoir dams.

DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 6 Million Gallons

North Pond @ 57 MG

Usable Storage 60 Million Gallons

WASTEWATER TREATMENT PLANT

- The monthly average daily flow at the treatment plant for August was 0.26 million gallons per day. The monthly average allowed by our discharge permit is 0.73 million gallons per day. The peak daily flow was 0.43 million gallons. There were no sanitary sewer overflows for the month of August including Tropical Storm Henri.
- The remnants of hurricane Ida was experienced during September 1st and Sept 2nd. The Wastewater staff reported in at 2am on Sept. 2nd with alarms at all the pump stations for excess flow from more than 6 inches of rain received. All stations were flooded due to the flows received causing sanitary sewer overflows (SSO's) from manholes at Knowles Court, West Ferry, and Mackerel Cove. Flows quickly increased to more than 2 million gallons received at the wastewater treatment facility on the first day of the storm. The wastewater treatment facility performed as design meeting the conditions of our discharge permit. RIDEM was notified of the SSOs at the three locations during the storm event as required. Mackerel Cove was closed until the overflow had stopped and bacteria sample results determined it was safe for swimming.



TOWN OF JAMESTOWN WWTF
MONTHLY REPORT
AUGUST 2021

Douglas Ouellette, Superintendent

Parameters

	<u>Monthly Avr.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	.2621	MGD .73 MGD	
Daily Max	.4330		
BOD Removal	98.2%	85%	% Removed
TSS Removal	96.4%	85%	% Removed
Fecal Coliform	2.14	No limit, report only	
Enterococci	1.21	(<35 cfu/100ml Monthly) (<276 cfu/100ml Daily)	

Environmental Compliance (Violations)

There are 0 violations to report for the month of August 2021

Complaints

There were no complaints reported for August

Alarms

The facility had 1 alarm that was related to tropical storm Ida.

Septage

The facility received 5250 gallons for August.

Sludge Production

The facility processed 78,000 gallons of sludge through Wastewater Services Incorporated.

Maintenance Management

Chemical Use

The facility used 882 gallons of Sodium hypochlorite and 500 pounds of lime for process control.

Collection System

31 pump station inspections were completed. All stations are operating as designed.

Energy Use

Energy use for August was: 224 KWH

Precipitation

Precipitation for August was 5.86"

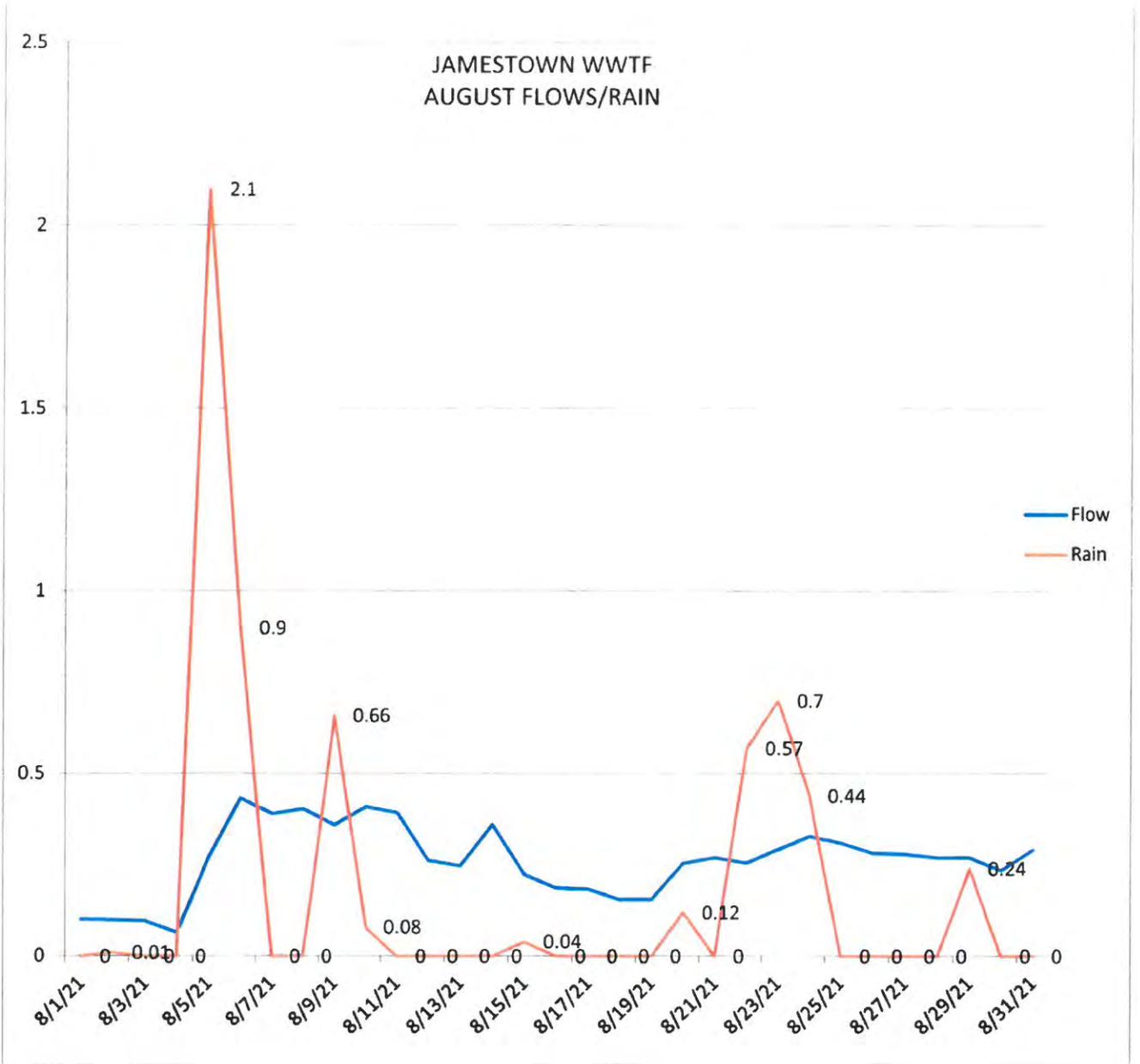
Golf Course

1,108,000 gallons of effluent was pumped to the pond in August.

Work Orders

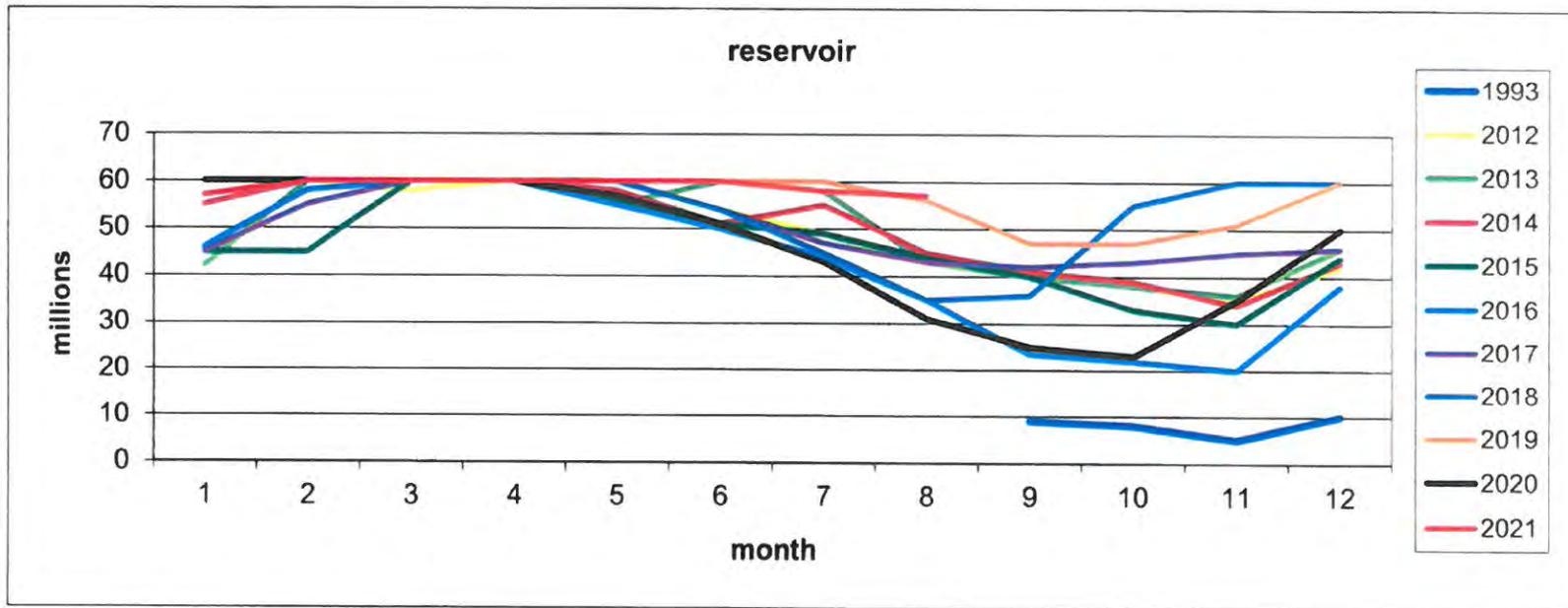
64 work orders were completed.

Graphs



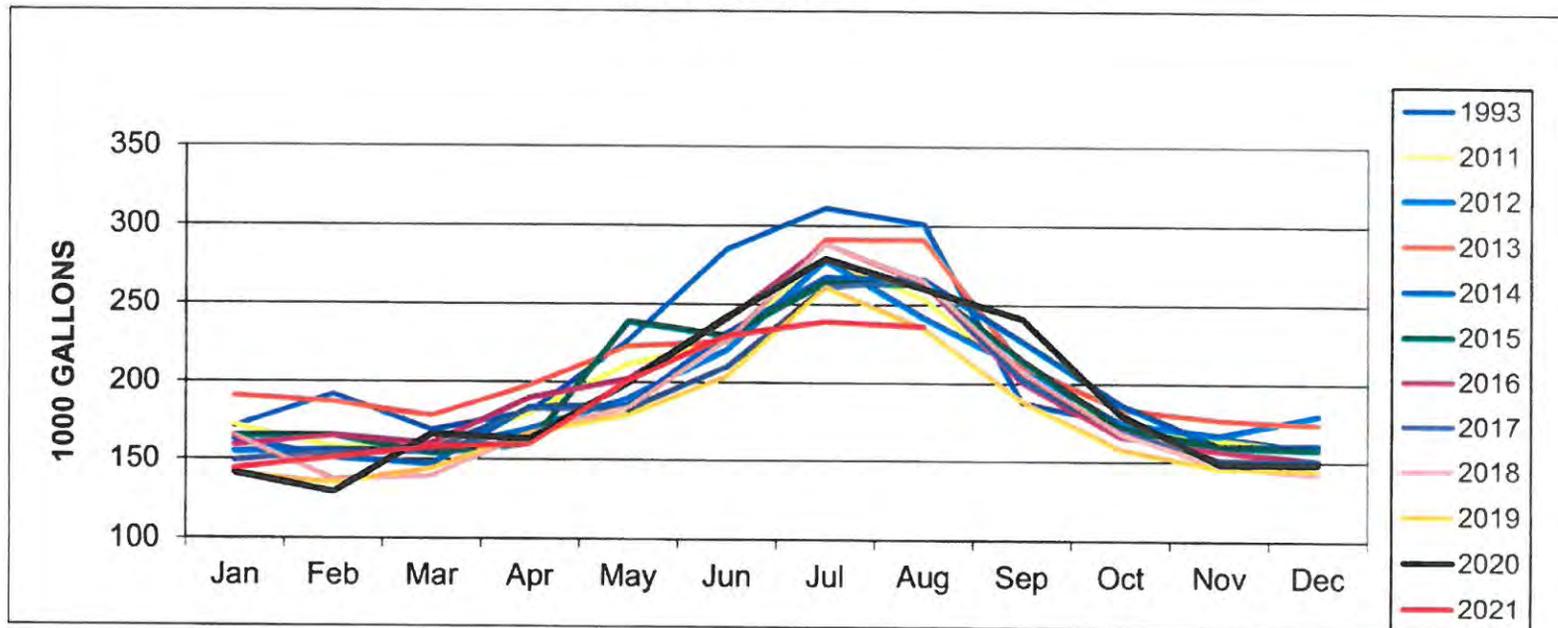
RESERVOIR LEVEL

	1993	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan		30	60	42	55	45	46	45	60	60	60	57
Feb		52	60	60	60	45	58	55	60	60	60	60
Mar		58	58	60	60	60	60	60	60	60	60	60
Apr		60	60	60	60	60	60	60	60	60	60	60
May		57	60	55	58	56	55	60	60	60	57	60
Jun		51	54	60	51	51	50	54	54	60	51	60
Jul		43	49	58	55	49	44	47	45	60	43	58
Aug		47	43	43	45	44	35	43	35	56	31	57
Sep	9	45	40	40	41	40	23.5	42	36	47	25	
Oct	8	58	38	38	39	33	22	43	55	47	23	
Nov	5	60	35	36	34	30	20	45	60	51	35	
Dec	10	60	42	46	43	44	38	46	60	60	50	



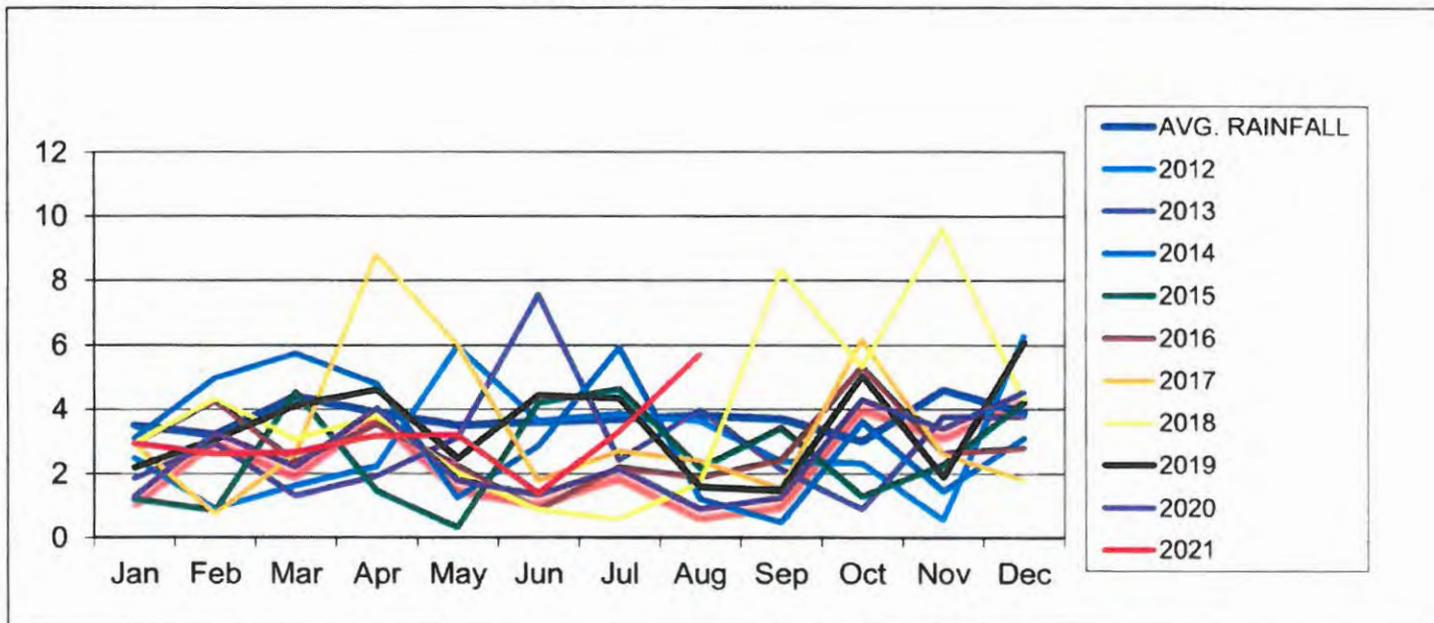
	1993	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	171	172	173	239	172	155	191	163	165	159	149	165	141	141	144
Feb	192	154	173	210	158	156	187	151	165	165	155	137	135	129	151
Mar	169	155	165	198	157	155	178	147	154	160	156	139	144	166	158
Apr	181	174	196	210	180	170	198	184	160	190	183	167	167	163	160
May	227	202	195	180	212	190	223	185	239	202	183	184	179	200	201
Jun	285	246	215	218	226	221	226	232	230	240	210	227	204	242	230
Jul	311	296	277	274	279	278	291	267	264	288	261	288	261	279	239
Aug	301	256	290	251	254	242	291	266	263	264	266	265	235	260	236
Sep	188	210	245	193	205	210	212	227	215	201	203	208	189	241	
Oct	175	187	259	182	175	175	184	187	172	166	170	168	158	180	
Nov	166	175	226	160	164	167	177	160	160	157	151	148	146	149	
Dec	158	192	230	167	158	180	174	161	158	151	151	142	145	149	

PUMPING REPORT

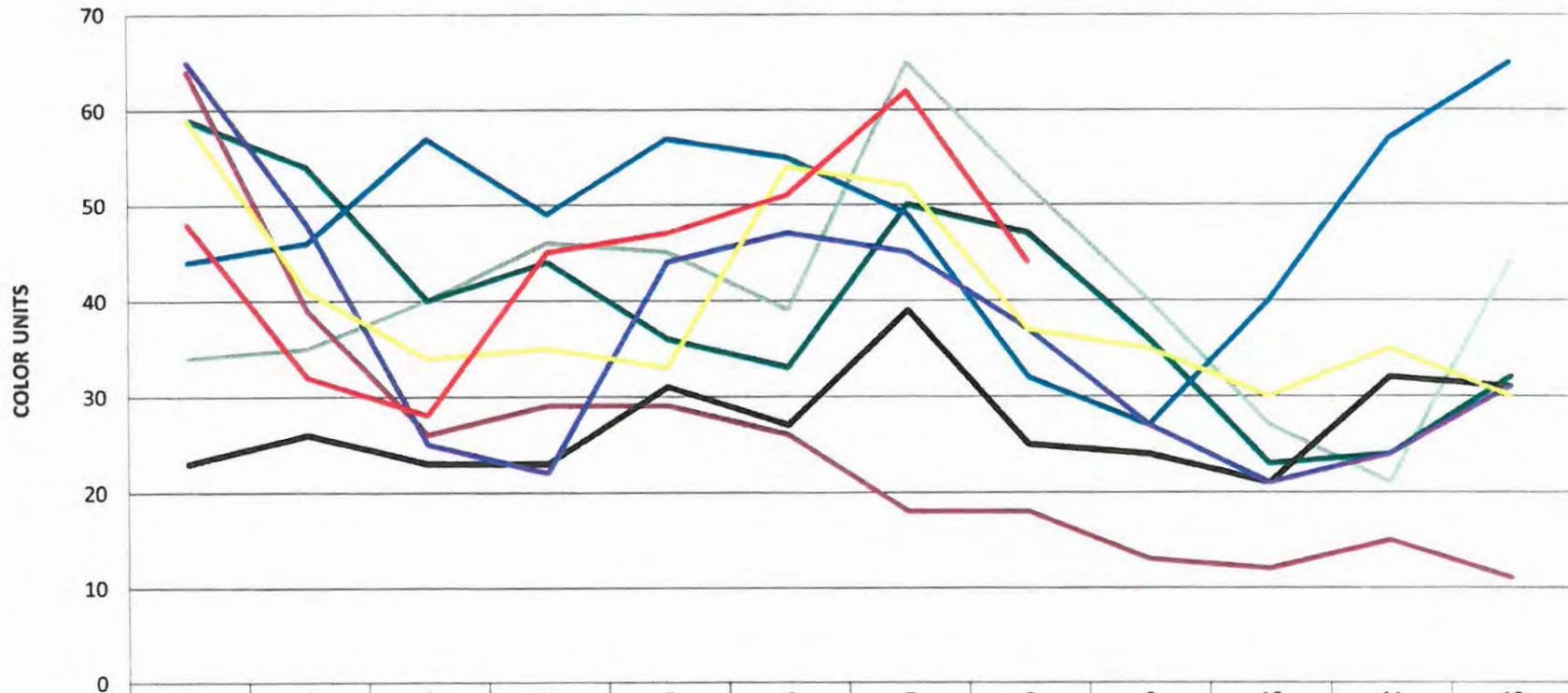


	AVG. RAINFALL	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	3.5	2.49	1.85	3.1	1.22	2.94	2.94	2.94	2.19	1.3	2.94
Feb	3.2	0.93	2.94	4.98	0.86	4.25	0.76	4.33	3.06	3.26	2.62
Mar	4.4	1.64	1.32	5.74	4.53	2.36	2.62	3.07	4.11	2.21	2.66
Apr	3.9	2.24	1.92	4.8	1.47	3.53	8.8	3.79	4.61	4.03	3.18
May	3.5	5.97	3.11	1.27	0.32	2.24	6.03	2.03	2.46	1.79	3.2
Jun	3.6	3.64	7.55	2.86	4.2	0.89	1.79	0.89	4.44	1.36	1.4
Jul	3.7	3.86	2.42	5.93	4.63	2.19	2.7	0.61	4.33	2.16	3.3
Aug	3.8	3.64	3.98	1.23	2.17	1.88	2.4	1.73	1.58	0.91	5.71 29.6 avg
Sep	3.7	2.39	2.13	0.5	3.41	2.42	1.54	8.35	1.49	1.27	
Oct	3	2.33	0.9	3.61	1.31	5.33	6.18	5.34	5.04	4.29	
Nov	4.6	0.58	3.76	1.47	2.27	2.63	2.61	9.61	1.89	3.39	
Dec	3.9	6.28	3.76	3.1	4.2	2.79	1.81	4.33	6.09	4.53	
Total	44.8	35.99	35.64	38.59	30.59	33.45	40.18	47.02	41.29	30.5	25.01

RAINFALL



Transfer Pumping NORTH POND WATER QUALITY



	1	2	3	4	5	6	7	8	9	10	11	12
2014	34	35	40	46	45	39	65	52	40	27	21	44
2015	59	54	40	44	36	33	50	47	36	23	24	32
2016	64	39	26	29	29	26	18	18	13	12	15	11
2017	23	26	23	23	31	27	39	25	24	21	32	31
2018	44	46	57	49	57	55	49	32	27	40	57	65
2019	65	48	25	22	44	47	45	37	27	21	24	31
2020	59	41	34	35	33	54	52	37	35	30	35	30
2021	48	32	28	45	47	51	62	44				

**TOWN OF JAMESTOWN
TOWN COUNCIL MEETING
for
TOWN, WATER AND SEWER MATTERS**

October 18, 2021

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue at 7:01 PM by Commission President Nancy A. Beye.

The following members were present:

Mary E. Meagher, Commission Vice-President
Erik G. Brine
Michael G. White
Randall White

Also, present were:

Jamie A. Hainsworth, Town Administrator
Roberta J. Fagan, Town Clerk
Christina D. Collins, Finance Director
Michael Gray PE, Public Works Director
Peter D. Ruggiero Esq., Town Solicitor
Denise Jennings, Water and Sewer Clerk

In accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

Review, Discussion and/or Action and/or Vote to authorize Chair Nancy Beye to sign the June 21, 2021 decisions by the Water and Sewer Commission for applications by Christina Paolino-DiMelgio, Glenn & Marjorie Andreoni, John & June Shekarchi, Sandra Nardolillo and Jeffrey & Debby Saletin.

1) Water line extension decision letters

Motion was made by Commissioner Meagher, seconded by Commissioner Brine to authorize Commission Chair Nancy Beye to sign the June 21, 2021 Water line extension decision letters dated October 13, 2021 for the applications of Christina Paolino-DiMelgio, Glenn & Marjorie Andreoni, John & June Shekarchi, Sandra Nardolillo and Jeffrey & Debby Saletin, as submitted by the Town Administrator. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye; Commissioner Randall White, Aye

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None Scheduled)

READING AND APPROVAL OF MINUTES

(None Scheduled)

OPEN FORUM

- 1) Scheduled requests to address:
(None Scheduled)
- 2) Non-scheduled request to address:
(None Scheduled)

REPORT OF TOWN OFFICIALS

(None Scheduled)

LETTERS AND COMMUNICATIONS

(None)

UNFINISHED BUSINESS

(None)

NEW BUSINESS

(None Scheduled)

ADJOURNMENT

Motion was made by Commissioner Meagher, seconded by Commissioner Michael White to adjourn the meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners at 7:02 PM. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye; Commissioner Randall White, Aye

Attest:


Denise Jennings
Water and Sewer Clerk

Project Update November 2021

WELLS

JR-1, JR-3

- JR-1 is currently in service. The well pumps water at a rate of 50 gpm directly into the transmission main feeding the water plant from the reservoir.

TREATMENT PLANT

- Our analytical testing program is complete for the Corrosion Control Evaluation for the use of North Kingstown Water in the event of an emergency. Weston and Sampson has provided a draft summary report for my review. The results of the testing indicate that the North Kingstown water is less corrosive than Jamestown and that the use of the water will have no impact on our distribution system and water quality delivered to our customers. The final report will be submitted to RIDOH for their review and approval.
- We are approaching the useful life cycle for our membrane filters at the treatment plant. We are working with engineers at SUEZ Water Technologies and Solutions on their replacement. SUEZ acquired GE Water and Process Technologies who provided the membrane filters at the time of our plant construction in 2008.

TRANSFER PUMPING/RESERVOIR

Jamestown Brook watershed encompasses the North Pond Reservoir and South Pond Reservoirs in Jamestown. Staff from RIDEM Water Resources completed the Jamestown Brook Watershed Plan in 2021 as a tool to use in efforts for protection and restoration of water quality and aquatic habitat in the watershed. The plan identified Phragmites emerging as an aquatic invasive species at South Pond, impacting habitat and water flow at the reservoir. Because of this plan we are eligible for funding through the recently advertised RIDEM 2021 Nonpoint Source Implementation Grants for Protecting and Restoring water quality from nonpoint sources of pollution, and Improving or Restoring aquatic habitats. We are working on our grant application and will have it for Council approval in December. I met with staff at CRMC regarding a program to deal with the phragmite issue at South Pond. The staff biologist stated that he would only consider excavation and offsite disposal and then a long term maintenance program. No herbicides will be allowed.

DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 6 Million Gallons

North Pond @ 60 MG

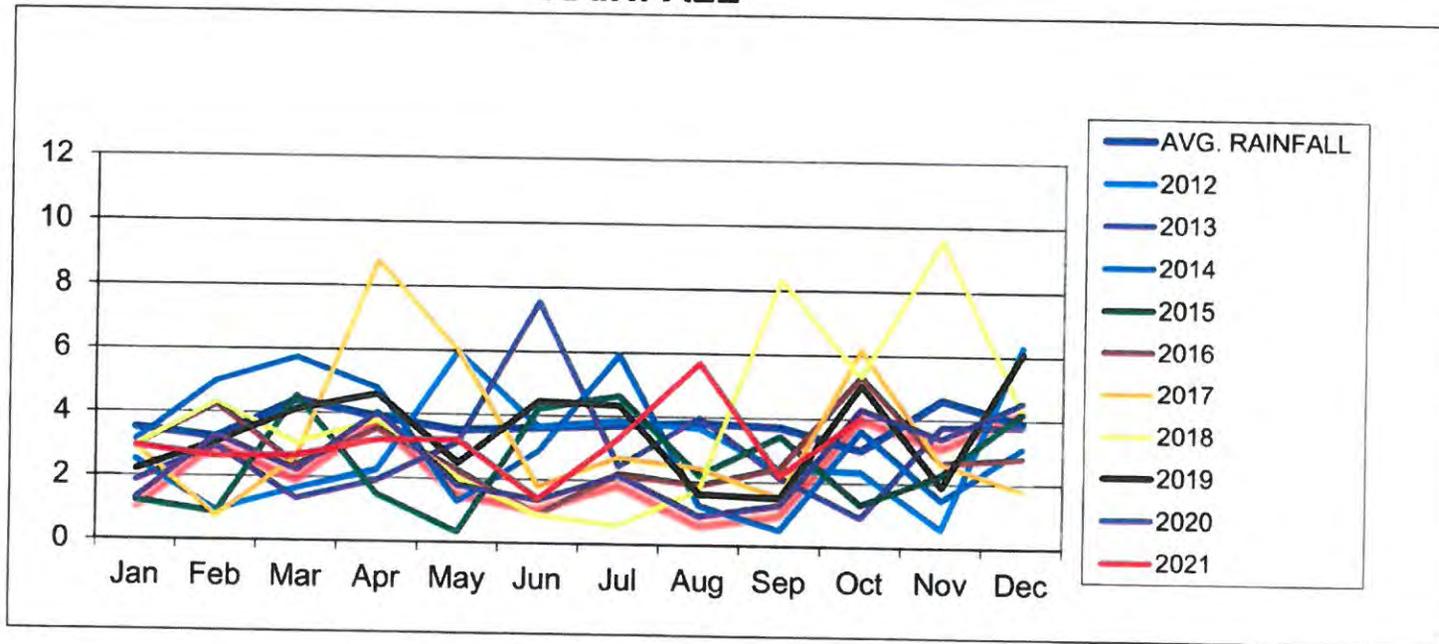
Usable Storage 60 Million Gallons

WASTEWATER TREATMENT PLANT

- The monthly average daily flow at the treatment plant for August was 0.26 million gallons per day. The monthly average allowed by our discharge permit is 0.73 million gallons per day. The peak daily flow was 0.35 million gallons.
- The Northeaster experienced on October 27th caused a power failure at the West Ferry Sewer pump station due to tree damage on Narragansett Avenue.
- I am working on bid documents to replace (3) sluice gates at the Mackerel Cove pump station. One sluice gate has failed.

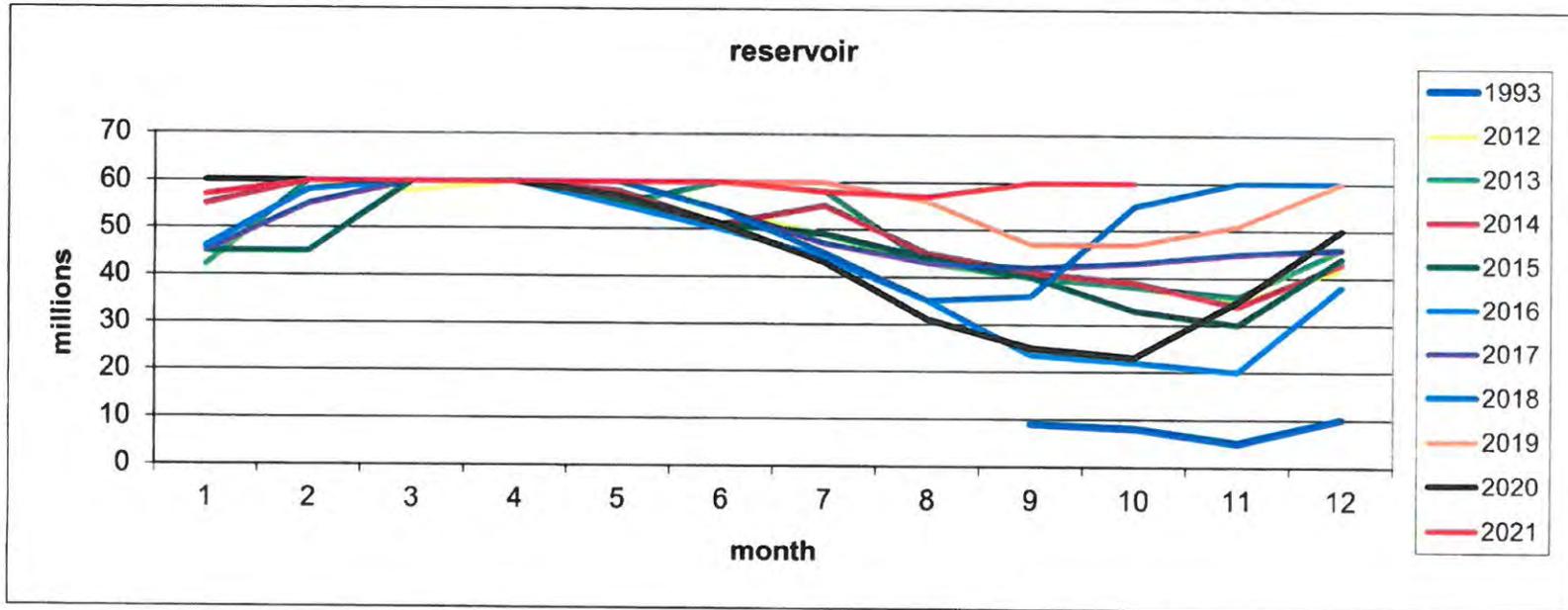
	AVG. RAINFALL	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	3.5	2.49	1.85	3.1	1.22	2.94	2.94	2.94	2.19	1.3	2.94
Feb	3.2	0.93	2.94	4.98	0.86	4.25	0.76	4.33	3.06	3.26	2.62
Mar	4.4	1.64	1.32	5.74	4.53	2.36	2.62	3.07	4.11	2.21	2.66
Apr	3.9	2.24	1.92	4.8	1.47	3.53	8.8	3.79	4.61	4.03	3.18
May	3.5	5.97	3.11	1.27	0.32	2.24	6.03	2.03	2.46	1.79	3.2
Jun	3.6	3.64	7.55	2.86	4.2	0.89	1.79	0.89	4.44	1.36	1.4
Jul	3.7	3.86	2.42	5.93	4.63	2.19	2.7	0.61	4.33	2.16	3.3
Aug	3.8	3.64	3.98	1.23	2.17	1.88	2.4	1.73	1.58	0.91	5.71
Sep	3.7	2.39	2.13	0.5	3.41	2.42	1.54	8.35	1.49	1.27	2.19
Oct	3	2.33	0.9	3.61	1.31	5.33	6.18	5.34	5.04	4.29	4.03 36.30 avg
Nov	4.6	0.58	3.76	1.47	2.27	2.63	2.61	9.61	1.89	3.39	
Dec	3.9	6.28	3.76	3.1	4.2	2.79	1.81	4.33	6.09	4.53	
Total	44.8	35.99	35.64	38.59	30.59	33.45	40.18	47.02	41.29	30.5	31.23

RAINFALL



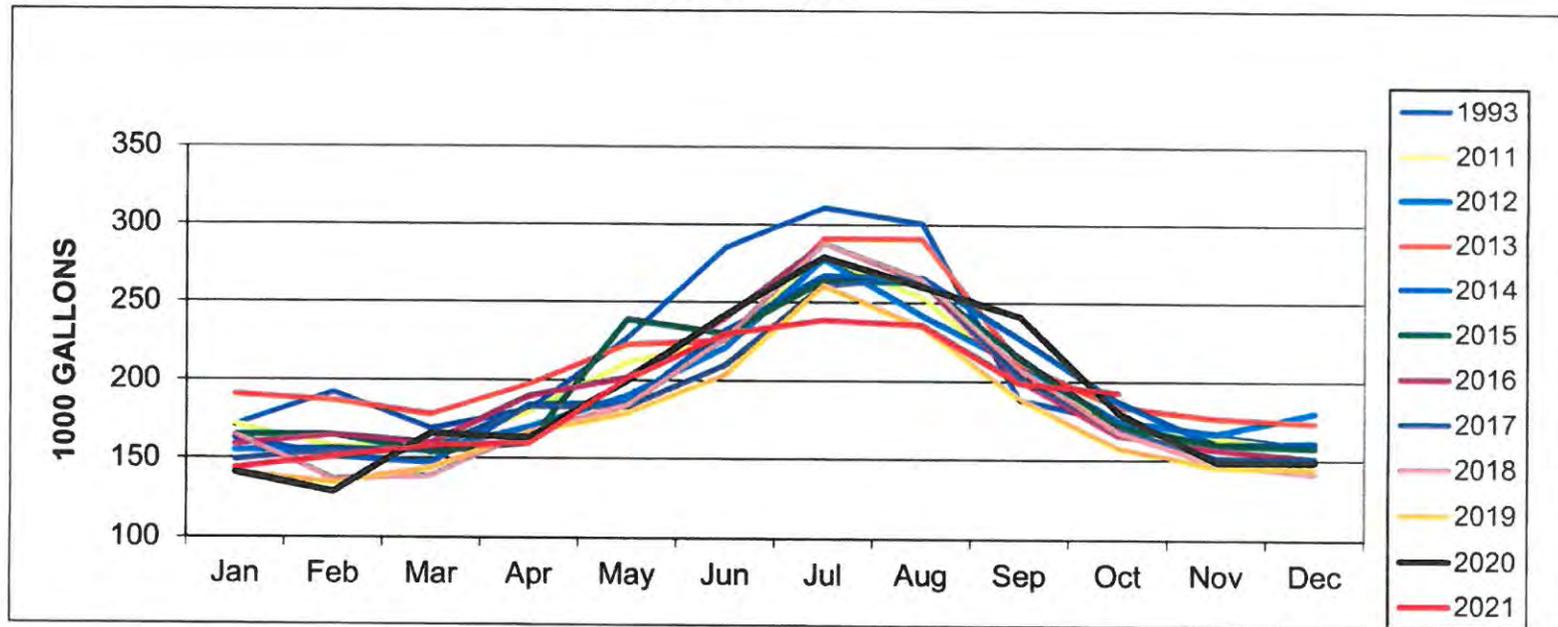
RESERVOIR LEVEL

	1993	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan		30	60	42	55	45	46	45	60	60	60	57
Feb		52	60	60	60	45	58	55	60	60	60	60
Mar		58	58	60	60	60	60	60	60	60	60	60
Apr		60	60	60	60	60	60	60	60	60	60	60
May		57	60	55	58	56	55	60	60	60	60	60
Jun		51	54	60	51	51	50	54	54	60	57	60
Jul		43	49	58	55	49	44	47	45	60	43	58
Aug		47	43	43	45	44	35	43	35	56	31	57
Sep	9	45	40	40	41	40	23.5	42	36	47	25	60
Oct	8	58	38	38	39	33	22	43	55	47	23	60
Nov	5	60	35	36	34	30	20	45	60	51	35	60
Dec	10	60	42	46	43	44	38	46	60	60	50	

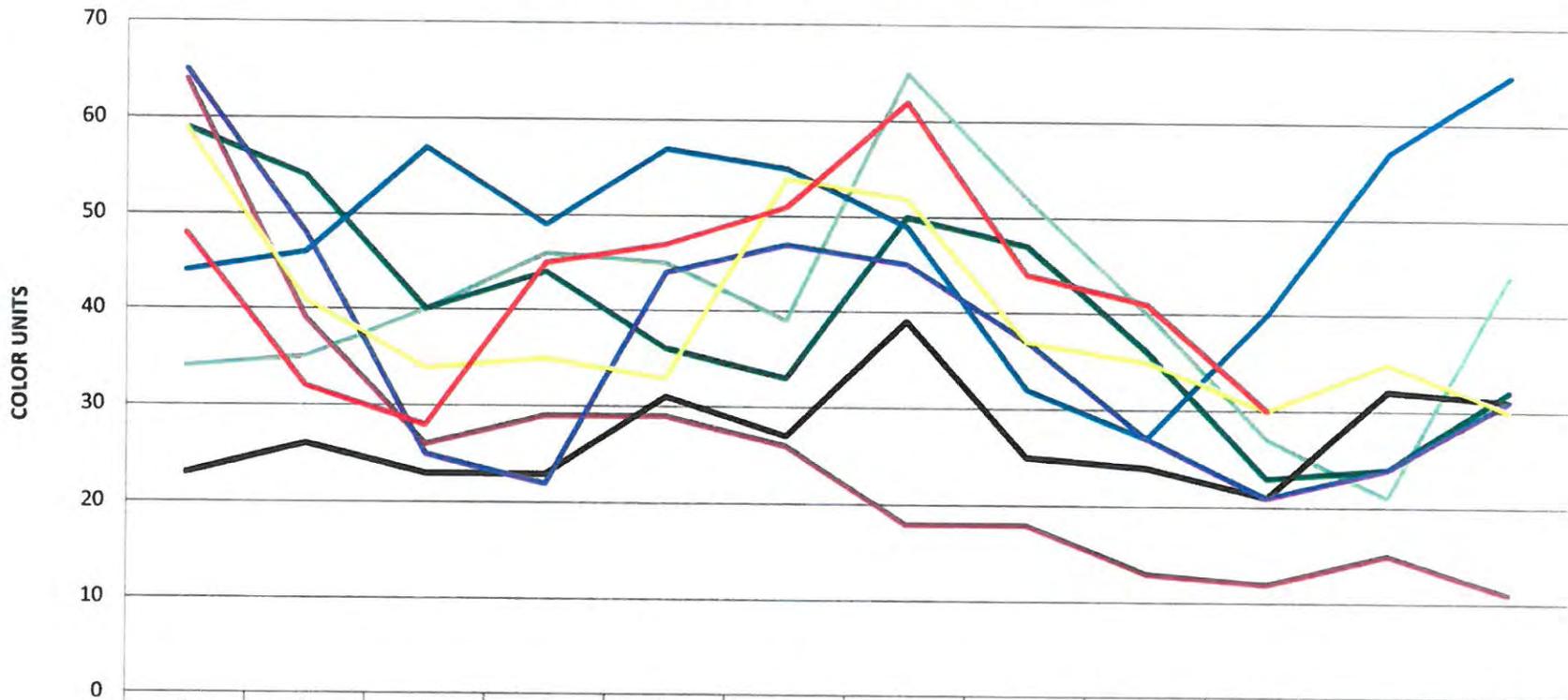


	1993	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	171	172	173	239	172	155	191	163	165	159	149	165	141	141	144
Feb	192	154	173	210	158	156	187	151	165	165	155	137	135	129	151
Mar	169	155	165	198	157	155	178	147	154	160	156	139	144	166	158
Apr	181	174	196	210	180	170	198	184	160	190	183	167	167	163	160
May	227	202	195	180	212	190	223	185	239	202	183	184	179	200	201
Jun	285	246	215	218	226	221	226	232	230	240	210	227	204	242	230
Jul	311	296	277	274	279	278	291	267	264	288	261	288	261	279	239
Aug	301	256	290	251	254	242	291	266	263	264	266	265	235	260	236
Sep	188	210	245	193	205	210	212	227	215	201	203	208	189	241	199
Oct	175	187	259	182	175	175	184	187	172	166	170	168	158	180	193
Nov	166	175	226	160	164	167	177	160	160	157	151	148	146	149	
Dec	158	192	230	167	158	180	174	161	158	151	151	142	145	149	

PUMPING REPORT



Transfer Pumping NORTH POND WATER QUALITY



	1	2	3	4	5	6	7	8	9	10	11	12
2014	34	35	40	46	45	39	65	52	40	27	21	44
2015	59	54	40	44	36	33	50	47	36	23	24	32
2016	64	39	26	29	29	26	18	18	13	12	15	11
2017	23	26	23	23	31	27	39	25	24	21	32	31
2018	44	46	57	49	57	55	49	32	27	40	57	65
2019	65	48	25	22	44	47	45	37	27	21	24	31
2020	59	41	34	35	33	54	52	37	35	30	35	30
2021	48	32	28	45	47	51	62	44	41	30		



TOWN OF JAMESTOWN WWTF
MONTHLY REPORT
OCTOBER 2021

Douglas Ouellette, Superintendent

Parameters

	<u>Monthly Avr.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	.2572 MGD	.73 MGD	
Daily Max	.3490 MGD		
BOD Removal	100%	85%	% Removed
TSS Removal	98.1%	85%	% Removed
Fecal Coliform	1.79	No limit, report only	
Enterococci	1.15	(<35 cfu/100ml Monthly) (<276 cfu/100ml Daily)	

Environmental Compliance (Violations)

There were no violations in October

Complaints

There were no complaints reported for the month of October.

Alarms

There was one alarm for a power failure at PS#3 caused by October 27th northeaster.

Septage

The facility received 2500 gallons septage for the month of October.

Sludge Production

The facility processed 51,000 gallons of sludge through Wastewater Services Incorporated.

Maintenance Management

Facility staff

Chemical Use

The facility used 469 gallons of Sodium hypochlorite and 0 pounds of lime for process control.

Collection System

31 pump station inspections were completed. All stations are operating as designed.

Energy Use

Energy use for October was: 145 KWH

Precipitation

Precipitation for October was 4.03" of rain

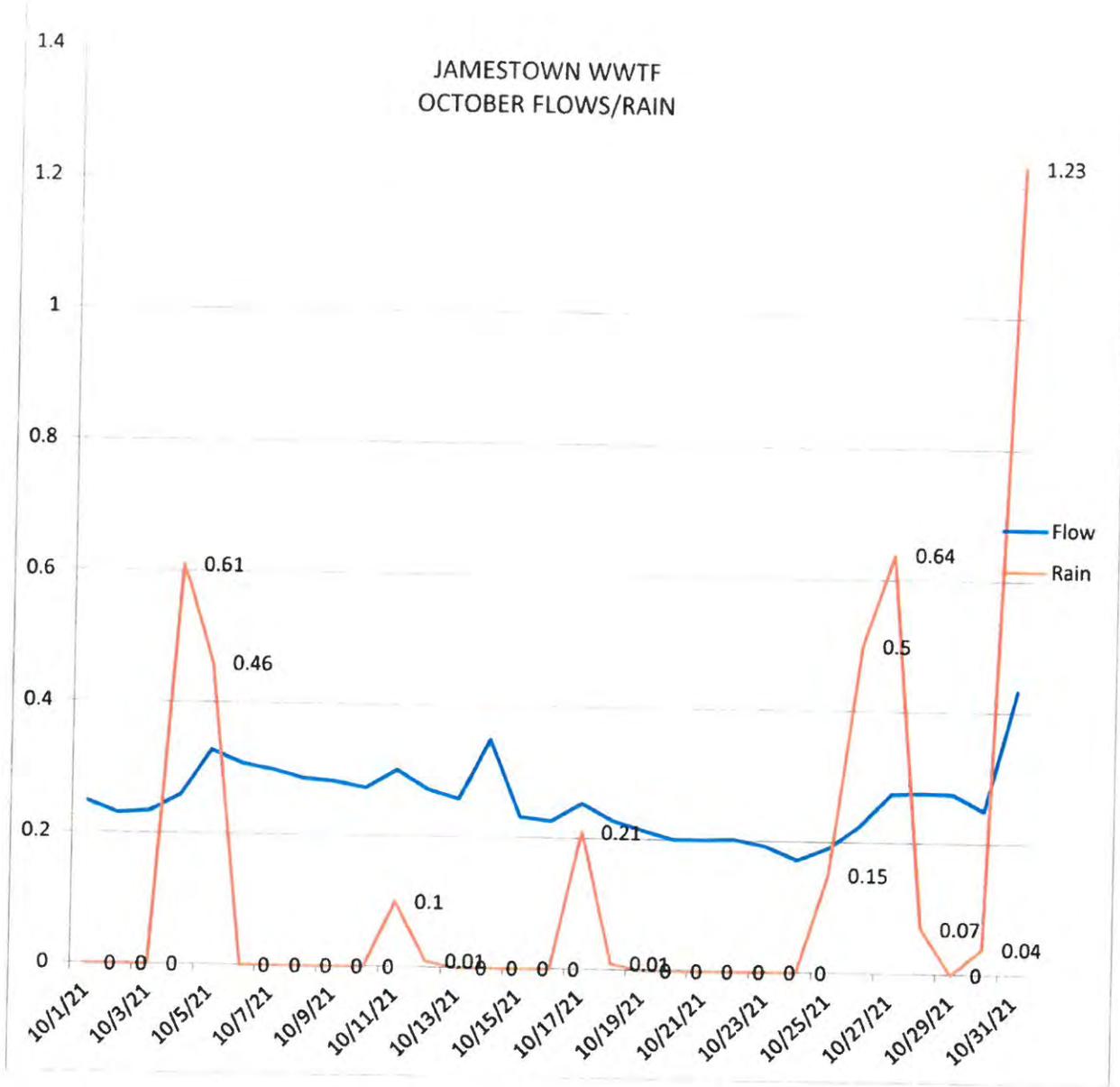
Golf Course

No water was requested in the month of October.

Work Orders

73 work orders were completed.

Graphs





Jamestown Town Council

Agenda Item Report

Meeting Date: November 15, 2021

Item: Alcoholic Beverage License Limits for 2021-2022

Motion: To set the Alcoholic Beverage License limits for 2021-2022 as follows:

- Class A - 2
- Class BV - 9
- Class BV-L 2
- Class BT - 1
- Class D - 1

Summary of Use

License Limits	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Class A	2	2	2	2	2	2	2	2	2	2
Class BV	8	8	8	8	7	7	7	7	6	9
Class BL	0	0	0	0	2	2	3	4	3	1
Class BT	1	1	1	1	1	1	1	1	1	1
Class D	1	1	1	1	1	1	1	1	1	1
Total	12	12	12	12	13	13	14	15	13	14

Request for Renewals for 2020-2021

- Class A - 2
- Class BV - 9
- Class BV-L 1
- Class BT - 1
- Class D - 1
- Total 14

Request for Renewals for 2021-2022

- Class A - 2
- Class BV - 9
- Class BV-L 2
- Class BT - 1
- Class D - 1
- Total 15

A Class G Liquor License is granted by the Town to serve dockside each summer to Conanicut Marine Services, Inc. (m/v Jamestown, Katherine & Coastal Queen) which is **issued by the State only**. A Class G license is seasonal only and does not need to be renewed at this time.

A Manufacturer's (Brewer's) License has been granted to Jamestown Beer Holdings LLC which is **issued by the State only**. A Manufacturer's License will expire yearly and will need to be renewed in accordance with the rules and regulations established by the Department of Business Regulation.

All 2021-2022 applications have been sent to the local proprietors and are in the process of being completed and routed to the proper town departments.

Prepared by: _____
Denise Gamon, Town Clerk's Assistant

**PUBLIC HEARING NOTICE
TOWN OF JAMESTOWN**

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on the 15th day of November, 2021 at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding **Chapter 10 – ANIMALS**. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment is available for review at the Town Clerk’s Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays and at www.Jamestownri.gov.

Section 1. The Town Council of the Town of Jamestown does hereby resolve that the Jamestown Code Of Ordinances, Chapter 10 – Animals, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, Article I -In General; Sections 1-2 Definitions; Article III Dogs and Cats, Section 10-67 Dogs Prohibited on school property, Section 10-70 Dogs Prohibited from Being at Large, 10-72 Removal of dog feces, 10-73 Leash provisions-where and when required, Section 10-74, Section 10-75 – Section 10-85 Reserved, as the same may have been heretofore amended.

The following is a summary description of the proposed amendments:

These Amendments are proposed to update and modernize the existing Dog Leash and Dog At Large ordinance.

NOTE: words set as ~~strike through~~ are to be deleted from the ordinance; words underlined are to be added to the ordinance.

See Exhibit A, attached hereto and incorporated herein by reference. NOTE: amendments to the terms and conditions set forth at Exhibit A may be made based on comments received during the public hearing.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to Chapter 70 of the Town of Jamestown’s Code of Ordinances.

Section 3. This Ordinance shall take effect upon its passage.

Ad Date(s): NOVEMBER 4, 2021
Publication Source: Jamestown Press
Hearing Date: NOVEMBER 15, 2021
Action: _____
Certified: _____

1 **Exhibit A**

2 Chapter 10 - ANIMALS^[1]

3 **Footnotes:**

4 --- (1) ---

5
6 **State Law reference**— Animals, G.L. 1956, § 4-1-1 et seq.; authority to regulate dogs,
7 maximum penalty, G.L. 1956, § 4-13-1; dog census, G.L. 1956, § 4-13-11; authority to regulate
8 places for keeping of animals, G.L. 1956, § 23-19.2-1.

9
10 ARTICLE I. - IN GENERAL

11
12 **Sec. 10-1. - Definitions.**

13
14 The following words, terms and phrases, when used in this chapter, shall have the meanings
15 ascribed to them in this section, except where the context clearly indicates a different meaning:

16
17 Animal control officer means the person employed by the town as its officer to enforce this
18 chapter, including any police officer of the town.

19
20 Animal shelter means any premises now or hereafter designated by the town for the
21 impoundment, confinement, care and shelter of any animal in the enforcement of this article;
22 such term shall be construed as synonymous with the term "pound."

23
24 Bite means the actual puncture or tearing of the skin inflicted by the teeth of any animal.

25
26 Collared means - a dog is properly collared when it wears a collar around its neck ~~a collar~~. If
27 such dog is on or in any public street, sidewalk, way, beach, park, grounds or building, such
28 collar shall bear a plate or tag whereon the name and address of its owner are displayed and,
29 when appropriate, a license tag.

30
31 Direct command and control- A dog is under the direct command and control of the owner or
32 keeper when:

- 33
34 a) the dog returns upon voice command or when prompted by a remotely controlled
35 electronic signal; and
36
37 b) the owner or keeper maintains constant awareness of the dog's whereabouts and
38 conduct; and
39
40 c) the owner or keeper carries a leash and employs it when necessary; and
41
42 d) the owner or keeper prevents the dog from interacting with any other person(s) or
43 dog(s) unless and until said person(s) or owner(s) or keeper(s) of said dog(s) clearly
44 communicate their assent to the interaction. Owners or keepers of dogs who are
45 participating in off leash activity shall be presumed to have given their implied

1 consent to interaction with other owners, keepers, and dogs engaged in the same
2 activity at the same time and location.

3
4 Dog at large means a dog ~~or other animal will be deemed to be "at large"~~ when it is off
5 the property of its owner or keeper and not under the control of a competent person.

6
7 Exposed to rabies means an animal bitten by, or exposed to, any animal known to have been
8 infected with rabies.

9
10 In heat means sexual excitement in a female animal and such period of time when animals are
11 particularly attractive to male animals of the same species.

12
13 Kennel means the premises of any person engaged in breeding, buying, selling, training or
14 boarding of dogs.

15
16 Licensed means a dog, or other animal when appropriate, when it has lawfully attached or
17 affixed to its collar a tag or identifying device issued pursuant to law by any ordinance of the
18 town or statute of the state.

19
20 Neutered male (dog) means any male dog which has been surgically altered so as to effect the
21 removal of its testicles.

22
23 Owner or keeper means any person owning, keeping or harboring an animal who owns, keeps, or
24 harbors a dog, or who has charge and custody of a dog.

25
26 Restraint (of dog) means a dog controlled by leash, cord, or chain, fence or other physical,
27 natural, or electronic barrier, on a leash not to exceed seven feet , or is beside a competent person
28 and obedient to that person's commands, or under the command and control of a competent
29 person, or is within a vehicle being driven or parked on the streets, or within the property limits
30 of its owner or keeper.

31
32 Spayed female (dog) means any female dog which has been surgically altered so as to effect the
33 removal of its ovaries and uterus to prevent conception.

34
35 Veterinarian means a person licensed to practice veterinary medicine under the laws of the state.

36
37 (Code 1982, § 4-1; Code 2003, § 10-1)

38
39 **Sec. 10-2. - Vicious animal.**

40
41 (a) An animal, other than a dog, is deemed to be vicious when it is dangerously aggressive,
42 savage, ferocious or depraved in its attitude towards other animals or to persons to the extent that
43 it injures or is likely to injure or cause injury to such animal or persons. An animal shall be
44 deemed to be vicious if it has a propensity to want to attack or attempt to attack other animals or
45 persons. An animal shall not be deemed vicious if it is provoked, or bites, attacks, or attempts to
46 attack, any animal or person in self-defense or in defense of its owner or owner's property. ~~An~~

1 ~~animal shall not be deemed vicious merely by reason of growling or barking.~~

2
3 (b) A vicious dog shall be defined and determined pursuant to G.L. 1956, §§ 4-13.1-2 and 4-
4 13.1-11.

5
6 A dog shall not be deemed vicious merely by reason of growling or barking.

7
8 (Code 1982, § 4-1; Code 2003, § 10-2)

9
10 **State Law reference**— Regulation of vicious dogs, G.L. 1956, § 4-13.1-1 et seq.

11
12 **Sec. 10-3. - Vicious dogs; assault.**

13
14 If any dog declared vicious under G.L. 1956, § 4-13.1-11, when unprovoked, attacks, assaults,
15 wounds, bites, or otherwise injures, kills or seriously injures a human being, the owner or keeper
16 shall be fined the maximum amount provided in G.L. 1956, § 4-13.1-9(c) to be used as such
17 town council may prescribe. No such fine shall be imposed unless that officer responsible for
18 enforcement shall have conducted an investigation of such assault and shall have certified that
19 such dog was off the property of its owner or keeper and at large at the time such assault
20 occurred or that such assault resulted from the negligence of such owner or keeper, pursuant to
21 G.L. 1956, § 4-13-1.1.

22
23 (Code 1982, § 4-30; Code 2003, § 10-3)

24
25 **State Law reference**— Regulation of vicious dogs, G.L. 1956, § 4-13.1-1 et seq.; penalty of
26 \$1,000.00 authorized for vicious dog assault on a person, G.L. 1956, § 4-13.1-9(c).

27
28 **Sec. 10-4. - Unlawful deposit of dead animal.**

29
30 No person shall throw, place or put, or cause to be thrown, placed or put, the body or remains of
31 any dead animal into any of the ponds, streams or waters within the town, or shall leave any such
32 body or remains of any such animal to decay on any surface of the ground insufficiently buried
33 therein.

34
35 (Code 1982, § 4-24; Code 2003, § 10-4)

36
37 **Sec. 10-5. - Wild animals.**

38
39 No wild animal may be kept within the town, except under such conditions as shall be affixed by
40 the animal control officer; provided, however, that wild animals may be kept for exhibition
41 purposes by circuses, zoos and educational institutions in accordance with such regulations as
42 shall be established by the animal control officer or any police officer of this town.

43
44 (Code 1982, § 4-25; Code 2003, § 10-5)

45
46 **Sec. 10-6. - Abandonment.**

1 It shall be unlawful for any person to abandon any dog or other animal within the town.

2
3 (Code 1982, § 4-26; Code 2003, § 10-6)

4
5 **State Law reference**— Cruelly abandoning animals, G.L. 1956, § 4-1-3; abandonment of infirm
6 animal, G.L. 1956, § 4-1-4.

7
8 **Sec. 10-7. - Unlawfully injuring, killing, etc.; duties in case of accident.**

9
10 (a) No person shall run down any dog or domestic animal with a vehicle, or willfully kill,
11 abandon, injure or abuse any dog or domestic animal, except as may be permitted by law.

12
13 (b) Any person who kills or injures a dog or domestic animal, while driving a car, shall stop at
14 the scene of the accident and render such assistance as is practicable and shall make a report of
15 such death or injury to the animal control officer or to a police officer.

16
17 (c) No person shall poison any dog or domestic animal. In addition to the penalties provided in
18 this chapter, any person alleged to have poisoned any dog or domestic animal shall be reported to
19 the Society for the Prevention of Cruelty to Animals (SPCA).

20
21 (Code 1982, § 4-16; Code 2003, § 10-7)

22
23 **State Law reference**— Cruelty to animals, G.L. 1956, § 4-1-1 et seq.

24
25 **Sec. 10-8. - Hitching animals to trees, fences or posts.**

26
27 No person shall leave any horse, cow, ox or other animal upon any highway, road or lane
28 attached, tied, hitched or secured to any fence, tree, post or other structure unless such horse,
29 cow, ox or other animal shall be hitched or harnessed to a vehicle for the purpose of drawing the
30 vehicle.

31
32 (Code 1982, § 4-17; Code 2003, § 10-8)

33
34 **State Law reference**— Cruelty to animals, G.L. 1956, § 4-1-1 et seq.

35
36 **Sec. 10-9. - Penalties.**

37
38 (a) There shall be imposed a penalty for the violation of any provision of this chapter as follows:

39
40 (1) First violation: \$25.00.

41
42 (2) Second violation in same year: \$50.00.

43
44 (3) Third and each subsequent violation in same year: \$100.00.

1 (b) The animal control officer or any police officer shall have the authority to issue a notice of
2 violation of this chapter to any person in violation of the provisions of this chapter. Upon receipt
3 of service of a notice of violation, the violator shall have five days from the date of service to pay
4 the penalty at the police department. The notice may be served upon the violator in any
5 reasonable manner. If a person fails to pay the penalty within such time, then the violator may be
6 served with a complaint and warrant for appearance in court.

7
8 (Code 1982, § 4-29; Code 2003, § 10-9)

9
10 **State Law reference**— Maximum penalty as to dogs, G.L. 1956, § 4-13-1.

11
12 **Secs. 10-10—10-25. - Reserved.**

13
14 ARTICLE II. – ADMINISTRATION

15
16 DIVISION 1. – GENERALLY

17
18 **Secs. 10-26—10-40. - Reserved.**

19
20 DIVISION 2. - ANIMAL CONTROL OFFICER

21
22 **Sec. 10-41. - Enforcement.**

23
24 The provisions of this chapter shall be enforced by the animal control officer and any police
25 officer of the town.

26
27 (Code 1982, § 4-2; Code 2003, § 10-41)

28
29 **Sec. 10-42. - Complaints.**

30
31 All complaints made under the provisions of this chapter shall be made to the animal control
32 officer or any police officer and may be made orally; provided, however, that such complaint
33 shall be reduced to writing within 48 hours and shall be signed by the complainant showing such
34 complainant's address and telephone number, if any.

35
36 (Code 1982, § 4-22(b); Code 2003, § 10-42)

37
38 **Sec. 10-43. - Recordkeeping.**

39
40 (a) It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and
41 detailed records of the impoundment and disposition of all animals coming into such officer's
42 custody.

43
44 (b) It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and
45 detailed records of all the bite cases reported to such officer and all investigations of such cases.

1 (c) It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and
2 detailed records of any and all complaints made to such officer or the police and his investigation
3 of such complaints.
4

5 (d) It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and
6 detailed daily records of all the animals that are seized or come into custody as well as the
7 disposition of each animal impounded.
8

9 (e) It shall be the duty of the animal control officer to keep a record of all seized and impounded
10 dogs as prescribed by the state department of environmental management, as required by G.L.
11 1956, § 4-19-12.
12

13 (f) It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and
14 detailed records of any and all money in his possession belonging to the town. Such records shall
15 be open to inspections at reasonable times by such persons responsible for similar records of the
16 town, and they shall be audited by the town annually in the same manner as other town records
17 are audited.
18

19 (Code 1982, § 4-3; Code 2003, § 10-43)
20

21 **State Law reference**— Disposition of animals impounded, G.L. 1956, § 4-19-12.
22

23 **Sec. 10-44. - Right of entry.**
24

25 In the discharge of the duties imposed by this chapter, the animal control officer or any police
26 officer shall have the authority at all reasonable times to enter upon any premises, but such
27 authority should not include the right to enter any residence on such premises without the
28 owner's permission to examine a dog or other animal which it is reasonable to suspect is in
29 violation of a provision of this chapter. Such officer shall have the further authority to take
30 possession of any such dog or other animal and remove it from such premises.
31

32 (Code 1982, § 4-4; Code 2003, § 10-44)
33

34 **Sec. 10-45. - Interference with officers by others.**
35

36 No person shall interfere with, hinder or molest the animal control officer or any police officer of
37 the town in the performance of such officer's duties, or seek to release any animal in the custody
38 of the animal control officer or any police officer, except as provided in this article.
39

40 (Code 1982, § 4-5; Code 2003, § 10-45)
41

42 **State Law reference**— Obstructing officer in execution of duty, G.L. 1956, § 11-32-1.
43

44 **Sec. 10-46. - Destruction of animal under emergency circumstances.**
45

46 Under emergency circumstances, the animal control officer or any police officer may destroy any

1 injured or maimed animal after making reasonable efforts to contact the owner of such animal if
2 the owner's identification is present on the animal.

3
4 (Code 1982, § 4-8(c); Code 2003, § 10-46)

5
6 **State Law reference**— Disposition of animals in emergencies, G.L. 1956, § 4-19-12(a).

7
8 **Secs. 10-47—10-65. - Reserved.**

9
10 **ARTICLE III. - DOGS AND CATS**

11
12 **DIVISION 1. – GENERALLY,**

13
14 **Sec. 10-66. - Confinement of certain dogs.**

15
16 (a) It is unlawful for any owner or keeper to maintain a dog that has been declared vicious upon
17 any premises which does not have a locked enclosure. It is unlawful for any owner or keeper to
18 allow any vicious dog to be outside of the dwelling of the owner or keeper or outside of the
19 enclosure unless it is necessary for the owner or keeper to obtain veterinary care for the vicious
20 dog or to comply with commands or directions of the dog officer with respect to the vicious dog,
21 or to comply with the provisions of G.L. 1956, § 4-13.1-3(a)(1) or G.L. 1956, § 4-13.1-3 (a)(2).
22 In this event, the vicious dog shall be securely muzzled and restrained with a leash or chain
23 having a minimum tensile strength of 300 pounds and not exceeding three feet in length, and
24 shall be under the direct control and supervision of the owner or keeper of the vicious dog.

25
26 (b) The owner of every female dog, cat or other animal in heat shall keep it confined in a
27 building or secure enclosure, or in a veterinary hospital or boarding kennel, in such a manner that
28 such female dog, cat or other animal cannot come in contact with another dog or other animal
29 except for intentional breeding purposes, provided that no female dog, cat or other animal in heat
30 shall be kept in a motel or an apartment.

31
32 (c) Any dog described in subsections (a) and (b) of this section, found at large, shall be
33 impounded by the animal control officer and may not be reclaimed by owners, unless such
34 reclamation is authorized by any court having jurisdiction.

35
36 (d) Any dog may, the first time it is impounded under the provisions of division 3 of this article,
37 pertaining to nuisance abatement, be reclaimed as provided in section 10-102(a), but may not be
38 reclaimed when so impounded on second or subsequent occasion unless such reclamation is
39 authorized by a court having jurisdiction in the matter.

40
41 (Code 1982, § 4-6; Code 2003, § 10-66)

42
43 **State Law reference**— Control of vicious dogs, G.L. 1956, § 4-13.1-4.

44
45 **Sec. 10-67. - Dogs prohibited on school property.**

1 (a) Except as provided in G.L. 1956, ch. 40-9.1 (G.L. 1956, § 40-9.1-1 et seq.), it shall be
2 unlawful for an owner or keeper to allow such person's dog to be in schoolyards or on school
3 property, including the recreational fields between Melrose Avenue and Lawn Avenue from
4 Watson Avenue to Arnold Avenue.

5
6 (b) ~~Except as provided in G.L. 1956, ch. 40-9.1 (G.L. 1956, § 40-9.1-1 et seq.), no dogs shall be~~
7 ~~allowed in any stores or eating places, whether at large or under restraint.~~

8
9 (c) ~~All dogs, if permitted, must be kept on a leash at all times while in any of the town~~
10 ~~recreational facilities.~~

11
12 (Code 1982, § 4-15; Code 2003, § 10-67)

13
14 **Sec. 10-68. - Barking dogs prohibited in apartments.**

15
16 It shall be unlawful for a person to keep barking dogs in apartment structures.

17
18 (Code 1982, § 4-11; Code 2003, § 10-68)

19
20 **Sec. 10-69. - Number of dogs at residences.**

21
22 It shall be unlawful for a person to keep more than three dogs over six months of age at the same
23 residence. This section shall not apply to licensed kennels.

24
25 (Code 1982, § 4-14; Code 2003, § 10-69)

26
27 ~~Sec. 10-70.— Dogs at large.~~

28
29 ~~No person being the owner or keeper of a dog, or having the charge or custody of a dog, shall~~
30 ~~allow such dog to run at large off its owner's or keeper's property within the town unless such~~
31 ~~dog is properly leashed or under the direct command and control of its owner or keeper between~~
32 ~~the hours of 7:00 a.m. and 4:00 p.m. Any such dog found not properly leashed or under the~~
33 ~~control of its owner or keeper and off its owner's or keeper's property running loose shall be~~
34 ~~impounded by the animal control officer, and such dog shall be held at the animal shelter~~
35 ~~(pound) until such owner or keeper is located. The owner or keeper of such dog shall be issued a~~
36 ~~citation by the animal control officer, or police officer, for allowing such dog to run loose.~~

37
38 (Code 1982, § 4-23; Code 2003, § 10-70)

39
40 Sec. 10-70. Dogs Prohibited from Being at Large.

41
42 (a) The owner or keeper of a dog shall not allow that dog to move at large beyond the owner's or
43 keeper's property limits. It shall be the responsibility of the owner or keeper of a dog to employ
44 whatever measures are necessary and adequate to prevent the dog from leaving the property
45 unrestrained and from moving about at large within the town. The owner or keeper of a dog may
46 allow the dog to be outside the residence and within the limits of the owner's or keeper's

1 property provided that:

2
3 (1) the dog returns upon the voice commands of a competent person who is present; or

4
5 (2) the dog returns when prompted by an electronic signal controlled remotely by a
6 competent person who is present; or

7
8 (3) the dog is attached to a leash controlled by a competent person; or

9
10 (4) the dog is attached to a rope, cord, or chain of reasonable and adequate length which
11 is affixed to a stationary object; or

12
13 (5) the dog is prevented by a physical, natural, or electronic barrier from exiting the
14 property; or

15
16 (6) the dog is prevented in any other reasonable and adequate way from roaming beyond
17 the property limits.

18
19 (b) The owner and keeper of a dog may allow the dog to be outside the residence and within the
20 limits of the property of another person in the manner described in Sec.10-70 (a) provided that
21 the owner of said property expresses assent to the owner or keeper of the dog, and the owner or
22 keeper of the dog is responsible for ensuring that the dog does not move unrestrained beyond the
23 limits of that property.

24
25 (c) Any dog found moving about at large within the town shall be impounded by any police
26 officer or other person employed by the town to enforce this chapter, and such dog shall be held
27 at the animal shelter (pound) until the owner or keeper of the dog is located.

28
29 (d) The owner or keeper of a dog who fails to prevent the dog from leaving the property and
30 roaming at large as set forth in Sec. 10-70 (a) or (b) shall be in violation of this section and
31 chapter.

32
33 **State Law reference**— Authority to prohibit dogs running at large, G.L. 1956, § 4-13-15.1.

34
35 **Sec. 10-71. - Census.**

36
37 It shall be the duty of the animal control officer or the town sergeant to conduct a complete
38 annual dog census in the town.

39
40 (Code 1982, § 4-27; Code 2003, § 10-71)

41
42 **State Law reference**— Animal census, G.L. 1956, § 4-13-11.

43
44 **Sec. 10-72. - Removal of dog feces.**

45
46 ~~No person in control of a dog~~ The owner or keeper of a dog shall not knowingly permit such dog

1 to defecate on any sidewalk, park, public or private place or building. The ~~person in control of~~
2 ~~any dog~~ owner or keeper of any dog which defecates on any of these sites must immediately
3 remove the feces and shall immediately and properly dispose of any bag (or other container or
4 receptacle) into which the removed feces has been placed.

5
6 An owner or keeper of a dog who fails to comply with the requirements of Sec. 10-72 shall be in
7 violation of this section and subject to the penalties provided in sec. 10-9.

8
9 (Code 1982, § 4-28; Code 2003, § 10-72)

10
11 **Sec. 10-73. Leash provisions-where and when required**

12
13 **(a)Leash Requirement-** Whenever a dog moves about on the public streets, sidewalks, ways,
14 parks, grounds, buildings, and other property within the town, the owner or keeper of the dog
15 shall securely attach (or cause to be securely attached) a leash not exceeding seven feet in length
16 to the identification collar affixed to the dog. The owner or keeper of the dog shall ensure that
17 said leash is held and controlled by a person competent to handle the dog.

18
19 (b) The only exceptions to the leash requirements of sec. 10-73 (a) are set forth in sec. 10-73 (c)
20 and (d).

21
22 **(c) Exceptions to the Leash Requirement** At those locations and within the dates delineated in
23 sec. 10-73 (d), the owner or keeper of a dog may cause or allow the dog to move about without
24 being attached to a leash, provided that the owner or keeper of said dog exercises and maintains
25 direct command and control of the dog.

26
27 (d) The locations and times at which off leash activity in accordance with sec. 10-73(c) is
28 permitted include, and are limited to, the following:

29
30 (1) At Fort Getty Park dogs are permitted to be off leash under the direct command and
31 control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st through
32 May 15th daily from 7 a.m until 11 a.m and from 3 p.m until 7p.m. Dogs are permitted at
33 Fort Getty at any time the park is open from October 1st through May 15th, but must be
34 leashed in accordance with sec. 10-73 (a) outside the hours of 7 a.m. to 11 a.m. and 3
35 p.m. to 7 p.m. From May 16th through September 30th dogs are permitted at Fort Getty,
36 but must be leashed in accordance with sec. 10-73 (a).

37
38 (2) At Mackerel Cove Beach dogs are permitted to be off leash under the direct command
39 and control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st
40 through May 15th. From May 16th through September 30th dogs are not permitted on the
41 beach at any time.

42
43 (3) At Potters Cove Beach dogs are permitted to be off leash under the direct command
44 and control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st
45 through May 15th. From May 16th through September 30th dogs are not permitted on the
46 beach at any time.

1 (4) At Head's Beach dogs are permitted to be off leash under the direct command and
2 control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st through
3 May 15th. From May 16th through September 30th dogs are not permitted on the beach at
4 any time.

5
6 (5) At Park Dock dogs are permitted to be off leash under the direct command and
7 control of the owner or keeper in accordance with sec. 10-73(c) from October 1st through
8 May 15th. From May 16th through September 30th dogs are not permitted to be on the
9 beach at any time.

10
11 (6)At Battery Park dogs are permitted to be off leash under the direct command and
12 control of the owner or keeper in accordance with sec. 10-73 (c) from January 1st
13 through December 31st.

14
15 (7)At Eldred Avenue Recreation Complex dogs are permitted to be off leash under the
16 direct command and control of the owner or keeper in accordance with sec. 10-73(c)
17 from November 15th through March 31st. From April 1st through November 14th, dogs are
18 permitted at the complex but must be leashed in accordance with sec. 10-73 (a).

19
20 (8)At Taylor Point dogs are permitted but must be leashed in accordance with sec. 10-
21 73(a).

22
23 (e) An owner or keeper of a dog who fails to meet the requirements of sec. 10-73 (a) or sec. 10-
24 73 (c) or sec. 10-73 (d) shall be in violation of this section and subject to the penalties provided
25 in sec. 10-9.

26
27 **Sec. 10-74.**

28
29 Town staff designated by the Town Administrator shall continually and periodically
30 monitor, assess, and report to the Town Council whether the health, welfare, and safety of the
31 town's residents are adequately protected in the execution of this chapter.

32
33 **Secs. ~~10-73~~ 10-75 -10-85. - Reserved.**

34
35 DIVISION 2. - LICENSE^[2]

36
37 **Footnotes:**

38
39 --- (2) ---

40
41 **State Law reference**— Dog license fees for the Town of Jamestown, G.L. 1956, § 4-13-4.

42
43 **Sec. 10-86. - Required; fee.**

44
45 (a) The owner or keeper of every dog over the age of six months living in the town limits shall be
46 licensed by the town clerk during the month of April. A fee as provided in appendix C shall be

1 paid for all neutered dogs and a fee as provided in appendix C shall be paid for all unneutered
2 dogs. A late fee as provided in appendix C shall be paid for the licensing of any dog after April
3 30, pursuant to G.L. 1956, § 4-13-4.

4
5 (b) The late fee may be waived by the town clerk for those persons who have newly acquired a
6 dog or who have newly moved to the town.

7
8 (Code 1982, § 4-12; Code 2003, § 10-86)

9
10 **State Law reference**— Dog license fees for the Town of Jamestown, G.L. 1956, § 4-13-4.

11
12 **Secs. 10-87—10-100. - Reserved.**

13
14 DIVISION 3. - IMPOUNDMENT^[3]

15
16 **Footnotes:**

17
18 --- (3) ---

19
20 **State Law reference**— Impoundment of animals at large, G.L. 1956, § 4-15-3; letting team go
21 at large, G.L. 1956, § 11-22-9; authority to adopt regulations regarding dogs, G.L. 1956, § 4-13-
22 15.1; municipal pounds, G.L. 1956, § 4-19-1 et seq.

23
24 **Sec. 10-101. - Required; notice to owner.**

25
26 (a) Any dog not in compliance with or in violation of section 10-66 or section 10-152 shall be
27 subject to impoundment by the animal control officer. Dogs not claimed by their owners within
28 five days of impoundment may be disposed of at the discretion of the animal control officer,
29 except as provided in this division in the cases of certain dogs.

30
31 (b) The animal control officer may transfer title to any dog held at the dog pound after five days
32 have expired and such dog has not been claimed by its owner.

33
34 (c) Immediately upon impounding dogs, the animal control officer shall make reasonable efforts
35 to notify the owners of such dogs, so impounded, and inform such owners of the conditions
36 whereby they may regain custody of such dogs.

37
38 (d) Any dog running at large within the town limits may be impounded or disposed of according
39 to law when such action is required either to protect the dog or to protect the residents of the
40 town.

41
42 (Code 1982, § 4-7; Code 2003, § 10-101)

43
44 **Sec. 10-102. - Redemption of impounded dogs; other disposition.**

45
46 (a) The owner shall be entitled to regain possession of any impounded dog, except as provided in

1 this section in the cases of certain dogs, upon the payment of impoundment fees set forth in
2 appendix C and establishing proof of ownership which may include license receipt, affidavits of
3 ownership and/or a photograph of the dog.

4
5 (b) Any dog impounded under the provisions of this chapter and not reclaimed by its owner
6 within five days may be humanely destroyed by the animal control officer, or may be placed by
7 the animal control officer in the custody of some person for adoption deemed to be a responsible
8 and suitable owner, who will agree to comply with the provisions of this chapter and with such
9 other regulations as shall be fixed by the town council. Upon adoption, a fee as provided in
10 appendix C shall be charged, and all impoundment fees shall be waived. Under no circumstances
11 shall the ownership of any dog be transferred to an entity prohibited by G.L. 1956, § 4-19-12.

12
13 (Code 1982, § 4-8(a), (b); Code 2003, § 10-102)

14
15 **State Law reference**— Gift to dealer or research facility prohibited, G.L. 1956, § 4-19-12(b).

16
17 **Sec. 10-103. - Mandatory spaying and neutering of dogs and cats; exemptions.**

18
19 (a) The animal control officer shall not release, sell, trade, give away, exchange, adopt out or
20 otherwise transfer, with or without a fee, any dog or cat that has not been spayed or neutered
21 unless the adopting party executes a written agreement with the animal control officer to have
22 the dog or cat spayed or neutered within 30 days of the adoption date or within 30 days from the
23 date that such cat or dog reaches sexual maturity, with the cost of such spaying or neutering to be
24 the responsibility of the adopting party. The written agreement must include the dog's or cat's
25 age, sex and general description; the date of adoption and the date by which the dog or cat must
26 be spayed or neutered; the adopting party's name, address, telephone number and signature; and
27 the animal control officer's name, address, telephone number and the dollar amount of the
28 deposit remitted. In addition to executing the written agreement, the adopting party must leave
29 with the animal control officer a deposit in the amount provided in appendix C. Such deposit
30 shall be refunded by the animal control officer to the adopting party upon presentation of a
31 written statement or receipt from a licensed veterinarian of the adopting party's choice where the
32 dog or cat was spayed or neutered providing that the spaying or neutering was performed with
33 the 30-day period. Alternatively, the animal control officer shall make appropriate arrangements
34 for the spaying or neutering of the dog or cat by a licensed veterinarian and have the surgery
35 completed before releasing the dog or cat to the adopting party.

36
37 (b) The following are exemptions from the provisions of subsection (a) of this section:

38
39 (1) The animal control officer returns a stray dog or cat to its owner.

40
41 (2) The animal control officer receives a written report from a licensed veterinarian
42 stating that the life of the dog or cat would be jeopardized by the surgery and that such
43 health condition is likely to be permanent.

44
45 (3) The animal control officer receives a written report from a licensed veterinarian
46 stating that there is a temporary health condition, including sexual immaturity, which

1 would make surgery life threatening to the dog or cat or incapable of being done, in
2 which instance the animal control officer shall grant the adopting party an appropriate
3 extension of time in which to have the dog or cat spayed or neutered based on the
4 veterinarian's report.

5
6 (4) The animal control officer transfers a dog or cat to another state-licensed releasing
7 agency.

8
9 (c) The exemptions provided in subsections (b)(2) and (b)(3) of this section shall only be
10 applicable if the animal control officer receives such written report from a licensed veterinarian
11 within the 30-day period during which the spaying or neutering would otherwise be required, or
12 in the case of a report contemplated by subsection (b)(2) of this section, such report may be
13 provided to the animal control officer during any temporary extension provided by subsection
14 (b)(3) of this section if the health condition of the dog or cat has changed.

15
16 (d) If requested to do so, the animal control officer shall refund deposited funds to the adopting
17 party upon reasonable proof being presented to the animal control officer by the adopting party
18 that the dog or cat died before the expiration of the period during which the spaying or neutering
19 was required to be completed.

20
21 (Code 1982, § 4-8(d)—(f); Code 2003, § 10-103; Ord. of 4-9-1994, § 4-8)

22
23 **State Law reference**— Mandatory spaying or neutering of dogs and cats adopted from the town
24 pound, G.L. 1956, § 4-19-16.

25
26 **Sec. 10-104. - Fees.**

27
28 (a) Any impounded dog may be reclaimed as provided in this division upon payment by the
29 owner to the animal control officer of a fine the sum of \$25.00 for the first offense and the
30 additional sum as provided in appendix C for each day such animal is kept, and the sum of
31 \$50.00 for any subsequent offense within a fiscal year and the additional sum as provided in
32 appendix C for each day such animal is kept. Impoundment fees set forth in this section, and
33 such additional sums as provided for keeping animals, shall be collected by the animal control
34 officer, or police officer for use of the town.

35
36 (b) Upon impoundment for any violation of this chapter, the animal control officer shall issue a
37 citation to the owner of the animal for the violation for which the animal was impounded.

38
39 (Code 1982, § 4-9; Code 2003, § 10-104)

40
41 **State Law reference**— Livestock impoundment fees, G.L. 1956, § 4-15-7.

42
43 **Sec. 10-105. - Voluntary disposition of dogs.**

44
45 It shall not be the responsibility of the animal control officer to dispose of dogs at an owner's

1 request. The owner of a dog or any domestic animal who wishes to dispose of such animal shall
2 assume all costs and the responsibility for such disposal.

3 (Code 1982, § 4-10; Code 2003, § 10-105)

4

5 **Secs. 10-106—10-125. - Reserved.**

6

7 ARTICLE IV. - RABIES CONTROL^[4]

8

9 **Footnotes:**

10

11 --- (4) ---

12

13 **State Law reference**— Treatment and control of rabies, G.L. 1956, § 4-13-29 et seq.

14

15 **Sec. 10-126. - Required reports of bite cases.**

16

17 It shall be the duty of every physician or other medical practitioner to report to the animal control
18 officer or to the police department the names and addresses of persons, and bitten persons treated
19 for bites inflicted by animals, together with such other information as will be helpful in rabies
20 control.

21

22 (Code 1982, § 4-13(a); Code 2003, § 10-126)

23

24 **Sec. 10-127. - Suspect animals.**

25

26 (a) Report. It shall be the duty of every licensed veterinarian to report to the animal control
27 officer any animal considered by such veterinarian to be a rabies suspect.

28

29 (b) Death of animal under quarantine. When rabies has been diagnosed in an animal under
30 quarantine or when rabies is suspected in such an animal by a licensed veterinarian, and the
31 animal dies while under observation, the animal control officer shall immediately send the head
32 of such animal to the state department of environmental management for pathological
33 examination and shall notify the proper health official of reports of human contacts and the
34 diagnoses.

35

36 (Code 1982, § 4-13(b), (c); Code 2003, § 10-127)

37

38 **Sec. 10-128. - Biting of humans; quarantine procedures.**

39

40 Every animal which bites a person shall be promptly reported to the animal control officer and
41 shall thereupon be securely quarantined at the direction of the animal control officer or police
42 officer for a period of no less than ten days, and shall not be released from such quarantine
43 except by written permission from the chief of police or the animal control officer. At the
44 discretion of the animal control officer, such quarantine may be on the premises of the owner or
45 at the pound, or at the owner's option and expense, in a veterinary hospital of their choice. In

1 case of stray animals, or of animals whose ownership is not known, such quarantine shall be at
2 the town-designated animal shelter.

3
4 (Code 1982, § 4-13(d); Code 2003, § 10-128)

5
6 **Sec. 10-129. - Surrender of animal; quarantine expenses; reclamation of animal.**

7
8 The owner, upon demand by the animal control officer, shall forthwith surrender any animal
9 which has bitten a human, or which is suspected as having been exposed to rabies, for supervised
10 quarantine, the expense of which shall be borne by the owner. Such animal may be reclaimed by
11 the owner if it is determined to be free of rabies, upon payment of the same fees levied upon such
12 animal for the time it is interned at the animal shelter.

13
14 (Code 1982, § 4-13(e); Code 2003, § 10-129)

15
16 **Secs. 10-130—10-150. - Reserved.**

17
18 **ARTICLE V. - NUISANCES^[5]**

19
20 **Footnotes:**

21
22 --- (5) ---

23
24 **State Law reference**— Damage by animals, G.L. 1956, § 4-14-1 et seq.; damage by dogs, G.L.
25 1956, § 4-13-16 et seq.; animals at large, G.L. 1956, § 4-15-1 et seq.

26
27 **Sec. 10-151. - Trespass and destruction of property by animal.**

28
29 It shall be unlawful to allow or permit any animal to trespass on private or public property so as
30 to damage or destroy any property or thing of value. Such destruction is hereby declared to be a
31 nuisance, and any such animal may be impounded by the animal control officer.

32
33 (Code 1982, § 4-8(c); Code 2003, § 10-151; Ord. of 6-10-1996, § 4-21(c))

34
35 **Sec. 10-152. - Harboring or keeping of noisy or vicious animals.**

36
37 It shall be unlawful to keep or harbor any animal, whether licensed or not, whenever it shall be
38 affirmed in writing and signed by two or more residents of separate dwellings of this town or by
39 two or more persons regularly employed in the neighborhood, or such complaint has been
40 affirmed in writing and signed by one or more residents of this town and the complaint has been
41 verified by the animal control officer, that any animal is a habitual nuisance by reason of
42 repeated howling or barking or making other noise, or being vicious or by its acting potentially
43 vicious. Such keeping or harboring is hereby declared to be a public nuisance.

44
45 (Code 1982, § 4-21(a); Code 2003, § 10-152; Ord. of 6-10-1996, § 4-21(a))

46

1 **Sec. 10-153. - Abatement by owner and town.**

2
3 (a) Whenever an animal is a nuisance by reason of habitual trespassing, howling, barking or
4 other noise, or by reason of doing damage to property, or by being vicious or by its acting
5 potentially vicious or in any other manner causing undue annoyance, the animal control officer,
6 if such officer finds such nuisance to exist, shall serve notice upon the owner of such animal, that
7 such nuisance must be abated. It shall be unlawful for an owner not to abate such nuisance. In
8 addition to all other penalties, if such nuisance is not thereupon abated, the animal control officer
9 shall impound such animal.

10
11 (b) The animal control officer shall serve notice upon the owner or keeper of the animal that the
12 nuisance must be abated within a period of three days after the service of the notice. Each day
13 shall constitute a separate offense. After the third day such public nuisance continues, a fine of
14 \$25.00 per day shall be imposed.

15
16 (Code 1982, §§ 4-21(b), 4-22(a); Code 2003, § 10-153; Ord. of 6-10-1996, § 4-21(b))

17
18 **Secs. 10-154—10-175. - Reserved.**

19
20 **ARTICLE VI. - FARM ANIMALS**

21
22 **DIVISION 1. – GENERALLY**

23
24 **Secs. 10-176—10-190. - Reserved.**

25
26 **DIVISION 2. – SWINE**

27
28 **Sec. 10-191. - Permit.**

29
30 (a) Required to keep. No person shall keep swine within the town unless such person shall first
31 have obtained a permit from the town council to do so, and only subject to such rules and
32 regulations as the town council may from time to time prescribe.

33
34 (b) Required to feed swill. No person shall feed any swill or other household offal to any swine
35 which are kept within the town unless such person shall have received a permit to do so, and
36 subject only to such rules and regulations as the town council shall from time to time prescribe.

37
38 (Code 1982, §§ 4-18, 4-19; Code 2003, § 10-191)

39
40 **State Law reference—** State permit to feed garbage, G.L. 1956, § 4-3-3.

41
42 **Sec. 10-192. - Location of pig sty.**

43
44 No pig sty shall be built or maintained on marshy ground or land subject to overflow, nor within
45 300 feet of any inhabited house or public meeting house other than that of the proprietor of the
46 pig sty.

1
2 (Code 1982, § 4-20; Code 2003, § 10-192)

3
4 **Secs. 10-193—10-199. - Reserved.**

5
6 **ARTICLE VII. - NON-DOMESTICATED ANIMALS**

7
8 **Sec. 10-200. - Feeding non-domesticated animals—Purpose.**

9
10 The purpose of this article is to protect the health and safety of residents in the town with respect
11 to dangers associated with coyotes and other non-domesticated animals by minimizing
12 opportunities for such animals to obtain food from sources controlled or controllable by humans.

13
14 (Ord. of 10-3-2016, § 1(Exh. A))

15
16 **Sec. 10-201. - Definitions.**

17
18 Words and phrases used in this chapter shall have the following meanings, unless otherwise
19 clearly indicated by the context:

20
21 Attractant means any substance which could reasonably be expected to attract or does attract
22 coyotes or other non-domesticated animals.

23
24 Feeding means the leaving of food of any kind where it is accessible to coyotes or other non-
25 domesticated animals.

26
27 Food means all substances consumed by humans or animals for nourishment except grass and
28 other vegetation, growing crops, and food that is canned or stored in sealed or closable
29 containers.

30
31 (Ord. of 10-3-2016, § 1(Exh. A))

32
33 **Sec. 10-202. - Prohibitions.**

34 (a) No person shall feed or in any manner provide an attractant to coyotes or other non-
35 domesticated animals; provided that domestic pets are not attractants, and feeding pets outdoors
36 does not create an attractant if the pet eats all the food immediately, or the remaining food is
37 removed as soon as the pet stops eating, or the pet is fed in a secure cage or other enclosure.

38
39 (b) No person shall leave, store, or maintain any food or attractant in a manner, area, or location
40 accessible to coyotes or other non-domesticated animals.

41
42 (Ord. of 10-3-2016, § 1(Exh. A))

43
44 **Sec. 10-203. - Exceptions.**

45
46 (a) Food for birds or squirrels that is in a feeder located within 100 feet of a residence and

1 elevated to be inaccessible to coyotes.

2

3 (b)Outdoor feeding of farm animals, provided (1) animal food, when not being fed to animals, is
4 stored in a building or a closed container; (2) excessive amounts of food, based on the animals'
5 eating history, are not provided to the animals; (3) injured, old, feeble, or pre-sized animals are
6 not left outside unattended; and (4) all other reasonable efforts are made to reduce attractants to
7 coyotes and other non-domesticated animals.

8

9 (Ord. of 10-3-2016, § 1(Exh. A))

10

11 Sec. 10-204. - Enforcement.

12

13 Violations of this article are punishable by a civil penalty of from \$100.00 to \$500.00 for each
14 day of violation.

15

16 (Ord. of 10-3-2016, § 1(Exh. A))

DRAFT



Town of Jamestown
Town Administrator
93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199
401-423-9805
Email: jhainsworth@jamestownri.net

Jamie A. Hainsworth
Town Administrator

MEMORANDUM TO: Honorable Town Council
FROM: Town Administrator, Jamie A. Hainsworth
DATE: November 9, 2021
SUBJECT: Report for Town Council Meeting November 15, 2021

Broadband Utility RFP update: The R.F.P. for Broadband consultation service was posted on November 5th and closes on December 13th. approximately 20 Companies have downloaded the posting, The Feasibility Study RFP can be found on www.bidnetdirect.com
The Town, along with virtually all other RI municipalities, is now using this site to centrally manage all types of bids.

Letter of October 29th from Jamestown Conservation Committee: The Conservation Commission has received a request to change Steamboat Street in creating two dead ends on the unpaved section of Steamboat between Beacon and Beach Avenues. A letter from the Commissions Chair is in your communications. Their letter was the first notice I had of this proposal. I have not had the opportunity to meet with our Public Safety and DPW Department heads to evaluate the concerns of the request and what the scope (cost) of this project would be.

Municipal Parking Lot, Narragansett Avenue: The Department of Public Works removed the tent at the southern end of the parking lot and restored parking spaces which included two handicapped parking places. The tent toward the north (end) of the lot remains, until the weather requires its removal.

Friends of Jamestown Rights of Ways+ Roads: Some Members of Staff and I have had a few meetings recently with a group of residents concerned with the use and access to the many rights of ways leading to the ocean throughout Town. This group is working towards an "adopting rights of ways" initiative. The group will be asking to address the Council with their proposal in the near future. If approved, this would involve a citizen(s) volunteering to be the steward(s) of a right of way of their choice. Once a volunteer(s) comes forward they would sign an agreement of adoption with the Coastal Resources Management Council (CRMC), the Town including the Conservation Commission. CRMC would then consider giving permission for any clearing of a 6- to 8-foot-wide clearing of vegetation to create a walking path. The group is also collaborating with Clean Ocean Access and Save the Bay. Upon completion and review of the program we will review with the Council for consent.

Covid 19 update: From October 26th to November 8th there were seven (7) new positive covid-19 cases reported for Jamestown. Chief Mello as EMA Director has coordinated another Covid Vaccine Moderna Booster Clinic to be held on November 16th from 3:30 pm to 8pm. Also, a Pfizer Clinic for ages 5 to 11 years old on November 18th from 2:00 p.m. to 5:30 p.m. both will be held at the Melrose Street School.

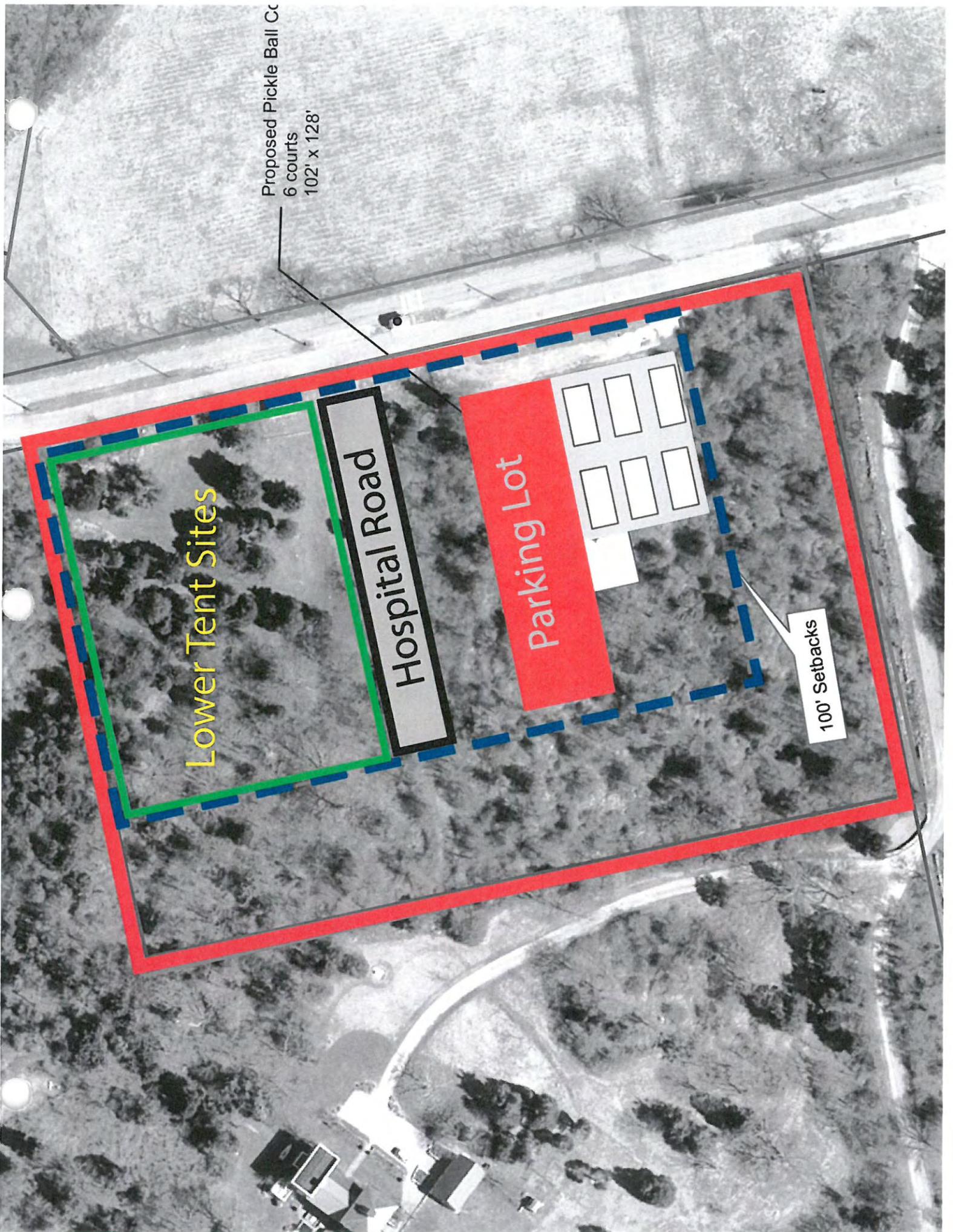


TOWN OF JAMESTOWN
Parks & Recreation Office
P.O. Box 377
41 Conanicus Ave.
JAMESTOWN, RHODE ISLAND 02835

Recreation Office (401) 423-7260
Teen Center (401) 423-7261
Fort Getty (401) 423-7211
Fax (401) 423-7229

TO: TOWN COUNCIL
FROM: RAY DEFALCO, PARKS & RECREATION DIRECTOR
SUBJECT: UPDATE - Pickleball Courts at Fort Getty
DATE: November 8th, 2021

Update on the 2021 DEM Grant – Fort Getty Pickleball Courts and parking lot. Prepared a projected site map of where the courts and parking lot would go. Ready to discuss any thoughts or concerns with the site and plan.



Proposed Pickle Ball Courts
6 courts
102' x 128'

Lower Tent Sites

Hospital Road

Parking Lot

100' Setbacks



Town of Jamestown

Town Clerk's Office
Town Hall, 93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199
401-423-9800 • Fax 423-7230
email: rfagan@jamestownri.net

Roberta J. Fagan
Town Clerk
Probate Clerk

MEMORANDUM TO: Honorable Town Council

FROM: Roberta Fagan, Town Clerk

DATE: November 9, 2021

SUBJECT: Report for Town Council Meeting November 15, 2021

Business License Summary: Attached please find a draft Business License report. This is a first draft for reference only and will be updated as needed.



TOWN OF JAMESTOWN
93 NARRAGANSETT AVENUE
P.O. Box 377
JAMESTOWN, RHODE ISLAND 02835

Director Peter Alviti
Rhode Island Department of Transportation
Two Capitol Hill
Providence RI 02903

November 1, 2021

Dear Mr. Alviti;

In July of 2019, the Rhode Island State Traffic Commission (RISTC) considered a request by residents to install a four-way stop at the intersection of Walcott Avenue and High Street in Jamestown.

The RISTC denied this request based upon a study prepared by RIDOT. The MUTCD was cited and referenced the prohibition of four-way stops for speed control. High Street is one of only three streets that travel east and west across the island between two state roads.

On behalf of the Jamestown Town Council, I request that RIDOT evaluate the intersection and all approaches and determine what, if any conditions could be altered in order to improve the speed of vehicles along with pedestrian safety.

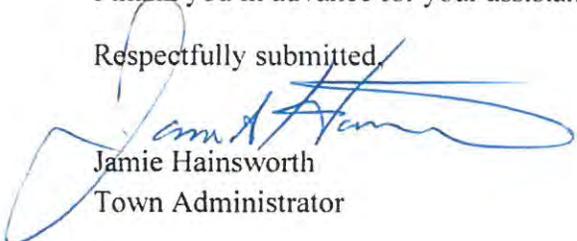
Our goal is to make Walcott Avenue at and near the High Street intersection safer and more accommodating for active transportation such as walking and biking.

I ask that the four-way stop sign be reconsidered along with any other traffic calming measures which may be employed.

Furthermore, I ask that if the four-way stop sign is not installed, that both Walcott Avenue and Hamilton Avenue be considered for future complete re-engineering and construction projects to include a separated and shared pathway, similar to that which was just installed along Coddington Highway in Middletown.

I thank you in advance for your assistance.

Respectfully submitted,


Jamie Hainsworth
Town Administrator

At the Town Council's direction, a small subgroup has met twice to review the possibilities of regulating Short Term Rentals. The group consists of Town Solicitor Peter Ruggiero, Town Planner Lisa Bryer, Town Building Official Bill Moore, Police Chief Ed Mello, Planning Commission Chair Mike Swistak and me. It was recommended by the Town Solicitor that only one member of the Planning Commission and one member of the Town Council should be involved to avoid a conflict with the OMA. Our intent was to build upon the framework developed by the Planning Commission over the past year, while addressing the concerns that the Town Council has put forth. This synopsis provides a basis upon which the Council might create an ordinance, first in general terms and then, more concretely and specifically, through the public hearing process. This is an outline of what we discussed and recommend to the Council.

- Short Term Rentals, to be addressed by this ordinance, are those rentals of residential properties or parts thereof (consisting of a minimum of a bedroom and a readily accessible bathroom) for a term of less than 30 days.
- No property regulated by this Short Term Rental ordinance may be rented more than once in seven successive days. Put another way, a property rented on a Friday, for example, for one, two, three, four or five days, may not be rented again until the following Friday
- The process by which such rentals are allowed in Jamestown is through licensure by the Town Council. To get a license, a property owner must register with the town and allow their property to be inspected for compliance with the building and zoning codes by the building official and for fire safety by the Fire Marshal. The cost of this effort will be supported by fees for registration and inspection.
- There are two tiers of licensure.
 - For owner occupied dwellings, where the owner is a human being (or beings,) not a corporation or trust, and can prove that it is their primary residence (voting address, driver's license or some other government issued identification that corroborates their residency) the fee will be \$350.
 - For properties where the owner does not live at the property to be rented, or where the owners own it as a corporation or trust, the fee will be \$700.
- The Town Council reserves the right to cap the number of licenses it dispenses. It may do so based on geography, the proximity of applicants, the number of properties applying, the character of ownership or other criteria. As with liquor licenses, this shall be within the Town Council's discretion.
- Licenses may be revoked for specific infractions of this ordinance and any other town ordinance, as determined by the police or building official.
- The applications for licenses will be advertised in the paper prior to the public meeting where they are reviewed by the Council. Neighbors and citizens may speak in support or against the granting of these licenses.
- The location of each licensed short-term rental will be posted on the town website.
- A second ordinance should be enacted to ensure that all other rental properties (those over 30 days) are inspected for code compliance and safety as per Minimum Housing regulations.
- The Town should contract with a monitoring agent, such as Host Compliance, to monitor short term rentals in town. The Town should also consider that additional town personnel may be required to monitor short term rentals and to inspect both short- and long-term rentals.
- The Town should enact such an ordinance to ensure compliance with our town comprehensive plan and maintain the residential character of our neighborhoods.

October 27, 2021

Jamestown Town Council
Jamestown Ri 02835
jtownelc@aol.com

Hello Jamestown Town Council members,

On behalf of the Jamestown Cell Coverage Coalition (JC3) we are writing to request that cell coverage on Jamestown be an agenda item at an upcoming meeting.

At this meeting we would like the following topics to be addressed:

1. Update on cell coverage investigations, plans and progress on improving cell coverage in Jamestown, especially the North End of the island.
2. Information on what Verizon had been installing to the poles along North Main road and associated plan.
3. Plans on how cell phone coverage might be addressed alongside Broadband infrastructure improvements
4. Update from police and emergency services on plans to address issues of safety Information on any recent issues when cell coverage negatively affected emergency response time in the past year
5. Developing a plan to have coalition members to meet with designated town representatives on a regular basis to coordinate communication and progress towards improved cell coverage

Thank you. We can be reached at Jamestownricell@gmail.com and/or contact the JC3 coordinator, Karen Buetens at 781 929 9434.

Thank you.

Sincerely,
Alice Adler, America Way
Sarah Baines, Intrepid Lane
Karen Buetens, Columbia Lane

Nancy and Mark Campbell, America Way
Chris Cannon, East Shore Road
Brad Donnelly, Skysail Court
Jamie and Steve Engberg, Intrepid Lane
Frank Haggerty, West Reach
John Hammel, Columbia Lane
Wayne Moore, West Reach Drive
Rosemary Forbes-Woodside, Skysail Court

Cc: Jamie Hainsworth, Town Administrator, jhainsworth@jamestownri.net
Nancy Beye, President jtownelc@aol.com
Mary Meagher Vice President. tiptoparch@msn.com
Erik Brine. ebrine@gmail.com
Mike White mgblanco@cox.net
Randy White major510@cox.net
Deb Ruggiero drjamestown@cox.net
Dawn Euer dawn.euer@gmail.com
Chief Mello emello@jamestownri.net
Jamestown Press, tim@jamestownpress.com



November 8, 2021

Jamestown Town Council
Ms. Nancy A. Beye
President
93 Narragansett Ave.
Jamestown, RI 02835

Dear Ms. Beye and Town Council Members:

I wanted to update you on the progress Mariner Tower is making in securing a land lease for a new tower that would fill the gap in coverage in the northern section of Jamestown.

I am pleased to report that Mariner Tower has secured a ground lease on a private parcel for a site that I believe will provide excellent service to the northern residents of Jamestown. The site is located on Carr Lane, which is depicted as Lot 17 on the Assessor's Plat Map 4.

Over the next few weeks, we will establish the exact location of the proposed tower on the property in consultation with the landowner. We anticipate siting the tower on the northwest corner of the property, with the entrance coming off of North Main Road.

Once the tower location is determined, Mariner will engage an engineering firm to survey the site and develop formal site plans. We also plan to conduct a visual impact assessment at the proposed site to demonstrate the location and height of the proposed facility and to assess its potential visual impact. We expect to have the site plans and visual analysis completed at the beginning of the year, at which point we will present this site to the carriers.

We look forward to submitting an application and bringing this project to fruition for the residents of Jamestown. We will continue to keep you informed, but if you have any questions, please feel free to call me at (207) 967-8094 or email louis@marinertower.com.

Sincerely,

Louis Vitali
Manager

cc: Lisa Bryer

Roberta Fagan

From: jtownelc <jtownelc@aol.com>
Sent: Thursday, November 4, 2021 12:02 PM
To: Roberta Fagan
Subject: Fw: Resignation /JHA

Hi Roberta. Jamie suggested I send this to you. Nancy

[Sent from the all new AOL app for iOS](#)

Begin forwarded message:

On Wednesday, November 3, 2021, 4:40 PM, Kathy Powers <kpow0726@gmail.com> wrote:

Dear Ms Beye ~

I respectfully submit my resignation as JHA Resident Commissioner effective 30 November.

I sincerely thank you for your patience and understanding.

Kathy Powers

"Only surround yourself with people who raise you higher."
Oprah

**TOWN OF JAMESTOWN
SPECIAL MEETING MINUTES**

November 1, 2021

Town Council Members present: President Beye, Vice President Meagher, Councilor Brine, Councilor M. White and Councilor R. White.

Also, in attendance: Town Administrator Jamie Hainsworth and Town Clerk Roberta Fagan

A motion was made by Vice President Meagher to enter into Special Session at 5:29 p.m., with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

I. TOWN COUNCIL INTERVIEWS: The Jamestown Town Council will meet in special session to conduct interviews of the following applicants for the following appointments as follows:

TIME	Applicants	Committee
5:30	Mary Ellen Coleman	Jamestown Fire Department Compensation Committee
5:45	Joseph Cannon	Library Board of Trustees & Jamestown Housing Authority
6:00	Robert Flath	Library Board of Trustees
6:15	Susan Q. Romano	Jamestown Housing Authority

The Town Council interviewed each candidate, reviewed the applications and discussed the roles and responsibilities of a public service appointment. Discussion ensued. Each candidate was thanked for volunteering to serve the Town of Jamestown. No action taken during the Special Meeting.

A motion was made by Vice President Meagher to adjourn with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

II. ADJOURNMENT OF SPECIAL SESSION

Attest:

Roberta J. Fagan, Town Clerk

TOWN OF JAMESTOWN
COUNCIL OPEN SESSION MEETING MINUTES

November 1, 2021

Town Council Members present: President Beye, Vice President Meagher, Councilor Brine, Councilor M. White and Councilor R. White.

Also, in attendance: Town Administrator Jamie Hainsworth and Town Clerk Roberta Fagan

A motion was made by Vice President Meagher to enter into Special Session at 5:29 p.m., with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

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6:00	Robert Flath	Library Board of Trustees
6:15	Susan Q. Romano	Jamestown Housing Authority

II. ADJOURNMENT OF SPECIAL SESSION

The Town Council's Open Meeting will begin at 6:30 pm

The meeting was called to order by President Beye at 6:30 p.m.

III. ROLL CALL

Town Council Members present: President Beye, Vice President Meagher, Councilor Brine, Councilor M. White and Councilor R. White.

Also, in attendance: Town Administrator Jamie Hainsworth, Solicitor Peter Ruggiero, Finance Director Christina Collins, Town Clerk Roberta Fagan, Police Chief Ed Mello, Building and Zoning Director William Moore, IT Consultant Michael Glier, Jamestown School Department Superintendent of Schools, Kenneth Duva, Ed. D

IV. CALL TO ORDER, PLEDGE OF ALLEGIANCE

V. OPEN FORUM

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

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

Attorney John Murphy, representing CYC Commodore Beale makes the Council aware of letter to the Town Council in regards to the CYC Event application.

Annette Tanti, 43 Battery Lane introduces the Brown University Capstone Project Team: Max Sweet, Alan Smith, Kareem Duty, Shannon Maloney, and Max Waldo. Max Waldo described the project that aims to analyze IT infrastructure, compare with other role model municipalities such as Arlington, VA. The goal of the project is to provide recommendations on making the existing IT infrastructure more 1) effective and efficient; 2) secure and safe (cyber security)

VI. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Review, Discussion and/or Action and/or Vote regarding the Solar Panel Project at the Jamestown Schools
- 1) Presentation by Kyle Robinson, AIA, Saccoccio & Associates Architects and Jamestown School Department Superintendent of Schools, Kenneth Duva, Ed. D

Discussion ensued. Kyle Robinson reviewed original proposed concept. Due to structural load limitations the roof solar panel installation on both Melrose and Lawn Avenue schools need to be reduced. New recommendation to install both roof (limited) and a solar canopy in the parking lot at the Melrose Avenue school would provide 86% of the current electrical use for both Melrose and Lawn Avenue schools. The revised proposed concept estimated budget is \$1,027,612 vs original proposed concept budget of \$825,953. The Town Council previously approved moving ahead with the project, but due to the concept change, Superintendent Duva wanted to give a status review of the solar panel concept. The plan is to go out to bid for the Melrose roof and carport panels.

Vice President Meagher questions whether the project would require any tree removal. At this time no clear cutting is necessary according to Mr. Robinson.

President Beye questions whether foundation work for the canopy would result in loss of parking spaces and expresses concern regarding any anticipated reduction of natural light in the classrooms due to the solar canopy. Mr. Robinson estimates at certain times of the year, at certain times of day there may be a reduction of natural sunlight, but not a significant amount.

No vote taken.

A motion was made by Vice President Meagher to convene as the Alcoholic Beverage Licensing Board at 6:50 p.m., with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye
Chief Mello gives an overview of the liquor and entertainment license process. The Town Council is charged with granting the licenses; the Town Clerk's office is entrusted to issue the license once all required information is provided; and the license is not valid until all the criteria is met.

Chief Mello and Solicitor Ruggiero are developing an Entertainment Ordinance to define what is permitted and will be presenting at a future Town Council Meeting. In regards to the renewal and new Entertainment licenses presently being considered, the Town Council is to determine what, where, and when outside entertainment is allowed.

VII. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. 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. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended.
- 1) Application for a **New Class B Victualer-Limited Liquor License**, as advertised in the

Jamestown Press editions of October 7th and October 14th noticed to abutters as follows:

NEW LICENSE: CLASS B VICTUALER – Limited Liquor License

Our Table LLC
dba: Our Table
53 Narragansett Avenue
Jamestown, RI 02835

- a) Request for Town Council Review, Discussion and/or Action and/or Vote to **approve the new Class B Victualer-Limited Liquor License**
- b) Memorandum from Building and Zoning Director William Moore to Town Administrator and Town Council
- c) Copy of Letter to: Town Council
From: Connie Slick
Dated: September 27, 2021
Re: Marla Romash/Our Table Class B Victualer-Limited Liquor License

Attorney Infantolino representing Our Table LLC, dba: Our Table, provides historical background and status update on the construction of the restaurant. The Zoning board has issued a special use permit and the water and sewer board have issued the necessary approvals. The applicant is looking for approval of the Class B Victualer-Limited Liquor License, 46 seats inside, hours of operation 4-10pm, 7 days a week. Councilor R. White reiterates the hours of operation 4-10pm 7 days a week. Vice President Meagher makes note of Building and Zoning Director Moore as well as letter from Connie Slick. The license will be granted but not issued until all the necessary requirements are satisfied.

A motion was made by Vice President Meagher to approve the new Class B Victualer- Limited Liquor License application for Our Table LLC, dba: Our Table pending all requirements are met with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

- 2) **REQUEST** that the application listed below will be in order for hearing at a Special Meeting of said Licensing Board on Thursday, November 18, 2021 at 5:30 p.m. and advertised in the *Jamestown Press*. **NOTICE:** Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **RENEWAL** application has been received by the Town Council for licenses under said Act, for the year December 1, 2021 to November 30, 2022; review, discussion and/or potential action and/or vote:

CLASS B VICTUALER – Limited Liquor License

Our Table LLC
dba: Our Table
53 Narragansett Avenue
Jamestown, RI 02835

Discussion ensued. Attorney Infantolino describes the need for the Special Meeting to approve the renewal of the Class B Victualer- Limited Liquor License in the event Our Table will be open and ready for business in December. Councilor R. White requests clarification from Solicitor Ruggiero regarding the renewal of the provisional license and whether it is necessary due to the provisional license expiring before issuance? Solicitor Ruggiero explains that the provisional granted license is in order for renewal.

A motion was made by Vice President Meagher for advertisement in the Jamestown Press a hearing at a 11-01-2021 Town Council Minutes

Special Meeting of said Licensing Board on Thursday, November 18, 2021 at 5:30 p.m. for the Class B Victualer- Limited Liquor License renewal application for Our Table LLC dba Our Table, with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

B) The following Applications for Renewal have been received by the Town Council for licenses under said Act, for the year December 1, 2021 to November 30, 2022 (duly advertised in the Jamestown Press on **October 7th and October 14th**):

1) Approval of Applications for **Renewal of Class A (Package Store) Retail Liquor License:**

- a) Varsha, Inc. dba: Jamestown Wine & Spirits 30 Southwest Ave
- b) Tunstall, LLC, dba: Grapes & Gourmet 9 Ferry Wharf

A motion was made by Vice President Meagher approval of Applications for Renewal of Class A (Package Store) Retail Liquor License for Varsha, Inc. dba: Jamestown Wine & Spirits and Tunstall, LLC, dba: Grapes & Gourmet, with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

2) Set the **Class A (Package Store) Retail Liquor License** Cap at Two

A motion was made by Councilor R. White to approve setting the Class A (Package Store) Retail Liquor License at Two, with second by Vice President Meagher. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

3) Approval of application for Renewal of **Class B Victualer Limited Liquor License:**

- a) Village Hearth Bakery dba: Village Hearth Bakery- 2 Watson Avenue

A motion was made by Councilor R. White to approve the Village Hearth Bakery, dba: Village Hearth Bakery the application for Renewal of Class B Victualer Limited Liquor License, with second by Vice President Meagher. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

4) Set the **Class B Victualer Limited Liquor License** Cap at One (*or Two if Our Table is approved*)

A motion was made by Vice President Meagher to approve setting the Class B Victualer Limited Liquor License cap at Two, with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

5) Approval of Application for Renewal of **Class B Victualer Liquor Licenses:**

- a) ~~Conanicut Restaurant Group II, LLC, dba: Beech, 13 Narragansett Avenue~~
- b) ~~Epic Decade, LLC, dba: Curiosity & Co, 14 Narragansett Avenue~~
- c) Islandish, Ltd., dba: Chopmist Charlies, 40 Narragansett Avenue
- d) Jamestown Locals, LLC, dba: Narragansett Café, 25 Narragansett Avenue
- e) Johnny Angels Clam Shack, LLC, dba: Angel's Kitchen, 23 Narragansett Avenue
- f) KALI, LLC, dba: J22 Tap & Table, 22 Narragansett Avenue
- g) New England Golf Course Management, Inc., dba: Jamestown Golf and Country Club, aka: The Caddy Shack, 245 Conanicus Avenue
- h) Slice of Heaven, Inc., dba: Slice of Heaven, 32 Narragansett Avenue
- i) Tallulah's Taqueria, LLC, dba: Tallulah's Tacos, 35 Narragansett Avenue

President Beye notes that Conanicut Restaurant Group II, LLC dba Beech and Epic Decade, LLC, dba: Curiosity & Co. renewal applications will be omitted from approval and were prematurely on the agenda for approval. Chief Mello addresses the Town Council regarding renewal application for KALI, LLC, dba: J22 Tap & Table. The seating chart includes area in Narragansett Avenue Municipal Parking lot and area leased from Conanicut Marine Services. Discussion ensued. Use of the Narragansett Avenue Municipal

parking lot for seating conditional on availability.

A motion was made by Vice President Meagher to approve the Renewal of Class B Victualer Liquor Licenses for Islandish, Ltd., dba: Chopmist Charlies, Jamestown Locals, LLC, dba: Narragansett Café, Johnny Angels Clam Shack, LLC, dba: Angel's Kitchen, KALI, LLC, dba: J22 Tap & Table, New England Golf Course Management, Inc., dba: Jamestown Golf and Country Club, aka: The Caddy Shack, Slice of Heaven, Inc., dba: Slice of Heaven, and Tallulah's Taqueria, LLC, dba: Tallulah's Tacos with stated conditional service in Municipal parking lot with second by Councilor Brine. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

- 6) Set the **Class B Victualer Liquor License** Cap at Ten

Discussion ensued. Vice President Meagher questions setting the Cap of Class B Victualer Liquor Licenses. Solicitor Ruggiero suggests capping at seven for now and modifying in the future as needed.

A motion was made by Vice President Meagher to set the Class B Victualer Liquor License Cap at seven, with second by Councilor Brine. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

- 7) Approval of Application for Renewal of **Class BT Tavern Liquor License**:
 - a) JB's On the Water, LLC, dba: JB's On the Water, 150 Conanicus Avenue

A motion was made by Councilor R. White to approve application for Renewal of Class BT Tavern Liquor License for JB's On the Water, LLC, dba JB's On the Water with second by Vice President Meagher. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

- 8) Set the **Class BT Tavern Liquor License** Cap at One

A motion was made by Vice President Meagher to approve setting the Class BT Tavern Liquor License at One with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

- 9) Approval of Application for Renewal of **Class D Full Club Liquor License**:
 - a) Conanicut Yacht Club, 40 Bay View Drive
 - b) Letter from Mary Lou Sanborn

Discussion ensued. President Beye acknowledges communications received by Ms. Sanborn. Ms. Sanborn addresses the Town Council with her concerns regarding the Conanicut Yacht Club Liquor and Entertainment licenses renewal. She states that each summer the entertainment at CYC is getting later and later. She continues stating CYC is located in a residential area, not in a commercial zone. On several occasions Ms. Sanborn has called the police but the only restriction is the decibel level; and she would like to request restricting hours of music/entertainment.

CYC Commodore Charles Beal addresses and reads letter to Town Council that was delivered on Friday, October 29, 2021 after the Agenda deadline. Mr. Beal did not understand that Ms. Sanborn was looking to restrict the hours of entertainment. He further explains CYC relies heavily on wedding/event revenue to operate and to offer community programs such as sailing lessons. Chief Mello explains that the CYC Renewal Liquor License application indicates that seating chart includes indoor, porch and seating under tent on lawn. Solicitor Ruggiero clarifies that the Town Council is voting on the issuance of the Liquor License pertaining to service and consumption which would include seating under the tent.

A motion was made by Vice President Meagher to approve the application for renewal of the Class D Full Liquor License for Conanicut Yacht Club with second by Councilor M. White. Vote: President Beye, Aye;

Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

10) Set the **Class D Full Club Liquor License** Cap at One

A motion was made by Councilor R. White to approve setting the **Class D Full Club Liquor License Cap at One** with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

C) **The Town Council Adjourns from Sitting as the Alcoholic Beverage Licensing Board**

A motion was made by Councilor R. White to adjourn sitting as the **Alcoholic Beverage Licensing Board at 7:30 p.m.**, with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

D) Approval of Renewal Applications that have been received by the Town Council for **Victualing & Holiday License** for the year December 1, 2021- November 30, 2022

- 1) Ace's Pizza, Inc.
- 2) A&J, Inc., dba: East Ferry Deli
- 3) Conanicut Yacht Club
- 4) ~~Conanicut Restaurant Group II, LLC, dba: Beech~~
- 5) Cumberland Farms Inc., dba: Cumberland Farms #1108
- 6) ~~Epic LLC, dba: Curiosity & Co.~~
- 7) Islandish, Ltd., dba: Chopmist Charlies
- 8) Jamestown Locals LLC, dba: Narragansett Café
- 9) JB's On the Water LLC, dba: JB's On the Water
- 10) Johnny Angels Clam Shack, LLC, dba: Angels Kitchen
- 11) KALI, LLC, dba: J22 Tap & Table
- 12) New England Golf Course Management Inc., dba: Jamestown Golf and Country Club
aka: The Caddy Shack
- 13) Slice of Heaven, Inc., dba: Slice of Heaven
- 14) Tallulah's Taqueria LLC, dba: Tallulah's Tacos
- 15) TMT Enterprises, Inc., dba: McQuade's Market
- 16) Tunstall LLC, dba: Grapes & Gourmet
- 17) Varsha, Inc., dba: Jamestown Wine & Spirits
- 18) Village Hearth Bakery, dba: Village Hearth Bakery
- 19) Wicked Whisk

President Beye notes that **Conanicut Restaurant Group II, LLC dba Beech** and **Epic Decade, LLC, dba: Curiosity & Co.** renewal applications will be omitted from approval and were prematurely on the agenda for approval.

A motion was made by Vice President Meagher to approve the **Victualing & Holiday** licenses for **Ace's Pizza, Inc. A&J, Inc., dba: East Ferry Deli, Conanicut Yacht Club, Cumberland Farms Inc., dba: Cumberland Farms #1108, Islandish, Ltd., dba: Chopmist Charlies, Jamestown Locals LLC, dba: Narragansett Café, JB's On the Water LLC, dba: JB's On the Water, Johnny Angels Clam Shack, LLC, dba: Angels Kitchen, KALI, LLC, dba: J22 Tap & Table, New England Golf Course Management Inc., dba: Jamestown Golf and Country Club aka: The Caddy Shack, Slice of Heaven, Inc., dba: Slice of Heaven, Tallulah's Taqueria LLC, dba: Tallulah's Tacos, TMT Enterprises, Inc., dba: McQuade's Market, Tunstall LLC, dba: Grapes & Gourmet, Varsha, Inc., dba: Jamestown Wine & Spirits, Village Hearth Bakery, dba: Village Hearth Bakery, and Wicked Whisk** with second by Councilor R. White Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

E) Approval of Renewal Applications that have been received by the Town Council for **Entertainment License** for the year December 1, 2021- November 30, 2022:

- 1) ~~Conanicut Restaurant Group II, LLC, dba: Beech~~
- 2) Conanicut Yacht Club
- 3) ~~Epic LLC, dba: Curiosity & Co.~~
- 4) Jamestown Beer Holdings LLC dba: Jamestown Beer Holdings
- 5) Jamestown Locals LLC, dba: Narragansett Café
- 6) JB's On the Water, LLC, dba: JB's On the Water
- 7) KALI, LLC, dba: J22 Tap & Table
- 8) Tallulah's Taqueria LLC, dba: Tallulah's Tacos
 - a) Description of Entertainment License request

President Beye notes that ~~Conanicut Restaurant Group II, LLC dba Beech and Epic Decade, LLC, dba: Curiosity & Co.~~ renewal applications will be omitted from approval and were prematurely on the agenda for approval.

Discussion ensued. There is a question regarding the Jamestown Beer Holdings application and permissible areas, times of day and specific days of week for entertainment. Additional discussion regarding permissible outdoor entertainment times of day and specific days for Conanicut Yacht Club. Town Council members review description of entertainment for Tallulah's Taqueria LLC, dba: Tallulah's Tacos and ask for specific start and end time. Kelly Ann Rojas addresses the Council on proposed type of permissible entertainment, the use of a small acoustic speaker which will be provided by Tallulah's Tacos to performers. Ms. Rojas requests further guidance on restrictions and/or permissible acoustic amplified entertainment.

A motion was made by Vice President Meagher to approve the Entertainment license application for Conanicut Yacht Club to include outside music noon-10pm on Friday, Saturday, Sunday and Holidays with second by Councilor R. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

A motion was made by Vice President Meagher to continue consideration of the Entertainment license application for Jamestown Beer Holdings with a second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

A motion was made by Vice President Meagher to approve the Entertainment license application limited to inside entertainment only for Jamestown Locals LLC, dba: Narragansett Café, JB's on the Water, LLC, dba: JB's On the Water, KALI, LLC, dba: J22 Tap & Table. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

A motion was made by Vice President Meagher to approve the Entertainment license application for Tallulah's Tacos limited to Friday, Saturday, Sunday and Holidays between the hours of 1pm-9pm, limited amplification to the small acoustic speaker provided to performers with a second by Councilor E. Brine. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

F) Approval of Renewal Applications that have been received by the Town Council for **Victualing License** for the year December 1, 2021- November 30, 2022:

- 1) Live & Learn LLC, dba: Live & Learn

A motion was made by Vice President Meagher to approve the renewal Victualing License application for Live & Learn LLC, dba: Live & Learn, with second by Councilor M. White. Vote: President Beye, Aye;

Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

- G) Approval of Renewal Applications that have been received by the Town Council for **Holiday License** for the year December 1, 2021- November 30, 2022:
- 1) All Ashore Cottage Outfitters LLC, dba: All Ashore Cottage Outfitters
 - 2) Clark Board Yard & Marine Works, LLC, dba: Clark Boatyard & Marine Works
 - 3) Conanicut Marine Services, Inc.; dba: Conanicut Ship Store & Chandlery
 - 4) Hodgkiss Farm
 - 5) Jamestown Beer Holdings, LLC, dba: Jamestown Beer Holdings
 - 6) Jamestown Hardware, Ltd., dba: Jamestown Hardware
 - 7) Safe Harbor Marinas, dba: Jamestown Boat Yard
 - 8) The Wickford Collection, LLC, dba: TWC Home
 - 9) TMT Enterprises, Inc., dba: McQuade's Market
 - 10) Urban Flowers LLC, dba: Secret Garden
 - 11) Young Beauty Corp dba: Young Nails & Spa
 - 12) Zeek's Creek Bait & Tackle, Inc., dba: Zeek's Creek

A motion was made by Vice President Meagher to approve the Holiday License renewal applications for All Ashore Cottage Outfitters LLC, dba: All Ashore Cottage Outfitters, Clark Board Yard & Marine Works, LLC, dba: Clark Boat Yard & Marine Works, Conanicut Marine Services, Inc.; dba: Conanicut Ship Store & Chandlery, Hodgkiss Farm, Jamestown Beer Holdings, LLC, dba: Jamestown Beer Holdings, Jamestown Hardware, Ltd., dba: Jamestown Hardware, Safe Harbor Marinas, dba: Jamestown Boat Yard, The Wickford Collection, LLC, dba: TWC Home, TMT Enterprises, Inc., dba: McQuade's Market, Urban Flowers LLC, dba: Secret Garden, Young Beauty Corp dba: Young Nails & Spa, Zeek's Creek Bait & Tackle, Inc., dba: Zeek's Creek with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

- H) Approval of Renewal Application for **Victualing License with EXTENDED HOURS**, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2021 to November 30, 2022 duly advertised in the *Jamestown Press*:

- 1) Cumberland Farms, Inc. dba: Cumberland Farms Store #1108, 41 North Main Road

A motion was made by Vice President Meagher to approve the Renewal Application for Victualing License with EXTENDED HOURS from Cumberland Farms, Inc. dba: Cumberland Farms Store #1108, with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

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

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator's Report: Jamie A. Hainsworth
- 1) Broadband Utility RFP (agenda item)
 - 2) Beavertail State Park Advisory Committee
 - 3) Jamestown Golf Course Clubhouse
 - 4) Community Development Block Grant (CDBG) for Jamestown Housing Authority/Pemberton Avenue residences
 - 5) Covid-19 update

Town Administrator Hainsworth reviews his report with the Town Council. Town Administrator Hainsworth reports that the Beavertail State Park Advisory Committee met on October 20, 2021 and it was noted that the DEM has submitted an application to the GSA for acquisition of the Beavertail Surplus

property. A decision is estimated to take approximately 6 months. Crossman engineering contracted to install new waterline from Beavertail Road to complex and lighthouse. RIDEM is also developing a master plan for the park.

Jamestown Golf Course – Town Administrator Hainsworth gives a brief update on the Clubhouse. Vice President Meagher requests sound buffering panels to be installed in the bar area at the request of the golf course management group. Town Administrator Hainsworth met with Jamestown Historical Society, Rosemary Enright, to discuss plans of displaying historic depictions of the original club house and tennis courts.

CDBG – The submission of the block grant is pending appointment of a project manager. Town Administrator Hainsworth confirms that the newly appointed JHA Executive Director Marcia Sullivan would be the signatory and with the support of a dedicated project manager who would oversee the project.

COVID 19- 6 new positive cases in the past two weeks indicating a decrease in average cases overall each week. Chief Mello reports the COVID 19 booster clinic held on the 28th administered 130 Pfizer boosters. A second booster clinic will take place later in the month to administer Moderna boosters.

IX. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review/Discuss and/or Action and/or Vote regarding Broadband Utility RFP
 - 1) Internal Draft Broadband Utility RFP

Discussion ensues. IT Consultant Michael Glier asks the Town Council for feedback and asks if there are any questions/concerns regarding the draft RFP. Councilor R. White requests more information on how and where the RFP will be posted. Half dozen companies that specialize in this type of work. Two companies have expressed interest in the RFP. Finance Director Christina Collins informs the Council that the Town uses BidNet, a web portal that hosts federal, state and local government RFP's for contractors to view and bid on relevant RFPs.

A motion was made by Vice President Meagher to approve the publishing the Broadband Utility RFP with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Appointments, Vacancies and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
 - 1) Jamestown Housing Authority (One [1] Commissioner vacancies with an unexpired five-year term ending date of December 31, 2025
 - a) No additional applications received

Vice President Meagher reports that Joseph Cannon and Susan Romano are both are uniquely qualified to fill the JHA Board of Commissioners vacancy. At this time, it would be her recommendation to appoint Joseph Cannon.

A motion was made by Vice President Meagher to appoint Joseph Cannon Jr. to the Jamestown Housing Authority Board with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

XI. 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 for review,

discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) October 18, 2021 (Regular Meeting)
 - 2) October 18, 2021 (Special Interview Session)

- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Zoning Board of Review (September 28, 2021)
 - 2) Jamestown Housing Authority (September 22, 2021)
 - 3) Jamestown Tree and Preservation Society (September 15, 2021)

- C) Bid Award for Four Wheel Drive Utility Truck for the Carpenter in Highway Department
 - 1) Memorandum from Public Works Director Michael Gray to Town Administrator Hainsworth

- D) Tax Assessor's Abatements and Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2021 TAX ROLL

01-00004-75M	SOLDIER & SAILOR EXEMPT	\$214.44
TOTAL ABATEMENTS		\$214.44

A motion was made by Vice President Meagher to approve the consent agenda with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

XII. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

- A) Communications Received:
 - 1) Copy of Email to: Town Council
From: Connie Slick
Dated: September 27, 2021
Re: Open Table Liquor License

 - 2) Copy of letter to Ms. Sarah Edgerly
From: US Army Corps of Engineers
Dated: October 14, 2021
Re: Authorization to retain and maintain fixed pier and float affixed at the end of said pier

 - 3) Copy of letter to Paul and Tricia Hines, Trustees
From: US Army Corps of Engineers
Dated: October 14, 2021
Re: Authorization to retain and maintain residential pier and boat lift.

 - 4) Copy of letter to Town Council
From: Wendy Shapiro
Dated: October 15, 2021
Re: Power imbalance Jamestown Housing Authority

 - 5) Copy of Email to Town Council
From: Drew Allsopp

Dated: October 16, 2021
Re: Narragansett Avenue Municipal Parking Lot.

- 6) Copy of Email to Town Council
From: Brad Donnelly
Dated: October 18, 2021
Re: Correction- neutral position on use of Narragansett Avenue Municipal Parking Lot.
- 7) Copy of Letter to Sen. Reed, Sen, Whitehouse, Rep. Cicilline and Rep Langevin
From: Representative Deborah Ruggiero
Dated: October 19, 2021
Re: Request to support federal funding for the restoration of Gould Island
- 8) Copy of Letter to Town Council
From: Mary Lou Sanborn
Dated: October 27, 2021
Re: Conanicut Yacht Club Liquor and Entertainment Licenses

Council acknowledges receiving Communications.

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. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov

A motion was made by Vice President Meagher to adjourn with second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

Attest:

Roberta J. Fagan, Town Clerk

Approved As Written
PLANNING COMMISSION MINUTES
September 1, 2021
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:00 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Bernie Pfeiffer	Dana Prestigiacomio
Michael Smith	

Also present:

Lisa Bryer, AICP – Town Planner
David Petrarca, Esq. – Town Solicitor
Cinthia Reppe – Planning Assistant
Christian Infantolino, Esq. – Attorney
Bill Munger – CMS/Freebody
Chris Powell
Dennis Webster
Alec Broers

II. Old Business – nothing at this time

Commissioner Swistak and Commissioner Smith recused for the next agenda item and sat in the audience.

III. New Business

- 1. CMS boatyard, Freebody LLC, Conanicus Avenue. Plat 8 Lot 278 (260 Conanicus Avenue) and 760 (115 Bayview Drive), Minor (Administrative) Subdivision requiring amendment to the special use permit in place for that facility. Conditional Subdivision Approval, Recommendation to the Zoning Board: review, discussion and/or action and/or vote**

Town Planner Lisa Bryer said this application has been reviewed twice by the TRC on July 16th, July 28th and a site visit was also done on July 21th. This application has been deemed complete. It is being reviewed as a conditional Administrative application which needs Zoning Board

approval. I am not able to review this application administratively since it needs Zoning Board relief therefore it is at the Planning Commission.

The site visit was very useful and really helped that is why there are so many pictures in the report. You will be making a recommendation for the subdivision and then it will go to zoning for the amendment to the special use permit.

Town Solicitor David Petrarca said this is at the pre-application stage and when it comes back in 2 weeks it will be properly advertised on the agenda, there will be no votes tonight.

Attorney Christian Infantolino represents the applicant. They have had numerous zoning requests, denials and approvals since 1982. Business has evolved over the years. They have been operating with all of the conditions set forth in the zoning histories and have included what was granted or denied since the inception. You should have the narrative, historical narrative including all the past zoning letters and maps. The wetlands map and report has not been signed off by DEM nor verified yet. There is a schematic site use plan, to show there will be more than enough area to do what is needed on the boat yard site. Other 2 things submitted this evening are photos that Mr. Munger will use today in his presentation. After this proposed subdivision it is still twice the size of any other boatyards here.

It pushes the commercial use further away and makes it go back to residential use. The property has cisterns and it feeds the entire site with the water they use and solar panels. It is a very environmentally thought out boatyard. The purpose of this subdivision is to reduce the land of the boatyard itself. In 40 years of operation, the boats have increased in size and the large boats are not stored on this site because of restrictions with hauling over the last 15 years. There will be no changes to the current operation. There is no town water hookup but there is town sewer. The proposed plan meets all the parking requirements. The parking will be off site marina parking but not the ferry but it will still be used for special event parking.

Currently no plans to develop the new lot, it will be residential. There will be less abutting residential properties to the boatyard; only 8. Commissioner Cochran said there are 14 abutters from his calculation, Infantolino showed him there are 10 to the boatyard, reducing down to 3 abutters of the commercial lot. The southerly lot will have 6.9 acres. He explained 5 sheds on property and the client does have enough moving around ability to adequately move the boats around.

Mike Darveau professional land surveyor, he had been asked to reconfigure the lot lines and they performed a class 1 survey. They are proposing to change the square footage of each lot. They have 100 feet of frontage for the R20 zone. The second lot fronts on Bayview. They prepared a schematic layout asked for by the TRC at a meeting. They based their layout on parking for 50 offsite spaces, they have outlined that there is sufficient space. 10 employee spaces and 30x10 parking spots. There is sufficient parking for everything they need.

Pendlebury asked if the parking spots to the north along the property line that are labeled boat-float-dock storage area should be restricted to boat only? Otherwise that would increase the amount of spaces over what is permitted by Zoning. Infantolino said the zoning approval is limited to 50 off site marina customers and employee spaces. This does not limit the number of

special event spaces. Lisa Bryer said that she recalls it is for 50 total parking spaces. She read, 50 spaces for the marina customers from May 1- Oct 1. A discussion ensued about parking spaces and where the boats are parked. Pendlebury said there a lot more spaces than 50. Pendlebury's question was are you willing to say that is the purpose of this, meaning you are crafting space for marine related items to be parked. Infantolino said it is storage. Commissioner Pendlebury said car parking is shown in the center. Infantolino said it may be a flex space for special events. Pendlebury asked how are you going to control this so there is not a massive parking lot there? Infantolino said it will be a flex storage area. The issue is if it is not a special event it will be in violation then it is sent to the zoning officer. Pendlebury said I leave it on the table as a concern. Bryer asked if they are asking for an increase of parking spaces in the special use permit? He said no. She noted that they currently have 50 for marina customers and employees. Infantolino stated that they are permitted 50 by Special Use Permit that but there is no limit on special event parking and stated that floats will go up in the area by the bridge. Enright what will be done with that dog leg? She was told Boats trailers. At this point in time parking will be where they delineated. Sometimes in spring and fall they might have to jockey them and put cars and boats other places but it is rare that cars will be there but they could use it for special event parking. Save the bay event is a time of a special event for parking. Commissioner Enright is concerned that the dogleg is an entry or exit off of Bayview. Bill Munger said he will put a residential gate there and he does not want anyone entering that way, but Enright wants it specified that there will be a locked gate. Mr. Munger wants complete control of the yard. She wants it as a condition and he agreed.

Commissioner Enright asked Mike Darveau about the southern proposed property line and why is it not straight? He said the reason being is the existing sheds placement and they are going around that. Enright believes there should be straight lines, she does not think it is a necessary reason. Pendlebury said you are supposed to do this in an orderly process and stay within the dimensional requirement for access to the building.

Darveau said the jagged lines keep the proper distance from the buildings. The distance from the property lines is needed for circulation around the buildings (35-40').

Pendlebury noted the proposed buffer easement of 10 feet but there is not a lot of explanation of what the buffer is, planted or landscaped? There is an existing 125 ft easement from the residential land to the boatyard as it currently sits. Pendlebury thinks this needs more consideration and a recommended buffer would be 20 feet and it should be a tightly landscaped buffer. Pfeiffer and Enright agree and it should be on the boatyard property. Bryer agreed. The original buffer could go away and in his mind the buffer along the commercial lot becomes more important. Does anyone else have anything to say about it.

Commissioner Pfeiffer said that the 125 easement was established as an agreement between neighbors in 1998 and it's not clear to him what happens to it when you split that commercial lot? Enright agrees there should be a wider buffer between the commercial and residential. The 125-foot buffer is an agreement between the Websters and the Mungers. Munger and Infantino said that there is no plan to change this at this point. Pfeiffer stated that he needs to provide a buffer and the planning commission has the ability to make a strong recommendation.

Bill Munger owner of CMS Boatyard/Freebody LLC presented pictures tonight of the different boatyards in Jamestown. He wants to relocate his boat storage operation to the northeast corner.

He is aware of noise issues from the bridge and the bridge and turnpike, his business is largely a passive operation and boats usually stay 4-6 months. CMS is vastly different from the other boatyards because masts have to be removed before they are transported, and to him all operations are done inside the buildings there.

The presentation is attached.
He did a comparison with the boatyards in town.

Commissioner Pendlebury wants the applicant to come back with landscaping of what you are going to plant. Commissioner Enright said it would be preferable if they are native to the area.

In closing Munger thanked them for their support and said Lot 760 can provide lots of opportunities.

Commissioner Cochran asked if owners can maintain and work on their boats there? You can do light maintenance but nothing more or you have to go inside. He also expressed concern about the quality of the soil going back to residential from a road bed.

Eventually they might want to do something or have somebody else come in and do something with lot 760 but right now he has no immediate plans. The Planning Commission has the opportunity to review it at that point.

Commissioner Pendlebury said that the planner's memo had some questions, like landscape buffer zone etc. he is bringing it up because they will be listed as conditions of approval for the draft motion, at least some of them will be conditions. The ones that we left include will there be additional lighting for instance. Munger noted that they took down some lights there are some dark holes that need to be replaced but it will be downlit.

Mr. Munger asked if the Jamestown boatyard is something that would be a good example. Commissioner Enright wants native plants, she wants a screen not a privet hedge. Pendlebury said that the Zoning Ordinance says when using a buffer, a compact planting screen not less than 5 feet high or fences etc. It needs to be compact to do a good job of being opaque.

Chris Powell - Mt Hope Ave. - He has lived here for 47 years and was 27 years on the conservation commission. The original 100 foot buffer from the boatyard was required by Zoning, then 125' is what Websters negotiated to the south border and it is a vegetative and sound buffer. Trees do a better job of attenuating noise. The narrower the buffer the more noise. Over the years the passive boatyard overall is a good neighbor, quiet, lots of environmental upgrades and a good steward for the environment. The change down to 5 acres will squeeze all the uses into 1/2 the space. Granted it is the largest boatyard on the island. They have some issues on the current proposal and he does not want to see the buffer disappear. It is for sale now and we do not know who will buy and what they will do. Access to Bayview is a concern. He thinks what they originally had there has changed a lot and may change even more with new owners.

Dennis Webster Mt Hope Ave – Bill and May have done an exceptional job, and the business is important to the economy of this community. He wanted to support this proposal, but thinks it doesn't have enough detail in it to do that. There are 2 things he wants to examine, the claim that

the 4.6 acres being added to the other is no longer needed. The 1 acre of outdoor storage is just being moved to the north and tightened. 2.2 acres is being used as a buffer zone for the residential properties. It has made them a good neighbor for 40 years. 3/10ths of an acre is used for access to Conancius Ave. This leaves only 9/10 of an acre that doesn't have a current use. The proposal to move part of the operation to the north end of the property looks like access to Bayview Dr. He knows Bill has committed to not use it but 5-15 years from now how will a new owner feel about that. They don't want more traffic on Bayview. Other concern is the visuals of having boats, trailers and floats stored that close to the residential streets. The proposed setback is only 30'. Looking at a 2003 letter from Fred Brown, one of the few complaints was boats being stored on the driveway at Conanicus Avenue but it was quickly resolved. It has always been well hidden and I would think hard before you change that. He would like to support this some time in the future but cannot now without all the information.

Alec Broers 32 Mt Hope Ave- they came to Jamestown in the 60's, we have seen an increase of boating on this island, his boat is at Clarks Boatyard. CMS has done an outstanding job, there is a limit to size of expansion. He feels we should not be looking to reduce boatyard space on the island. The problem with this proposal is they are concerned as to what is going to happen in the future. He is not providing any details on that. this is just a beginning proposal. He knows that residential land is worth more money right now.

Mr. Infantolino is responding in general. He has several violations over the years and over the years he has gotten the approvals and has complied, and the access off of Bayview will be honored. Mr. Munger mentioned earlier the fear of unknown. He is proposing to push all that activity away from residential and it will be smaller they are asking to be treated the same as the other boatyards. He will be pushing it more towards The RI Bridge and Turnpike property.

Commissioner Pendlebury asked how would you feel about planting a buffer on Bayview Dr. except for the gated area. He asked them to address that on the plan. Will this area be available to emergency vehicles Pendlebury asked? Munger said yes.

Commissioner Pendlebury asked Attorney Infantolino if he is clear on what he needs for the next meeting. Provide clarity as to what buffer and access gate plantings will be. Please provide a complete application so we can complete the discussion on a vegetative buffer plan. This should be addressed before the next meeting: clarity on access to Bayview Drive with locked gate, clarity of vegetative buffer within the 30 feet to Bay View Drive and south of the boat yard. The gate on Bayview Dr. deed restriction and condition of approval it has to stay there permanently.

Town Solicitor Petrarca said the draft deed should reference and be subject to the Planning Commission's decision and conditions of approval to reconfigure the lots. It should also be subject to and cross reference the conditions as shown on the plan. In other words, the deed references the conditions of approval.

Commissioner Prestigiacomo asked if Planning Commission should provide recommendations on additional lighting? If they change any of the lighting Christian Infantolino said they have to come before us.

Munger said the bridge lighting lights his property and anything they do would be downlighting. Lisa Bryer noted there is concern of future uncertainty related to lighting and it should be addressed on the plan if you want to increase. They will go with bridge lights for now, Mr. Munger said.

Commissioner Cochran said under Sec 13 regarding the current easement the way he reads it says that this easement expires. Infantolino said he has not looked at this and he understands people are concerned about the easement and buffer. The only thing that can go there is residential. Cochran said they would like to know, the neighbors are looking for specificity on whether the recorded easement is going to stay on site. We need to look at that and make sure it doesn't terminate or is there a way to maintain it. The applicants attorney should review the documentation and when you come back you can describe how the easement breaks if it does?

Commissioner Pendlebury said the easement and buffers were put in place for a specific use so when zoning looks at this what do they do and what do we recommend? He needs clarification before he can move forward. Commissioner Cochran said the 125" easement is wanted by the residents. Commissioner Prestigiaco said next time please come back with the answer to that. if your intention is not to make any changes to the easements currently then make it clear, say that.

Chris Powell – he would be interested in splitting the easement so that it is assigned to each resident that it abuts. He will consider that.

Come back and see us in 2 weeks with the information submitted in time for the packet. We will put together a conditional approval for that meeting.

IV. Correspondence

1. FYI – Memo to Zoning Board of Review – 53 Narragansett Ave. Gino DiFante. Received
2. FYI – NEEP – Zero Energy Plan – Community Resiliency, Energy Efficiency Framework. Received

V. Approval of Minutes August 4, 2021: review, discussion and/or action and/or vote

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

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

VII. Reports

1. Town Planner's Report
 - Future meetings – topics and applications- nothing at this time

VIII. Adjournment

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to adjourn the meeting at 9:25 p.m.

Attest:

Cynthia L Reppe

Presentation by Bill Munger – Submitted for record 9-1-21

-page 1 start with Up close arial slide

-As mentioned , My intentions here are to relocate the boat yard special use permitted activity now on the south side of lot 278 ,that currently abuts numerous residential properties, to a more suitable area in the NE corner abutting Ri bridge and turnpike authority.

The land scape of the boat storage industry has changed and there is absolutely no need to have 10 plus acres for this business . Even with the relocation of the property line the subject property will be two times larger than than the next largest boatyard on this island.

Just for reference the area between the 4 shed coral (where parking is located) is approximately as large as the entire area of Dutch Harbor Boatyard.

Through the years of developing this business I am aware that NOISE CONSIDERATIONS need to be accounted for:

The CMS boat storage and maintenance operation at its Taylor point lot 278 is largely a PASSIVE operation.

boats stored at this location typically stay put for some 3-6 months between moves. Quiet hydraulic trailers do most of the work

unlike the 3 full service waterfront boat yards on our island . The CMS yard is vastly different. As it is not possible for me to have boats in the yard with MASTS Standing. As all masts must be REMOVED at a WATERFRONT location to enable over road transport.

Therefore the customary mast rig clanging and wind Howell CAN NOT possibly exist from boats stored at the CMS yard facility on lot 278

Also unlike most waterfront yards all maintenance at the CMS yard is completed INDOORS in specially engineered shop space , where noise and debris are contained

Let's walk the neighborhood and view samples of buffering at the property lines

**Bring your attention Page 2
Here we will first visit JBY**

At WATERFRONT yards most boats remain with masts UP . THEREFORE it is customary that even extensive repairs still take place OUTDOORS as labor costs to derig / rerig and move indoors exceed value for all but very large projects.

Explain slide

CONTINUE pg 3 - 26

-Additionally at the CMS yard 4 buildings surround an acre of land used for winter boat storage and most of the summer parking . This area alone is larger than the entire footprint of the Dutch harbor yard. The four buildings CONTAIN NOISE that could otherwise be heard from boat washing , boat moving or active parking .

However the constant noise of some (27,000 cars daily) from the abutting highway and Newport bridge is very prominent .

-All should recognize that the out door stored boats at the CMS yard ,whether located on blocks , stands or trailers is a largely passive or even a completely SILANT use .

The proposed reconfigured land space for boat storage , maintenance and parking is still larger than the average New England boat yard . The reconfigured space at 5.62 acres still boasts MORE land than NEEDED to easily accommodate Jamestown and nearby community boaters .

The subdivision restores approximately 45% of the boatyard area to Residential Use!

The subdivision has been characterized as an “intensification of a Special Use Permit”. To the contrary – there will be less intensity and reduced impact on abutters.

The number of direct abutters to the boatyard is reduced from 8 lots to 2 lots.

The southern property line buffer between lots 760 and 278 will be consistent with the abutting police active police parking lot buffering abutting residential lot 833.

The said southern property line buffer will also be consistent with the property line transition buffers at JBY and Dutch harbor boatyard abutting residential uses .

The CYC and Bay Voyage active parking areas also abut residential uses.

The above mentioned properties have significant activity at the property line whereas the CMS activities on the reconfigured lot are largely PASSIVE.

Back in the early 80s when I was first developing this inland boat storage site on lot 278 there was a FEAR OF THE UNKNOWN. An inland boat yard was all new thinking . The Jamestown public was not really sure what to expect with boats being trailered inland for storage and repairs.

As such , I agreed to extraordinary wide buffering so I could proceed.

We all know ,now ,some 40 years later we have experienced NO THREAT to our quality of life from the activity that has been permitted all this time at this site.

Whether I or the next person to operate this storage and maintenance facility on the proposed reconfigured lot 278 the many natural constraints as low tree canopy , low overhead wires forever limit the size of vessels that can access this site.

Furthermore , standing masts and noisy rigging will NEVER cause concern. ENVIRONMENTAL achievements at this site:

- Ample indoor storage capacity greatly reduces the need for shrink wrap on otherwise outdoor covered stored boats.

-Dustless sanders used in surface restoration preparation

-clean air machines assist clean air shop environment

- Boat repair and maintenance bays have containment and are specifically designed to accommodate boat maintenance and repair operations**
- Conanicut Marina and yard received EPA recognition of Environmental Achievement back in 1996**
- The CMS boat yard site is also a recognized RICRMC CLEAN MARINA facility. We are 1 of only a handful in the entire state of Ri. The clean marina designation is a very exhausting achievement.**
- Storm water roof collection & cistern system provides ALL wash water for entire boat yard operations while reducing storm water run off. We run the whole CMS yard WITHOUT a TOWN water HOOK UP.**
- A solar voltaic roof system provides enough electricity to quietly power the entire boat yard operations with excess power sold to Nat Grid.**
- The specially engineered repair bays enable an environmentally friendly work place . These areas are now a significant part of the concrete infrastructure.**

Page 26 far boat yard arial?

In closing ...Thank you all very much for your support in this common sense proposal to relocate the boat and parking uses to a much more compatible area along side the newport bridge. With encouragement from community leaders , the expanded southern residential lot # 760 can provide vast opportunities , that have rarely been available to our community.

Following Pictures Submitted by Applicant Bill Munger 9-1-21

Approved As Written
PLANNING COMMISSION MINUTES
September 15, 2021
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:00 p.m. and the following members were present:

Michael Swistak – Chair

Duncan Pendlebury – Vice Chair

Mick Cochran

Bernie Pfeiffer

Dana Prestigiacomio

Michael Smith

Not present: Rosemary Enright

Also present:

Lisa Bryer, AICP – Town Planner

Wyatt Brochu – Town Solicitor

Cynthia Reppe – Planning Assistant

Christian Infantolino – Attorney

Dennis Webster

Commissioners Swistak and Smith recused from the next agenda item and sat in the audience.

II. Old Business

- 1. CMS boatyard, Freebody LLC, Conanicus Avenue. Plat 8 Lot 278 (260 Conanicus Avenue) and 760 (115 Bayview Drive), Administrative Subdivision requiring Zoning Board of Review amendment to the special use permit in place for the facility at 260 Conanicus Avenue. Conditional Administrative Subdivision Approval, Recommendation to the Zoning Board: review, discussion and/or action and/or vote**

Commissioner Pendlebury stated the Planning Office has received correspondence from the abutters asking for a continuance.

Attorney Infantolino said he would like to ask for a date of next week for a special meeting. They are more than happy to not go forward tonight but ask for a meeting next week instead of a month from now.

Dennis Webster Mt. Hope Ave. – Mr. Munger met with the abutters on Monday to show them what he is proposing. They contacted an attorney and would like this matter continued. They

consent to a one week continuance either Sept 22 or Sept 29th is acceptable for the abutters and their attorney.

A motion was made by Commissioner Pfeiffer and seconded by Commissioner Cochran to continue this agenda item until September 22nd, 2021 at 7:00 p.m. So unanimously voted:
Duncan Pendlebury, Mick Cochran, Bernie Pfeiffer, Dana Prestigiacomo
Motion carries 4-0

III. Correspondence – nothing at this time

IV. Approval of Minutes Sept. 1, 2021: review, discussion and/or action and/or vote
Commissioner Pendlebury made a motion to accept the minutes as written seconded by Commissioner Cochran. So unanimously voted. Commissioners Swistak and Smith abstain.

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

VI. Reports

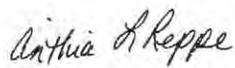
1. Town Planner's Report

- Future meetings – topics and applications – town has been working with the Jamestown Housing Authority which Narragansett Housing has been filling in for, she has been working with them on a CDBG grant. She is also working on a grant for the Community Farm for the town to buy. We have a willing seller. We will be looking for other grants in the future for the Community farm too. Commissioner Cochran asked what it includes? 11 acres and the barn Lisa Bryer said. Commissioner Swistak was at the last town council meeting and they agreed to a public workshop for the Short Term Rental Regulation.

VII. Adjournment

A motion was made by Commissioner Cochran and seconded by Commissioner Pfeiffer to adjourn the meeting at 7:12 p.m. So unanimously voted.

Attest:


Cynthia L Reppe

Approved As Amended
PLANNING COMMISSION MINUTES
October 6, 2021
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:00 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Bernie Pfeiffer	Dana Prestigiacomo

Also Present:

Lisa W. Bryer, Town Planner
Wyatt Brochu, Esq, Town Solicitor
Donald Powers, Architect
Rico DiGregorio, Applicant
John Mancini, Esq.
Sam Crisafulli, DiGregorio Corp. Project Manager
¥Junko Yamamoto, Architect
Roberto Viola Ochoa, Architect

II. Old Business

1. **29 Narragansett Avenue, AP 9 Lot 631, Jamestown, RI. Proposal to develop a 3 residential unit, 3 commercial unit Multi-Family Structure in CD Zoning District.**

Discussion and/or action and/or vote

- a. **Development Plan Review; review under Zoning Ordinance Article 11,**
- b. **Recommendation to Zoning Board on:**
 - i. **Special Use Permit for Multi-Family Structure per Zoning Ordinance 82-301**
 - ii. **Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required**
 - iii. **Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2**

Applicants team present:

Rico DiGregorio, Applicant
John Mancini, Esq.
Sam Crisafulli, Project Manager
¥Junko Yamamoto, Architect
Roberto Viola Ochoa, Architect

Anthony DiGregorio, DiGregorio Corp.

John Mancini, Esq attorney for the applicant introduced the project.

Lisa Bryer, Town Planner, gave the project background from a review standpoint.

Y Junko Yamamoto, Architect presented the latest set of drawings.

They applied the recommended roof form which helps to scale down the building. It is still a symmetrical building. The higher middle peak provides hierarchy. She added posts on the ground floor level and at the office entrances on the first floor. She applied roof trim to increase the importance of the second floor. They chose to not follow the guidance of the (peer review) Architect and left the south façade as is, as requested by the client. On the east and west sides they extended an applied roof line to give more weight to the second floor. They added small details also.

Don Powers, Architect, working on behalf of the Town.

Most of the comments were to reduce the 3-story building to a two-story building scale. He was the author of the Design Guidelines from 2009. His comments were not meant to be a directive but direction to guide the architect in how to re-design. He showed the suggested revisions on the screen and discussed the changes that were not incorporated after the first round of comments. The south side of the building is incongruent in terms of design and it can be argued that that is unimportant but I could also argue that it is important to all the neighbors behind. Don stated he appreciates the cooperation of the applicant.

Duncan asked about the materials which will be used. Y Junko, said they do not have all that identified yet. But they will use fieldstone from the local area at the base of the building. Main body of the building is cedar shingles. They will paint the wood on the ground floor. The entire building is wood except for the stone base. Duncan asked about the large blank areas on east and west sides. Y Junko stated it is wood. Duncan asked what type of surface/wood on the first floor of the sides. Balcony railings are wood. Duncan asked about the awning. Y Junko responded the frame is painted wood and the roofing will be metal.

Mike Swistak asked Y Junko about average height. Y Junko stated that the average grade (height) is more than 35 feet. The main roof is about 38' from the average grade. Lisa stated that this will be important to know the exact height for the zoning variance and the recommendation from the Planning Commission.

Rosemary asked about the elevation shown as 101.6"; is that the ground floor? Y Junko said that is not the average grade. Assuming that 101.6 is ground floor average grade. The average ridge is about 37' and the highest peak is not known at this time. She will calculate it.

Don said not to get too concerned about overall height because it is needed to scale down the large building. Duncan mentioned that the Planning Commission encouraged them to add the height to balance out the building since it was a large volume. Don stated that the maximum elevation is noted as 142'2" and they are starting from an arbitrary 101.

Attorney John Mancini stated that they will compute the elevations and are happy to come back

Roberto stated that having the stone pillars did not make sense. Now that there is more glass, the stone pillar did not fit.

Swistak asked about the rear of the building. Roberto stated that the suggested changes to the rear did not make sense to the interior of the building. Mike asked how close the building is now to the adjacent property retaining wall to the west. Junko stated 2 feet. The site plan is not updated. Rosemary asked how that small area is going to be maintained. Attorney Mancini stated it will be paved. Chair Swistak asked about drainage in that small area and Mancini stated that all drainage will be controlled on site and it will be reviewed at the building permit stage.

Landscaping. Attorney Mancini stated they will present a more detailed landscape plan at final approval and we can review it then. They will have it at zoning. Bryer noted that it should not be approved at zoning without Planning Commission approval first because if changes are needed another visit to zoning will be necessary. This is the purview of the Planning Commission.

Chair Swistak noted the sewer pipe on the site that services the adjacent neighbor; it crosses the southeast corner. The applicant stated that it will not be disturbed.

Sidewalks were discussed. Chair Swistak noted that the sidewalks on Narragansett should be replaced in kind if damaged. ~~Y~~Junko noted that the Green Lane sidewalks will be built with curbing. Bryer noted that all sidewalks should match the sidewalk specification in the village which is raised aggregate concrete.

Swistak asked Lisa whether we have enough information to finalize the draft motion. She stated that we still do not have a final elevation for the height variance. Rosemary is more comfortable waiting till the next meeting to make sure the wording and details are correct. Mike Smith disagreed with their interpretation of average grade on the plans. ~~Y~~Junko agreed that the notation on the plans showing average grade is wrong.

Wyatt strongly suggested that they talk to the building official to determine the zoning relief with the applicant. John Mancini wants to get it right but it is not the Planning Commissions prevue to determine what relief is needed. Rosemary stated that we are recommending the height variance but we don't know what that is at this point.

Attorney Mancini and Rico. DiGregorio agreed that the average grade of 100'2". It is incorrect on the site plan. Attorney Mancini suggested they go back on the 20th.

Rosemary stated that if the average grade is 100'2" and the height of the peak is 142'2" then the building is 42 feet high, and therefore you are requesting a 7-foot height variance.

There was extensive discussion regarding the original grade elevation and the fact that there is no assurance that the plans are correct and therefore what the maximum height of the building is.

Duncan read the definition of building height. It needs to be verified by the building official.

The development team is comfortable recognizes the numbers are incorrect and they will correct them before going forward. and taking the responsibility for the final numbers possibly not being correct.

Swistak asked for a poll of who is comfortable coming back and voting on the 20th. All Commissioners were in favor. “Now, we’ll just, the commissioners, just to in good faith give them an indication of where you are today in terms of the recommendation based on the draft motion in front of you and those conditions that we added regarding sidewalks and landscaping and the fact that the applicant will come back for final development plan review approval after their stop in zoning. So based on that, I just want to, the question is, “Would you vote for a recommendation on the 20th of October?”

Commissioner Cochran said “I’m not willing to commit either way.”

Ms. Bryer asked “So Mr. Chairman, you’re asking if they’re willing to come back on the 20th? Is that what you just asked them?”

Chairman Swistak said “yes, that was what he was asking. 5 Yay 1 Undecided

This application was continued until October 20, 2021.

III. Correspondence – all received

1. Administrative Subdivision – Carlson, Altamira
2. Administrative Subdivision – Brissette, Carney

IV. Approval of Minutes Sept. 15, 2021: review, discussion and/or action and/or vote

Mick Cochran made a motion and Duncan Pendlebury seconded the motion to approve the minutes as written. The Following Members abstained: Swistak, Enright and Smith. All others in favor.

V. Citizen’s Non-Agenda Item

Nothing Reported

VI. Reports

1. Town Planner’s Report
 - Future meetings – topics and applications

VII. Adjournment

Motion by Enright, second by Smith to adjourn. All in favor.

Attest:

Lisa W. Bryer, AICP
Town Planner

Town of Jamestown as an abutter.

Town property: Plat 15 - Lots 61 & 90

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE JAMESTOWN ZONING BOARD OF REVIEW WILL HOLD A PUBLIC HEARING November 23, 2021, AT THE JAMESTOWN TOWN HALL 93 NARRAGANSETT AVENUE, JAMESTOWN, RHODE ISLAND AT 7:00 P.M. UPON THE FOLLOWING:

Application of Alkione Giovan, whose property is located at 74 Ship St., and further identified as Assessor's Plat 15, Lot 58 for a variance from Article 3, Section 82-302, Table 3-2 & Art. 6, Sec. 82-605 & 82-606 to add a second floor, connecting bedroom at level one to a living room and add 2 bedrooms and full bathroom upstairs by way of a second-floor addition. Seeking relief on side lot for 8'6" where 10' is allowed and rear setback of 26' where 30' is allowed. Said property is located in a R40 zone and contains 7405 sq. ft.

BY ORDER OF THE ZONING BOARD OF REVIEW
RICHARD BOREN, CHAIRMAN
WILLIAM MOORE, ZONING OFFICER

This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 not less than 3 business days prior to the meeting.

Town of Jamestown as an abutter.

Town property: Plat 7, Lot 4 & Plat 8, Lots 283 & 582

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE JAMESTOWN ZONING BOARD OF REVIEW WILL HOLD A PUBLIC HEARING November 23, 2021, AT THE JAMESTOWN TOWN HALL 93 NARRAGANSETT AVENUE, JAMESTOWN, RHODE ISLAND AT 7:00 P.M. UPON THE FOLLOWING:

Application of Conanicut Marine Services, Inc, whose business operates on the property is located at 260 Conanicus Avenue, and further identified as Tax Assessor's Plat 8, Lot 278 for a Modification to a Special Use Permit granted under Article 6, Special Use Permits and Variances, Section 600 and 602. This application is made pursuant to the provisions of section 82-302, Table 3-1, Permitted Uses of the zoning ordinance. The Applicant seeks to reduce the lot size from 444,885 sq. ft to 244,882 sq. ft. Said property is located in a R-20 zone and contains 444,885 square feet.

BY ORDER OF THE ZONING BOARD OF REVIEW

RICHARD BOREN, CHAIRMAN

WILLIAM MOORE, ZONING OFFICER

This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 not less than 3 business days prior to the meeting.

Town of Jamestown as an abutter.

Town property: Plat 8, Lot 573

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE JAMESTOWN ZONING BOARD OF REVIEW WILL HOLD A PUBLIC HEARING November 23, 2021, AT THE JAMESTOWN TOWN HALL 93 NARRAGANSETT AVENUE, JAMESTOWN, RHODE ISLAND AT 7:00 P.M. UPON THE FOLLOWING:

Application of We Dig Investments, LLC, whose property is located at 29 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 631 for a variance from Article 3, Section 82-600, 605, 606, & 607, (height variance, SF variance, 3 stories variance), to build a mixed use, retail & multi-family structure; 3 stories where 2 max. is allowed; 40.91 ft. from grade, 35 ft. allowed; and 10,258 sq. ft. lot where 20,000 sq. ft. is required. Said property is located in a CD zone and contains 10,258 sq. ft.

BY ORDER OF THE ZONING BOARD OF REVIEW
RICHARD BOREN, CHAIRMAN
WILLIAM MOORE, ZONING OFFICER

This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 not less than 3 business days prior to the meeting.



1184 East Main Road
Portsmouth, RI 02871

tel: 401-682-2100
fax: 401-682-2112

www.VisitingNurseHH.org

October 22, 2021

Ms. Christina Collins, Finance Director
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

Dear Ms. Collins and Members of the Town Council,

The Visiting Nurse Home & Hospice Board of Directors, leadership, staff, and volunteers all join me in sharing our appreciation for the allocation of \$8,000.00 in community support from the Town of Jamestown.

As you can well imagine, the COVID 19 pandemic has placed increased financial burdens on our agency as we continue to provide uninterrupted services of the highest quality to all of our patients. Your continued support allows us to stay true to our mission of providing optimal health and quality of life for individuals and families, regardless of their ability to pay. As new information about the virus, testing, and vaccinations emerges, we continue to adapt services to ensure that patients, families, and staff all remain healthy and safe.

Thank you for acknowledging that our agency is going the extra mile to positively impact the health of the communities we serve during these unprecedented times and for recognizing that as the largest nonprofit home healthcare provider in Rhode Island, your support is critical helping us to achieve our mission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer W. Fairbank", is written over a large, stylized blue scribble that extends across the signature line.

Jennifer W. Fairbank
Chief Executive Officer





JAMESTOWN CONSERVATION COMMISSION

October 22, 2021

Mr. Matthew Largess
Largess Forestry, Inc
7395 Post Road
North Kingstown, RI 02852

Dear Matt,

The Jamestown Conservation Commission would like to extend our sincere thanks and appreciation to you for your generous donation of your time, labor, equipment, and professional expertise in clearing, cutting, and repurposing a very large oak tree that had fallen across the Conanicut Island Sanctuary Trail blocking access. We know this was a major effort and never expected that you would be donating all of your time and professional services.

The Jamestown Conservation Commission and the island community greatly appreciates your dedication, stewardship, and passion for Jamestown forest resources over many decades. Your professional forestry expertise is truly a Jamestown treasure and all Islanders benefit from your preservation, restoration, and education efforts you so generously provide.

Jamestown is so lucky to have residents like you who fight to preserve, recognize, and value the benefits of abundant and diverse natural resources found on Conanicut Island.

In sincerest gratitude,

Anne Kuhn-Hines

Anne Kuhn-Hines
Chair, Jamestown Conservation Commission

Cc: Jamestown Town Administrator; Jamestown Town Council; Christopher Powell, Trail Steward
Conanicut Island Sanctuary Trail.

October 27, 2021

Jamestown Town Council
Jamestown Ri 02835
jtownelc@aol.com

Hello Jamestown Town Council members,

On behalf of the Jamestown Cell Coverage Coalition (JC3) we are writing to request that cell coverage on Jamestown be an agenda item at an upcoming meeting.

At this meeting we would like the following topics to be addressed:

1. Update on cell coverage investigations, plans and progress on improving cell coverage in Jamestown, especially the North End of the island.
2. Information on what Verizon had been installing to the poles along North Main road and associated plan.
3. Plans on how cell phone coverage might be addressed alongside Broadband infrastructure improvements
4. Update from police and emergency services on plans to address issues of safety Information on any recent issues when cell coverage negatively affected emergency response time in the past year
5. Developing a plan to have coalition members to meet with designated town representatives on a regular basis to coordinate communication and progress towards improved cell coverage

Thank you. We can be reached at Jamestownricell@gmail.com and/or contact the JC3 coordinator, Karen Buetens at 781 929 9434.

Thank you.

Sincerely,
Alice Adler, America Way
Sarah Baines, Intrepid Lane
Karen Buetens, Columbia Lane

Nancy and Mark Campbell, America Way
Chris Cannon, East Shore Road
Brad Donnelly, Skysail Court
Jamie and Steve Engberg, Intrepid Lane
Frank Haggerty, West Reach
John Hammel, Columbia Lane
Wayne Moore, West Reach Drive
Rosemary Forbes-Woodside, Skysail Court

Cc: Jamie Hainsworth, Town Administrator, jhainsworth@jamestownri.net
Nancy Beye. President jtownelc@aol.com
Mary Meagher Vice President. tiptoparch@msn.com
Erik Brine. ebrine@gmail.com
Mike White mqblanco@cox.net
Randy White major510@cox.net
Deb Ruggiero drjamestown@cox.net
Dawn Euer dawn.euer@gmail.com
Chief Mello emello@jamestownri.net
Jamestown Press, tim@jamestownpress.com



November 8, 2021

Jamestown Town Council
Ms. Nancy A. Beye
President
93 Narragansett Ave.
Jamestown, RI 02835

Dear Ms. Beye and Town Council Members:

I wanted to update you on the progress Mariner Tower is making in securing a land lease for a new tower that would fill the gap in coverage in the northern section of Jamestown.

I am pleased to report that Mariner Tower has secured a ground lease on a private parcel for a site that I believe will provide excellent service to the northern residents of Jamestown. The site is located on Carr Lane, which is depicted as Lot 17 on the Assessor's Plat Map 4.

Over the next few weeks, we will establish the exact location of the proposed tower on the property in consultation with the landowner. We anticipate siting the tower on the northwest corner of the property, with the entrance coming off of North Main Road.

Once the tower location is determined, Mariner will engage an engineering firm to survey the site and develop formal site plans. We also plan to conduct a visual impact assessment at the proposed site to demonstrate the location and height of the proposed facility and to assess its potential visual impact. We expect to have the site plans and visual analysis completed at the beginning of the year, at which point we will present this site to the carriers.

We look forward to submitting an application and bringing this project to fruition for the residents of Jamestown. We will continue to keep you informed, but if you have any questions, please feel free to call me at (207) 967-8094 or email louis@marinertower.com.

Sincerely,

Louis Vitali
Manager

cc: Lisa Bryer



RECEIVED:
OCT 29 2021 02:00 PM
Roberta J. Fasan
TOWN OF JAMESTOWN Town Clerk

CONANICUT YACHT CLUB

Founded in 1892

October 29, 2021

Jamestown Town Council Members
93 Narragansett Avenue
Jamestown, RI 02835

Re: Conanicut Yacht Club Liquor and Entertainment Licenses

Dear Town Council Members:

I write as Commodore of the Conanicut Yacht Club ("CYC") and respectfully submit this letter in response to Mary Lou Sanborn's letter of October 27, 2021, requesting that restrictions be placed on the renewal of CYC's Entertainment License.

As an initial matter, I was disheartened to read Ms. Sanborn's statements relating to what she claims to be a lack of consideration by CYC to its neighbors. CYC places great importance on being a good and considerate neighbor and has long maintained good relationships with its other neighbors. Further, CYC is extremely aware of its obligations under the Town Ordinance regarding noise levels. It owns a decimeter device which it has used to measure sound levels and has found those levels to be in compliance with the levels set out in the Ordinance.

Ms. Sanborn states in her letter that we began holding private events "several years ago" and seems to suggest that it was after she moved to this quiet neighborhood. As a word of background, CYC has held private events, including weddings, for decades. As an example, we hosted nine weddings this year, which is on the high side of what we usually do. These events generally take place during the warm weather months between June and September. With rare exceptions, any amplified music takes place indoors.

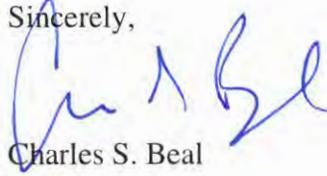
I have been informed that Ms. Sanborn left telephone messages at CYC's offices with regard to noise relating to a wedding that took place in September of this year, at which there was an amplified band. I am told that on that occasion there was an immuno-compromised band member who had requested that the windows on the south side of the building be opened out of Covid concerns, which may have made the music carry a bit more than usual on that occasion, but this certainly is not the norm. And I would emphasize that there was no outdoor music on that occasion.

Outdoor music is infrequent at CYC. When there is outdoor music, it is on the water side of the building and the sound is buffered from neighbors by the building and surrounding vegetation. In May, we hold a Commissioning ceremony (one of our largest events of the year) that marks the opening of CYC for the summer and we invite the Jamestown Community Band to attend and play the National Anthem and the Naval Hymn. This event is about an hour long and is over by 6:30 at night. There also have been string quartets that play outdoors at weddings.

We do not believe that these events are loud, disruptive or inconsiderate to our neighbors. We respectfully would request that these events be allowed to continue and that CYC not be restricted from having any outdoor music.

Thank you for your consideration of these issues. I will be attending Monday's Town Council meeting if you have any questions relating to this letter.

Sincerely,



Charles S. Beal
Commodore
Conanicut Yacht Club

Cc: Jamie Hainsworth, Jamestown Town Administrator
Ed Mello, Jamestown Police Chief
Roberta Fagan, Jamestown Town Clerk



JAMESTOWN CONSERVATION COMMISSION

MEMO

To: Jamie Hainsworth, Town Administrator, Michael Gray, PE, Director of Public Works, Ms. Lisa Bryer, Jamestown Town Planner.

From: Anne Kuhn-Hines, Chair Jamestown Conservation Commission

Date: October 29, 2021

Subject: Proposal for Steamboat Street-Wetland Restoration

At the most recent Jamestown Conservation Commission meeting held on October 19, 2021 members of the Jamestown Conservation Commission (JCC) voted unanimously to support a proposal (originating from the Public Works Department) to create two dead ends in the unpaved midsection of Steamboat Street between Beacon Avenue and Beach Avenue (see estimated locational images below). This midsection of Steamboat Street is chronically rutted, prone to flooding and as it is constantly potholed it is a dangerous cut thru. This is not surprising since this section of the street runs between two major wetlands that are constantly trying to rejoin into one contiguous wetland. Residents living on this street note that despite the "No Trucks" signs- this small section of street serves as a primary car & truck cut through with speeding vehicles bouncing down the narrow lane-dodging potholes and muddy rutted sections.

Since Steamboat Street is located within the JTN Shores High Groundwater Overlay District and within the high probability flood zone with hydric soils classified as severe constraints (0-18" depth), and transects wetlands and a stream, the JCC recognizes the benefits of allowing this midsection of Steamboat street to revert back to its natural condition of swamp wetlands. This proposal not only makes ecological sense by restoring a section of wetland, but it makes economic sense for the Town by not having to constantly repair and maintain a chronically deteriorating road. The abutting lots along the midsection of Steamboat Street that would be affected by the road closure are owned either by the Town of Jamestown (tax lots) or the Conanicut Island Land Trust-so this proposal would not affect any future building plans on that section of street.

The JCC is 100% in support of this proposal and recognizes that Jamestown needs to make protecting wetlands and all the ecosystem benefits they provide a critical priority, especially in the Jamestown Shores area which relies entirely on private wells and onsite wastewater treatment systems. Jamestown Shores residents rely on the adjacent and integral freshwater wetlands that are dispersed throughout the Shores for groundwater recharge as well as stormwater mitigation. Allowing this section of Steamboat Street to revert to wetland restores and preserves the integrity and functional values of our wetland resources in the Jamestown Shores.

Below are a few maps highlighting the co-location of Steamboat Street and the relevant GIS layers of High Groundwater Overlay District, hydric soils, wetlands, and flood zones.

Sincerely,

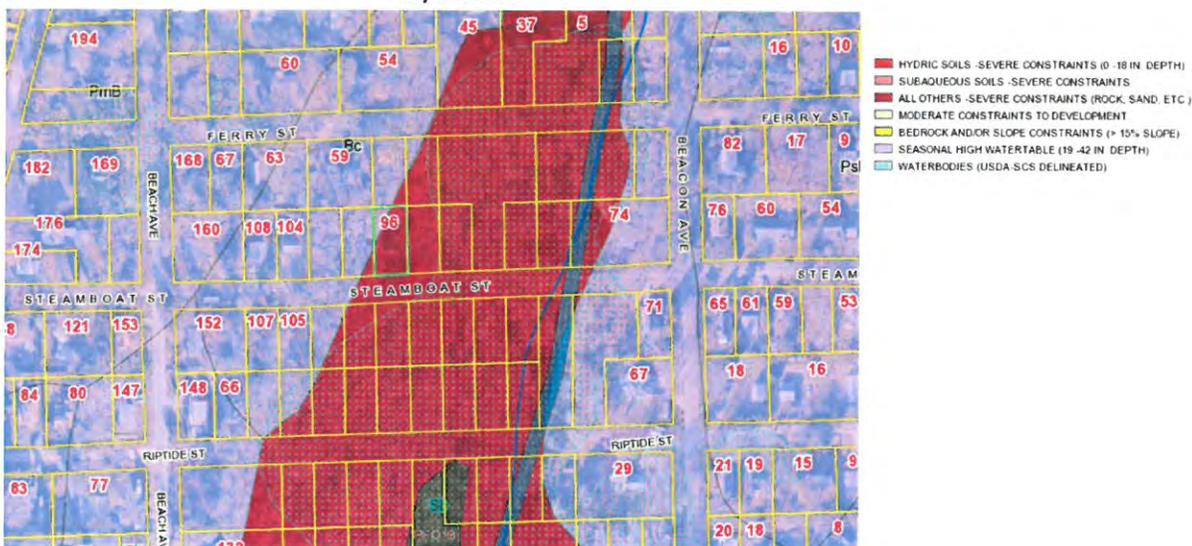
Anne Kuhn-Hines, Chair Jamestown Conservation Commission

Cc: Town Council, Conanicut Island Land Trust, Jamestown Shores Association, Friends of Jamestown ROWs & Roads

Wetlands GIS layer



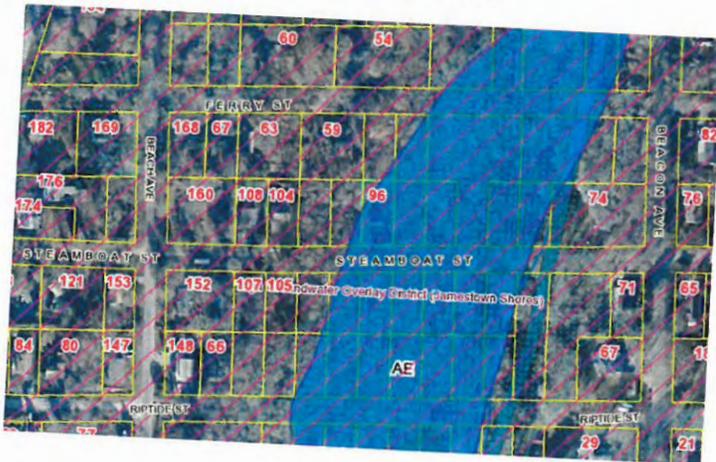
Hydric Soils



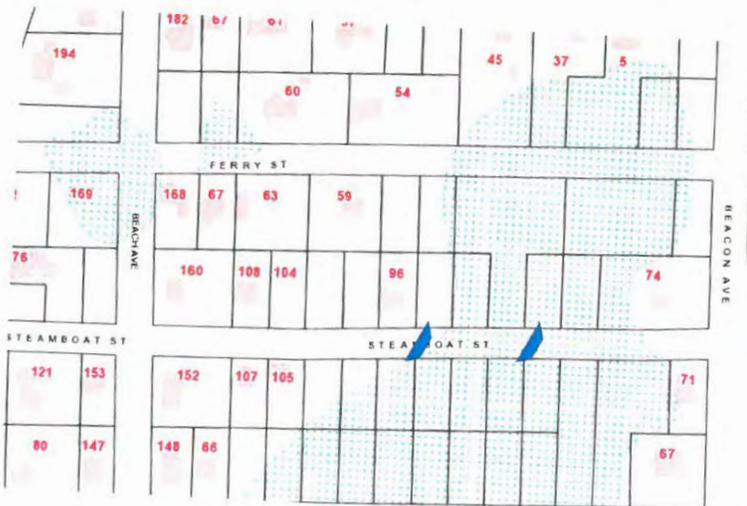
High Groundwater Overlay District



Flood Zones Group (2015)



- ⊠ Coastal Barrier Resources System
- ⊠ Otherwise Protected Area
- ⊠ A (1% Annual Chance Flood)
- ⊠ AE (1% Annual Chance Flood)
- ⊠ AH
- ⊠ AD
- ⊠ VE



Proposed Dead End Locations
(rough estimate)

Roberta Fagan

From: jtownelc <jtownelc@aol.com>
nt: Thursday, November 4, 2021 12:02 PM
To: Roberta Fagan
Subject: Fw: Resignation /JHA

Hi Roberta. Jamie suggested I send this to you. Nancy

[Sent from the all new AOL app for iOS](#)

Begin forwarded message:

On Wednesday, November 3, 2021, 4:40 PM, Kathy Powers <kpow0726@gmail.com> wrote:

Dear Ms Beye ~

I respectfully submit my resignation as JHA Resident Commissioner effective 30 November.

I sincerely thank you for your patience and understanding.

Kathy Powers

"Only surround yourself with people who raise you higher."
Oprah

RECEIVED:
NOV 03 2021 11:38 AM
Roberta J. Faehn
TOWN OF JAMESTOWN Town Clerk

TO: Town Council President - Beye
Town Council Vice President - Meagher
Town Council Members - Brine, White & White
Nov. 2nd, 2021

Greetings,

First of all, thank you for all you do for Jamestown. The amount of hours you work is extraordinary, in addition to your "regular" jobs!

I am writing with reference to the potential pickle ball courts at Ft. Getty. I know it is a fun sport, and it is popular now, but I feel that Ft. Getty simply is the wrong place for it. With the peaceful nature of the area and residents (some of whom I know have not been contacted about this proposal and first found out about it in the Jamestown Press) who live near to where the courts might be, the game would be an insult to the area.

We lived in Fox Hill Farm for many years, and my husband's mother, Catharine Morris Wright and her husband, Sydney Wright, lived there before we did since the 1930s. The farm now has been updated, renovated, and yet has kept the flavor of the past.

Much of the land has been preserved, some for The National Audubon Society, "an American non-profit environmental organization dedicated to conservation of birds and their habitat." Can you imagine the birds and other wildlife that will be adversely subjected to the noise from pickleball.

From Inside Edition

"Pickleball has exploded into the public's consciousness during the pandemic, and for some neighbors near the courts, the noise of balls popping back and forth has them about ready to blow their lids in anger. Popular with older adults, the combination of tennis and badminton features loud, plastic balls being hit by solid paddles. In Ridgewood, New Jersey, things hit a boiling point after the "Pickle Pals," a group of players mostly over 55, got complaints from neighbors about the noisy game."

Response to Inside Edition

“As a person who plays tennis, and has played pickle ball, I can assure you, It’s WAY louder than tennis.”

How noisy is pickleball?

SEE <https://pickleballdrive.com/pickleball-noise/>

“According to the experts, a normal conversation goes at 60 dB to 70 dB. And all the ambient sound is around 40 dB to 48 dB. When you introduce pickleball noise to that, which is roughly 18 to 20 dB, the overall noise gets up to 60 dB to 70 dB.

*“Many people even think about **suing** their noisy **pickleball playing neighbors**. Many people have been **complaining** to the local authorities about the noisy pickleball courts in Punta Gorda’s Gilchrist Park.”*

*“The City Council even held a committee to discuss the pickleball noise issues and to reduce the noise in the park due to the game. Two neighbors of a pickleball center also filed an **injunction** to stop this play and the disturbance caused by it.”*

*The issue of noise has gone to the city leaders in the **Pacific Grove** as well. So this has been a serious issue for the city management to consider for a long time.”*

So this noise part of the game is not so entertaining for many people in the surroundings. Local authorities have not been able to decide on the issue yet because, currently, there are no rules devised to tackle this issue. Some localities have banned playing this game while others have made the courts distant from the houses.”

It’s something to keep in mind if you’re playing in a neighborhood or if you want to set up a court at home in your front or back yard.”

And, unfortunately, the courts would be in people’s backyards, if they are to be placed in the Fort Getty Environs.

Doesn’t Jamestown have a restriction on noise?

Frequent pickleball sounds are typically about 70 dBa. Residents in homes located in a quiet

residential area are used to noise levels of 40 dBa, therefore the level of pickleball noise is 30 decibels louder. And, remember, each time you increase a sound level by 10 decibels, it will sound twice as loud. So, an increase of 30 decibels is (10dB+10dB+10dB) or 2x as loud x 2x as loud x 2x as loud, or 8 times as loud. That's a significant increase in loudness. Would that be annoying? Probably.

How do you stop pickleball noise?

You really can't. "One pickleball noise solution is to install soundproofing material placed around the entire court such as "Acoustifence". Tests have shown that this acoustic fencing can reduce pickleball noise by up to 50%."

How about that for an added expense, and it only is a reduction of 50%! It surely wouldn't enhance the beauty of the area. Think of all the new parking areas required or the courts alone!

And what about the campers, who love to vacation near to where the courts will be? Forget it, they will be out of here! The noise and the reason they left the big city, now will be in their backyard.

Please stop this request from happening. It doesn't belong at Ft. Getty. What used to be a quiet environment could quickly turn to chaos. Perhaps the new soccer fields area or Beavertail or Ft. Wetherill might be better choices.

My husband, Ellicott (Tot) Wright and I both agree, with all the changes to the peaceful environment of our wonderful Jamestown, let's not invite one more noise.

Thank you.

Mary and Tot Wright

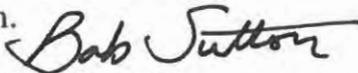
RECEIVED:
NOV 03, 2021 09:19 AM
Roberta J. Fagan
TOWN OF JAMESTOWN Town Clerk
November 3, 2021

Jamestown Town Council
Jamestown RI

Dear Honorable Council Members:

My sister and her family visited us in early October and we used the occasion to have a picnic supper at the Fort Getty pavilion. We drove by beautiful Mackerel Cove taking notice of the beauty of the Cove and the natural beach erosion sand dune that controls both wind and water erosion very effectively using natural beach grass. (The idea and the initial construction of this dune was an Eagle Scout project initiated by Chris Calabretta several years ago) We turned right on Fort Getty Road and took notice of the beautifully tree lined roadway recently planted in a cooperative effort between the Town and a resident of Fort Getty Road. Entering Fort Getty we took note of the Fox Hill Marsh, the trail and the osprey nest and the beauty of the salt marsh at this time of year. We had our picnic supper under the pavilion facing out to beautiful West Passage and for the first time I took the time to notice how beautifully well done the created landscaping around the pavilion blended with the natural landscape around Fort Getty beach and how carefully access to the beach had been controlled so as not to destroy this natural erosion control. Given the beauty and the natural human understanding and human effort reflected to protect and enhance and enjoy this beauty: **Why would anyone want to plop down a big lump of petroleum soaked blacktop right in the middle of it?**

As always, thank you for your thoughtful consideration.


Bob Sutton
28 Rosemary Lane
Jamestown, RI

I have enclosed a copy of an "Opinion" article I wrote for the Jamestown Press in 2017. The focus of the original article was to identify and remember the contribution of so many land owners. I am including a copy with this letter with a different focus. I noticed in the Town Council reporting that the Council asked: What if Pickle Ball is just a fad, what would we do with the blacktop?

The beauty of this Jamestown landscape and pastoral sensitivity that inspired William Trost Richards to paint this particular creation exists in all people today. Protecting Jamestown's beauty will never be questioned as a passing fad.



Preservation efforts led to picture-perfect results

BY ROBERT SUTTON

ANOTHER VIEW

I recently was asked by two friends from the Jamestown Historical Society if I would pick up a pile of hay that had been cut from the historical cemetery at Fox Head Farm on the corner of Beavertail Road and Fort Getty Road.

Since it was a relatively small amount of hay and we could compost it at the Jamestown Community Farm, I agreed. So, here I was on this summer day at this historic farm with my pitchfork, loading hay into my pickup truck.

The cemetery dates to the 1690s and contains the graves of the Arnold family, one of the very earliest Jamestown families that purchased Conanicut Island from the Native American Narragansetts in 1657. The cemetery is in a peaceful part of the farm near an early 1700s farm house.

All around the cemetery, history and the natural environment share space in harmony. Stone walls dating back hundreds of years define the original farm

operation and appear as a natural element of the land. The historic human interaction at Mackerel Cove, Sheffield Cove and north to West Ferry, the "Creek" and the farmland of the equally historic Hodgkiss and Watson farms converge with Narragansett Bay in a seamless uninterrupted motion.

The present owners of one of the farmhouses, a grandmother, her daughter, son-in-law, their two children and their dog came down to the fence where I was pitching the hay into the truck and we all introduced ourselves. We talked about their farmland and the vegetables at the community farm and this great summer day. It was a very natural human moment.

Later I told Rosemary Enright, one of the women who had asked me to pick up the hay, about my experience and how I felt I was part of a painting, momentarily transported back in time.

"Well" she said, "you were kind of part of a painting."

In 1894, William Trost Richards, a quite famous Jamestown artist, had in fact, painted the very world that I had experienced this summer morning. His painting, "Mackerel Cove" is depicted above.

We are all fortunate to live in this place. We also are very fortunate that those who came before us recognized the beauty and quality of life of this island and took steps to protect those values in their absence.

In the late 1980s, Mrs. Catherine Wright, (mother of Anna Templeton-Cotill, the other woman who asked if I would pick up the hay) ensured the farmland on both sides of Fort Getty Road would be protected in perpetuity.

Tom Carr Watson and Elizabeth Beaumont took similar actions in the late 1970s and early 1980s to protect the Watson and Hodgkiss farms.

Marsh Meadows (the "Creek") was protected by the Audubon Society, Sheffield Cove and Mackerel Cove protected by pub-

lic action.

Not only our western shore but all across this island, local farmers, private citizens, public and private agencies and local taxpayers have acted to protect the history, farmland, open space and natural environment of Conanicut Island.

Today, this aesthetic and authentic backdrop to our daily lives is an incredible gift and serves to foster positive and understanding connections with the natural world and with each other.

Sutton, a former town administrator and council member, is the manager of the Jamestown Community Farm.

CORRECTION

■ In a cutline in the July 27 edition of The Jamestown Press on the renovated office space for Island Realty, the address was listed incorrectly. The agency is at 4 East Ferry Wharf. We regret the error.

November 6, 2021

To: Jamestown Town Council
Nancy Beye, President
Mary Meagher, Vice President
Eric Brine
Michael White
Randall White

RECEIVED
NOV 09 2021 08:58 AM
TOWN OF JAMESTOWN

From: Jean MacMillan
Beaverhead Farm
955 Fort Getty Rd/130 Beavertail Rd

Re: Proposed Pickleball Courts

My family and I own and maintain Beaverhead Farm. It is our hope to preserve the beauty of this historic farmland. After noticing the recent proposal for developing pickleball courts south of the Fort Getty Gatehouse, we feel we need to voice our opposition to this plan.

Forty Getty and its surroundings are unique and beautiful. Daily, Jamestown residents use the area for walking the trails, jogging the road, exploring the shoreline and marsh, fishing, or just finding a quiet place to think. The marsh and surrounding acres provide valuable wildlife habitat for osprey, great herons, and woodland birds and animals drawn to this estuary.

The thought of clearing natural wooded area to pave and fence it in for what seems to be a recently popular activity is, what we feel to be, unwise and shortsighted. I urge you to consider how a project such as this will affect the surrounding native plants and wildlife counting on our protection.

Please read this letter into the record.

Thank you for your consideration,
Jean MacMillan

A handwritten signature in cursive script that reads "Jean MacMillan". The signature is written in black ink and extends across the width of the page.



K-9 teams working in schools to provide a pathway for children to practice kindness, show compassion and feel empathy

Dear Members of The Town Council,

I live in Jamestown and since last February, I have been looking for a space in town to base my small 501c3 nonprofit Tails To Teach www.tailstoteach.org and Good Graces, a new high-end grooming shop for dogs. I've contacted the owners of all the empty suitable locations in both the commercial and limited commercial zones in town and have not had any luck finding a spot. I've checked out the old laundromat next to McQuade's, #9 Clinton (next to Out of The Box), the little red house at #112 Narragansett behind Stearns Realty... and it is not a matter of the rent being too high, there is simply no open space available right now for Tails To Teach and Good Graces Grooming.

Until a local spot opens up, it occurred to me that the old rescue barn on Knowles Court might work very well as a temporary home for both TTT and Good Graces. I'm very willing to sign a short-term lease as I've heard that the town may have future plans for the location. While I'm operating out of the rescue barn, I will continue to look elsewhere for a permanent home on the Island for Tails To Teach and Good Graces Grooming.

An Opportunity: I met with Jamie Hainsworth and Lisa Bryer to look at the rescue barn two weeks ago. I believe the town-owned building it has lain mostly fallow for the last few years and right now it is used for storage and for lending out donated medical equipment. It would be a perfect spot to get my business off the ground - with no major modifications necessary. I can work around the equipment and rescue vehicle that is stored there, as I would only be using the big room in the back and the older small shower/utility area. The space I would be using is approximately 484 square feet and another 80 SF for the shower/utility room.

Why Jamestown: Jamestowners LOVE their dogs! And the pandemic and subsequent increase in owned dogs has created an extremely high demand for veterinarians, trainers and groomers. The current wait time for a "new dog" grooming appointment is 8-10 weeks. Right now, the only options Jamestown dog owners have for grooming is either a mobile van or going off-island. **My informal research shows that the potential for an on-island grooming shop enjoys strong support from local dog owners.**

Business Model: Good Graces Grooming shop will operate in the same way as a hair salon does. Dogs are booked for a specific "tub time", followed by hand-drying, one-on-one grooming and are then picked up as soon as they are finished, so we have minimal parking needs. There is no cage-drying or boarding of animals for the day. I am an expert in caring for anxious and special-needs dogs, and I practice fear-free grooming. The shop must be quiet, efficient and safe. Lisa has confirmed that I need no special permits or variances from the town to operate a grooming shop in Jamestown. I will carry the cost of existing utilities for the building and my own insurance.

Experience: I am a veterinary paramedic with extensive experience in animal welfare and veterinary practice and enjoy a strong reputation in Rhode Island for my long history of animal advocacy. I am a qualified expert in animal health, behavior, safety and sheltering. I've worked for The RI DEM State Veterinarian's Office, The Providence Animal Rescue League, American Humane's Film and TV Unit and then founded Tails To Teach in 2011. Since the pandemic started, and Tails To Teach was not able to provide in-school programs, I've been working as a groomer at Joyful Grooming in Exeter and completed my apprenticeship there 8 months ago.

Benefits to Jamestown: Good Graces Grooming will be a good neighbor and a great local resource for residents of Jamestown. We will offer both a self-wash and dry station for owners who find it challenging to bathe their dogs at home and an after-hours emergency "to go" de-skunking kit. I know having dog owners in and out of town throughout the day to drop off and pick up their dogs would drive additional customers to local businesses, especially during the quieter winter months, as we would be grooming area dogs and not dependent on visitors to the island. Rent for the space will provide income for the town. Through Tails To Teach, we will also offer Pet Loss and Bereavement Support and eventually, dependent on the continued recovery from the pandemic and success of future grants, provide our in-school programs at Melrose School.

The ideal location and convenience of the rescue barn make it the perfect spot to temporarily house both this new enterprise and the existing nonprofit. I know Good Graces Grooming will add to the vibrancy of the town and contribute to the Jamestown business community. Through our social-emotional learning (SEL) programs, Tails To Teach will help local children practice kindness, show compassion and feel empathy. I sincerely hope you might be open to this creative and revenue-generating use of the premises while you consider how to best utilize the location in the long-term.

I do not know the procedure for making a request like this but I'd be delighted to discuss this with you either informally or at a town council meeting. Thank you in advance for your consideration and response.

Laura Carlson

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