



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, November 4, 2013
7:00 PM

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

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

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND RESOLUTIONS

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

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

COUNCIL SITTING AS ALCOHOLIC BEVERAGE LICENSING BOARD

- A) **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 application has been received by the Town Council for a **NEW LICENSE** under said Act, for the period November 4, 2013 to November 30, 2013 (duly advertised in the *Jamestown Press* October 17th and October 24th editions)

NEW LICENSE:

CLASS B – VICTUALER
Portuguese American Citizens Club
dba: Jamestown Bar and Grille
11 Pemberton Avenue
Jamestown, RI 02835

RENEWALS

- B) Approval of Licenses by Class

1) **CLASS A (PACKAGE STORE) – RETAIL**

Tunstall, LLC
dba: Grapes & Gourmet
9 Ferry Wharf

Varsha, Inc.
dba: Jamestown Wine & Spirits
30 Southwest Avenue

- a) Request a motion to approve the liquor license renewal applications for CLASS A (PACKAGE STORE) – RETAIL, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2013 to November 30, 2014.
- b) Request a motion to set the CLASS A (PACKAGE STORE) – RETAIL Liquor License Cap at TWO (2)

2) **CLASS B – TAVERN**

Plantation Catering, Inc.
dba: Plantation at The Bay Voyage
150 Conanicus Avenue

- a) Request a motion to approve the liquor license renewal application for CLASS B – TAVERN, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2013 to November 30, 2014.
- b) Request a motion to set the CLASS B – TAVERN Liquor Licenses Cap at ONE (1)

3) **CLASS B – VICTUALER**

ESJ, Inc.
dba: Simpatico Jamestown
13 Narragansett Avenue

Islandish, Ltd.
dba: Chopmist Charlies
40 Narragansett Avenue

Jamestown Culinary Partners, LLC
dba: Jamestown Fish
14 Narragansett Avenue

Jamestown Oyster Bar, Inc.
dba: Jamestown Oyster Bar
22 Narragansett Avenue

Jamestown Restaurant Group, LLC
dba: Narragansett Café
25 Narragansett Avenue

New England Golf Course Management, Inc.
dba: Jamestown Golf and Country Club
aka: the Caddy Shack
245 Conanicus Avenue (lower level rear)

Portuguese American Citizens Club
dba: Jamestown Bar and Grille
11 Pemberton Avenue

Slice of Heaven, Inc.
dba: Slice of Heaven
32 Narragansett Avenue

- a) Request a motion to approve the liquor license renewal applications for CLASS B – VICTUALER, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2013 to November 30, 2014.
- b) Request a motion to set the CLASS B – VICTUALER Liquor Licenses Cap at EIGHT (8)

4) CLASS D – FULL (CLUB)

Conanicut Yacht Club
dba: Conanicut Yacht Club
40 Bay View Drive

- a) Request a motion to approve the liquor license renewal application for CLASS D - FULL (CLUB), upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2013 to November 30, 2014.
- b) Request a motion to set the CLASS D FULL (CLUB) Liquor License Cap at ONE (1)

LICENSES & PERMITS

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

- C) RIGL §5-24-1 (a) & (b) & §5-24-2: Title 5 Businesses & Professions (Taverns, Cookshops and Oyster Houses)
- 1) Request a motion to approve victualing licenses with extended hours RENEWAL applications, upon the resolution of debts, taxes, State Approval and appropriate signatures for the year December 1, 2013 to November 30, 2014:

Jamestown Mist, LLC
dba: Jamestown Mist
35 Narragansett Avenue
Plat 9 Lot 246

APPLICATION OF JAMESTOWN MIST, LLC, dba: Jamestown Mist, for renewal of additional operational hours to open at 5:00 AM for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow the establishment to continue to be open from 5:00 AM to 2:00 AM daily (RIGL §5-24-1 allows this establishment to be open from 6:00 a.m. until 2:00 AM without additional operating hours).

Cumberland Farms, Inc.
dba: Cumberland Farms Store #1108
41 North Main Road
Plat 8 Lot 626

APPLICATION OF CUMBERLAND FARMS, INC., dba: Cumberland Farms Store #1108, for renewal of additional operational hours to open at 5:00 AM for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow the establishment to continue to be open from 5:00 AM to 2:00 AM daily (RIGL §5-24-1 allows this establishment to be open from 6:00 AM until 2:00 AM without additional operating hours).

- D) **NEW** Multi-License application (November 4, 2013-November 30, 2013; December 1, 2013-November 30, 2014)
- 1) Portuguese American Citizen's Club dba: **Jamestown Bar and Grille**
 - a) Victualing License
 - b) Entertainment License
- E) Multi-License renewal applications:
- 1) BADA Bing, Inc. dba: **House of Pizza**
 - a) Victualing License
 - b) Pinball/Video Game (1)
 - 2) Conanicut Yacht Club dba: **Conanicut Yacht Club**
 - a) Victualing License
 - b) Entertainment License

- 3) ESJ, Inc. dba: **Simpatico Jamestown**
 - a) Victualing License
 - b) Entertainment License
- 4) Islandish, Ltd. dba: **Chopmist Charlie's**
 - a) Victualing License
 - b) Entertainment License
- 5) Jamestown Culinary Partners, LLC dba: **Jamestown Fish**
 - a) Victualing License
 - b) Entertainment License
- 6) Jamestown Restaurant Group dba: **Narragansett Café**
 - a) Victualing License
 - b) Entertainment License
- 7) Plantation Catering Inc. dba: **Plantation at The Bay Voyage**
 - a) Victualing License
 - b) Entertainment License
- 8) Portuguese American Citizen's Club dba: **Jamestown Bar and Grille**
 - a) Victualing License
 - b) Entertainment License

F) Victualing License renewal applications:

- 1) Ace's Pizza, Inc. dba: **Ace's Pizza**
- 2) BADA Bing, Inc. dba: **Freddie Bing's Hotdog Thing (Cart)**
- 3) Del's Lemonade & Refreshments, Inc. dba: **Del's of Jamestown (Mobile Unit)**
- 4) Doriana Carella/The Village Hearth dba: **The Village Hearth**
- 5) East Ferry Market, Ltd. dba: **East Ferry Deli & Market**
- 6) Island Scoop (**NOTE: Opening time change from 10 am to 7 am**)
- 7) Jamestown Oyster Bar, Inc. dba: **Jamestown Oyster Bar**
- 8) Lucky Ridge Co., Inc. dba: **Spinnakers Café**
- 9) Lucky Ridge Co., Inc. dba: **Spinnakers Café (Mobile Unit)**
- 10) New England Golf Course Management, Inc. dba: **Jamestown Golf & Country Club aka: Caddy Shack**
- 11) Slice of Heaven, Inc. dba: **Slice of Heaven**
- 12) Tallulah, LLC dba: **Tallulah's Tacos**
- 13) Tallulah LLC dba: **Tallulah's Tacos (Mobile Unit)**
- 14) T-M-T Enterprises, Inc. dba: **McQuade's Supermarket**
- 15) Tunstall LLC. dba: **Grapes & Gourmet**
- 16) Varsha, Inc. dba: **Jamestown Wine & Spirits**
- 17) Yun Chen dba: **Peking Garden**

G) Entertainment License:

- 1) Jamestown Recreation Department
41 Conanicus Avenue

H) **NEW** Holiday License (November 4, 2013-February 28, 2014):

1) Portuguese American Citizens Club dba: **Jamestown Bar and Grille**

I) One Day Event/Entertainment License Applications

1) Applicant: Conanicut Island Art Association

Event: Holiday Craft Show

Date: December 7, 2013

Location: Melrose School

2) Applicant: Jamestown Community Chorus

Event: Jamestown Community Chorus Concert

Date: December 14, 2013

Location: Recreation Center

V. OPEN FORUM

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

A) Scheduled to address

B) Non-scheduled to address

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

A) Town Administrator's Report

VII. UNFINISHED BUSINESS

A) Fort Getty: 2013 Season update

B) Recreation Stickers purchase – clarification of information for citizens

VIII. NEW BUSINESS

A) Tick Task Force: budget consideration

B) Town Council/Conservation Commission workshop

IX. ORDINANCES AND APPOINTMENTS

A) Ordinances

1) Amendment of the Jamestown Code of Ordinances, Chapter 78 Waterways Article II. Harbor Management Ordinance Sec. 78-21 through Sec. 78-22 through Sec. 78-27; discussion and possible vote to proceed to advertise in the *Jamestown Press* for public hearing on December 2, 2013

2) Amendment of the Jamestown Comprehensive Harbor Management Plan Chapter I Introduction, Chapter II Jamestown (Conanicut Island) Description, and Chapter III. Issues and Implementation, for CRMC compliance; discussion and possible vote to proceed to advertise in the *Jamestown Press* for public hearing on December 2, 2013

X. CONSENT AGENDA

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

- A) Adoption of Council Minutes
 - 1) October 7, 2013 (special meeting)
 - 2) October 7, 2013 (regular meeting)
 - 3) October 7, 2013 (executive session)
 - 4) October 7, 2013 (special meeting continuation of October 8, 2013)
 - 5) October 21, 2013 (special meeting)
 - 6) October 21, 2013 (regular meeting)
 - 7) October 30, 2013 (workshop)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Affordable Housing Committee (09/04/2013)
 - 2) Jamestown Affordable Housing Committee (09/11/2013)
 - 3) Jamestown Harbor Commission (09/11/2013)
 - 4) Jamestown Planning Commission (09/04/2013)
 - 5) Jamestown Planning Commission (09/18/2013)
 - 6) Jamestown Tree Preservation & Protection Committee (09/17/2013)
- C) CRMC Notices
 - 1) Semi-Monthly Meeting agenda for October 22, 2013
- D) Abatements/Addenda of Taxes

XI. COMMUNICATIONS AND PETITIONS

- A) Communications
 - 1) Letter of Tree Committee Chair James Rugh re: Committee appointments and attendance
 - 2) Letter of Tree Committee Chair James Rugh re: Memorial Tree Program
 - 3) Email of Middletown Town Clerk Wendy Marshall re: Portsmouth Town Council vote to create a Unified High School Exploratory Committee, appointment of two School Committee members to the Committee, and request that each Newport County Council do the same in order to facilitate joint discussion on a Unified High School Exploratory Committee
 - 4) Letter of ACLU encouraging the Town of Jamestown to adopt an ordinance re: the use of surveillance equipment throughout Jamestown
 - 5) Email of John A. Murphy requesting support for a Resolution calling for the installation of a center median barrier on the Newport Pell Bridge
 - 6) Notice of Statewide Planning Program re: intent to amend the Rules of Procedure, with written comments submitted by November 21, 2013 for public hearing on November 21, 2013

- 7) Memorandum of Richard Adams and Barbara Von Villas re: Comparative High School Data to support a discussion of a Unified High School Exploratory Committee

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

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

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

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

Memo

Date: 10/31/2013
To: Christina Collins, Acting Town Administrator
From: William Piva, Recreation Director
RE: Fort Getty

Attached you will find revenue numbers for the 2013 Ft. Getty camping season. I would add that the season went by without any major issues. As you are aware, the low voltage electrical issues were a problem during the humid summer days, particularly during the weekends when the campground was at or near full capacity. We should continue to explore ways to remedy this situation as it will most likely re-occur next summer.

A few points:

- Of the 83 seasonal sites, we had 5 vacancies. Of the 78 seasonal campers, 3 were Jamestown residents.
- The 5 vacant "seasonal" sites generated \$14,281.00 in revenue on a transient basis.
- Tent reservations totaled \$31,518.00 with a high occupancy on weekends during the months of July and August. For those months, tent camping was at or near capacity during the weekends.
- The Pavilion had a great deal of use this year and it generated \$7,850.00 in revenue.
- We sold 19 non-resident Fort Getty seasonal passes.

The expenses for the season are currently being worked on. I will have that for you and the Town Council soon. If you have any questions, please let me know.

FORT GETTY REVENUE FOR 2013

Seasonal RV	= \$	345,463.62
RV Reservations @ \$40/night (5 sites)	= \$	14,281.00
Tent Reservations @ \$25/night	= \$	31,518.00
Daily Parking @ \$20/day	= \$	9,165.00
Boat Parking @ \$30/day	= \$	3,380.00
Guest Parking @ \$5/day	= \$	1,935.00
Seasonal Boat @ \$450	= \$	12,600.00
Dump Station @ \$20.00	= \$	20.00
Pavilion Rental @ \$300	= \$	7,850.00
Waiting List @ \$10	= \$	620.00
Ice	= \$	4,129.00
Ft.Getty Non-Resident Seasonal Pass @ \$100	= \$	1,900.00 (NEW)
TOTAL REVENUE	= \$	432,861.62

ADDITIONAL REVENUE 2013

Mackerel Cove Daily Parking (@ \$15/day)	= \$	14,470.00
Resident Stickers (@ \$15)	= \$	27,255.75
Total Additional Revenue	= \$	41,725.75
TOTAL REVENUE 2013		
Total Additional Revenue	= \$	41,725.75
Total Ft.Getty Revenue	= \$	432,861.62
Total 2013 Revenue	= \$	474,587.37

PERMIT STICKERS

	Fee	Sticker Requirements	Comments
RESIDENT STICKER**			
Ft. Getty**	\$ 15.00	Residency Requirements*	
Mackeral Cove**	\$ 15.00	Residency Requirements*	
Shores Beach**	\$ 15.00	Residency Requirements*	
Hamilton Ave**	\$ 15.00	Residency Requirements*	
NON-RESIDENT STICKER			
Ft. Getty	\$ 100.00	License Plate Recorded	Special Sticker-issued by Rec. Dept.
Shores Beach	\$ 30.00	License Plate Recorded	Resident sticker marked up to say Head's Beach Non-Resident

***Residency Requirements** Must present one of the following:

Car Registration

Proof of Residency (deed or tax bill)

Lease or rental Agreement if renting for more than 30 days

**Same sticker can be used at all locations

The Town of Jamestown

Harbor Management Ordinance

As Approved by the Jamestown Harbor Commission on August 14, 2013

Jamestown Harbor Management Ordinance

TABLE OF CONTENTS

Section 78-21.	Goals	1
Section 78-22.	Definitions	1
Section 78-23.	Areas Under Jurisdiction	4
Section 78-24.	Harbor and Mooring Area Boundaries	5
	a. East Harbor	5
	b. West (Dutch) Harbor	5
	c. Head's Beach Mooring Area	6
	d. Park Dock Mooring Area	6
	e. Cranston Cove Mooring Area	6
	f. Setbacks	6
Section 78-25.	Rights-of-Way to the Water	6
Section 78-26.	Mooring and Outhaul Regulations	7
	a. Permitting	7
	b. Mooring Density and Allocation	7
	c. Priority for Private Mooring Permits	7
	d. Mooring area siting standards	9
	e. Private Mooring Permit Application Procedures	10
	f. Commercial Mooring Permit Procedures	11
	g. Relocation of Existing Permitted Moorings	11
	h. Occupancy; Transfer	12
	i. Fees	12
	j. Marking	13
	k. Mooring Specifications	13
	l. Mooring Inspections	14
	m. Forfeiture of Mooring Space	15
	n. Implementation of Changes in Mooring Space Assignments	16
	o. Implementation of Changes in Mooring Tackle Requirements	16
	p. Outhauls	16
Section 78-27.	Regulated Activities	17
	a. General	17
	b. Management and Control of Vessels	17
	c. Vessel Speed and Operation	17
	d. Prohibited Discharge	18
	e. Other Activities	18
	f. Abandoned Vessels and Structures	18
	g. Anchoring	19
	h. Use of Vessels as Abodes	19
	i. Penalties; Fines	19
	j. Informal Procedures for the Payment of Boating Fines	19
	k. Enforcement	20
Section 78-28.	Harbor Commission	20

a. Authority, Powers, Duties	20
b. Composition	21
c. Terms	21
d. Organization	21
e. Finances; Budget	21
f. Compensation	22
Section 78-29. Administration	22
a. Executive Director	22
b. Harbor Administrative Staff	22
c. Conflicts of Interest	23
Section 78-30. Appeals	23
Section 78-31. Liability	23
Section 78-32. Severability	23
Section 78-33. Effective Date	24
Section 78-34. Appendix A; Jamestown Harbor Boundaries	
Section 78-35. Appendix B; Fines Schedule	

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EXHIBIT A-1
ARTICLE I. IN GENERAL

Secs. 78-1 – 78-20 Reserved

ARTICLE II. HARBOR MANAGEMENT ORDINANCE

Sec. 78-21. Goals

Whereas, the harbor and non-harbor tidal waters described herein within the corporate boundaries of the Town of Jamestown are under the ownership and jurisdiction of the State of Rhode Island, and are held in trust for all the citizens of the State; and whereas the State of Rhode Island grants the Town of Jamestown limited and specific uses of these waters; therefore the Town of Jamestown establishes the following goals for this ordinance:

(1) To regulate uses and activities within the waters of the town, as described herein; to protect the coastal environment; to minimize user conflicts; to maximize the efficient use of both the water space and town-owned waterfront consistent with the other goals expressed herein; and to maintain and improve public access to and from the waters of the town for the benefit of all user groups, including residents and non-residents with or without boats, who seek to use town waters for passive and active recreation.

(2) To distribute equitably the burdens and benefits of harbor management and development among commercial mooring operators, private mooring owners, other groups or individuals with special interests in the water and the waterfront, and the town.

(3) To remain consistent with the authorities granted the town under Sec. 46-4-6.9 of the General Laws of Rhode Island and with the goals, policies, and regulations of the Jamestown Comprehensive Community Plan, the Jamestown Comprehensive Harbor Management Plan, the Rhode Island Coastal Resources Management Program, the Rhode Island Department of Environmental Management, and the United States Army Corps of Engineers.

Sec. 78-22. Definitions

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

Abandoned Vessel: A vessel that is inoperable and is left unattended for more than seventy-two (72) hours, or a vessel that has remained illegally in the waters of Jamestown for a period of more than three (3) days.

Anchoring: To secure a vessel temporarily to the bottom of a waterbody by dropping an anchor or anchors or other ground tackle from a vessel.

Beach(es): Area(s) of the shoreline designated by the harbor commission as suitable for

~~Strikethrough~~ = Proposed deletions

Underline = Proposed additions

1 land storage of vessels capable of being removed from the water by manpower alone.
2

3 Beach permit: A license authorized by the town of Jamestown granting the permittee the
4 privilege of storing a specified vessel at a designated beach for a specified season of April 15 until
5 October 15 of each year.
6

7 Channel: Any water areas that are federally maintained and reserved for unobstructed
8 movement of vessels.
9

10 Coastal waters: All waters bordering the town from the shore to a distance of five hundred
11 (500) feet seaward not included in the designation "harbor waters."
12

13 Commercial mooring: Any mooring that a marina, shipyard, yacht club, or other
14 organization has permission to lease or rent to others.
15

16 Commercial vessel: A vessel licensed and used primarily for any type of commercial
17 venture, including but not limited to, fishing, towage, salvage, and the carriage of passengers for
18 hire.
19

20 Conservation zones: Those harbor areas specially designated by the town for the protection
21 of water quality, wildlife, and plant habitat values. (Note: These zones may differ from the Type 1
22 "Conservation Areas" of the Rhode Island Coastal Resources Management Council.)
23

24 Developed riparian property: Riparian property improved by the addition of a permanent
25 structure that has been approved by the building inspector of the town.
26

27 Executive director: The member of the town administration nominated by the town
28 administrator and appointed by the town council to supervise the harbor staff and to administer the
29 provisions of this ordinance and any additional regulations subsequently required for the
30 implementation of the ordinance.
31

32 Fairway: Any locally designated and/or maintained water areas, usually in harbors or in
33 mooring zones, reserved for the unobstructed movement of vessels.
34

35 Guest mooring: A private mooring of a riparian property owner reserved solely for the use
36 of guests.
37

38 Harbor commission: The local advisory and regulatory body authorized by the town
39 council to manage the coastal waters and harbor areas of the town.
40

41 Harbormaster: The individual, hired on approval of the town council by the town
42 administrator, who is primarily concerned with enforcement and activity on the waters of the town.
43 The harbormaster reports to the executive director.
44

45 Harbor waters: The waters in the three harbors of the town: East Harbor, West (Dutch)
46 Harbor, and South (Mackerel Cove) Harbor. The boundaries of these harbors are defined in
47 Section 78-24 of this ordinance.
48

49 Headway speed: the slowest speed at which a vessel can operate and maintain steerage.

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1
2 Moor: To secure a vessel to the bottom of a waterbody semi-permanently or seasonally.

3
4 Mooring: All hardware or tackle used to moor a vessel. For the purposes of this ordinance,
5 a mooring is considered either commercial or private.

6
7 Mooring area: A bounded area outside the harbor waters in which moorings may be
8 placed. Per CRMC regulation, more than four moorings (the maximum which riparians may have)
9 are considered a mooring area, and must be properly recognized in the Harbor Ordinance.

10
11 ~~Mooring inspector, qualified: Any person or business approved as an inspector of~~
12 ~~moorings by the harbor commission upon recommendation of the harbormaster.~~

13
14 Mooring permit: A license authorized by the town of Jamestown granting the permittee the
15 privilege of using an assigned mooring space in the waters of the town for a specified season.

16
17 Mooring space: The specific space assigned by the harbormaster to the holder of a valid
18 mooring permit for the placement of a mooring.

19
20 Mooring zones: Those harbor areas designated by the town for the placement of moorings,
21 or for transient anchorage if space is available.

22
23 Motorized vessels: Every description of a watercraft used, or capable of being used, as a
24 means of transportation on the water and which is propelled by or capable of being propelled by a
25 motor.

26
27 Non-resident: Any individual, business, corporation, or association that does not meet the
28 definition of "resident."

29
30 Notice: Notice in so far as the holder of a mooring permit is concerned shall be defined as
31 a registered and regular first class mail sent to the address of record on the mooring permit from
32 the harbor clerk.

33
34 Occupation: "Occupation" of a mooring or outhaul for a "day" as used in Section 78-
35 26(1)(4) or (5), or 78-26(o)(1) hereof requires that the vessel be secured thereto overnight.

36
37 Outhaul: A non-single-point anchoring device, for the purpose of securing a boat in tidal
38 waters and retrieving it from shore.

39
40 Outhaul permit: A license authorized by the town of Jamestown granting the permittee the
41 privilege of storing a specified vessel on a specific outhaul for a specified season.

42
43 Personal watercraft: A vessel which uses an inboard motor powering a water jet pump as
44 its primary source of motive power and which is designed to be operated by a person sitting,
45 standing, or kneeling on the vessel, rather than the conventional method of sitting or standing
46 inside the vessel.

47
48 Private mooring: Any mooring that is not a commercial mooring.

49

~~Strikethrough~~ = Proposed deletions

Underline = Proposed additions

1 Qualified mooring inspector: Any person or business approved as an inspector of moorings
2 by the harbor commission upon recommendation of the harbormaster.

3
4 Rafting: Two (2) or more vessels, excluding dinghies or other tenders, attached to each
5 other while moored or at anchor.

6
7 Recreational vessel: Any vessel designed for self-propelled navigation on the water and
8 used primarily for pleasure.

9
10 Resident: Any real property taxpayer, full-time inhabitant, and/or registered voter of the
11 town of Jamestown; any recognized non-profit organization of the town.

12
13 Right-of-way: A legal right to use a path or corridor from a public or private
14 thoroughfare or facility that leads to the waters of Narragansett Bay.

15
16 Riparian property: A freehold estate of record in land within the town having shorefront
17 directly adjacent to waters bordering the town.

18
19 Season: May 1 to October 1 of each year.

20
21 Transient anchorage zones: Those harbor areas designated by the town exclusively for
22 the short-term use of commercial and recreational vessels.

23
24 Vessel: Every description of watercraft used, or capable of being used, as a means of
25 transportation on water, with the exception of seaplanes, houseboats, and floating businesses.

26
27 Vessel in need of a mooring: A vessel that will employ the permitted mooring as the
28 primary securing location of the vessel when not in use. A vessel that displaces less than 150lbs
29 when empty is presumed not in need of a mooring. A person desiring to apply for a mooring for
30 a vessel that does not meet the foregoing criterion may apply to the harbormaster for permission
31 to do so.

32
33 Waters of the town: The harbor and coastal waters under town jurisdiction described in
34 Sections 78-23 and 78-24 of this ordinance.

35
36 Sec. 78-23. Areas Under Jurisdiction

37
38 The Town of Jamestown hereby assumes management authority for the purposes of this
39 ordinance consistent with the powers, duties, and authorities granted under Sec. 46-4-6.9 of the
40 General Laws of Rhode Island over the following waters:

41
42 (a) Harbor waters

43
44 The waters of the three harbors--East Harbor, West (Dutch) Harbor, and South (Mackerel
45 Cove) Harbor. The boundaries of these harbors are defined in Section 78-24 of this ordinance.

46
47 (b) Coastal waters

~~Strikethrough~~ = Proposed deletions

Underline = Proposed additions

1 All waters bordering the town from the shore to a distance of five hundred (500) feet
2 seaward not included in the designation "harbor waters" and excluding the "mooring areas" listed
3 below, the boundaries of which are defined in Section 78-24 below.

4
5 (c) Mooring Areas
6

7 The waters within three areas defined in section 78-24 below and referred to as Head's
8 Beach, Park Dock, and Cranston Cove.

9
10 Sec. 78-24. Harbor ~~a~~And Mooring Area Boundaries

11
12 (See Appendix A for a map of the harbor boundaries described below and for a table giving RI
13 State Plane Coordinates and lat/longs for each boundary point.)

14
15 (a) East Harbor

16 The northern boundary shall be a line extending one thousand (1,000) feet seaward from
17 the eastern extension of Weeden Lane. The eastern boundary shall be a line extending one
18 thousand (1,000) feet seaward of the shoreline. The southern boundary shall be a line extending
19 from the southern point of the Fort Wetherill Boat Basin to government marker G "9" (Fort
20 Wetherill Gong) thence to government marker G "11" (Bull Point Bell). East Harbor waters are
21 classified as follows:

22
23 (1) Mooring zone. All harbor waters from the Newport Bridge to a line extending from:
24 Bull Point to government marker G "11" as bounded and marked by existing moorings of record;

25
26 (2) Transient anchorage zone. All harbor waters from the northern boundary to the
27 Newport Bridge in the band of water five hundred (500) to one thousand (1,000) feet from shore;
28 and all harbor waters south of a line extending from Bull Point to government marker G "11";

29
30 (3) Conservation zone. All harbor waters from the northern boundary to the Newport
31 Bridge in the band of water from the shore to five hundred (500) feet seaward.

32
33 (b) West (Dutch) Harbor
34

35 The northern boundary shall be a line extending one thousand (1,000) feet seaward from
36 the western extension of Orchard (Weeden) Lane. The western boundary shall be a line extending
37 from the westernmost end of the northern boundary to the pier at Fort Getty. West (Dutch Island)
38 Harbor Waters are classified as follows:

39
40 (1) Mooring zone. All harbor waters from a point on shore due east of the Dutch Island
41 pier ruins to the Fort Getty pier thence to a point at the southern terminus of Maple Avenue;

42
43 (2) Transient anchorage zone. All harbor waters from Dutch Island pier ruins to a point
44 due east on shore thence to the Fort Getty pier;

45
46 (3) North conservation zone. All waters shoreward of a line extending from the western
47 extension of Orchard (Weeden) Lane to point R on the map provided as Appendix A-1 of the
48 Ordinance, thence to point Q on that map;

~~Strikethrough~~ = Proposed deletions

Underline = Proposed additions

1 (4) South (Sheffield Cove) conservation zone. All harbor waters south of a line from the
2 pier at Fort Getty to a point at the southern terminus of Maple Avenue.

3
4 (c) Head's Beach Mooring Area. The waters within the quadrangle defined by the following
5 points:

- 6
7 1) 41⁰ 32. 276N 71⁰ 23. 233W
8 2) 41⁰ 32. 293N 71⁰ 23. 391W
9 3) 41⁰ 32. 457N 71⁰ 23. 333W
10 4) 41⁰ 32. 449N 71⁰ 23. 216W

11
12 (d) Park Dock Mooring Area. The waters within the quadrangle defined by the following points:

- 13
14 1) 41⁰ 33. 805N 71⁰ 21. 671W
15 2) 41⁰ 33. 799N 71⁰ 21. 602W
16 3) 41⁰ 33. 962N 71⁰ 21. 648W
17 4) 41⁰ 33. 962N 71⁰ 21. 725W

18
19 (e) Cranston Cove Mooring Area. The waters within the quadrangle defined by the following
20 points:

- 21
22 1) 41⁰ 32. 228N 71⁰ 21. 811W
23 2) 41⁰ 32. 222N 71⁰ 21. 743W
24 3) 41⁰ 32. 516N 71⁰ 21. 686W
25 4) 41⁰ 32. 472N 71⁰ 21. 835W

26
27 (f) Setbacks. No moorings shall be placed less than 100 feet from the Mean Low Water mark on
28 shore, nor within 50 feet or three times the control depth of water, whichever is greater, from all
29 federal navigation channels, navigation fairways, shellfish management areas, or shoreside
30 structures.

31
32 Sec. 78-25. Rights-of-Way to the Water

33
34 (a) No person shall block, barricade, or in any way impede the public use of or access to
35 designated public rights-of-way to the water as defined by the Rhode Island Coastal Resources
36 Management Council ("RICRMC") or the town of Jamestown.

37
38 (b) No person shall park or store a vessel, vehicle, or structure on a designated public right-of-
39 way to the water as defined by the RICRMC or the town of Jamestown. Vessels may be stored on
40 the ground at designated beaches or in racks on town property constructed with permission of the
41 harbor commission. The harbor clerk shall issue permits for doing so at fees to be set by the
42 harbor commission and shall maintain waiting lists for these privileges if appropriate.

43
44 (c) Any person in violation of this section of the ordinance after due notice shall be subject to a
45 fine in accordance with Sec. 78-27 of this ordinance ("Regulated Activities"). After due notice
46 town personnel may clear a right-of-way at the violator's expense.

1 Sec. 78-26. Mooring and Outhaul Regulations.
2

3 (a) Permitting. No mooring or outhaul shall be located or maintained in the harbor or coastal
4 waters of Jamestown until a permit has been issued for the use of such mooring or outhaul by the
5 harbormaster. No mooring or outhaul shall be permitted until the harbormaster has determined
6 that it conforms to the specifications set forth in this ordinance and in any other conditions
7 established by the state or town. The harbormaster is responsible for the precise location of every
8 mooring or outhaul, with due regard to space available, to the maximizing of available space, and
9 to the safety of the vessel. Individuals holding a permit may renew it annually upon payment of
10 the appropriate fee subject to compliance with all of the conditions of this section. A mooring or
11 outhaul permit may, upon notice, be revoked at any time for failure to comply with conditions
12 established by this ordinance or by any applicable state or town regulations.
13

14 (b) Mooring Density and Allocation.
15

16 1) Harbors waters. The limit of moorings in the East Harbor and West Harbor Mooring
17 Zones shall be based on available space and the provision of adequate landside facilities. No
18 additional commercial mooring permits shall be assigned in either the East or West harbor
19 mooring zones until private mooring permits constitute 60% of the zone's total number of
20 permits. The precise location of each mooring, commercial or private, within the mooring zones
21 shall be made by the harbormaster, who shall, with the harbor commission, establish appropriate
22 fairways within the zones.
23

24 2) Coastal waters. No mooring shall be permitted more than five hundred (500) feet
25 from the shore in coastal waters. No commercial moorings are permitted in coastal waters. The
26 precise location of each private mooring shall be made by the harbormaster.
27

28 3) Mooring areas. Private moorings may be established in mooring areas. No
29 commercial moorings are permitted in mooring areas. The density and placement of such
30 moorings shall be established by the harbormaster.
31

32 4) No moorings shall be established in conservation zones.
33

34 (c) Priority for Private Mooring Permits. The harbor commission shall maintain a chronological
35 list of all applicants requesting a private mooring permit. The list shall be updated at least twice
36 a year and shall be available to the public at all times for inspection. Within the space available,
37 requests shall be treated in accordance with the following priority guidelines:
38

39 Class 1: Riparian
40

41 (a): Owners of riparian property, including individual owners and the owners or
42 directors of profit or non-profit associations, partnerships, corporations or such other legal
43 entities owning riparian property, are entitled to apply, with priority over other mooring permit
44 classes, for up to two moorings per property parcel directly adjacent to the shorefront property
45 parcel. They may apply for additional Class 1 moorings, up to four in total, without priority over
46 other mooring permit classes. In both cases applications are subject, as determined by the
47 harbormaster, to the availability of space and to state and local regulations. Contiguous lots
48 under the same ownership shall be considered as one property parcel. An individual owner may
49 designate only immediate family members (the owner or the owner's spouse, children, or parents)

1 or the current lessee of the owner’s riparian property as holders of the permitted moorings. An
2 association, partnership, or corporation may designate any of its members in good standing as
3 holders of its permitted moorings. With the approval of the harbormaster, mooring privileges in
4 this category may be granted to owners whose riparian property is adjacent to a town
5 conservation zone.

6
7 Guest moorings: Only owners of riparian property may have guest moorings. Only one
8 of the two moorings permitted Class 1a permit holders may be a guest mooring, except that non-
9 family associations, partnerships, or corporations owning developed riparian property may
10 designate as guest moorings one or both of their permitted moorings. Guest moorings may not
11 be rented or leased. The harbormaster may on application permit a single vessel to occupy a guest
12 mooring on a seasonal basis. Applications for private guest moorings must specify the length of
13 the largest vessel able to occupy the mooring under normal conditions.

14
15 (b): On coastal waters, property owners holding a freehold estate of record with a
16 deeded right of access to riparian property owned by a non-profit association, partnership, or
17 corporation of which they are members in good standing are entitled to apply for a single
18 mooring permit per property directly adjacent to that riparian property. The privilege of a
19 mooring permit in this category is subject to the reasonable availability of mooring space as
20 determined by the harbormaster. Moorings shall be limited to the area created by a parallel
21 extension of the boundaries of the riparian water frontage into the coastal waters. This category
22 of riparian mooring is not permitted in harbor waters, is dependent on available parking, may not
23 be placed in a town conservation zone, and may not be a guest mooring. If the area is delineated
24 as a mooring area and where public access is available members of the general public shall be
25 entitled to apply for a mooring permit there.

26
27 If more than four moorings are so permitted, the area must be delimited as a mooring
28 area, ~~and, where public access is available~~, members of the general public shall be entitled to
29 apply for mooring permits therein.

30
31 Class 2: Rights-of-way.

32
33 (a): Non-riparian property owners holding a freehold estate of record with a deeded
34 private right-of-way or easement to coastal waters granted in an original property subdivision are
35 entitled to apply, per property, for a single mooring permit directly adjacent to that right-of-way
36 or easement. The privilege of a mooring permit in this category is subject to the reasonable
37 availability of space as determined by the harbormaster. Moorings shall be limited to the area
38 created by a parallel extension of the boundaries of the right-of-way into the coastal waters. This
39 category of mooring is not permitted in harbor waters, is dependent on available parking, may not
40 be placed in a town conservation zone, and may not be a guest mooring. If the area is delineated
41 as a mooring area and where public access is available members of the general public shall be
42 entitled to apply for a mooring permit there.

43
44
45 (b): Non-riparian property owners holding a freehold estate of record within one
46 thousand (1,000) feet of a public right-of-way to coastal waters are entitled to apply, per property,
47 for a single mooring permit per property directly adjacent to that right-of-way. The privilege of a
48 mooring permit in this category is subject to the reasonable availability of space as determined by
49 the harbormaster. Moorings shall be limited to the area created by a parallel extension of the

1 boundaries of the right-of-way into the coastal waters. This category of mooring is not permitted
2 in harbor waters, is dependent on available parking, may not be placed in a town conservation
3 zone, and may not be a guest mooring. Where there are four or more such moorings adjacent to a
4 given right-of-way no new moorings shall be permitted. If the area is delineated as a mooring
5 area and where public access is available members of the general public shall be entitled to apply
6 for a mooring permit there.

7
8 Class 3: General. All other applications for moorings, resident and non-resident, will be
9 considered in the order in which they are received. Notwithstanding, when a ratio of no greater
10 than 3:1 of resident holders of private mooring permits to non-resident holders of mooring
11 permits (riparian and commercial permits excluded) is attained, the Jamestown Harbor
12 Commission shall establish guidelines to maintain the ratio at that level. ~~the ratio of non-resident~~
13 ~~holders of private mooring permits to resident holders of mooring permits (riparian and~~
14 ~~commercial permits excluded) reaches 1:3 harbor commission shall establish guidelines to~~
15 ~~maintain the ratio at that level.~~

16
17 All new Class 3 private moorings must be located within a mooring area or harbor waters
18 as specified herein. Moorings outside such mooring areas that were permitted prior to the
19 adoption of this amendment of this Ordinance by the Town Council on June 17, 2004 shall be
20 renewed as long as the application therefor is made in the name of the then owner, a spouse,
21 sibling, or children.

22
23 (ed) Mooring area siting standards. All designated mooring areas sited within the coastal
24 waters and harbor areas of the town shall be setback as follows:

- 25
26 (1) From riparian moorings and shoreline rights of ways, a distance sufficient to allow
27 ingress and egress and to prevent interference with the exercise of private and
28 public rights.
29
30 (2) Fifty (50) feet from all residential or commercial docks, piers, floats and public
31 launching ramps.
32
33 (3) Public mooring areas shall be setback from Federal Navigation projects at least
34 three times the U.S. Army Corps of Engineers authorized project depth from federal
35 navigational projects.
36
37 (4) All moorings shall be prohibited in Federal Navigation Projects.
38
39 (5) All new and significantly expanded mooring areas shall be sited to ensure that tides
40 and currents aid in flushing the mooring area.
41
42 (6) All new and significantly expanded mooring areas shall be sited to avoid adverse
43 effects on water quality
44
45 (7) Mooring areas shall be sited so as to not substantially interfere with designated
46 shellfish management areas, traditional fishing grounds, public recreational areas
47 and conservation areas.
48

~~Strikethrough~~ = Proposed deletions

Underline = Proposed additions

1 (8) Mooring areas shall be sited so as to not significantly affect finfish and or shellfish
2 resources, wetlands, submerged aquatic vegetation and aquatic habitat.

3
4 (9) Mooring areas shall be adequately serviced and pump out stations shall be
5 accessible and operationally maintained.

6
7 (10) The Army Corps of Engineers (ACOE) "open to all" policy supersedes any Town or
8 State regulation, policy, ordinance, or statute.

9
10 (11) All moorings and boats shall be located within the mooring areas, except for riparian
11 moorings, and moorings permitted through a Right-of-way (ROW), where no more than
12 four (4) moorings are permitted via each ROW.

13
14
15 (de) Private Mooring Application Procedures.

16
17 1) New mooring or outhaul applications. Every applicant, riparian and non-riparian, for a
18 new private mooring or outhaul permit shall submit a mooring permit waiting list application
19 form. This form shall contain the name, mailing address, resident status, and relevant telephone
20 numbers of the applicant and the desired location of, and point of access to, the proposed
21 mooring or outhaul. The harbormaster or executive director shall notify the applicant and the
22 harbor clerk in writing within five (5) days whether, given the availability of space, the applicant
23 may apply on the same schedule and on the same application form as renewal applicants or must
24 be placed on a waiting list. To be placed and kept on the waiting list, applicants must, on an
25 annual basis, fill out and return a brief waiting-list renewal application sent to the applicant by
26 the harbor clerk and pay any waiting list fees requested. If the renewal application and fee are
27 not received by a date set in the renewal application, a second notice will be sent; if there is no
28 response within 30 days, the applicant will be deleted from the waiting list.

29
30 2) Renewal permit applications. Mooring or outhaul permits must be renewed annually.
31 Every applicant for a private mooring or outhaul permit must show ownership of a vessel in need
32 of a mooring, except for the guest moorings of owners of riparian property as granted in Section
33 78-26(c), above. The harbor clerk shall mail renewal permit applications in March to existing
34 individual permit holders with a return deadline of May 15. The completed application forms
35 shall contain at least the following information: i) the name, summer and winter mailing address,
36 [and] resident status, and relevant telephone numbers of the applicant; ii) the type of vessel and
37 whether it is recreational or commercial; iii) the length, beam, draft, displacement, type of
38 sanitation system, and name of the vessel; iv) a copy of the vessel's registration or
39 documentation certificate in the name of the applicant or a person to whom the permit may be
40 transferred under 78-26(g)(2); v) the size, type, proof of inspection, and precise location of the
41 existing mooring; vi) the point of access to the mooring or outhaul; vii) if applicable, the
42 storage location of the dinghy; and viii) the date the vessel is expected to be on the mooring or
43 outhaul. With the approval of the harbor commission and upon public notice to all applicants the
44 harbor clerk may from time to time amend the mooring permit application.

45
46 A) Leased vessels. An applicant may apply for a mooring based upon a lease of a vessel
47 providing the applicant the exclusive use of the vessel for at least the period of the season. Such
48 applicants may not permit the actual owner or another third party to use the leased vessel on a
49 regular basis. The harbormaster is directed to regularly monitor usage of any such leased vessel

1 to ensure compliance with this section.
2

3 3) General. A private mooring or outhaul permit may not be held by more than one
4 individual or by more than one association, partnership, or corporation, or any other legal entity
5 at a time. All applications must be accompanied by the appropriate fee and shall be received at
6 the harbor office. No private mooring or outhaul permit shall be granted for any vessel that has
7 another private mooring or outhaul in the harbor waters, mooring zones or coastal waters of
8 Jamestown. Non-resident yacht clubs or other organizations applying for private moorings to be
9 used by more than one vessel during a season must list the names of all vessels eligible to use the
10 mooring and shall be charged an appropriately higher fee.

11
12 (ef) Commercial Mooring Application Procedures.
13

14 1) New permit applications. New applications for commercial mooring permits in
15 harbor waters must be approved by the Rhode Island Coastal Resources Management Council,
16 the Army Corps of Engineers, and the harbor commission. They must conform to the percentage
17 limitations for harbor waters stated in Section 78-26(b), above.
18

19 2) Renewal permit applications. Commercial mooring operators who have approved
20 permits from the Rhode Island Coastal Resources Management Council and the Army Corps of
21 Engineers will be considered to have made renewal applications for the purposes of this
22 ordinance. For vessels on moorings to be leased seasonally commercial mooring operators must
23 provide the harbor office by July 15 with the registration number, name and length of each vessel
24 and the name of each owner. For moorings leased seasonally after July 15 they must provide the
25 information as soon as reasonably practicable. Commercial operators shall provide inspection
26 reports tri-annually of their existing moorings, providing the same information required in
27 Section 78-26(k)(3) below of inspection reports of private moorings. The inspection reports
28 provided by commercial operators may be provided in spreadsheet format. Commercial mooring
29 operators shall reach a mutually satisfactory arrangement with the harbor commission for the
30 deadlines for payment of the appropriate fees.
31

32 3) General. Commercial moorings are prohibited in coastal waters. In harbor waters
33 commercial mooring operators must fulfill the requirements of Section 300.4.E.1 (a) & (b) of the
34 Rhode Island Coastal Resources Management Program as they relate to the provision of sanitary
35 facilities and parking. They must also fulfill any additional requirements of the harbor
36 commission and this ordinance, or any amendments thereof.
37

38 (fg) Relocation of Existing Permitted Mooring.
39

40 1) All requests for relocation of existing permitted moorings must be submitted in a
41 written request to the harbormaster. Information for such a request must meet the requirements
42 for a mooring permit application, as well as show proof of a valid mooring permit issued for the
43 previous or current year. The reasons for a mooring relocation must be clearly stated in the
44 request. To be placed and kept on the relocation list, applicants must, on an annual basis, fill out
45 a brief relocation-list renewal form and pay any waiting-list fees requested.
46

47 2) Action on the relocation request will be taken by the harbormaster based upon
48 policies--written and fully available to the public--established by the harbor commission, the
49 availability of space, the requirements of this ordinance, and the type and size characteristics of

1 the vessel. The harbor commission shall maintain a chronological list of all applicants requesting
2 a mooring relocation. The list shall be updated at least twice a year and shall be available to the
3 public at all times.

4
5 3) Any request received by the harbormaster that is not complete shall be returned to the
6 applicant and no action will be taken on the matter until a completed form is returned.

7
8 (gh) Occupancy; Transfer
9

10 1) Private mooring and outhaul permits: occupancy: Private permit holders may not
11 allow any vessel other than that described in the application to use the mooring or outhaul
12 permitted for more than seven (7) consecutive days; provided, however, that i) the harbormaster
13 may permit the temporary use of a mooring or outhaul by another vessel upon the written request
14 of the mooring permit holder and ii) the harbor commission, if it deems the action appropriate,
15 may waive the restriction more generally and for a longer period. Private permit holders are
16 prohibited from charging a fee for the temporary use of their moorings or outhaul. The
17 harbormaster shall have the authority to move or cause to be moved any vessel violating the
18 provisions of these regulations, at the expense and risk of the vessel owner. The vessel and/or
19 owner of the vessel granted the temporary use of a mooring may only request the temporary use
20 of a mooring for one (1) season. In subsequent years, the vessel and/or vessel owner may not be
21 the recipient of another temporary use exemption, except by order of the harbor commission.
22

23 2) Mooring, outhaul permits and wait list position: transfer: No private mooring holder,
24 outhaul space assignment or waitlist position, shall be sold, assigned or transferred (unless it falls
25 under Section 78-26(m), below) except on a one time only basis, upon written notice to the
26 harbor commission, to a spouse, sibling or child and is thereby prohibited from any subsequent
27 transfer under any circumstances. ~~Private mooring and outhaul permits: transfer: No private~~
28 ~~mooring or outhaul space assignment shall be sold, assigned, or transferred by a mooring or~~
29 ~~outhaul permit holder, except that on written notice to the harbor commission a permit holder or~~
30 ~~a person on the waiting list may transfer a mooring or outhaul permit (unless it falls under~~
31 ~~Section 78-26(m), below) or a place on the waiting list to a spouse, sibling, or child on a one time~~
32 ~~only basis.~~ Any assigned mooring or outhaul space given up by a permit holder reverts to the
33 harbor commission for assignment, by the harbormaster, to the next person on the relocation or
34 waiting list whose vessel fits the mooring or outhaul space, the appropriate mooring or outhaul
35 class involved, and the relevant shoreside requirements. In exceptional cases permit holders may
36 apply to the harbor commission for relief from this provision.
37

38 3) Commercial mooring and outhaul permits may be leased or transferred to other
39 businesses subject to review and approval by the harbor commission. The standard for review
40 shall be the ability of the proposed transferee to comply with all the provisions of 78-26(e) as a
41 commercial operator.
42

43 (hi) Fees. The harbor commission shall annually recommend to the town council a proposed
44 schedule of fees as part of the annual operating and capital budget; and the town council shall
45 establish such rates not later than March 15 each year. The commission may charge fees for all
46 mooring permits; for dock, storage rack, outhaul, and beach permits on town-owned property; for
47 outhauls on riparian property, and for waiting and relocation list applicants. Higher fees may be
48 charged for non-resident and commercial moorings and for other special situations. The
49 commission may assess late penalty fees provided these are indicated on, or enclosed with, the

1 appropriate application forms. For billing purposes the harbor clerk may establish informal
2 classification codes for moorings grouped by different levels of fee.

3
4 (ij) Marking. The holder of a mooring permit shall mark the mooring buoy with the current
5 mooring number thereto in letters no less than three inches high. After (fourteen) 14 days notice
6 of delinquency the harbormaster may fine the owner five (\$5.00) dollars a day for any mooring
7 not properly marked.

8
9 (jk) Mooring specifications.

10
11 1) Responsibility for moorings: Although the town sets the following minimum
12 standards for moorings and mooring inspections for all moorings in the waters of the town,
13 owners of moorings shall be solely responsible for the safety and reliability of their moorings.
14 Heavier tackle and more frequent inspections than the required minimum are strongly
15 recommended in all cases. This is especially so where moorings are in exposed locations or are
16 holding vessels of greater than average displacement.

17
18 2) Anchors: Mushroom anchors (in mud or soft sandy bottoms) or concrete or granite
19 blocks shall be used for moorings in the waters of the town, unless otherwise authorized by the
20 harbormaster or mandated by state or federal agencies. Authorization must be in writing; and the
21 harbor office will maintain records of any mooring anchor deviations authorized in accordance
22 with this provision.

23
24 The approximate shape of block anchors shall be square, both top and bottom, with
25 tapered sides (trapezoidal). The block shall not be allowed to become a hazard. The link shall be
26 of material not less than one (1) inch in diameter and shall be securely imbedded in the block.
27 All shackles shall be one size heavier than the chain. All shackles shall be load-rated, properly
28 seized, and shall be forged (not cast).

29
30 3) Length and type of chain: Total minimum length of chain (both bottom and top) shall
31 be determined as follows: Depth of water at mean high tide, plus five (5) feet for storm surge,
32 times two (2). Normally, a minimum of fifty percent (50%) of the total length of chain shall be
33 heavy chain, with the remainder being light chain, as indicated in the table below. (Where
34 appropriate, a rode of nylon may be substituted for the light chain.) A higher percentage of heavy
35 chain is recommended in exposed areas of relatively shallow depth. Use of greater scope is
36 strongly recommended, especially in exposed areas and where there is sufficient space for vessels
37 to swing without endangering each other. Excessive scope, as determined by the harbormaster,
38 will not be allowed. A lower percentage of heavy chain may be appropriate for moorings of
39 greater scope.

40
41 4) Mooring float/buoy: The mooring float carrying the weight of the mooring chain (or
42 chain and rode) must be of sufficient size and buoyancy so that at least fifty percent (50%) of it is
43 visible above the surface of the water.

44
45 5) Pennants: Pennant length shall be determined as follows: take the distance from the
46 chock to the waterline, multiply this distance by two (2) and add the distance from the bow chock
47 to the bow cleat. The result is the minimum pennant length.

48
49 6) Chafeguards: All pennant lines running through a chock or any other object where

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Underline = Proposed additions

1 chafing may occur shall have adequate chafeguards.

3 7) Minimum tackle specifications for the waters of the town.

5 Boat	Mushroom	Block	Bottom	Top	Top	Pennant
6 <u>Length</u>	<u>Anchor</u>	<u>Anchor</u>	<u>Chain</u>	<u>Chain</u> or	<u>Rode</u>	_____
8 Up to 16'	150 lbs	500 lbs	1/2"	3/8"	5/8"	1/2"
9 16 to 18'	200	800	1/2"	3/8"	5/8"	1/2"
10 19 to 21	250	1500	5/8"	3/8"	5/8"	1/2"x2
11 22 to 24	300	1500	5/8"	3/8"	5/8"	1/2"x2
12 25 to 29	400	2000	5/8"	1/2"	5/8"	1/2"x2
13 30 to 34	500	2000	5/8"	1/2"	3/4"	5/8"x2
14 35 to 39	600	3000	3/4"	1/2"	3/4"	3/4"x2
15		or 2x1500				
16 40 to 49	800	4000	3/4"	1/2"	7/8"	3/4"x2
17		or 2x2000				
18 50 to 59	1000	4000	1"	1/2"	1"	1-1/4" x2
19		or 2x2000				

21 The above sizes are minimums. Use of at least one size larger for all components is strongly
22 recommended for greater safety. On written application, the harbormaster may permit or require
23 variances from these mooring tackle specifications in individual cases and, more generally, in
24 specific areas, if the stated specifications seem clearly inappropriate for the area in which a
25 mooring will be located.

27 8) Elastomeric Mooring Tackle: The harbormaster is directed to encourage the use of
28 mooring tackle including elastomeric members in lieu of chain where appropriate in view of the
29 lesser scope required for such systems, with appropriate attention to be paid to the requirement of
30 corresponding anchors to be employed.

32 (~~k~~) Mooring inspections.

34 1) New moorings. All new moorings in the waters of the town shall be inspected and
35 approved by the harbormaster or the harbormaster's designee prior to setting the mooring.

37 2) Maintenance of existing moorings. All permit holders shall be required to maintain
38 their moorings in safe condition. Any chain, shackle, swivel, or other tackle that has become
39 warped or has become worn by one-third its original diameter shall be replaced. Failure to
40 maintain a safe mooring shall be cause for revocation of the mooring permit and shall be deemed
41 a violation of this ordinance. The harbormaster or the harbormaster's designee may inspect any
42 moorings at any time to determine compliance with this section of the ordinance. Any mooring
43 washed ashore or having moved so as to endanger another vessel shall be inspected by the
44 harbormaster or the harbormaster's designee before it is reset.

46 3) Schedule of inspections. All moorings shall be inspected by a qualified mooring
47 inspector on behalf of the applicant at least once every three years and the results of such
48 inspection certified by the inspector and reported to the harbor office by 15 June of the year of
49 inspection. The inspection process is to be carried out using the "Guidelines for Establishing a

1 Verified Mooring Location” procedure approved by the Jamestown Harbor Commission on
2 February 8, 2005. This inspection shall determine compliance with the minimum mooring and
3 tackle standards of this ordinance. Inspections may be made either by raising the mooring or by
4 underwater inspection. The harbor clerk shall establish a schedule for each mooring and indicate
5 it clearly on the mooring application. The harbor clerk shall provide a form on which
6 information pertaining to the inspection shall be provided, and such form shall be submitted by
7 the applicant together with the application and fee. The information to be reported shall include
8 the following: water depth, size and type of mooring buoy, adequacy of length, diameter and
9 number of pennant(s), adequacy of chafe guard(s), type, size and number of anchor(s), length and
10 size of bottom and top chains or top rode, number and size of shackles, the location of the
11 anchor, and the general condition of the mooring. The location of the anchor is to be reported in
12 decimal degrees, e.g., 41.234567 N, 71.456789 W. The inspection report shall be signed and
13 dated by the inspector. Commercial operators may submit multiple inspection reports in
14 spreadsheet form, but they must include all information specified above.
15

16 4) Compliance: Any mooring or component of a mooring reported not in compliance
17 with this section of the ordinance shall be replaced by the owner within thirty (30) days of such
18 notice. Within forty-five (45) days after the noncompliance is reported a second mooring
19 inspection must be completed to determine if the violation has been corrected. The results of this
20 second mooring inspection shall be reported to the harbormaster. Failure to correct the violation
21 within that period shall cause the mooring to be deemed unsafe and, as a violation of this
22 ordinance, shall be cause for revocation of the mooring permit and removal of the mooring from
23 the waters of the town at the risk and expense of the mooring owner. When the harbormaster
24 deems it necessary, for the safety of a vessel or of vessels nearby, to remove a vessel immediately
25 from a non-complying mooring, and the owner is unable or unwilling to do so, the harbormaster
26 or the harbormaster's designee may remove the vessel at the owner's risk.
27

28 5) Costs: All costs of any mooring inspection, of any relocation of vessels as a result of
29 non-compliance, or of any repairs or replacements required under the provisions of this ordinance
30 shall be the responsibility of the mooring owner.
31

32 (hm) Forfeiture of Mooring Space. Any holder of a mooring or outhaul permit for a mooring
33 located in the coastal or harbor waters, or in a mooring area of the town shall be subject to
34 forfeiture of that permit or the right to renew the permit by reason of any the following:
35

36 1) Failure to comply with any of the requirements of this ordinance.
37

38 2) Failure to respond to the harbormaster's and/or harbor commission's notice that i) the
39 mooring does not comply with the mooring specifications herein set forth, or ii) that the mooring
40 has been displaced or moved from its permitted location.
41

42 3) Failure to resurface, repair, or replace mooring tackle within sixty (60) days after
43 being advised to do so by the harbormaster.
44

45 4) Occupying a mooring or outhaul with the vessel permitted for that mooring for a total
46 of fewer than twenty (20) days during the course of a calendar year. If the vessel occupies the
47 mooring or outhaul exclusively outside the period of the season it shall be the responsibility of
48 the mooring or outhaul holder to establish to the satisfaction of the harbormaster or harbor
49 commission that the mooring or outhaul has been occupied for at least twenty (20) days.

1
2 5) Any holder of a mooring or outhaul permit for a mooring located in the coastal or
3 harbor waters of the town shall be fined one hundred (100) dollars per month for: a) failure to
4 renew an existing valid mooring or outhaul permit by June 15 of any year; b) failure to
5 commission a mooring or outhaul by July 1; c) failure to occupy the mooring or outhaul for a
6 least twenty (20) days during the year. If the holder takes no action to comply with these
7 requirements, the permit will be deemed forfeited on October 1 and will not be subsequently
8 renewed.

9
10 On written request the harbormaster may grant exceptions to clauses 3, 4, and 5, above.

11
12 No mooring or outhaul will be deemed forfeited until notice of the violation has been first
13 mailed to the holder of the permit by registered mail, return receipt requested and regular first
14 class mail. If an appeal is not made within thirty (30) days of the receipt of the notice, the
15 harbormaster will issue an order requiring that the mooring or outhaul be removed at the owner's
16 expense. If the owner fails to remove the mooring or outhaul within thirty (30) days upon order
17 of the harbormaster, the owner will be billed for the cost of the mooring or outhaul removal. If a
18 vessel is tied to the mooring or outhaul, the vessel will be removed and stored at the owner's
19 expense.

20
21 ~~(m)~~ Implementation of Changes in Mooring Space Assignments.

22
23 1) All private mooring permits and applications permitted prior to initial adoption of the
24 Harbor Management Ordinance by the Town Council on June 17, 2004 shall be reclassified
25 according to the criteria established in Section 78-26(c) (above).

26
27 2) All regulations concerning mooring permits and applications shall be applied on the
28 basis of the above reclassification.

29
30 3) All mooring permits disallowed under this ordinance shall be deemed permitted non-
31 conforming moorings. Rights to such moorings and use in accordance with the ordinance and
32 town rules and regulations may continue by the present owner only unless the mooring is
33 surrendered or revoked.

34
35 ~~(n)~~ Implementation of Changes in Mooring Tackle Requirements.

36
37 1) All new moorings shall meet the minimum standards.

38
39 2) All moorings in place shall meet the new minimum standards on the regular schedule
40 of mooring inspections required by the harbor commission.

41
42 ~~(o)~~ Outhauls.

43
44 1) On town property. Outhauls may be established on Town property where
45 recommended as appropriate by the harbor commission and approved by the town council.
46 Outhauls in existence as of the adoption of this Ordinance shall be deemed conforming. Permits
47 for the use of outhauls shall be issued by the harbor office in accordance with a waiting list. If an
48 outhaul is not occupied for a minimum of twenty (20) days during the course of the year the
49 permit shall be deemed forfeited and will not be renewed. No outhaul will be deemed forfeited

1 until notice of the violation has been first mailed to the holder of the permit by registered mail,
2 return receipt requested and regular first class mail. If an appeal is not made within thirty (30)
3 days of the receipt of the notice, any vessel secured thereto will be removed and stored at the
4 owner's expense.

5
6 2) On private property. Up to two (2) outhauls may be installed per riparian property.
7 Outhauls on private property may not exist in conjunction with a ~~recreational~~ residential boating
8 facility on the same property. CRMC reserves the right to revoke any outhaul permit that is not
9 issued according to RICRMP.

10
11 3) In general. The harbormaster shall have the power to direct that outhauls deemed
12 inadequate or unsafe be repaired or replaced. The outhaul cabling system for all riparian
13 outhauls shall be removed between November 15 and April 15.

14
15 Sec. 78-27. Regulated Activities.

16
17 (a) General. The purpose of this section is to regulate the speed, management, and control of
18 vessels and the use of all anchorages, moorings, and town-owned waterfront facilities within the
19 jurisdiction of the Town of Jamestown as stated in Section 78-23 and as authorized by Rhode
20 Island General Law 46-4-6.9.

21
22 (b) Management and Control of Vessels.

23
24 (1) Vessel operation. Every person operating a vessel within the waters of the town shall
25 navigate in a careful and prudent manner, so as not to endanger the life, limb, or property of
26 another and not to interfere with or damage other vessels or property.

27
28 (2) Failure to stop. It shall be a violation of this ordinance for any person to refuse to
29 move, slow to headway speed, or stop when directed by the harbormaster or any other duly
30 authorized enforcement officer.

31
32 (3) Prohibited areas. No person shall operate or cause to be operated a vessel within any
33 area marked prohibited on the harbor map, except as otherwise provided for in the ordinance.

34
35 (c) Vessel Speed and Operation.

36
37 1. Operators of vessels within the coastal and harbor waters of the Town of Jamestown
38 shall comply with all state and local laws and regulations on vessel speeds and wakes that
39 establish a maximum speed for vessels of five (5) miles per hour, no wake (RIGL 46-22-9) in the
40 mooring zones of harbor waters.

41
42 2. Vessel operation, mooring, or anchorage within two hundred (200) feet of the shore
43 where marked on the harbor map or by buoys is prohibited, except when a vessel is directly
44 approaching or leaving the shore, a town-approved launching ramp, or beach storage area for
45 dinghies when the sole purpose is to begin or end such activity.

46
47 3. In all designated channels, fairways, and mooring zones of harbor waters para-gliding,
48 para-sailing, windsurfing, water skiing, jet skiing, tubing, knee boarding, and similar activities
49 are limited to a five (5) miles per hour maximum speed. In coastal waters and in the transient

1 and conservation zones of harbor waters, the named activities are prohibited within two hundred
2 (200) feet of the shore and within one hundred (100) feet of any vessels moored or anchored.
3 Any person who violates these regulations, inclusive of Rhode Island General Law 46-27-2, shall
4 be subject to penalties under this ordinance.

5
6 4. Seaplanes and other airborne watercraft are prohibited from surface operation within
7 mooring zones or within two hundred (200) feet of the shore; they are prohibited from taking off
8 or landing in the waters under town jurisdiction as stated in Section 78-24 of this ordinance.

9
10 5. No vessel shall be moored or anchored so as to interfere with the free and
11 unobstructed use of channels, fairways, or berthing spaces within the areas under town
12 jurisdiction as defined in Section 78-24 of this ordinance.

13
14 6. Where significant shallow-water habitat is identified, boating activities shall be
15 restricted as necessary to decrease turbidity and physical destruction of such habitat.

16
17 (d) Prohibited Discharges.

18
19 (1) Discharge of Refuse. The discharge of any waste, refuse, garbage, plastic, chemicals,
20 petroleum products or by-products, paint, varnish, dead animals, or any other debris or litter into
21 the waters of the town is prohibited under this ordinance. The town adopts Rhode Island General
22 Law 46-12-39 as part of its ordinance. Any person who violates this provision shall be subject to
23 penalties provided by Rhode Island General Law 46-12-40.

24
25 (2) Discharge of Sewage. No person shall cause or permit to pass or to be discharged
26 into the waters of the town any untreated sewage or other waste matter or contaminant of any
27 kind. The town shall monitor and report annually to the Department of Environmental
28 Management on the effectiveness of its pumpout operations.

29
30 (e) Other Activities.

31
32 (1) Swimming, diving and fishing. Swimming, diving, or fishing off town-owned piers,
33 floating docks, wharfs, and jetties is prohibited unless otherwise authorized and posted by the
34 town council. Water skiing is prohibited in harbor waters and in mooring areas. Swimming and
35 diving are prohibited in mooring areas and mooring zones more than 150 feet from shore from
36 sunset to sunrise or in periods of impaired visibility, except in the immediate vicinity of a
37 moored or anchored vessel, when accompanied by an escort vessel, as part of a sanctioned
38 swimming event, or as necessary to perform service or maintenance to a vessel or mooring.

39
40 (2) Property Damage. It shall be unlawful to destroy, damage, disturb or interfere with,
41 willfully or carelessly, any public or private property in the waters or waterfront areas of
42 Jamestown.

43
44 (3) Litter. Littering is prohibited on town property. Any person who violates this law
45 shall be subject to penalties under this ordinance as provided for by local and state law.

46
47 (f) Abandoned Vessels and Structures.

48
49 When, in the opinion of the harbormaster, a vessel or structure has been abandoned in the

1 waters of the town, the harbormaster may take custody and control of such vessel and remove it,
2 store it, or otherwise dispose of it, all at the expense and sole risk of the vessel owner.
3 Reasonable notice of such disposal shall be publicly given. The harbormaster shall assume all of
4 the duties and powers of the commissioner of wrecks and shipwrecked goods as delineated in the
5 Rhode Island General Law Sec. 46-10-1 to 13.

6
7 (g) Anchoring.

8
9 Vessels shall not anchor or raft in a location that interferes with a moored vessel. The
10 harbormaster may direct a vessel to move or relocate.

11
12 1) Overnight anchoring: is permitted in all town waters, except Conservation Zones, on
13 a space available basis. The crew may go ashore, but shall not leave the area. They shall be
14 available to tend to the vessel in the event of heavy weather. It shall be the anchored vessel's
15 responsibility to remain clear of all moored vessels. No vessel shall be anchored more than three
16 (3) days without the permission of the harbormaster. No anchoring of any kind is permitted in
17 Conservation Zones.

18
19 2) Rafting: Vessels are permitted to raft on a mooring or at anchor provided that the
20 rafted vessels do not endanger any other moored or anchored vessels and that they do not intrude
21 into any channel or thoroughfare. Each rafted vessel must be manned at all times. Rafting is not
22 permitted when Coast Guard small craft advisories or other severe weather warnings are in
23 effect; rafted vessels must separate when these conditions are announced or at the request of the
24 harbormaster.

25
26 (h) Use of Vessels as Abodes.

27
28 In accordance with the Rhode Island Coastal Resources Management Program, Section
29 300.5, houseboats or floating businesses, as defined therein, are prohibited from mooring or
30 anchoring unless within the boundaries of a marina. Houseboats or floating businesses shall tie
31 into fixed marina pumpout facilities. Applicants for floating businesses shall fulfill the
32 additional Category "B" requirements of Section 300.5. Applicants for either houseboats or
33 floating businesses shall meet all the pertinent standards given in "Recreational Boating
34 Facilities" (Section 300.4) under standards for residential docks, piers, and floats.

35
36 (i) Penalties; fines.

37
38 Pursuant to this ordinance and the powers granted in the enabling legislation, Rhode
39 Island General Law 46-4-6.9 and the general laws of the State of Rhode Island, a person who
40 violates any law as stated therein shall be subject to penalties and fines as set forth in the attached
41 Appendix B, unless otherwise established by the General Laws of the State of Rhode Island.
42 Each day a violation continues shall be deemed a separate offense subject to an additional
43 penalty. The district court of the State of Rhode Island, or such other courts as are designated in
44 the summons, shall have jurisdiction for the enforcement of regulated activities.

45
46 (j) Informal Procedure for the payment of Boating Fines.

47
48 1) Payment without personal appearance. The harbormaster or any other duly authorized
49 enforcement officer who charges any person with an offense under this ordinance, in addition to

1 issuing a summons for the offense, may provide the offender with a form that shall allow the
2 offender to dispose of the charge without the necessity of appearing before the district court;
3 provided that any offender who has been guilty of a third or subsequent violation within twelve
4 (12) months of the first offense must appear before the court on the date specified on the
5 summons, and may not dispose of the third or subsequent offense administratively.
6

7 2) Method of payment: An offender electing to dispose of the charge without personally
8 appearing before the district, or other, court shall execute the form indicated and return it to the
9 Jamestown police station not later than fourteen (14) days from the date of the summons either
10 by mailing or delivering the form and summons accompanied by a check or money order in the
11 amount indicated by the schedule of fines on the form. The fine shall be doubled if not paid
12 within fourteen (14) days and tripled if not paid within thirty ~~twenty one~~ (30 ~~21~~) days.
13

14 3) Failure to answer: An individual who fails to answer within thirty (30) ~~twenty one~~
15 (~~21~~) days shall have waived the right to dispose of the summons without personal appearance and
16 must appear before the district court on the date specified on the summons.
17

18 (k) Enforcement. The primary responsibility for enforcement of regulated activities, including
19 ~~detention, arrest, and the~~ issuance of summonses for violations is delegated to the harbormaster
20 and the Jamestown Police Department. Police officers and the harbormaster of the Town of
21 Jamestown shall have the power and authority to enforce the rules and regulations of this
22 ordinance and of the General Laws of the State of Rhode Island.
23

24 Sec. 78-28. Harbor Commission.
25

26 (a) Authority, Powers, and Duties. The harbor commission shall be the local advisory and
27 regulatory body authorized by the town council to manage the coastal waters and harbor areas of
28 the town through the implementation of the Comprehensive Harbor Management Plan and
29 subsequent ordinances. The harbor commission shall enforce the provisions and ordinances of
30 the Harbor Management Plan as well as adopt additional policies, rules, and regulations for the
31 implementation of the Harbor Management Plan and such ordinances, subject to the approval of
32 the town council and the Rhode Island Coastal Resources Management Council.
33

34 The harbor commission shall adopt rules of procedure and operation for its meetings and,
35 among its powers and duties, is authorized to:
36

37 1) Recommend to the town council the adoption of rules, regulations, fees, penalties and
38 other amendments to the Comprehensive Harbor Management Plan and its subsequent
39 ordinances that may be necessary to fulfill the goals and objectives of that plan and meet the
40 requirements of its ordinances.
41

42 2) Recommend additional authorities and duties for the harbor staff, herein detailed, with
43 the approval of the executive director and the town council.
44

45 3) Assist in the preparation of the annual budgets in accordance with the provisions of
46 the town and this ordinance to expend monies in the harbor funds.
47

48 4) Sit as a board of appeals to hear any person aggrieved by any decision, act, or failure
49 to act of the executive director or harbor staff in the enforcement and implementation of this

~~Strikethrough~~ = Proposed deletions

Underline = Proposed additions

1 ordinance, with the exception of Section 78-27 of this ordinance ("Regulated Activities").

2
3 5) Review and revise as necessary the comprehensive harbor management plan and its
4 subsequent ordinances for the town council and the Rhode Island Coastal Resources
5 Management Council approval. The comprehensive harbor management plan shall be reviewed
6 and revised at least once every five (5) years.

7
8 6) Monitor the condition of town-owned waterfront facilities generally and develop with
9 the Town Engineer an annual and five year capital maintenance, replacement and improvement
10 plan. The plans will include maintenance, repair, and improvement of town-owned waterfront
11 structures, such as docks, bulkheads, and boat ramps. No budget will be approved without the
12 Capital Improvement Plan.

13
14 (b) Composition. The harbor commission shall consist of seven (7) qualified electors and
15 residents of the town, appointed by the town council, chosen from a list of interested parties
16 maintained by the town administrator, after duly advertising the availability of these positions.
17 To achieve diversity, preference shall be given to representatives of each of the following groups:

- 18
19 (1) The non-riparian recreational boating community;
20 (2) The non-riparian recreational boating community;
21 (3) Riparian property residents (harbor waters);
22 (4) Riparian property residents (coastal waters);
23 (5) The commercial fishing industry;
24 (6) The commercial mooring operators;
25 (7) A non-boating resident.

26
27 The commission shall have, among its members, representatives of both East and West
28 Harbors.

29
30 Ex-officio member: The executive director shall be an ex-officio, nonvoting member of
31 the Commission, and shall not count as part of the quorum.

32
33 Liaisons: The town council, the conservation commission, and the planning commission
34 shall each appoint one liaison to the harbor commission. Liaisons may sit with the commission,
35 and may participate in all discussions, but may not vote and do not count as part of the quorum.

36
37 (c) Terms. Commission members shall be appointed for overlapping three-year terms so that
38 approximately one-third of the membership terms will expire each year. In the event of a vacancy
39 during a term, the town council shall appoint a new member from the same category of member,
40 if feasible, to fill the remainder of the term.

41
42 (d) Organization. A chair and vice-chair of the commission shall be chosen annually from the
43 membership by vote of the commission. The chair shall be responsible for calling and conducting
44 all meetings of the commission. In the absence of the chair, the vice-chair shall assume those
45 responsibilities. A quorum shall be defined as four (4) voting members.

46
47 (e) Finances; budget. The executive director and the commission, in collaboration with the town
48 administrator, shall be responsible for the preparation of the annual harbor operating and capital
49 facilities budgets to be submitted to the town council for approval. All revenues from harbor

1 operations, including but not limited to mooring and outhaul fees and harbor management fines
2 and penalties, shall be held in a harbor enterprise fund maintained by the town finance
3 department. The harbor enterprise fund shall be maintained exclusively for the management and
4 development of harbor programs and maintenance and expansion of capital infrastructure. Non-
5 budgetary expenditures from the harbor management account, including additional staff support,
6 must be authorized by the executive director with agreement of the commission and must be
7 approved by the town administrator and the town council. Annual lease revenue from taxpayer-
8 owned property at East Ferry, West Ferry, and Fort Wetherill may be used to fund maintenance,
9 repair, or improvements to harbor and waterfront capital facilities.

10
11 At the end of the fiscal year, unexpended harbor operating and capital budget appropriations shall
12 be placed in a harbor and waterfront capital reserve account.

13
14 The executive director and the commission, in collaboration with the town administrator,
15 shall be responsible for the preparation of the annual harbor/waterfront capital facilities budget to
16 be submitted to the town council for approval.

17
18 (f) Compensation. Commission members shall serve without pay, but may be compensated for
19 expenses incurred in the performance of their duties.

20
21 Sec. 78-29. Administration

22
23 (a) Executive Director. An executive director may be appointed by the town council to
24 supervise the harbor staff and to administer the provisions of this ordinance and any additional
25 regulations subsequently required for the implementation of the ordinance.

26
27 (b) Harbor Administrative Staff. The harbor administrative staff shall consist of a harbormaster,
28 a harbor clerk, and additional personnel as needed who are hired on approval of the town council
29 by the town administrator.

30
31 The responsibilities of the harbor staff under the supervision of the executive director
32 include the following:

33
34 1) Administering and enforcing the provisions of the harbor management plan
35 and its ordinances;

36
37 2) Processing applications for the issuance of mooring permits and assigning
38 placements of moorings in accordance with this ordinance;

39
40 3) Keeping proper records of all mooring application information, including the
41 locations of moorings, mooring owners and vessel usage of moorings, types of vessels
42 using moorings, etc;

43
44 4) Preparing, keeping current, and making available a waiting list for mooring
45 permits in accordance with the provisions of this ordinance when the demand for
46 available mooring permits is greater than the number of available mooring locations in
47 any given year, and maintaining a waiting list with respect to outhauls on Town property;

48
49 5) Keeping current and making available waiting lists for dinghy dock space and

1 outhauls on Town property operated by commercial operators;
2

3 6) Inspecting moorings and outhauls in accordance with the provisions of Section
4 78-26 of this ordinance;

5
6 7) Monitoring moorings and outhauls in accordance with the provisions of Section
7 78-26(g), (l), and (o) of this ordinance.

8
9 8) Carrying out all other powers and duties authorized to the harbormaster under
10 various state and federal marine laws, including but not limited to marine sanitation
11 device (MSD) inspection and discharge responsibilities afforded through the U.S. Coast
12 Guard, MARPOL ANNEX V, Section 312 of the Clean Water Act, Title 46-22 of the
13 General Laws of Rhode Island, and future laws yet to be enacted.

14
15 9) Any other duties specified by the harbor commission or executive director.

16
17 (c) Conflicts of Interest. All members of the Harbor Administrative Staff shall adhere to the
18 requirements of the RI Code of Ethics, set forth at Chapter 14 of Title 36 of the RI General Laws,
19 as amended, and all regulations promulgated by the RI Ethics Commission.

20
21 Sec. 78-30. Appeals.

22
23 In matters other than violations of Section 78-27 of this ordinance, the harbor commission
24 shall sit as the board of appeals to hear any person aggrieved by a decision of the executive
25 director or the harbormaster. The aggrieved party shall file a written appeal with the harbor clerk
26 within thirty (30) days following the notice of the decision. Upon receipt of the appeal, the
27 harbor clerk shall schedule a hearing at the next regularly scheduled commission meeting, with
28 written notice given to the appellant of not less than fourteen (14) days.

29
30 The harbor commission may hear an appeal filed out of time provided the appellant
31 demonstrates: 1) the matter from which the appeal is taken occurred within the past one hundred
32 and eighty (180) days; and 2) for just reasons, failure to timely file the appeal was due to mistake,
33 inadvertence, excusable neglect; or 3) would result in a substantial injustice to the appellant
34 rights as provided for under this ordinance.

35
36 Any party aggrieved by a decision of the harbor commission may make a final appeal to
37 the town council. Notice of appeal shall be made in writing and filed with the town clerk within
38 twenty (20) days of the mailing date of the decision. The town clerk shall obtain the record of
39 the commission's proceedings and schedule a hearing with notice to the appellant.

40
41 Sec. 78-31. Liability.

42
43 Persons using the waters of the town shall assume all risk of personal injury and damage
44 or loss to their property. The town assumes no risk on account of accident, fire, theft, vandalism
45 or acts of God.

46
47 Sec. 78-32. Severability. If any provisions of this ordinance are held invalid or inoperative, the
48 remainder shall continue in full force and effect as though such invalid or inoperative provisions
49 had not been made.

~~Strikethrough~~ = Proposed deletions

Underline = Proposed additions

1
2 Sec. 78-33. Effective Date. This ordinance shall take effect upon its passage by the town council
3 with respect to provisions that do not require approval of the Coastal Resource Management
4 Commission.
5
6 Sec. 78-34. Appendix A; Jamestown Harbor Boundaries.
7
8 Sec. 78-35. Appendix B; Fines Schedule.
9
10 Introduced by the Jamestown Town Council on:
11
12 October 3, 2011
13
14 Advertised for public hearing on:
15
16 October 27, 2011
17
18 Adopted by the Jamestown Town Council on:
19
20 November 7, 2011
21
22 Attest:
23
24 _____
25 Cheryl A. Fernstrom, CMC, Town Clerk
26
27 12.12.2011

The Town of Jamestown

Harbor Management Ordinance

Appendix A

The Town of Jamestown

Harbor Management Ordinance

Appendix B

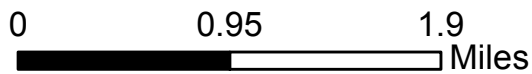
THE TOWN OF JAMESTOWN, RI

HARBOR COMMISSION

APPENDIX A-1:
Waters Under the Jurisdiction
of The Town of Jamestown

Legend

- Jamestown Harbor Boundaries
- Proposed Mooring Areas
- Transient Zone
- Mooring Zone
- Conservation Zone
- Coastal Waters



The information depicted on this map is for illustrative purposes only. For legal boundary definition or regulatory interpretation please consult the Harbor Management Ordinance.



Jamestown GIS Department
J. Jobin - Revised May 9th 2011



THE TOWN OF JAMESTOWN, RI

HARBOR COMMISSION

APPENDIX A-2: TABLE OF HARBOR BOUNDARIES

<u>Map Point</u>	<u>Latitude</u>	<u>Longitude</u>	<u>RISPC NAD -1983North (y)</u>	<u>RISPC NAD -1983East (x)</u>	<u>Location Descripton</u>
A	41.514193	-71.366305	157019	364699	Easterly extension of utility pole line on northerly side of Weeden lane at MHW (mean high water)
B	41.514191	-71.364476	157019	365200	500 ft. east of Map Location A
C	41.514203	-71.362654	157024	365699	1000 ft. east of Map Location A
D	41.507166	-71.358164	154462	366933	Centerline - Newport Bridge at MHW
E	41.50673	-71.356423	154307	367410	Centerline - Newport Bridge 500 ft. from Map Location D
F	41.506325	-71.35469	154157	367885	Centerline - Newport Bridge 1000 ft. from Map Location D
G	41.48067	-71.35493	144809	367835	"Bull Point" at MHW
H	41.482239	-71.351875	145382	368671	1000 ft. from Map Location G on G-I line.
I	41.482976	-71.3506	145651	369020	Government mark G-11 (Bull Point Bell)
J	41.478283	-71.35711	143938	367239	Southwesterly corner of Ft. Wetherill stone and concrete pier at MHW
K	41.477197	-71.35404	143544	368081	Government mark G-9 (Ft. Wetherill Gong)
L	41.486331	-71.386188	146,824	359,267.00	West end of east-west line, 1000 ft. south of Beavertail Road at MHW
M	41.48641	-71.379352	146890	361140	East end of east-west line, 1000 ft. south of Beavertail Road at MHW
N	41.494429	-71.39656	144768	356345	Southwest corner of Ft. Getty Pier at MHW
O	41.493734	-71.384138	149557	359825	Southern terminus of Maple Avenue at MHW
P	41.503433	-71.396088	153087	356547	Concrete pile at Dutch Island pier ruins
Q	41.503421	-71.380956	153088	360692	Eastern extension of Map Location P to MHW at Conanicut Island
R	41.513501	-71.394417	156785	357362	1000 ft. west of Map Location S
S	-41.513581	-71.389441	156787	358363	Wall & fence line at northerly line of Orchard Lane at MHW

Jamestown Harbor Boundaries

<u>Map Location</u>	<u>Latitude / Longitude</u>	<u>RISPC NAD -1983 (N/E)</u>	<u>Location Descripton</u>
A	41.51420/-71.3663	157060/364840	Easterly extension of utility pole line on northerly side of Weeden lane at MHW (mean high water)
B	41.5142/-71.3645	157060/365340	500 ft. east of Map Location A
C	41.5142/-71.3626	157060/365840	1000 ft. east of Map Location A
D	41.50703/-71.3587	154450/366920	Centerline - Newport Bridge at MHW
E	41.50663/-71.357	154310/367400	Centerline - Newport Bridge 500 ft. from Map Location D
F	41.50626/-71.3552	154170/367880	Centerline - Newport Bridge 1000 ft. from Map Location D
G	41.4806/-71.3553	144820/367860	"Bull Point" at MHW
H	41.48216/-71.35188	145382/368671	1000 ft. from Map Location G on G-I line.
I	41.48301/-71.35076	145684/368940	Government mark G-11 (Bull Point Bell)
J	41.47818/-71.358	143940/367120	Southwesterly corner of Ft. Wetherill stone and concrete pier at MHW
K	41.47733/-71.35397	143606/368068	Government mark G-9 (Ft. Wetherill Gong)
L	41.48632/-71.38555	146924/359421	West end of east-west line, 1000 ft. south of Beavertail Road at MHW
M	41.48632/-71.3799	146890/361140	East end of east-west line, 1000 ft. south of Beavertail Road at MHW
N	41.49436/-71.3971	149820/356400	Southwest corner of Ft. Getty Pier at MHW
O	41.49361/-71.3847	149550/359810	Southern terminus of Maple Avenue at MHW
P	41.50342/-71.397	153120/356430	Concrete pile at Dutch Island pier ruins
Q	41.50342/-71.3812	153120/360760	Eastern extension of Map Location P to MHW at Conanicut Island
R	41.51338/-71.3934	156750/357420	1000 ft. west of Map Location S
S	41.51338/-71.3897	156750/358420	Wall & fence line at northerly line of Orchard Lane at MHW

Jamestown Harbor Boundaries

Map Point	Latitude	Longitude	RISPC NAD -1983North (y)	RISPC NAD -1983East (x)
A			157019	364699
B			157019	365200
C			157024	365699
D			154462	366933
E			154307	367410
F			154157	367885
G			144809	367835
H			145382	368671
I			145651	369020
J			143938	367239
K			143544	368081
L			146824	359421
M			146890	361140
N			144820	356402
O			149557	359825
P			153087	356547
Q			153088	360692
R			156785	357362
S			156787	358363

Jamestown Harbor Boundaries

<u>Location Descripton</u>
Easterly extension of utility pole line on northerly side of
Weeden lane at MHW (mean high water)
500 ft. east of Map Location A
1000 ft. east of Map Location A
Centerline - Newport Bridge at MHW
Centerline - Newport Bridge 500 ft. from Map Location D
Centerline - Newport Bridge 1000 ft. from Map Location D
"Bull Point" at MHW
1000 ft. from Map Location G on G-I line.
Government mark G-11 (Bull Point Bell)
Southwesterly corner of Ft. Wetherill stone and concrete
pier at MHW
Government mark G-9 (Ft. Wetherill Gong)
West end of east-west line, 1000 ft. south of
Beavertail Road at MHW
East end of east-west line, 1000 ft. south of
Beavertail Road at MHW
Southwest corner of Ft. Getty Pier at MHW
Southern terminus of Maple Avenue at MHW
Concrete pile at Dutch Island pier ruins
Eastern extension of Map Location P to MHW at
Conanicut Island
1000 ft. west of Map Location S
Wall & fence line at northerly line of Orchard Lane at MHW

Jamestown Harbor Ordinance Appendix B - Fine Schedules

The penalties for violations of the enumerated sections correspond to fines described. The following violations may be handled administratively through the method as prescribed in this ordinance, provided however this list is not exclusive and jurisdiction may be conferred with regards to other violations.

*** Payable by Mail**

<u>Statute</u>	<u>Town Ordinances</u>	<u>Fine</u>
Section 78-25(a)(b)(c)	Rights of Way to Waters	\$50.00 pbm*
Section 78-27(g)	Anchorage Restrictions	\$50.00 pbm*
Section 78-27(b)(1)	Vessel Operation	\$75.00 pbm*
Section 78-27(b)(1)	Excessive Speed	
	1-10 mph	\$25.00 pbm*
	11-15 mph	\$50.00 pbm*
	16-20 mph	\$75.00 pbm*
	21-25 mph	\$100.00 pbm*
	26+	add \$5.00 per mph
Section 78-27 (b)(2)	Obedience to Order of Harbormaster or Police	\$100.00 pbm*
Section 78-27 (b)(3)	Operation within Prohibited Area	\$75.00 pbm*
Section 78-27 (c)(1)	No Wake and Vessel Speed in a Mooring Zone	\$75.00 pbm*
Section 78-27 (c)(2)	Operation near Public Bathing Area	\$50.00 pbm*
Section 78-27 (c)(3)	Water Skiing Violations	\$50.00 pbm*
Section 78-26(g)(1)	Unauthorized Use of Mooring	\$50.00 pbm*
Section 78-27(d)(1&2)	Pollution, Discharge, or Dumping into Waters	\$100.00 pbm*
Section 78-27(e)	Prohibited Use of Town Floats and Docks	\$50.00 pbm*
Section 78-27(g)	Anchorage Restrictions - Vessels	\$50.00 pbm*
<u>Statute</u>	<u>General Laws of Rhode Island</u>	<u>Fine</u>
RIGL 46-22-3	Numbers not Displayed	\$50.00 pbm*
RIGL 46-22-5	Required Equipment	\$50.00 pbm*
RIGL 46-22-8	Excessive Noise	\$50.00 pbm*
RIGL 46-22-9	Passing Vessels (reasonable care)	\$50.00 pbm*
RIGL 46-22-9.2	Floatation Devices - Children	\$50.00 pbm*
RIGL 46-22-9.8	Approved Boating Safety Course	\$50.00 pbm*
RIGL 46-22-22	Failure to Submit Boating Accident Form	\$100.00 pbm*
RIGL 46-22-24	Interference in Diving Area	\$100.00 pbm*

The Town of Jamestown

Comprehensive Harbor Management Plan

Jamestown Comprehensive Harbor Management Plan

TABLE OF CONTENTS

I. Introduction	
A. The Purpose of the Plan	1
B. The History of the Planning Process	1
C. Federal and State Authorities	2
1. The United States Army Corps of Engineers (ACE)	2
2. The Rhode Island Coastal Resources Management Council (CRMC)	2
3. The Rhode Island Department of Environmental Management (DEM)	3
D. Local Authorities	3
1. The Jamestown Planning Commission	3
2. The Jamestown Harbor Commission	4
3. The Jamestown Conservation Commission	5
E. Goals for the Future	6
II. Jamestown (Conanicut Island) Description	6
A. Historical Background	6
B. Administrative Divisions: Waters of Jamestown	9
1. Harbor waters/boundaries	9
2. Coastal waters/ boundaries	10
3. Mooring Areas	10
4. Federal Exclusion Zone	11
C. Physical Setting and Natural Resources	12
1. Physical Setting	12
2. Natural Resources	13
3. Conservation Areas	14
D. Water Quality / Water Type	15
1. DEM water quality designations	16
2. CRMC water type designations	17
E. Facilities, Uses, and Activities	18
1. Commercial Boating Facilities	19
2. Yacht Clubs and Private Associations	19
3. Town-Owned Waterfront Structures	20
4. Waterfront Parking	23
5. Moorings	24
6. Fishing	27
7. Other Water-Based Activities	29
F. Recreational Areas and Public Acceses	29
1. Recent Developments	29
2. The 1999 Parking Committee Report	30
3. Checklist of Public Access Sites	31
G. Emergencies: Storm Preparedness	35
H. References	36
III. Issues and Implementation	37
A. Moorings	37
B. Water Quality	39
C. Public Access	41
1. Land Access	41

2. Water Access	42
D. Town Owned Waterfront Structures	43
E. Commercial Fishing	45
F. Emergencies: Storm Preparedness	46
G. Outhauls	47
H. Harbor Boundaries	49

IV. Appendices

- A. Maps
- B. Storm Preparedness

JAMESTOWN COMPREHENSIVE HARBOR MANAGEMENT PLAN

Approved by the Jamestown Harbor Commission 11-10-2010

Approved by the Town Council 12-5-2011

I. INTRODUCTION

A. THE PURPOSE OF THE PLAN

The broad goal of the Comprehensive Harbor Management Plan is to help achieve--consistent with the requirements of the appropriate state and federal regulatory agencies--the most desirable use of the waters surrounding Jamestown for recreational, environmental, commercial, aesthetic, and other purposes. More particularly the plan is intended to serve as a guide for managing Jamestown's harbors and waters; for providing the maximum benefit for the public use of the water and the waterfront; for protecting the coastal environment; for resolving user conflicts; and for ensuring public access to the shoreline. Creating such a guide involves evaluating harbor resources, activities, issues and problems; establishing clear objectives; and recommending specific policies for the use, development and preservation of Jamestown's harbors and waters.

The plan is designed to be consistent with the goals of the Jamestown Comprehensive Community Plan and the relevant state and federal authorities. Its preparation has included the active participation of the public in an effort to insure that all interested parties have been represented in the planning process.

B. THE HISTORY OF THE PLANNING PROCESS

Title 46, Section 4 of the Rhode Island General Laws, 1956, Amended, provided the authority for Rhode Island communities to enact harbor ordinances and to develop regulations governing the tidal areas within their communities.

In 1964 the Rhode Island General Assembly approved legislation creating the Jamestown Waterfront Authority. It directed that authority to make a comprehensive study of the existing waterfront facilities, including their management and their physical condition; to estimate the cost of repairing or replacing inadequate facilities, or of constructing new ones; to study the economic potential of the Jamestown waterfront for commercial and recreational purposes; and to make recommendations to the General Assembly and the town for the optimal use and maintenance of the waterfront.

The establishment of the Rhode Island Coastal Resources Management Council (CRMC) in 1971 brought further impetus and direction to Jamestown's waterfront planning. By 1976 the town had published regulations governing the use of marine activities under its jurisdiction, which at that time extended over the East Ferry, West Ferry, and Dumplings areas.

Various attempts were made in the 1980s to draft an ordinance that would supersede the regulations of the 1970s. Regulatory requirements had increased in complexity over the

years, and it was widely perceived throughout the state that they would be even more demanding in the future. In 1988 the state directed each coastal community to prepare a harbor management ordinance and a harbor management plan.

The Jamestown town council adopted a harbor management ordinance in August, 1988, that was conditionally approved by the CRMC in 1990, subject to the completion of a suitable comprehensive harbor management plan. In 1995 the town council approved the plan; and in 1996 the CRMC approved both the plan and the ordinance for a period of five years.

C. FEDERAL AND STATE AUTHORITIES

Many higher levels of government have authority over various aspects of local harbor management. The three authorities most directly involved are:

1. The United States Army Corps of Engineers (ACE)

The Army Corps of Engineers is responsible for the regulation of the navigable waters of the United States and for the maintenance of navigable channels. In this role the ACE may require permits for any work seaward of the mean high water line--for structures or obstructions, for dredging and filling projects, and for certain private and municipal improvements such as public boat ramps, docks, or commercial moorings.

The ACE is concerned with the environmental impact of projects it may undertake or permit. It also seeks to maintain unobstructed access to harbor channels and requires harbors dredged or maintained with federal funds by the ACE ("federal navigation projects") to be "open to all on a fair and equitable basis." Should Jamestown ever have any such projects, they would be subject to this requirement.

2. The Rhode Island Coastal Resources Management Council (CRMC)

The CRMC is the State of Rhode Island's primary agency for planning and managing coastal resources and the uses made of tidal waters. Its purpose is to protect the rights of the public with respect to the state's submerged lands, coastal resources, and tidal waters, and to produce the maximum benefit for society. Its jurisdiction extends over all activities taking place in the tidal waters of the state and along the coastline--generally extending 200 feet inland from the inland border of designated shoreline features. The various regulations, procedures, and policies of the CRMC are contained in its Coastal Resources Management Program (also known as the "Red Book") which is kept up-to-date by revisions. *A copy of the "Red Book" is available for public inspection at the Jamestown Harbor Office, or online at: www.crmc.ri.gov.*

The CRMC establishes goals, policies and regulatory standards for the different categories of water use it has defined throughout the state. It also provides assistance to local governments making or revising harbor management plans or ordinances. It reviews and either rejects or approves (or conditionally approves) those plans or ordinances.

3. Rhode Island Department of Environmental Management (DEM)

The DEM has the primary responsibility, delegated to it by the U. S. Environmental Protection Agency, for implementing the Federal Clean Water Act within the state, for managing the living resources of the state's waters, and for overseeing the federal and state open space and land acquisition programs. More specifically, under the Federal Clean Water Act DEM issues Water Quality Certifications for most water-related development projects. The DEM has several regulatory divisions that are responsible for different aspects of environmental management. Its Division of Water Resources regulates activities that affect the water quality of the state, including salt water, groundwater, and freshwater wetlands. Its Division of Fish and Wildlife, among other responsibilities, manages the state-owned land on Dutch and Gould Islands as Wildlife Management Areas and, in conjunction with the Marine Fisheries Council, the finfish and shellfish fisheries, and also reviews and comments on all Water Quality Certification applications for possible impact on fish and wildlife resources.

The DEM has established a number of regulations to further its purposes, including an "anti-degradation" clause stating that there can be no degradation of classified waters due to a proposed activity. It issues permits for various coastal and deep water activities; and it coordinates with the CRMC to advance their overlapping objectives. *A copy of the DEM's Water Quality Regulations is available for public inspection at the Jamestown Harbor Office, or at: www.dem.ri.gov.*

D. LOCAL AUTHORITIES

1. The Jamestown Planning Commission

The Jamestown Planning Commission, established under the town charter, advises the town administrator and the town council on all matters of planning that affect the general health, safety, and well-being of the town's inhabitants. One of its major responsibilities is to revise, on a regular basis, Jamestown's long-range comprehensive community plan. The town council approved the latest revision of this plan in June 2002.

The text of the 2002 revision makes several recommendations relating to harbor management: for example, that in East Harbor the "currently established ceiling for moorings and slips be maintained" by both the town and the CRMC; that the harbor commission "manage the harbor to that number"; and that future expansion be allowed "only if adequate additional landside support, parking, public access, sanitary facilities, etc., are provided" (p. 156). More generally the plan recommends that "mushrooming" of neighborhood mooring fields should be curtailed and that "expansion of mooring fields should be limited to areas where there are adequate landside facilities" (p. 135).

In its implementation section, the plan assigns various specific responsibilities to the harbor commission. In three areas the commission is to "initiate" action: 1) to "continue [the] effort to encourage transient boaters to visit and spend time on the island"; 2) to "ensure that the number of moorings, slips, both private and commercial, are supported by adequate landside facilities"; and 3) to "investigate methods for maintaining the commercial fishing industry in the community" (pp. 266-68). In other areas, where to avoid

administrative redundancy the planning commission has deemed it appropriate to assign initiation action to other agencies (conservation commission, parking committee, recreation department, etc.), the harbor commission is a cooperating partner. These areas include public access, parking, aquaculture, improvements at Fort Getty, development and management plans for the harbor waterfronts, and matters affecting Narragansett Bay as a whole (pp. 246, 261, 264, 266-70).

2. The Jamestown Harbor Commission

Authority: The General Laws of Rhode Island R.I.G.L. 46-4-6.9 delegate to coastal municipalities responsibility for three main categories of activities in municipal waters: managing vessel operation; managing moorings and anchorages; and managing activities such as water-skiing, skin-diving, marine parades and regattas. The coastal municipalities have the authority to enact ordinances to regulate these activities and to impose penalties for violations.

The Jamestown Harbor Commission, established in 1989 as the Jamestown Harbor Management Commission, has the primary responsibility under the authority of the town council and the Jamestown harbor management ordinance for regulating and managing the waters of the town of Jamestown--which includes Dutch, Gould, and Conanicut Islands. (It should be noted that while the ownership of all the land on both Dutch and Gould Islands is at present divided between the federal and the state governments, the jurisdiction of the Jamestown harbor commission extends to those two islands as it does to state or federal land on Conanicut Island itself. Because the landside responsibilities of the commission are effectively curtailed for those two islands, however, *in this document the terms "Jamestown" , "town", and "island" will refer to Conanicut Island alone, except when specifically stated otherwise.*)

Background: Throughout the 1990s the harbor commission exercised unusually wide-ranging responsibility. Most notably, it had, effectively, direct responsibility for overseeing the maintenance and repair of town-owned waterfront structures and facilities. From its general income it created a substantial development fund to be used for these purposes. The arrangement was apparently successful and faced little objection so long as maintenance and other costs were low.

In the late 1990's, however, it became clear not only that a rapidly increasing burden of long-deferred maintenance was going to require extraordinary financial and administrative measures, but also that the commission faced severe constraints on its ability to increase its income. The commission's mooring fees were fixed by the 1988/90 ordinance; its proposals to apply for significant federal funds were turned down for policy reasons by two successive town councils; and lease agreements for its waterfront facilities had been signed in 1995 and 1997 for ten-year periods. After extensive commission, town-council, and public debate, the town council--as an ad hoc solution to the immediate infrastructure crisis--amended the ordinance to permit the annual fluctuation of mooring fees and, in addition, contributed to the harbor commission budget a substantial sum of money from the general funds.

During 2000 and 2001 the town and the commission looked for a permanent resolution to the commission's administrative, jurisdictional, and financial uncertainty. In 2000 the commission asked the town to take more direct administrative responsibility. The town council decided, with the commission's agreement, that the chief of police, rather than a volunteer chair, should oversee and execute commission policy. The commission decided to give up its direct management oversight of infrastructure maintenance and repair with the intention of becoming advisory with respect to those matters. In 2002 it established an internal budgeting process that now clearly divides both income and expenditure between harbor management and infrastructure development. These broad changes have laid a solid basis for the commission's activities in the future.

Administration: An executive director may be appointed by the town council to supervise the harbor staff and reports both to the commission and to the town administrator. The harbor staff consists of a harbormaster, a harbor clerk, and additional personnel as needed. The executive director is nominated by the town administrator and appointed by the town council. The harbormaster is nominated by the town administrator and appointed by the Town Council. The harbormaster reports to the executive director and under the executive director's supervision, enforces the policy guidance of the harbor management ordinance and of the commission. The harbor clerk also reports to the executive director.

Responsibilities: Under the harbor management ordinance adopted in 2011, the harbor commission, in addition to its responsibilities under GLRI Sec. 46-4-6.9, shall be advisory and assist in the planning for the maintenance and repair of town-owned harbor facilities, such as docks, bulkheads, and boat ramps. It is responsible for monitoring the condition of harbor infrastructure generally; for bringing necessary repair, maintenance, and improvement projects to the attention of the town administrator; and for working with the town authorities in developing multi-year plans and cost estimates for the repair and maintenance of harbor facilities.

Funding: Funding for the harbor commission is currently provided by: 1) private and commercial mooring fees, town-owned dockage, and outhaul fees; 2) beach permits; 3) leases of town-owned waterfront property; 4) investment income; 5) fines; 6) occasional specific or non-specific grants or subsidies from the town and from other public and private funding sources. ~~Under the 2011 ordinance, commission revenues are divided between harbor management and capital facilities improvement, with the latter account going into the town's capital facilities accounts fund.~~ Presently the commission develops and submits its budget recommendations to the town council for council approval. Under the 2011 ordinance the executive director, with input from the commission, develops the harbor commission budget and submits it to the town administrator for approval by the town council. The capital facilities improvement account eventually goes, via the town council, to the annual financial town meeting.

3. Conservation Commission

The charge of the Jamestown Conservation Commission is to promote and develop the natural resources, to protect the watershed resources and preserve natural esthetic areas within the town. From time to time its activities overlap those of the harbor commission

and the Conservation Commission normally delegates one of its members to attend the harbor commission's monthly meeting and liaise between the two.

E. GOALS FOR THE FUTURE

Jamestown recognizes the economic, recreational, and aesthetic importance of the coastal resources under its jurisdiction. Its 1988/90 harbor management ordinance served as a model for many other waterfront municipalities throughout the state. Policies of the Jamestown comprehensive community plan relating to coastal resources include encouraging town acquisition of unique, fragile and scenic coastal areas; encouraging land management that provides opportunities for public waterfront access; and protecting water quality in the salt marshes and coastal waters of Jamestown (p.245).

The goals of the Harbor Commission are:

1. To regulate uses and activities within the waters of the town, as described herein; to protect the coastal environment; to minimize user conflicts; to maximize the efficient use of both the water space and town-owned waterfront consistent with the other goals expressed herein; and to maintain and improve public access to the waters of the town for the benefit of all user groups, including residents and non-residents with or without boats, who seek to use town waters for passive and active recreation.

2. To distribute equitably the burdens and benefits of harbor management and development among commercial mooring operators, private mooring owners, other groups or individuals with special interests in the water and the waterfront, and the town.

3. To remain consistent with the authorities granted the town under Sec. 46-4-6.9 of the General Laws of Rhode Island and with the goals, policies, and regulations of the Jamestown Comprehensive Community Plan, the Jamestown Comprehensive Harbor Management Plan, the Rhode Island Coastal Resources Management Council, the Rhode Island Department of Environmental Management, and the United States Army Corps of Engineers.

II. JAMESTOWN (CONANICUT ISLAND) DESCRIPTION

A. HISTORICAL BACKGROUND

The Narragansett Indians were early inhabitants of Conanicut Island, and the English colonists named the island for Canonicus, an important seventeenth-century Narragansett sachem. In 1966 archaeological excavations in the West Ferry area uncovered graves from the 1600s as well as cremation burials from 3,000 years earlier. Additional excavations in 1988 revealed the largest documented Native American burial ground in New England, consisting of more than 200 separate graves.

In 1524 the Italian explorer Giovanni Verrazzano sailed into what was probably Narragansett Bay. He recorded seeing many people, villages, and cultivated farms along the coasts. Europeans were soon trading in the area. After Roger Williams settled in Rhode Island in 1636, he helped other settlers purchase Aquidneck Island (in 1637) and

Conanicut, Dutch, and Gould Islands (in 1657) from the Narragansetts. The Town of Jamestown, incorporated in 1678, embraced all of Conanicut, Dutch, and Gould Islands.

Over the next two centuries Jamestown experienced economic prosperity followed by economic decline. Island residents in the colonial period were mainly commercial farmers and graziers. They were linked by sailboat ferries both to Newport (where they sold the bulk of their produce) and to the mainland. This period of relative prosperity came to an end with the Revolutionary War and its aftermath. The destructive British occupation of Newport (which also resulted in significant population loss in Jamestown) was followed by a general post-war movement of regional trade and economic prosperity up the bay. Both Newport and Jamestown suffered a long period of economic stagnation as the mills and other industries in the northern part of the state, later easily served by rail, became the driving forces of the regional economy. Jamestown remained relatively isolated economically for almost a century. Its population declined further, and those families remaining turned largely to self-sufficient farming.

In 1873 regular steam ferryboat service began between Jamestown and Newport and, in 1888, between Jamestown and Saunterstown. At last the small population of 500 residents had a reliable means of transportation to Newport and the mainland. With this accessibility a summer resort business quickly grew--at first as an offshoot of the older and larger summer colony in Newport. Families, many from Philadelphia and St. Louis, began coming to Jamestown for the entire summer, finding its relative quiet and unpretentiousness preferable to Newport's increasingly hectic and expensive scene. They reached Jamestown via the Fall River Line from New York to Newport, or by other ship lines, and by train. Although the small year-round resident population grew slowly, by the early 1900s there were available for long-term summer visitors over 1,000 rooms in large residential hotels, small boarding houses, and private summer homes.

At the beginning of the twentieth century the Navy and War Departments also developed a significant presence in the area. The Navy Department expanded its facilities and sent a substantial part of its Atlantic fleet to spend summers stationed in Narragansett Bay. To help protect the East and West Passages in case of wartime attack the War Department built Forts Wetherill and Getty on Conanicut Island as part of a chain of forts built for that purpose. The combined military presence was to last until well after World War II.

The period between the two World Wars brought significant changes to Jamestown's economy. The decade of the 1920s saw the decline of the hotel era and long-term summer visitors as automobiles began to replace steamboats and trains for family travel and the greater flexibility provided by automobiles encouraged shorter vacation visits to more places. In the 1930s the severe economic conditions of the great depression limited summer vacation travel of any type for most families. With such changes taking place, the possibility of having a bridge over the West Passage became a serious consideration. Easier automobile access to the island might attract more visitors and year-round residents, and thereby increase land values and contribute to prosperity.

The precipitating event for the construction of a bridge--and by far the most important maritime event of the 1930s--was the great 1938 hurricane. Coming after many

years of quiet that engendered careless boating practices and overextended waterfront facilities, and catching Rhode Island (indeed, all of New England) almost totally by surprise, the hurricane caused enormous destruction and loss of life. In Jamestown it destroyed and damaged piers, waterfront homes, and commercial buildings; it sank boats or hurled them on the shore; it led to the deaths of seven schoolchildren at the head of Mackerel Cove; and, by severely damaging the ferries and both ferry docks, it isolated Jamestown for two weeks from the mainland and from Newport.

Construction of a bridge over the West Passage began in December, 1938, only three months after the disaster of the hurricane, and concluded about eighteen months later, in July, 1940. Ferry service from Saunderstown to Jamestown immediately ended. By 1988, the original prediction of 177,000 bridge crossings annually occurred every 11 days.

After World War II began in Europe, the Army, in 1940, modernized Forts Getty and Wetherill and developed a new fort, Fort Burnside, at Beavertail to help protect the growing naval installations in the area. It stretched submarine nets across both the East and the West Passages, established underwater mines that could be detonated from shore, and constructed sites for radar and various underwater detection devices. While the military presence dominated Jamestown's activities during the War, and the coastal forts remained in government hands for many years thereafter, ultimately the forts were to become waterfront parks of great value to the Jamestown community and to the state.

Talk of a bridge between Jamestown and Newport began almost immediately after the Jamestown Bridge opened in 1940, but plans were held up for many years--due in part to military concern that the bridge's possible destruction in wartime might impede naval passage on the Bay. Eventually the four-lane Newport Bridge opened in June, 1969, and regular ferry service to Newport ended. Soon thereafter the Route 4 connector to Route 95 opened, greatly reducing driving time to Providence. As a result of these developments Jamestown's population grew rapidly--doubling between 1970 and 1990 to almost 5000 people. In a short period of time the old, two-lane roadbed of the Jamestown Bridge became functionally obsolete. Motorists, residents, and town officials were increasingly concerned about traffic safety and delays. These concerns resulted in plans to replace the bridge with a four-lane span and to build a cross-island four-lane highway connecting the two bridges.

Construction of the new Jamestown-Verrazzano Bridge over the West Passage began in 1985. The four-lane 7,350 foot concrete span opened in October 1992; the John Eldred Parkway connecting it to the Newport Bridge opened in 1994. The state let the original Jamestown Bridge of 1940 stay in place pending plans for the most efficient way to remove it. The result was both a potential future asset and a jurisdictional and maintenance problem: the old bridge was attractive to fishermen but as of 2002 was not adequately maintained or managed either for fishermen or for the adjacent community. The old bridge was finally demolished and removed in 2006, apart from a short section extending from the Saunderstown shore; the remaining section was removed in 2010.

Jamestown's population not only grew rapidly after 1969 but changed in character. Over the decades the island became effectively a suburban community, with residents typically employed on the mainland or in Newport. It also became a popular retirement

community. There were many new private homes and upscale housing developments, and the "downtown" commercial area prospered. The farmland familiar a century before was increasingly diminished in area even as residents tried to maintain the island's rural character.

Easily reached in a period of unusual national prosperity, the coastal waters surrounding Jamestown saw a marked increase in recreational use. Boaters were attracted both by the island's intrinsic natural appeal and by its easy access to southern Narragansett Bay and Rhode Island Sound. The once tranquil harbors became increasingly crowded, and they bustled with new (and occasionally excessive) activity. By 2002, marinas, boatyards, yacht clubs, and private moorings provided services for more than 1200 private and commercial vessels moored or berthed around the island--more vessels than Jamestown had residents a century before.

B. ADMINISTRATIVE DIVISIONS: WATERS OF JAMESTOWN

The waters of Jamestown are divided administratively into three major categories: harbor waters, coastal waters, and mooring areas.

1. Harbor waters/boundaries

Harbor waters are divided into one or more of three "zones": a) **mooring zones** (designated primarily for the placement of moorings or for transient anchorage if space is available); b) **transient anchorage zones** (designated exclusively for the short-term use of commercial and recreational vessels); and c) **conservation zones** (specifically designated for the protection of water quality, wildlife, and plant habitat values).

Following are the designated boundaries of Jamestown's three separate harbor areas: *For specific detail on the following boundary points see the map and the table of Rhode Island State Plane Coordinates and latitudes and longitudes in Appendix A-1.*

East Harbor waters (411 acres): The northern boundary shall be a line extending easterly one thousand (1,000) feet seaward from the eastern extension of Weeden Lane. The eastern boundary shall be a line extending one thousand (1,000) feet seaward of the shoreline. The southern boundary shall be a line extending easterly from the southern point of the Fort Wetherill boat basin to government marker G "9" (Fort Wetherill Gong) thence to government marker G "11" (Bull Point Bell). East Harbor waters are classified as follows:

Mooring zone (276.7 acres). All harbor waters from the Newport Bridge to a line extending from Bull Point to government marker G "11" less a 50-foot setback from the mean low water mark;

Transient anchorage zone (82.3 acres). All harbor waters from the northern boundary to the Newport Bridge in the band of water five hundred (500) to one thousand (1,000) feet from shore; and all harbor waters south of a line extending

from Bull Point to government marker G "11" less a 50-foot setback from the mean low water mark;

Conservation zone (52.0 acres). All harbor waters from the northern boundary to the Newport Bridge in the band of water from the shore to five hundred (500) feet seaward.

West (Dutch) Harbor Waters (658.8 acres): The northern boundary shall be a line extending westerly one thousand (1,000) feet seaward from the western extension of Orchard Avenue (Weeden Lane). The western boundary shall be a line extending from the westernmost end of the northern boundary to the pier at Fort Getty. West (Dutch) Harbor waters are classified as follows:

Mooring zone (114.8 acres). All harbor waters from a point on shore due east of the Dutch Island pier to the Fort Getty pier ruins thence to a point at the southern terminus of Maple Avenue less a 50-foot setback band extending seaward from the mean low water mark;

Transient anchorage zone (160.0 acres). All harbor waters from the Dutch Island pier ruins to a point due east on shore thence to the pier at Fort Getty less a 50-foot setback band extending seaward from the mean low water mark;

North conservation zone (287.3 acres). All harbor waters from the westernmost point of the northern boundary to a line extending from the Dutch Island pier ruins to a point due east on shore;

South (Sheffield Cove) conservation zone (96.6 acres). All harbor waters south of a line from the pier at Fort Getty to a point at the southern terminus of Maple Avenue.

South (Mackerel Cove) Harbor Waters (27.9 acres): From the swimming beach to a straight line one thousand (1,000) feet seaward from the southernmost extremities of the Mackerel Cove swimming beach. South (Mackerel Cove) Harbor waters are classified as a conservation zone.

2. Coastal waters/boundaries

Coastal waters consist of all waters bordering the town from the shore to a distance of five hundred (500) feet seaward that are not included in the designation "harbor waters", excluding mooring areas as defined below.

3. Mooring areas

Mooring areas are areas located within the water otherwise classed as coastal waters, in which a group of private non-riparian moorings are permitted. Three areas, known as Head's Beach, Park Dock, and Cranston Cove, were identified by the CRMC in

2006 as non-conforming mooring areas, that is, as having a sufficiently dense group of moorings that formal recognition as mooring areas is required.

Mooring area siting standards. All designated mooring areas sited within the coastal waters and harbor areas of the town shall be setback as follows:

- (1) From riparian moorings and shoreline rights of ways, a distance sufficient to allow ingress and egress and to prevent interference with the exercise of private and public rights.
- (2) Fifty (50) feet from all residential or commercial docks, piers, floats and public launching ramps.
- (3) Public mooring areas shall be setback from Federal Navigation projects at least three times the U.S. Army Corps of Engineers authorized project depth from federal navigational projects.
- (4) All moorings shall be prohibited in Federal Navigation Projects.
- (5) All new and significantly expanded mooring areas shall be sited to ensure that tides and currents aid in flushing the mooring area.
- (6) All new and significantly expanded mooring areas shall be sited to avoid adverse effects on water quality
- (7) Mooring areas shall be sited so as to not substantially interfere with designated shellfish management areas, traditional fishing grounds, public recreational areas and conservation areas.
- (8) Mooring areas shall be sited so as to not significantly affect finfish and or shellfish resources, wetlands, submerged aquatic vegetation and aquatic habitat.
- (9) Moorings areas shall be adequately serviced and pump out stations shall be accessible and operationally maintained
- (10) The Army Corps of Engineers (ACOE) “open to all” policy supersedes any Town or State regulation, policy, ordinance, or statute.
- (11) All moorings and boats shall be located within the mooring areas, except for riparian moorings, and moorings permitted through a Right-of-way (ROW), where no more than four (4) moorings are permitted via each ROW.

4. Federal Exclusion Zone

In August 2008, the Town became aware that by Federal regulation (33 CFR §334.80, originally dated March 13, 1968), the US Navy has established an exclusion zone

within which all activities such as anchoring and fishing are prohibited. This exclusion zone includes a portion of the coastal waters of the northeast Jamestown shoreline, including the Park Dock area mentioned above. Historically, Jamestown has permitted not only these activities but also mooring in this zone, and there are also a number of docks attached to riparian properties in this zone. Navy representatives have assured Jamestown representatives that the existing uses may continue.

C. PHYSICAL SETTING AND NATURAL RESOURCES

1. Physical Setting

Geography; Geology: Conanicut Island is at the entrance to Narragansett Bay, dividing the Bay into East and West Passages. The island, running north and south, is about 9 miles long and 1.5 miles wide at its widest point. It has about 23 miles of shoreline and a land area of 9.2 square miles. (Dutch and Gould Islands add another 0.2 square miles.) Despite its small size, the island is divided into two almost separate sections: the smaller Beavertail section in the south is connected to the rest of the island only by a strip of beach at the head of Mackerel Cove. (The main part of the island itself is less clearly divided by the "Great Creek" complex that runs almost across the island just east of the Pell [Newport] Bridge toll plaza).

The underlying geography of Conanicut Island's shoreline--and of the island as a whole--results largely from the action of the last period of glaciers. It consists of granite and shale bedrock, sometimes exposed, but for the most part overlaid with decomposing glacial till. While the shoreline contains areas of rocky cliffs, sandy beaches, and a small amount of estuarine emergent wetland, it is made up primarily of rocky unconsolidated material that, at the water's edge, now forms shallow beaches of mixed pebbles and sand backed by low banks and vegetation. Rocky cliffs predominate along the southern coastline. From the scattered islets (known as the "Dumplings") in the southern part of East Harbor, and around Fort Wetherill to the mouth of Mackerel Cove, there are granite cliffs with bold promontories up to fifty feet high. On the west side of Mackerel Cove, and extending around Beavertail Point to Austin Hollow, there are somewhat lower cliffs of shale and slate, interspersed by occasional small beaches. The only extensive sandy beach is at the head of Mackerel Cove, although there are smaller ones, public and private, at various points around the island.

Winds; Flood Zones: The summer months have prevailing south/southwesterly winds. Winds are more variable in the winter. Storms come usually either from the northeast or the southeast. The combination of wind, velocity, direction, fetch, and duration creates wave action on both sides of the island, with the west side generally being more active.

Parts of the island are particularly subject to storm surge, flooding, and/or velocity waves during coastal storms. Along the south coast the high cliffs reduce the risk of flood damage; but the island has a generally low elevation--its highest point is about 140 feet above sea level and most of it is well under 100 feet. Both the East and West Harbor areas have the possibility of flood zones of class A (flood elevation 10.2 feet above mean sea

level) and V (areas subject to velocity waves that reach 15 feet above sea level). Beavertail is occasionally shut off from the rest of the island temporarily as storm damage blocks the road across the head of Mackerel Cove; and the Great Creek and Sheffield Cove areas are especially susceptible to coastal flooding. The specific location of the island's flood zones are noted on the Federal Emergency Management Agency's flood insurance maps. (Appendix A-2)

Water Depths; Navigational Hazards: Conanicut Island is surrounded by water of considerable depth, especially along the southern part of its eastern coast, where readings of more than forty, and occasionally sixty, feet may be found within 500 feet of the shore. Water near the shoreline is shallower in Mackerel Cove and to the north (especially in Dutch Harbor and north of the Jamestown-Verrazzano Bridge). Specific water depths of various locations around the island are indicated on NOAA charts #13223 and #13221.

Navigation to, from, and around the island is generally straightforward. Some unmarked dangers to navigation do exist. There are occasional submerged or semi-submerged boulders situated around the island very near the shore. There are a few submerged ledges in deeper water, notably near Kettle Bottom Rock and in the Dumplings area. Otherwise, as the charts indicate, navigation around the island and into the harbors from any direction is well-marked and direct.

Federal Dredging and Navigation Channels: At present Jamestown has no federal dredging or navigation project and no federally maintained navigation channels, turning basins, anchorages, or special anchorage areas.

2. Natural Resources

Finfish and Shellfish: With its diversity of coastal habitats, location within Narragansett Bay and its proximity to the Atlantic Ocean, Conanicut Island is provided with a rich diversity of marine life. Both finfish and shellfish can be found in abundance in the marine and estuarine waters around the island. Recreational and commercial fisherman catch striped bass, bluefish, tautog, scup, fluke, squeteague, winter flounder, mackerel, bonito and squid. Lobster, hard clams (quahogs) and mussels are also harvested around the island. There are ongoing efforts to re-establish the once abundant oyster and bay scallop populations.

Eelgrass: Probably the most important habitat found around the island are the lush eelgrass beds. These areas provide spawning and nursery habitat for many marine species. Recent mapping of eelgrass show the waters around Conanicut Island have the most extensive eelgrass beds in Narragansett Bay. (Maps showing the location of eelgrass beds are available from the Town's GIS Department.) Of the 466 acres mapped in 2007, approximately 163 acres were found around Conanicut Island. Most are found on the east side of the island. Every effort should be made to protect this important habitat.

Coastal Wetlands: Conanicut Island has extensive salt marshes. The Round Marsh located in the center of the island is the most extensive totaling over 100 acres. This is followed by the Fox Hill Marsh just east of Ft. Getty at around 25 acres, Sheffield Cove marsh at approximately 15 acres, Hull Swamp Marsh at 2.8 acres and Racquet Road marsh

at .7 acres and South Pond Marsh at 2.6 acres. (Maps showing the location of these marshes are available from the Town's GIS Department.) As in the case of eelgrass, these marshes are an important spawning and nursery habitat for many estuarine and marine species. Every effort should be made to protect these marshes.

Intertidal Flats: In spite of Conanicut Island's 3-5 ft. tidal range there are few areas around the island that may be considered true tidal flats (areas that become dry during low tide on a regular basis). Only Sheffield Cove has tidal flats exposed on a regular basis. However, during extreme spring low tides and when strong winds coincide with an outgoing moon tide there are additional areas around the island where large tidal flats are exposed. The primary areas are Sheffield Cove, East Ferry and Potters Cove. All of these areas have good shellfish populations with Sheffield Cove and Potters Cove harvested on a regular basis.

3. Conservation Areas

Jamestown is committed to the conservation of its natural resources. The Town Council, Planning Commission, Conservation Commission and Harbor Commission have all contributed to this effort with the overwhelming support of Town residents. The Rhode Island Department of Environmental Management and non-profits including the Conanicut Island Land Trust, Nature Conservancy and Audubon Society of Rhode Island have also contributed to this effort. Approximately one third of the Island's 6380 acres is under some form of protection with approximately 1,200 acres permanently protected and 800 to 900 acres temporarily protected under the State of Rhode Island "Farm, Forest, and Open Space Program".

In the coastal areas the efforts on behalf of conservation are manifested in a variety of ways: The large parks (described later in this text), while actively used for recreation, nonetheless have significant areas available for wildlife. The Conanicut Island Land Trust has acquired, through gift and purchase, a number of coastal properties or conservation easements. In addition, about two miles of formerly developable, privately-owned coastline are now permanently protected by conservation easements or by the donation or sale of the development rights to the land trust, Nature Conservancy or Audubon. *For a map of the town's conservation areas see the Jamestown Comprehensive Community Plan (2002), p. 109.*

The most important coastal areas devoted primarily or exclusively to the conservation and protection of fish, wildlife and habitat are:

Great Creek complex: A wildlife conservation complex of about 95 acres in the center of the island that includes the 21 acre Marsh Meadows site owned by the Audubon Society of Rhode Island and the adjacent 33 acre Conanicut Island Sanctuary owned by the Town of Jamestown, as well as other smaller parcels owned by the town or under privately-held conservation easements.

Hodgkiss Farm: A 150 acre site, of which five acres are developed, with over one mile of shoreline, managed as a farm and for conservation purposes. The town and the state own 90 acres of the site; the rest is protected by conservation easements.

Fox Hill Audubon Site: A 32 acre salt marsh area located just east of Fort Getty; owned by the Audubon Society of Rhode Island. The town has recently opened a wildlife observation trail on this site. (The adjacent Fox Hill Farm has 61 acres of privately-owned land under a conservation easement.)

Sheffield Cove Audubon Site: A 13 acre salt marsh located on Beavertail Road, across from Mackerel Cove, owned by the Audubon Society of Rhode Island.

Racquet Road Audubon Thicket Site: A 19 acre wildlife site in the Dumplings area with two acres of salt marsh, owned by the Audubon Society of Rhode Island.

Hull Cove and Franklin (Austin) Hollow Sites: A ten acre conservation site on either side of Beavertail Road stretching from Hull's cove to Franklin (Austin) Hollow, owned by the Conanicut Island Land Trust.

Lippincott Easement: A privately-owned 20 acre site, with 800 feet of coastline, just north of the east side of Beavertail Park.

Dutra and Neale Farms: In 2008 the Town of Jamestown purchased the development rights to 80.8 acres of the Dutra Farm and 39.8 acres of the Neale Farm.

Watson Farm: Although not permanently protected, this 259-acre working farm located on the west side of the island and owned by Historic New England (formally Society for the Preservation of New England Antiquities) is protected under a deed of gift from Thomas Carr Watson as land held with conservation intent.

Ft. Wetherill Marine Laboratory: This facility is located on the eastern end of Ft. Wetherill State Park (see II-F-3 below). It is owned by the State of Rhode Island and is operated by the RI Department of Environmental Management's Marine Fisheries Section. The facility consists of three recently restored military buildings housing office space, a research laboratory, aquarium facility and dockage for six research vessels ranging in size from 21 to 50 feet. Fisheries and habitat monitoring and management is conducted at this facility.

More detailed information on the town's physical setting and natural resources may be found in the 2002 Jamestown Comprehensive Community Plan, pp. 43-91, 107-22.

D. WATER QUALITY/WATER TYPE

Because of its lack of industrial pollution, its tidal currents and deep water close to shore, and its location near the mouth of Narragansett Bay, Jamestown has waters that are comparatively clean. Despite its good fortune in that respect, however, there is clearly room for improvement. There are, for example, occasional sewer overflows after heavy rain and occasional septic system malfunctions--problems that the town has addressed by completing the construction of the new wastewater treatment plant in 2009, and a new

wastewater management ordinance provides for better inspection and control of septic systems.

In 1999 the DEM declared all of Rhode Island's waters to be a "no discharge" zone—a regulation that not only requires all vessels with marine sanitation devices (MSDs) to have holding tanks but that prohibits the discharge of waste overboard. There are two ~~now five~~ pumpout facilities for boats in Jamestown's harbor waters. The town owns and manages ~~three~~ (one unit each on East and West Ferry docks, ~~as well as a mobile unit; One marina owns and manages a pumpout boat at East Ferry.~~ Marina owners at both East and West Ferry own and operate a pumpout boat. ~~one at West Ferry.~~) ~~(To help clean up oil spills the town also possesses an oil skimmer, a boat that it shares with other communities.)~~

The DEM and the CRMC each have water classification systems by which they set standards for appropriate uses of Narragansett Bay's waters. While these standards are set for somewhat different purposes and therefore do not always coincide, the DEM and the CRMC cooperate to solve problems that may result where their jurisdictions overlap. The harbor commission works with these two agencies where matters of either water quality or water use are concerned.

1. DEM Water Quality Designations

The DEM establishes surface water quality standards for the waters of the Bay, along with uses appropriate to them. It divides the bay waters into four classes, each defined by the most sensitive designated uses. It then regulates these uses for the purposes of water quality protection and enhancement.

The DEM considers some use designations to be suitable for all four DEM classes: aquaculture uses, navigation, and industrial cooling (and all "shall have good aesthetic value"). It also considers some to be not suitable for any class: waste assimilation and waste transport.

The DEM distinguishing water quality standards, as described by DEM and as applied to Jamestown, are as follows:

Class SA [the most ecologically sensitive designation]: "These waters are designated for shellfish harvesting for direct human consumption, primary and secondary contact recreational activities, and fish and wildlife habitat." (In the DEM descriptions "primary contact recreational activities" include swimming, diving, water-skiing, and surfing; secondary ones include boating and fishing.) Jamestown's SA waters include almost all the waters surrounding Conanicut Island, as well as the waters surrounding Dutch Island and all but the northern tip of Gould Island.

"SA{b}" refers to SA waters that have "a partial use designation due to impacts from a concentration of vessels." Jamestown's designated SA{b} waters are: a) in East Harbor, west of a line running 1000 feet from shore that extends south from the Pell (Newport) Bridge to a line running from Bull Point to buoy G "11", excluding those areas designated "SB" below; and b) in West Harbor, inside the lines drawn from a point on

Jamestown due east of the Dutch Island pier, to the Fort Getty pier, and then to a point at the southern end of Maple Avenue.

Class SB: "These waters are designated for primary and secondary contact recreational activities; shellfish harvesting for controlled relay and depuration [i.e., purification]; and fish and wildlife habitat." Jamestown's SB designated waters are: a) a 1000-foot wide band that runs south along the coast from the northernmost point of Taylor's Point to a line running due east from a point 1000 feet south of the Pell (Newport) Bridge; b) in the East Ferry area of East Harbor--west of a line from Bryer Point to Lincoln Street; c) in the area of the Dumplings around the Jamestown and Clarke's Boat Yards; d) in Fort Cove (i.e., the Fort Wetherill boat basin); and e) around the northern tip of Gould island.

Class SB1: "These waters are designated for primary and secondary recreational activities and fish and wildlife habitat....Primary contact recreational activities may be impacted due to pathogens from approved wastewater discharges." Jamestown has only one SB1 designation: within a 300 foot radius of the marine sewer outfall off Taylor Point.

Class SC: This classification involves industrial processes. Jamestown has no waters classified SC.

2. CRMC Water Use Type Designations

The Rhode Island Coastal Resources Management Plan (CRMP) classifies all waters of the State into six categories. This classification is based on characteristics of the adjacent shoreline uses and does not take into consideration the characteristics of the intertidal and sub-tidal habitats adjacent to these shorelines. As a result some critical habitats (eg. eelgrass) are not fully protected under the CRMP. A complete description of these water types and the policies associated with each can be found in the CRMP or online at <http://www.crmc.state.ri.us/regulations/RICRMP.pdf>.

Type 1--Conservation Areas: ~~not to be confused with the town's harbor Conservation Zones~~: Areas that "abut shorelines in a natural undisturbed condition, where alterations, including the construction of docks and any dredging, are considered by the Council as unsuitable." Jamestown's Type 1 waters extend: a) southwestward from Fort Cove (the Fort Wetherill boat basin) along the entire shoreline around Beavertail (including all of Mackerel Cove), then north along the west side of the island to Fort Getty, and around it to a line running from the end of the Fort Getty pier to the southern end of Maple Avenue; b) south from a straight line extension of Weeden Lane (i.e., just north of the Pell (Newport) Bridge toll plaza) to the southern side of that bridge; and c) around Dutch Island.

The intended uses of Type 1 waters are minimal impact only, in order to preserve the natural habitat. No motorized vessel may enter Conservation Areas. Access is limited to kayaks, canoes, small sailing vessels without the capacity to become motorized, etc.

Type 2--Low-Intensity Boating: "adjacent to predominantly residential areas, where docks are acceptable, but more intense forms of development . . . would change the

area's character and alter the established balance among uses." Jamestown's Type 2 waters extend: a) north from the southern end of Maple Avenue along the entire shoreline around the north end of the island, then south to a straight line extension of Weeden Lane; and b) around Gould Island.

The intended use for Type 2 waters is to provide access to the water for residential areas. Riparian moorings are present in Type 2 waters, as well as some small residential mooring areas off neighborhood beaches that are private, through deeded right access. Note: West Ferry Harbor and Dutch Harbor Boat Yard are located within Type 2 waters. Records indicate CRMC approved the marina perimeter of Dutch Harbor Boat Yard in 1993 or 1994.

Type 3--High Intensity Boating: areas "dominated by commercial facilities that support recreational boating. Here, marinas, boatyards, and associated businesses take priority over other uses, and dredging and other shoreline alterations are to be expected." Jamestown's Type 3 waters extend south from the southern side of the Pell (Newport) Bridge to Fort Cove (the Fort Wetherill boat basin).

The intended use for Type 3 waters is recreational boating. In Jamestown there are three commercial boating facilities shoreside to the only Type 3 water around the island. Additionally, there are two yacht clubs and a boat owner's association marina located in the Type 3 water. There is a high demand for boating facilities and access to the water in Jamestown.

Type 4--Multipurpose Waters: "include the open waters of the Bay and the Sounds, where a balance must be maintained among fishing, recreational boating, and commercial traffic." Type 4 waters near Jamestown include those waters surrounding Conanicut, Dutch, and Gould Islands not given other water-type designations. The Type 4 waters are out of the jurisdiction of the Town of Jamestown.

Type 5--Commercial and Recreational Harbors: "ports, [where] a mix of commercial and recreational activities must co-exist." Jamestown has no Type 5 waters.

Type 6 Industrial Waterfronts and Commercial Navigation Channels: waters where "water-dependent industrial and commercial activities take precedence over all other activities." Jamestown has no Type 6 waters.

See Map ~~A-1~~ 4 in ~~Appendix A~~ for CRMC's water use type designations in Jamestown's waters. More detail on the CRMC designations may be found in the Council's Coastal Resources Management Program as Amended (the "Red Book"), 1996 and ongoing, section 200.

E. FACILITIES, USES, AND ACTIVITIES

Jamestown's waters are widely used: shellfishing and finfishing (both commercial and recreational, from shore and on boats), recreational sailing and motor-boating, swimming, waterskiing, jetskiing, windsurfing, and the like are all popular.

With its excellent summer climate, ample winds, proximity to Newport, and easy accessibility both to lower Narragansett Bay and the open ocean, Jamestown is a natural, almost an inevitable, center for boating. Its appeal in this respect brings boaters to the island both to visit and to reside. Indeed, over the past few decades boating's growth in scope and intensity has been one of the most striking aspects of Jamestown's economic and recreational life. Appendix A-3 includes a Zoning Map.

Recreational boating activity in Jamestown consists largely of day boating, sailboat racing, recreational fishing, or cruising (transients visiting, residents going elsewhere). Commercial activity is concentrated in the East and West Harbor areas. Current town zoning restrictions limit to some extent the possibilities of further water-based commercial development in those areas, especially as most of the harbor waterfront is already committed to residential use, public recreation, or conservation.

1. Commercial Boating Facilities

Marinas/Boat Yards: There are four commercial marinas/boat yards available to the general public in Jamestown: three in East Harbor (Conanicut Marine Services, Clark Boat Yard, Jamestown Boat Yard), and one in West Harbor (Dutch Harbor Boat Yard). These businesses make a considerable contribution to the local economy. They also provide access to the water for any members of the public--resident or non-resident--who wish to take advantage of their services.

Clark Boat Yard, a little less than a mile south of East Ferry (also known as Round House) has 45 rental moorings; a service dock; launch service; two railway lifts; a boat ramp; and a repair shop. It has on-site winter storage and on-site summer parking.

Conanicut Marine Services (CMS), at East Ferry, has its own pier and leases two others from the town. It has 160 rental moorings; over 100 rental slips with electricity and water; the only marine fuel (diesel and gasoline) pump on the island; a launch service; a ship's store; showers and heads; a pumpout boat; and a repair shop. It has off-site winter storage and off-site summer parking. The Jamestown and Newport Ferry, operated by CMS, which is based at East Ferry, provides summer transportation between Jamestown, Newport, and other nearby points.

Dutch Harbor Boat Yard (DHBV), at the west end of Narragansett Avenue, has its own service dock and leases part of the old West Ferry landing from the town. DHBV has ~~100-108~~ rental moorings, a launch service, showers and heads, a pumpout boat, a railway lift, and a full repair shop on site. It has on-site winter storage and on-site summer parking.

Jamestown Boat Yard (JBY), south of the Clark Boat Yard, in the center of the Dumplings residential area (and the oldest boatyard on the island) has a railway lift; a service dock; ample shop facilities; and is able to do extensive repairs on site. JBY also has 57 rental moorings; 13 out hauls; and launch service. It provides on-site winter storage and on-site summer parking.

2. Yacht Clubs and Other Private Associations

Yacht Clubs: There are two yacht clubs on the island, both centered in East Harbor. The Conanicut Yacht Club, located in the northern part of the harbor, has 19 moorings (17 designated commercial) and its own club building and pier. It runs a children's sailing program for members that is also open, if space is available, to the public. The Jamestown Yacht Club has no building or moorings of its own and uses the marina facilities or general public access at East Ferry.

Private Associations: A private boating association located at the Fort Wetherill boat basin, the Fort Wetherill Boat Owners Association, has 40 slips that it rents to Jamestown residents. Two private beach associations at the southern end of East Harbor, the Cottrell Pier Association and the Dumplings Association, have one mooring as of 2014³ and have swimming piers and beaches that some of their members use for access to their boats.

3. Town-Owned Waterfront Structures

Jamestown owns a number of waterfront properties and structures. Those that the harbor commission has been involved with one way or another are described briefly below.

East Ferry: Beach and Concrete Ramp: Jamestown issues beach permits each year that enable holders to store their small boats on the East Ferry Beach. In 2013²⁴ the 27 ~~195~~ permits raised \$2331 ~~16541365~~.00 for the harbor commission. At the same time, the boats interfere to some extent with the public's free movement about the beach.

The concrete ramp is used free of charge by resident and non-resident private boat owners and by commercial operators to launch small boats, usually from trailers. General parking congestion in the East Ferry area, along with specific limits on trailer parking, often make the ramp inconvenient both for the users and for passing traffic. ~~The ramp is in fair condition and is in need of some repair.~~

East Ferry: "Steel" Pier: Jamestown constructed this pier in the 1970's to encourage marina development. Some sections of t~~The pier are~~ is currently under lease to Conanicut Marine Services until 2015. CMS uses the pier to launch boats by crane, to provide access to the floating docks, and to provide fueling services. By a recent agreement the north side of the pier is now open to free public use for loading and unloading on a short-term basis.

The combined basic lease for both this pier and for the adjacent wood pile pier is \$14,000 with an escalation clause based on rises in CMS's slip and dockage fees that made the lease worth \$376,000 to the town in 2012. As part of its lease CMS pays taxes, insurance, etc., allows free pedestrian access to the piers, and is responsible for regular maintenance of both piers as well as for all repairs that cost under \$2,500 (also with an escalation clause) for each single repair. ~~In addition to its contractual obligations, CMS provides a number of other marine services for the town, such as helping boaters with the pumpout station, commissioning and decommissioning the pumpout station and the touch-and-go float on the wood pile pier, providing free dumpster service for all boaters, etc. The~~

~~last repairs performed contemplated completion of the curbs and rails to conform to the remainder of the area, such that rebar for the pouring of concrete curbing remained exposed, and the utilities had been installed in a temporary, makeshift fashion. As of 2009 the needed repairs and the curbs and rails have been completed.~~

East Ferry: Wood Pile Pier: The shore side portion of this pier was constructed using Federal funds, and was added to by the town in the 1970's. The pier is now partially leased to Conanicut Marine Services as part of the lease described above, and the remainder is for public use. The pier is in fairly good condition, although in need of some repairs. The harbor commission sets the rates for CMS's seasonal dockage fees: in 2013~~2~~ these were \$40.00 per foot for commercial vessels and \$80.00 per foot for pleasure vessels. At present the eight-foot wide pier has a multi-purpose use: CMS leases space to commercial fishermen and other marine businesses on a yearly basis; pedestrians and recreational fishermen, both resident and non-resident, use it freely; and there is one of the town's pumpout stations and a touch-and-go floating dock for boaters (originally donated by the Jamestown Yacht Club and CMS, but currently managed by the town) at its end. A second touch and go dock is located at the inward end of the pier. ~~The competing uses result in frequent problems of congestion for each constituency (e.g., boaters often find it difficult to land at the floating dock because of recreational fishermen).~~ Two new 40'x20' docks were added to the northeast end of the wood pile pier in 2010. ~~An additional pump-out station was added to one of the touch and go's in 2011.~~

East Ferry: Veterans Memorial Square, Town Square, Riparian Boat Basin: Memorial Square and the adjacent town square provide the riparian rights that allow the town to lease the water area east of it to CMS for use as CMS's "north basin" marina. Memorial Square leads to the steel pier and CMS's floating docks (the fuel tanks for the steel pier pumps are buried under it). The town square leads to the wood pile pier. Much of Memorial Square was repaired in 2000 and the north face of the stone bulkhead was rebuilt in 2005-06. This area is the center of the town's major demand for parking; and parking space dedicated to one purpose inevitably reduces parking space for others-- reserved areas for loading and unloading vs. general parking, shorter time limits for shop owners vs. longer limits for boaters, etc. Improving parking at East Ferry is one of the town planning commission's ongoing concerns. In 2013 the seawall between the north side of the steel pier and the south side of the boat ramp is being redone was reconstructed.

Fort Wetherill: Boat Basin (Fort Cove) and Highway Barn Area: The Fort Wetherill boat basin has been leased by the Fort Wetherill Boat Owners Association (FWBOA) since 1979. The FWBOA is a private association that has constructed, and owns, its piers and floating docks. With town permission it is able to use public facilities for parking and float storage. It maintains a waiting list for vacancies that is open to all Jamestown residents. In 2008 Jamestown and the FWBOA negotiated a seven-year lease with a first year payment of \$22,000 and a second year payment of \$25,000 with a yearly \$500 increase. The lease expires in 2015.

The state-owned area around the southern side of the basin has been developed by the DEM into a state marine research laboratory; subject to a memorandum of understanding entered into between the town and DEM. The town owns 3.5 acres of land, including the old highway barn, located within 30 feet of the water's edge. ~~After much~~

~~debate regarding the location of the new highway barn, the construction of the facility at Taylor Point was completed in 2009~~ The new highway barn was constructed at Taylor Point in 2009.

Fort Getty: Pier, Launch Ramp: Jamestown acquired Fort Getty and its pier from the U.S. Army in the 1950's. Since the 1970's the town's recreation department has managed the area primarily as a seasonal trailer park and campground. The park is open to the public: Residents pay \$15 for an annual parking sticker; non-residents pay \$20 daily for motor vehicle admission (\$30 with a boat trailer). Pedestrians and bicyclists may enter free of charge.

At the north end of the park there is a boat ramp, an adjacent causeway, and, at the end of the causeway, a wood pile pier. On the eastern side of the causeway the harbor commission has installed 22 outhauls that it leases seasonally at \$430 for boaters with commercial fishing licenses and \$500 for boaters who are purely recreational. The pier itself is in only fair condition and will need some significant repair work within the next five years. It has no floating dock and is too high off the water to serve small boats conveniently without one. The commission installed electricity in 2000 to provide leasing capacity for one or more vessels, particularly the commercial vessels no longer allowed at the state-owned pier in the Fort Wetherill boat basin (Fort Cove). A kayak rack has recently been constructed at Fort Getty and the same user rates apply to the Ft. Getty rack as for beach permits.

In 2011 the harbor commission and the town made necessary repairs to the Ft. Getty boat ramp. In 2013 the Ft. Getty outhauls were redone.

West Ferry: Wharf: The West Ferry wharf (the old West Ferry landing area) is a long, wide, paved and clamshell-graded facility extending into Dutch Harbor. The town has CRMC permission for 20 outhauls on the south side of the wharf. The town also owns and maintains a dinghy dock at the west end, for which in 2013~~4~~ it charged, on a space available basis, \$450 a season for tie-up privileges (usually ten to twenty dinghies are involved). The town has a pumpout station at the west end. During the summer months the wharf surface is used for parking by the public and by the customers of the Dutch Harbor Boat Yard, which is located just north of the wharf. The harbor commission spent almost \$200,000 in 2001 on repairs both to the surface of the wharf and to its north side and west end. (The town made repairs the south side of the wharf in the early 1990's and it is in good condition.)

The Dutch Harbor Boat Yard leases part of the wharf from the town for boat storage from after Labor Day through June 14 each year. Its lease is set at a base of \$10,000 annually, with an escalation clause that brought the town a total of ~~\$15,000~~ 14,500 in 2013~~2~~1. As part of the lease, the boat yard commissions and decommissions the town's docks and gangways each year without charge (perhaps a ~~\$42000~~ value), shares the cost of summer trash removal, and manages both the town's outhaul rentals (for which Dutch Harbor Boat Yard ~~it~~ receives one-half the income) and the town's dinghy dock (for which Dutch Harbor Boat Yard ~~it~~ receives all the income). The ten-year renewable lease runs to

2015. All repairs are the responsibility of the town. Some concern has been expressed that the yard's boat storage and parking may limit effective public access; and the boat yard and the town have been working together to resolve the issue. As of the winter of 2008-09 some erosion has been noted, ~~and the Town is planning to make repairs.~~, and repairs are underway as of 2012.

Jamestown Shores (Head's) Beach; Broad Street/Park Dock: Head's Beach was acquired by the Town of Jamestown in 1996 with funding from the Rhode Island Open Space and Recreational Area Bonds Act. Head's Beach has three rough stone jetties made of large, unsurfaced boulders and a natural launch ramp. In 2013~~24~~ the town issued nine beach permits for boats at this site, for which it received a total of ~~\$954,828~~⁷⁰⁵. In recent years the harbor commission has issued mooring permits adjacent to the waters of Head's Beach. Park Dock has the remains of an old stone jetty. RIDEM Shoreline Access Grant provided for improved public access at this site. Moorings have been permitted in waters adjacent to Park Dock Public funding and DEM recreational easements have contributed to an increase of use and associated user conflicts. *(For further information on these two facilities see section II-F-3, below).* CRMC as of 2007 is requiring that the Head's Beach and Park Dock mooring fields be formalized as mooring areas, along with another area used for non-riparian moorings at Cranston Cove.

Maple Avenue: The town makes available beach storage of small boats by permits as issued by the Jamestown harbor office. In 2013~~24~~ the town issued ~~fifty~~ ^{nineteen} permits for kayaks and dinghies at this site, for which it received ~~\$3880~~ ³⁴¹³ ~~1112~~. ~~Nineteen dinghy or other type of vessels were permitted at this site, generating \$1400.~~

Boardwalks: There are no boardwalks in Jamestown.

4. Waterfront Parking

Parking, particularly at East Ferry and West Ferry, has been a perennial problem during summers in Jamestown. It was that way when the ferries were running fifty years ago; it is that way now. Business owners maintain there is not enough parking for their customers; boaters maintain they have too far to walk to get to their boats; nearby residents maintain they are hemmed in by visitors ~~outsiders~~ parking on local streets. At the same time, for well over half the year, the boating season is over, the tourists and the summer residents have gone, and the parking problem seems to vanish. In a 1998 planning commission community survey 28% of the respondents said there was a general parking problem in the downtown area; 53% said there was a problem, but only in the summer season.

The town's planning commission and its parking committee have been working on ways to address the issue of parking for a number of years. They have found it difficult to obtain useful statistics to analyze effectively the source of the congestion. While the harbor commission, for example, asks private mooring owners where they access their boats and (if they drive) where they park, its questions do not always elicit helpful answers. Some private mooring holders park in different places depending on the time of day or week--on whether races, weekends, holidays, or special events bring more cars to the

center of town. Some drive when they have heavy loads to carry and walk or bicycle when they do not. Some provide ambiguous, incomplete, or confusing answers to the commission's questionnaire. And, of course, the questionnaire is concerned only with boaters who have private moorings: it does not deal with the larger number of boaters in harbor waters who use the services of the commercial operators, or who launch their primary boats from the beaches--let alone with people who have driven to the harbor waterfronts in summer to fish, look around, eat, shop, or otherwise enjoy themselves.

Parking is a matter of particular concern to many boaters. To meet these concerns the harbor commission will work with the planning commission, to which the comprehensive community plan has assigned initial responsibility for addressing matters related to parking in the town. In doing so, the harbor commission will pay particular attention to the needs of boaters.

5. Moorings

~~[Note: Most of the statistical information provided in this section may be found in tabular form on adjacent pages.]~~

A mooring permit is required for all moorings located in the waters of Town of Jamestown. Jamestown has over 1000 private and commercial moorings at different locations around the island. In 2012~~1~~ it issued a total of 1077~~88~~ mooring permits--a figure slightly up from the 1072 recorded twenty-one years earlier in 1991.

Private moorings fall into the following classes:

Class 1(a) riparian: owners of riparian property are entitled to apply, with priority over other mooring permit classes, for up to two moorings per property parcel directly adjacent to the shorefront property parcel. Only owners of riparian property may have guest moorings. Only one of the two moorings permitted Class 1a permit holders may be a guest mooring.

Class 1(b) riparian on coastal waters: property owners holding a freehold estate of record with a deeded right of access to riparian property are entitled to apply for a single mooring permit per property directly adjacent to that riparian property. If the area is delineated as a mooring area and where public access is available members of the general public shall be entitled to apply for a mooring permit there.

Class 2 (a) private easement: a non-riparian property owner holding a freehold estate of record with a deeded private right-of-way or easement to coastal waters granted in an original property subdivision are entitled to apply, per property, for a single mooring permit directly adjacent to that right-of-way or easement. If the area is delineated as a mooring area and where public access is available members of the general public shall be entitled to apply for a mooring permit there.

Class 2(b) right-of-way: a non-riparian property owner holding a freehold estate of record within one thousand (1,000) feet of a public right-of-way to coastal waters is entitled to apply, per property, for a single mooring permit per property directly adjacent to

that right-of-way. If the area is delineated as a mooring area and where public access is available members of the general public shall be entitled to apply for a mooring permit there.

Class 3 is the general class of mooring permit holders, under which anyone can apply for a mooring permit. Applications for moorings, resident and non-resident, will be considered in the order in which they are received.

In ~~2013~~ there were ~~39080~~ commercial mooring permits issued: ~~2820~~ in East Harbor and ~~1080~~ in West Harbor. (The commercial mooring operators reserve some of their moorings for transient boaters, the exact number each year depending to some extent on the number of seasonal rentals.)

In East Harbor there are three commercial boating facilities which manage town issued mooring permits:

Clark's Boatyard is issued 46 mooring permits annually, to be rented out seasonally or as transient moorings. Clark's Boatyard is a private entity that leases no land from the town. The business is self-sufficient and manages itself, other than the mooring fees and reports due to the town.

Conanicut Marina is issued 160 town mooring permits annually, and conducts its business from a combination of private land and land leased to Conanicut Marina from the town. There is collaboration between the town and the commercial business to manage and maintain the facilities.

Jamestown Boat Yard is issued 57 town mooring permits. Jamestown Boatyard is a private entity that leases no land from the town. The business is self-sufficient and manages itself, other than the mooring fees and reports due to the town.

In West Harbor, there is one commercial boating facility:

Dutch Harbor Boat Yard. This boatyard is issued 108 town mooring permits annually, and conducts its business from a combination of private land and land leased to Dutch Harbor Boat Yard from the town. There is collaboration between the town and the commercial business to manage and maintain the facilities.

All commercial operators are required to show proof of mooring inspections every three years, and are required to provide reports to the Harbor Office regarding the number of seasonally rented moorings, transient moorings, boat lengths, etc. A fee is also charged for each permit, based on the length of boat moored. For transient moorings, the average length of all of the vessels moored seasonally is averaged, and the average is used to calculate transient mooring fees due to the town.

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The remainder of the mooring permits are private permits issued by the Harbor Office. The permit is managed by the Harbor Office, and information regarding the vessel and vessel owner is kept on file and up to date. Mooring inspections must be completed every three years, by a certified mooring service provider, and the report must be submitted to the Harbor Office before the permit will be renewed.

In 2012 there were 696 707 private mooring permits, of which 3149 were Class 1a (riparian); 12784 of the 3149 were guest moorings. 17 6 Class 1b (deeded rights to riparian land) permits were issued. Over half of the private mooring permits (that is, 400398) were for the two harbor areas: 2378 (54 of them Class 1) for East Harbor and 1630 (386 of them Class 1) for West Harbor. In coastal waters 2229 of the 296 309 private mooring permits (90 64) of them guest moorings) were Class 1a. There were 38 42 private mooring permits for south of the harbor areas 34 5 of them in Mackerel Cove-- and 2967 for the long coastline around both sides of the island to the north. (In 2012 there were 112 97 vessels on private moorings over 25 feet in length moored in East Harbor and 9474 moored in West Harbor.)

In 2012 the total number of non-resident private moorings in Jamestown was 659, or 9.347 % of the total 696 707 private mooring permits granted. Exclusion of the 3149 Class 1a mooring permits would change this figure to 659 of the 3828 private mooring permits (178 %).

There are three proposed mooring areas on the north end of the island – Park Dock (5 moorings), Cranston Cove (12 moorings) and Head’s beach (13 moorings). All three areas have only private mooring permits located within, and there are no commercial operations within at least 2 miles of each mooring area. The water Type is 2 for all three areas, and the town believes this form of low intensity boating, mainly by residents of the north end of the island, is consistent with the CRMC Type 2 water. The permit holders are responsible for maintaining the mooring tackle, as with all private mooring permits. The town maintains the ROW’s to the water, where applicable, and in the case of deeded rights to riparian lots, the private associations maintain and manage the private riparian lot access.

There is always extreme pressure for additional private moorings. At the end of 2012, the harbor commission had a waiting list for mooring permits totaling 342299 names: 12205 for the West Harbor, 18357 for East Harbor, and 37 elsewhere. Non-residents constitute 6980 of the 342299 places on the waiting lists. This is approximately 207 % of this list. The pressure for new moorings has always been particularly severe on the East Harbor mooring field. Some East Harbor applicants have been on the list over eight years, and at the present rate of turnover the most recent applicants will be waiting over ten years.

Moorings in Jamestown have traditionally included a heavy concrete block or other heavy anchor, a length of heavy chain that normally lies on the seabed, and a length of lighter chain that is supported by a mooring ball, to which is affixed a rope bridle. Standards for these traditional moorings are written into the harbor ordinance. The harbor commission believes that modern mooring tackle, involving a resilient member between the anchor and the mooring ball in lieu of both lengths of chain, are a distinct

improvement, in that they appear to result in less stress on the boat's cleats and other hardware, because less scope is required, so that moorings can be placed closer together, and because the habitat-destructive scrubbing action of the heavy chain on the seabed as the boat and mooring are moved by wind, waves, and current is eliminated. As of spring 2009, the harbormaster has been encouraging the use of such resilient tackle where possible for the past several years. The accompanying amended ordinance specifically encourages the use of such resilient tackle.

6. Fishing

Fishing has always been, and will continue to be, an integral part of Jamestown life. There is a richness of fishing opportunities around the island that attracts both commercial and recreational fishermen.

Shellfishing takes place in the tidal wetlands along inlets, on intertidal flats, and in concentrated areas in near-shore waters. Although the island waters contain an abundance of shellfish, some shellfish areas are closed either permanently or seasonally when the waters are not certified.

Note: The DEM has permanently closed to shellfishing "the waters on the east shore of Jamestown, in the vicinity of East Ferry and Taylor Point, west of a line from the House on the Rocks located in the Dumplings to buoy C13, west of a line from buoy C13 to buoy M15, and south of a line from buoy M15 to the northernmost tip of Taylor Point." The DEM has seasonally closed to shellfishing "the waters on the west shore of Jamestown, in the vicinity of West Ferry, which are south and east of a line from the landward side of the northeast corner of the Fort Getty pier to the south side of the mouth of Great Creek." (See DEM, Shellfish Closure Areas, May, 2000-May, 2001.) Seasonal closure extends from the Saturday before Memorial Day to the Tuesday after Columbus Day.

Aquaculture, which is supervised and administered ~~primarily~~ by the CRMC, is a small but increasingly significant aspect of marine activity in Narragansett Bay. In 2002 there were three aquaculture projects underway locally, all of them either in, or near, West Harbor: West of the Hodgkiss Farm there was a 4.5 acre commercial project involving oyster, clam, and scallop. East of that project, nearer shore, were two small experimental research projects--oyster for one; oyster, clam, and mussel for the other--each with a 1000 square foot short-term lease.

As of 2012, there were two additional CRMC applications for aquaculture projects in the vicinity of Jamestown. It is expected, due to recent trends, that the occurrence of aquaculture projects will increase in the coming years.

Jamestown's waters have both advantages and disadvantages for aquaculture. Its waters are relatively pure, but relatively high in salinity and low in nutrients. Despite its mixed appeal for aquaculture, the town may reasonably expect further interest from aquaculturists in future years. One of the policies of the 2002 comprehensive community plan is for the town council to "support Aquaculture in and around Jamestown while

minimizing detrimental impacts of such operations" (p. 261), with the harbor commission as a cooperating partner.

It is possible that to the current inconspicuous "bottom" aquaculture may be added, from time-to-time, research projects in the Bay that are suspended from rafts or constructed with floating or fixed netting. If this occurs in Jamestown's waters it may result in some physical obstruction or other inconvenience for local boaters. The state agencies involved have the final authority over aquaculture projects in bay waters, no matter how close the projects may be to the shoreline. However, CRMC policy is to notify towns and individuals likely to be affected by an aquaculture project before any decision is made about it, so that they may express their views at a preliminary determination ("PD"): the CRMC is interested of course not only in aquaculture but in the aesthetic and recreational qualities of the bay.

Commercial fishermen based in Jamestown have access to Narragansett Bay's finfish, lobster, and shellfish resources. While Jamestown is not itself a large center for commercial fishing, the business has always been part of the fabric of the community. Commercial fishermen include lobstermen, quahoggers, draggers, hook-and-liners, aquaculturists, and those who fish in diving gear and from the shore. Many, both full-time and part-time, target multiple species of finfish and shellfish. In 2002 there were not only a number of commercial fishing vessels berthed or moored at Jamestown, but many others trailered in and launched from various points on the shore.

Recreational fishing in Jamestown is a popular activity for residents and non-residents alike. At one time the world record for the largest striped bass caught from the surf was held in Jamestown. Almost all the published guides to New England saltwater fishing recommend Jamestown as a site for excellent striped bass. Newspapers in Providence and Newport report on the fishing in and around Jamestown in seasonal weekly columns, as does the *Jamestown Press*. At present the activity helps support one seasonal bait and seafood shop.

Sites for shore fishing may be found all around the island--from the big state parks at Beavertail and Fort Wetherill to small access points such as Head's Beach and Park Dock. The most popular shore sites are probably Beavertail, East Ferry, Fort Wetherill, Fort Getty, and Taylor Point. East Ferry, because of its central location, relatively limited access, and competing activities, almost always has intense problems with space and parking. Similar problems exist in other areas, such as Head's Beach.

Fishing from boats--moored, docked, and trailered--is also a popular activity around Jamestown. Residents and non-residents launch boats at the East Ferry, Fort Wetherill, and Fort Getty ramps. The only designated parking area for boat trailers is at Fort Getty.

There are no anadromous fish runs that affect Jamestown.

7. Other Water-Based Activities

Swimming: In addition to the designated and regulated Mackerel Cove Beach, described below, there are a number of unnamed and unregulated publicly-owned beaches and rocky coves around the island where people swim at their own risk, such as at Beavertail, Fort Getty, Fort Wetherill, Head's Beach, Cranston Cove, Park Dock, and other accessible public waterfronts. There are also private associations, such as the Cottrell Pier Association and the Dumplings Association, both in the southern section of East Harbor.

Scuba Diving: Scuba diving is a popular sport around the island, both shore-based and from boats, particularly because of the deep and clear water close to shore. Fort Wetherill, recognized as one of the premier scuba diving sites on the east coast, attracts large numbers of divers throughout the warmer months. Many of the weekend divers are students in scuba classes in Rhode Island and the adjacent states who are brought to Fort Wetherill for their first open water dives.

Windsurfing; Water Skis and Jet Skis: The most popular public areas for launching windsurfers are probably at Fort Getty, East Ferry, at Head's Beach, and at Taylor Point. There is a five mile per hour, no-wake speed limit for all vessels in harbor waters. But in harbor waters the speed limits are not always adhered to; and in coastal waters there have been complaints from around the island about the noise and disturbance created by jet-skiing, water-skiing, and other kinds of powerboating.

F. RECREATION AREAS AND PUBLIC ACCESS

The CRMC and the Town of Jamestown are committed to providing and maintaining public access to the shoreline. Under Rhode Island law the public has (and has had since the seventeenth century) the right to use the coasts of the state between mean high water and mean low water for the purposes of fishing, swimming, gathering seaweed, and passing along the shore. To realize this public right the CRMC and the town work together to maximize the potential of existing town-owned parks and other areas on the waterfront; to maintain and mark existing rights-of-way (ROWs); and to identify, survey, and open potential ROWs that can best serve the public interest. (The town, for example, believes that all the existing shoreline easements on public property for water outflow and underground cables already provide public access to the shoreline. It is currently updating its inventory of those easements.) As part of its program supporting public access, the CRMC requires all harbor management plans to include significant public access provisions. This section of the plan discusses where the town stands at present in that respect. *Also see map in Appendix A-4.*

1. Recent Developments

In 1998 the town's parking committee appointed a subcommittee to report on the town's ROWs and to make recommendations for their future utilization in terms of parking and of renovation or expansion. The subcommittee (which included as members the town planner and the then chair of the harbor commission) reported in April, 1999, in a report entitled: The Parking Committee's Report on Public Shoreline Access and Rights-of-Way in Jamestown. Building on prior work, most notably the planning department's Shoreline

Access and Improvement Plan of July 1992, the report discussed 39 sites. For each site it provided a locating map, a description, at least two photographs, and recommendations for the future. The parking committee submitted the report to the town council, which approved it with minor changes.

The 2002 comprehensive community plan (p. 246) takes up the parking committee report under its section entitled "Water Resources (Coastal Resources)" policy #2: to "encourage land management that provides opportunities for public waterfront access." The draft lists four "actions" to be taken: 1) to implement the recommendations outlined in the parking committee report [*Initiator*: parking committee; *Resources*: recreation department; conservation commission, harbor commission, tax assessor, 1999 parking committee report]; 2) to maintain a current ROW inventory [*Initiator*: planning department; *Resources*: CRMC, 1999 parking committee report]; 3) to actively seek outside funding for enhancement of selected right-of-ways [*Initiator*: recreation department; *Resources*: planning department; harbor commission]; 4) to create requirements for easements to the waterfront in subdivisions where appropriate [*Initiator*: planning commission; *Resources*: subdivision regulations].

2. The 1999 Parking Committee Report

The parking committee report provided a rating (of 1, 2, or 3) for each site it discussed to provide a priority recommendation for future action, as follows:

1. **"Should be fully supported and maintained with existing parking and facilities."** Number 1 priority sites are those of the "greatest importance and priority for public access": they can "support the most people, have facilities already in place, need little if any improvement, and should be fully maintained." (The report also points out that they already make up 15% of Jamestown's shoreline.)

2. **"If all number 1 sites are fully functioning and there is further need to provide public shoreline access, these sites could be improved to provide (more) parking and access. Funds for construction, possibly CRMC or DEM approvals and maintenance would need to be committed to improve these sites."** Number 2 priority sites "could also support larger numbers of people with parking but do not currently have the necessary facilities." They should have a high priority for maintenance, but development of "additional parking or facilities should be considered only if the primary sites do not adequately fill the community need and budget allows."

3. **"Should be maintained as pedestrian access only sites."** Number 3 priority sites "are largely neighborhood ROWs which in most cases were first established for neighborhood, pedestrian access. Most are in dense neighborhoods and are currently maintained by abutting neighbors. . . . These sites are of the lowest priority because they would require planning, public workshops, clearing, stair construction, boundary markers, posting and possible parking arrangements in order for them to be safe and fully accessible. This would be at a considerable cost to the town and would not provide access for a

substantial number of people. Where there are or have been encroachments, it is advised that the town mark the boundaries.

3. Checklist of Public Access Sites

The following checklist has only brief descriptions of sites that provide, or that might in future provide, public access to the shore. There are fuller descriptions of most of these properties and sites, along with discussion of the issues relevant to them, in the 1992 planning department study and the 1999 parking committee report. (Indeed, much of the following list is based on--and paraphrases--material in one or both of those two reports.) The checklist takes up in order: a) federal and state-owned properties; b) town-owned properties developed for public use; c) properties of whatever ownership that have CRMC designation as ROWs; d) sites that may be considered potential ROWs for possible future CRMC designation; and e) coastal conservation areas that permit at least some public access. In the list below the parking committee's priority numbers are given in parentheses just after the name of the site.

Federal and State-owned Parks

Beavertail State Park (1): a state and federally-owned park on Beavertail Point managed by the DEM Division of Parks. The park consists of 183 acres and has over 1.25 miles of accessible coastline (rocky cliffs interspersed with, on its west side, occasional small beaches). There are spectacular ocean views to the south, east, and west. The Beavertail lighthouse, with a small museum, is at the end of the point. The park has parking lots for over 120 vehicles, portable toilets, ocean overlooks, and a number of walking trails. Fully accessible as a public ROW.

Fort Wetherill State Park (1): a state-owned park in the Dumplings area, managed by the DEM Division of Parks. The park consists of 58 acres and has almost a mile of coastline (high granite cliffs with one pebbly beach). There are spectacular views east to the East Passage and south to Rhode Island Sound. The park has a picnic area, walking trails, World War II gun emplacements that may be visited, and a boat ramp on the beach much used by scuba divers. Fully accessible as a public ROW.

Fort Wetherill State Park Extension (3): a state and town-owned site of 10.5 acres, of which the state owns 7 acres and the town 3.5. The park consists of rocky cliffs, adjacent to Fort Wetherill State Park, extending south and west of the Fort Wetherill boat basin (Fort Cove). The DEM has recently renovated three old military buildings on the site to serve as the Fort Wetherill marine laboratory, housing the marine fisheries section of the DEM Division of Fish and Wildlife. *(There are more details in the Fort Wetherill boat basin section of II-E-3, above.)*

Dutch Island, Gould Island: Accessible only by water, these two islands, of 75 and 41 acres respectively, deserve mention with respect to public access even though they lie outside the scope of the parking committee's report. While the two islands are within Jamestown's jurisdiction, they are at present each owned jointly by the state and the federal government. The state has designated its portion of each island to be part of the state's bay island park system in the future.

Town-Owned Properties Developed for Public Access

Conanicut Battery/DAR Memorial (unrated [under development]): a park of 22 acres on the west side of Beavertail surrounding the site of a Revolutionary War battery (on the National Register of Historic Places) and several early-20th century military installations. The park has about 100 feet of waterfront, but virtually no access to it because of high and steep cliffs. When the parking committee report was written the park was undergoing renovation to preserve the ruins of the fort, to provide nature walks and appropriate signage, and to open the excellent views of the West Passage. The renovation was completed and the park formally dedicated, in June 2002, as the Conanicut Battery on Prospect Hill.

East Ferry (1): a .75 acre complex at the foot of Narragansett Avenue consisting of a marina, two town piers, a town square, a memorial square, a beach extending about one-quarter mile to the north, and a short, non-adjacent, shoreline nearby to the south. (*See the fuller descriptions in the East Ferry sections of II-E-3, above.*) The site has parking--which is likely to be crowded in the summer months--and is fully accessible.

Fort Getty Park (1): a 41 acre site, largely surrounded by water, at the northwest corner of Beavertail, with a trailer park, camping area, restrooms, and other recreational facilities. The Jamestown recreation department maintains Fort Getty, and the town is improving its recreational potential on the basis of a master plan developed in 1994. (*For more details see the Fort Getty section of II-E-3, above.*) The park has an admission fee for automobiles. There is ample parking and waterfront access.

Hull's Cove (1): a 50 foot wide ROW with a narrow path running about a hundred yards from Beavertail Road to Hull's Cove beach. The parking area for four to six cars at the road's edge has little room for expansion. There is trash pick-up at the roadside. The path is level but uneven, the pebbly beach has excellent ocean views. A boardwalk is in the planning stage.

Jamestown Shores (or "Head's") Beach (1): a 1.7 acre site on the west side of the island north of the Jamestown-Verrazzano Bridge. The site has a gently-sloping grassy area with a pebbly beach. There are three stone jetties, a natural boat ramp, a picnic area, trash pick-up, boats moored directly off shore, boats landing on the beach, and a parking area for perhaps 20 cars. In the summer the area is often overcrowded.

Mackerel Cove Beach (1): a wide and sandy public beach at the head of Mackerel Cove, with lifeguards, restroom, shower, and trash pick-up in the summer months. Parking is available, for a \$15 daily fee (or a \$15 annual sticker for residents), for over 50 cars. Fully accessible to the water.

Maple Avenue (2): a rough, potholed town road, with some still unresolved ROW legal aspects, that terminates in a muddy, grassy area abutting an Audubon Society restricted wildlife refuge and CRMC-designated conservation waters. The area is not much used at present, although there are a number of dinghies. A dinghy rack under town control was provided in 2002 in order to help protect the adjacent conservation areas.

Potter's Cove/Taylor's Point (1): a 25 acre site just east of the Pell (Newport) Bridge toll plaza, consisting of a long sandy and pebbly beach extending south toward Taylor Point, which has rocky cliffs and informal trails. Parking is available in both parts of the site. There are paths to the cliffs. A new set of wooden steps leads to the beach. The site is accessible to the water.

West Ferry (1): the old town ferry wharf at the western end of Narragansett Avenue--*more fully described in the West Ferry section of II-E-3, above.* There is usually adequate parking and the site is fully accessible to the water.

CRMC-designated ROWs

The CRMC designated the following rights of way in two stages. Some years ago the town surveyed the first group of seven (indicated by an asterisk [*] below) and marked them with wooden stakes that, it appears, may now be missing or hard to find. In 2001 the town surveyed and marked the second group of six with stone markers, and it will revisit the first seven at a later date.

The following list gives the CRMC identifying number just after the Parking Committee priority designation.

Broad Street/Park Dock* (2): CRMC G-1. A 50' wide paved town road near the north end of the island that runs from East Shore Road to the bay. There are the remains of a stone jetty, some beach, and a small grassy area. The site is not well maintained and has very limited parking space.

Buccaneer Way (3): CRMC G-9. A 40' wide ROW with an unpaved path in the Jamestown Shores Area (off Seaside Drive).

Capstan Way (3): CRMC G-12. A 40' wide ROW with a narrow path over difficult terrain in the Jamestown Shores area (off Seaside Drive). This site is dangerously situated at the base of a hill and at present has a guard rail at its entrance.

Carr Lane (3): CRMC G-10. A 30' wide ROW with a narrow path through thick underbrush running from East Shore Road to the shore, where there is a pebbly beach. There is no parking either in the ROW or on East Shore Road.

Champlin Way (3): CRMC- 8. A 40' wide ROW with a broad path to the water in the Jamestown Shores area (off Seaside Drive). In a particularly crowded residential neighborhood.

Decatur Avenue (3): CRMC G-13. A long 50' wide ROW with a narrow road leading past residential driveways that runs from East Shore Road to the bay. There is room for only three or four cars at the end of the ROW, the road is difficult, and there is other access to the water nearby.

Eldred Avenue* (2): CRMC G-5. A 136' wide state-owned ROW of over half an acre underneath the two Jamestown Bridges. The area is generally grassy and has a steep drop from the bank to the shore. There is potential for parking, but if developed the site would also need stairs to the beach and trash pick-up.

Garboard Street (3): CRMC G-11. A 40' wide ROW in the Jamestown Shores area (off Seaside Drive) overgrown with grass and small trees.

High Street (3): CRMC G-?. A 50' wide ROW that is 600' from the access point to the water. Located at the end of High Street in a residential neighborhood. There is a 20' drop from the bank to the shore.

Hull Street *(3): CRMC G-7. A 44' wide ROW with a gravelly, overgrown path down to the beach in the Jamestown Shores area (off Seaside Drive).

Mast Street* (3): CRMC G-6. A 50' wide ROW in the Jamestown Shores area (off Seaside Drive). There is a path, partially paved and partially through brush, that terminates in a ledge outcrop and boulders and an abrupt 15' drop to a pebbly beach. Also in a congested area, with private docks on either side.

Spindrift Street *(3): CRMC G-4. A 40' wide ROW in the Jamestown Shores area (off Seaside Drive) with a partially filled and level area leading to a narrow dirt path terminating in ledge and a 15' drop to the pebbly beach.

Spirketing Street *(3): CRMC G-2. A 40' wide ROW in the Jamestown Shores area (off Seaside Drive). A grassy strip ends in a metal stairway running down a 20' high embankment. There is a rough beach with several large boulders and a 36" water out-fall pipe.

Steamboat Street* (3): CRMC G-3. A 40' wide ROW in the Jamestown Shores area (off Seaside Drive). There is a section of the ROW encroached by an abutter and a much overgrown section with a gentle slope to the water.

Potential ROW's

The 1999 parking committee report listed 13 "potential" rights-of-way in Jamestown. Five of these were classified unrated, either because of the difficulty of access or physical unattractiveness of the site or because of legal uncertainty as to ownership and abutting private rights. The other potential rights-of-way were rated **3**. Interested readers may find more details about these sites in the Parking Committee's report.

Additionally, there are paper roads in Jamestown that may qualify as potential ROW's.

Coastal Conservation Areas with Some Public Access

Some of the coastal conservation areas (*identified in II-C-4, above*) provide limited access for pedestrians: the Marsh Meadows and the Conanicut Island Sanctuary sites at

Great Creek; the state and town-owned portions of the Hodgkiss Farm; the Fox Hill Audubon Site; the Sheffield Cove Audubon Site; the Racquet Road Audubon Thicket Site.

In any area deemed a shallow water habitat, where the use of motorized vessels could have an adverse effect on the on the existing ecosystem, the use of motorized vessels of any type is prohibited. The intent of this restriction is to preserve the existing habitat.

Where significant shallow-water habitat is identified, boating activities shall be restricted as necessary to decrease turbidity and physical destruction of such habitat.

G. EMERGENCIES: STORM PREPAREDNESS

Inevitably emergencies will occur on and in the waters surrounding Jamestown, from minor ones to major ones such as hurricanes and oil spills. Inevitably the Harbormaster will play a role in responding to these events.

The town's procedures for responding to emergencies are based on its "Emergency Operations Plan ~~2012 November 1992~~", developed under the authority of the Rhode Island Civil Defense Preparedness Act of 1973, and updated in 1994. The ~~2012 1992~~ plan established a "Jamestown Emergency Management Agency" to develop plans, and to be responsible, for any kind of emergency the town might have to confront. Response to specific emergencies as they arise is the responsibility of the "Council of Emergency", which reports to the town council and town administrator (who together constitute the "Council of Defense"). In this command structure the harbormaster reports to all three organizations and is a member of the "Council of Emergency"--along with the chief of police, the fire chief, the town engineer, etc. The harbor commission has no role to play.

Hurricanes and other severe storms are almost certain to do more damage than any other emergency in the harbor commission's area of concern. Over the years hurricanes have caused extensive damage to Conanicut Island and to the boats in its waters: high winds, flood waters, and storm surges have taken lives and destroyed both boats and waterfront facilities. The town's current response to hurricanes may be found in its 18-page document "Hurricane Defense" (approved by the town council ~~in 2012 on August 24, 1992~~), which spells out precisely the steps to be taken by the appropriate town authorities in the progressing stages from hurricane watch, to hurricane warning, to any post-hurricane crises that may arise. The harbormaster's assigned responsibilities are almost exclusively dedicated to the safety of boaters, of boats, and--in conjunction with others--of waterfront property.

The best possible defense against hurricanes is preparedness. Improperly located or maintained moorings, poorly secured boats, and an uninformed and unprepared public can result in serious risk to life and property. Preparation for hurricanes has been an ongoing concern of the harbor commission. In 2000 the Commission produced a two-page flier, "HURRICANE READY? Tips for Preparing for a Hurricane Strike", which it sent to each mooring permit holder and distributed further through marinas, yacht clubs, and other appropriate locations. (See Appendix B-1 for "Hurricane Defense" [1992] and the flyer "Hurricane Ready?" [2000].

H. REFERENCES

- Jamestown, Town of
Conservation Commission, Planning Department, and Recreation Department,
Recreation, Conservation, & Open Space Plan, September 1994 (under
revision)
- Emergency Management Agency
Emergency Operations Plan, November 1992
Hurricane Defense, Jamestown, Rhode Island, August, 1992
- Fort Getty Reuse Committee
Fort Getty Park Master Plan, December 1994.
- Harbor Management Commission
Comprehensive Harbor Management Plan, 1995
Harbor Management Ordinance, 1990
"Team A" informal reports on future Harbor Management Commission
responsibilities, etc., dated August 31, October 6 and 11, 2000
Wright, H.M., position paper on Harbor Management Commission
responsibilities, etc., dated December 10, 2000
- Parking Committee
The Parking Committee's Report on Public Shoreline Access and Rights-
of-Way in Jamestown, April 1999
- Planning Commission
Jamestown Comprehensive Community Plan, 2002
Shoreline Access and Improvement Plan, prepared by Rebecca J Carlisle,
July 1992 Rhode Island, State of: Coastal Resources Management
Council
Coastal Resources Management Program ("Red Book"), 1996 and
ongoing
Guidelines for the Development of Municipal Harbor Management Plans,
June 1998
Public Access to the Rhode Island Coast, written by Pamela Pogue and
Virginia Lee, February 1993
- Rhode Island, State of: Department of Environmental Management
Water Quality Regulations, August 1997 and ongoing
Shellfish Closure Areas, May, 2000-May, 2001, Narragansett Bay, May
2000

III. ISSUES AND IMPLEMENTATION

A. MOORINGS

One of the most serious and urgent issues presently confronting the town with respect to harbor management lies in the number and placement of its current moorings, both private and commercial: the placement of moorings in the waters around Jamestown may be in violation of DEM or CRMC regulations, or both. Since it is important that the town be in compliance with all CRMC and DEM regulations, the issues these moorings raise probably represent the most immediate problems for the harbor commission to address.

Another issue is that there are a number of moorings that are not used as required by the ordinance, and there are also a number of “ghost moorings”, that is, floating mooring balls that are not being used and constitute obstructions. Both preclude issue of new mooring permits.

Issue: East Harbor:

The 1988/90 harbor management ordinance (and repeated in the 1995 comprehensive harbor management plan) stated that the eastern boundary of East Harbor "shall be a line extending 1000 feet seaward of the shoreline." Even as the ordinance was being written, however, there may have been moorings east of that line. Whatever the exact situation at that time, the harbor commission received approval for the East Harbor mooring field from the town council, the CRMC, and the DEM. Since recognition of this nonconformity a significant percentage of the moorings outside the harbor boundary have been eliminated. As of 2007 DEM and CRMC have advised the harbor commission that the remaining private moorings outside the 1000 foot line may continue to be permitted but are to be reduced by attrition. However, it is to be noted that a number of the moorings outside the 1000 foot line are commercial moorings permitted by the Army Corps of Engineers and not subject to town or state jurisdiction.

Goal: To continue the process of reducing the number of non-conforming moorings, to eliminate moorings that are not being used as intended, and to eliminate ghost moorings.

Policy: To provide as many mooring spaces for resident and non-resident boaters as is appropriately feasible while, at the same time, conforming to the requirements of the CRMC and the DEM and wherever possible eliminating non-conforming moorings by attrition, eliminate unused moorings by enforcement of the ordinance, and remove ghost moorings and other unauthorized anchored objects.

Implementation:

Action: Continue the program, begun in 2001, of reducing, through attrition, the private, non-Army Corps of Engineers-permitted moorings outside the 1000 foot line until such time as the town and the DEM and CRMC reach a mutually satisfactory solution.

Employ resilient tackle where possible to allow closer spacing of moorings. Enforce the ordinance to eliminate unused moorings and remove ghost moorings and other unauthorized anchored objects.

Reference: See sections II-D on water quality and II-B and II-E-5 on administrative divisions and moorings, above.

Responsibility: Initiator: Harbor commission; *Resources:* Harbormaster

Timing: The rate of attrition being unpredictable, timing is uncertain; but the commission will report regularly to both the DEM and the CRMC and will work with the two agencies to develop other plans should they find progress unsatisfactory in the future. In any case, the program will be thoroughly reviewed at the end of five years. In recent years numerous unused and ghost moorings have been eliminated through the efforts of the harbormaster.

Costs: There should be no appreciable costs at this stage.

Issue: Coastal Waters/Mooring Areas

Despite Rhode Island's recent "no discharge" policy the U.S. Food and Drug Administration still in part determines water purity (and therefore whether or not shellfish can be shipped out of state) by counting the number of boats with marine sanitation devices that are moored in a given area. The maximum number of boats with marine sanitation devices permitted in a given area without risk of water quality degradation is nine. In addition, the CRMC considers: a) that "any designated area managed by a commercial enterprise, a club, city, or town where five or more recreational craft are kept at moorings" constitutes a "recreational mooring area," and, b) that "any dock, pier, wharf, float, floating business, or combination of such facilities that accommodate five or more recreational boats" constitutes a "marina" (see Redbook, 300.4). The DEM also uses a five recreational boat limit.

In 2001 the DEM suggested to the harbor commission that several stretches of Jamestown's coastal waters--particularly Cranston Cove and Head's Beach--might be in jeopardy of triggering either DEM or CRMC action in this respect. This situation exists even though the exact size of the area in which moorings are counted is not specifically quantified (or quantifiable) and therefore has to be a matter of judgment on the part of the DEM, the CRMC, and, by extension, the town.

In late 2006 CRMC officials performed an on-the-water survey and identified three areas that in their view constituted non-conforming mooring areas, known as Park Dock, Head's Beach and Cranston Cove.

Goal: To insure that the various stretches of Jamestown's coastal waters are properly administered.

Policy: To optimize the efficient use of coastal waters while, at the same time, conforming to the requirements of the CRMC and the DEM.

Recommendations:

- a) That the areas identified by CRMC as non-conforming mooring areas be established as conforming mooring areas under the Ordinance.
- b) That the harbor commission clearly identify, for discussion--both by the local residents and by town residents generally--the alternative future choices for those areas, and draft regulations setting forth the organizational structure whereby additional mooring areas may be established as needed.
- c) That no new moorings be permitted in any mooring area without provision of adequate shoreside facilities, namely parking, restrooms, and trash disposal.
- d) That the commission work with both the CRMC and the DEM to achieve a satisfactory resolution for all parties.

Implementation:

Action: Resolve any issues between the Town and the CRMC and DEM respecting the possibility of excessive numbers of moorings in Jamestown's coastal waters, and formally recognize the three mooring areas identified by CRMC as such. Revise the Ordinance accordingly. Remove moorings from the Park Dock and Cranston Cove areas by attrition, removal of unpermitted moorings, and relocation of moorings as feasible, so that these areas can revert to coastal water status.

Reference: See sections II-D on water quality and II-B and II-E-5 on administrative divisions and moorings, above.

Responsibility: Initiator: Harbor commission; *Resources:* Harbormaster; residents of relevant areas.

Timing: Begin immediately to find a satisfactory resolution within six months of when CRMC approves this plan.

Costs: There should be no appreciable costs at this stage.

Issue: All Waters

The town council upon the recommendation of the harbor commission may establish a shared mooring program in town waters.

B. WATER QUALITY

Water quality as it relates to moorings in Jamestown waters (see "Issue A: Moorings", just above) is the harbor commission's most immediate and urgent water

quality issue. In addition, the town must always be on guard to protect and enhance its water quality in general.

Issue: Toxic and Pathogenic Substances

Although Rhode Island has declared its waters to be a sewage "no discharge" zone, there is continual need to eliminate the discharge of toxic and pathogenic substances. While the town's present harbor management ordinance has a list of prohibited substances, it must bring the ordinance up-to-date with respect to the recent state "no discharge" regulation and with respect to limiting activities that might lead to accidental discharges.

Goal: To maintain and improve Narragansett Bay's water quality by prohibiting activities that would degrade it and by eliminating activities that threaten or impair existing water quality in accordance with DEM water quality regulations.

Policy: To comply with present and future water quality standards for vessels on moorings as well as in all other respects. To encourage marinas and shipyards to adopt, where they have not already done so, operation and maintenance measures to protect the coastal waters. To continue to monitor and protect, as necessary, areas where significant shallow-water habitat is identified.

Recommendation: That the Harbormaster ensure that those individuals issuing moorings, permits, etc. are familiar with the state standards, regulations, and guidelines and that they adhere to those standards.

Implementation:

Action: Amend the harbor management ordinance regularly and as necessary to bring it into accordance with state regulations and to prohibit in-water servicing activities such as antifreeze discharges, painting, and paint scraping.

Reference: See section II-D, above, and the 1988/90 harbor management ordinance, Section 7 ("Regulated Activities").

Responsibility: Initiator: Harbor commission; *Resources:* Town council.

Timing: These changes should be undertaken as soon as the new ordinance is approved.

Costs: There should be no costs involved.

C. PUBLIC ACCESS

1. Land Access

In its 1998 Guidelines for the Development of Municipal Harbor Management Plans (p. 24), the CRMC requires that "Harbor Management Plans shall include public access provisions that: a) Inventory and catalogue the condition of all existing CRMC designated rights-of-way in the community, and identify potential rights-of-way for designation by the CRMC; b) Establish goals, policies, and recommended actions designed to preserve, protect, and enhance the existing public rights-of-way to the tidal waters of the town; c) Design a maintenance program to be implemented by the community to improve and maintain all municipally owned rights-of-way; and d) Develop a prioritized list of CRMC-designated rights-of-way that are municipally owned which could be improved by either public or private entities and identify appropriate site improvements required."

The town parking committee (in its 1999 report) and the town planning commission (in its 2002 revised comprehensive community plan) have already undertaken studies concerned with the identification, prioritization, and maintenance of existing and potential public access sites and rights-of-way. The comprehensive community plan (p.246) has assigned the harbor commission to be a resource in the implementation of two matters pertaining to public access: to implement the recommendations outlined in the parking committee report and to seek outside funding for enhancement of selected rights-of-way. It seems most efficient for the harbor commission, rather than try to develop a separate program, to work with the planning commission to implement the planning commission's recommendations.

Issue: Enhancement of Public Access

Goal: To provide, maintain, and enhance public access to the shoreline.

Policy: To support the policies and actions of the 2002 comprehensive community plan.

Recommendation: That the harbor commission work with the relevant town authorities and the local marinas to implement the comprehensive community plan.

Implementation:

Action: Establish a subcommittee to work with the planning commission in the matter of public access.

Reference: See sections I-D-1 on the planning commission and II-F on recreation areas and public access, above.

Responsibility: Initiator: Recreation department; planning department; *Resources:* Parking committee, planning commission, harbor commission, conservation commission, public works department.

Timing: There should be planning commission liaison reports provided to the harbor commission at six-month intervals on the status of this issue.

Costs: There should be no costs involved for the harbor management account.

2. Water Access. (See also: D. TOWN-OWNED WATERFRONT STRUCTURES)

On many occasions the sentiment has been voiced that Jamestown lacks adequate public facilities for both local and visiting boaters. In general, there is inadequate so-called “touch and go” dock space where boaters can tie up for a short time (residence time is limited to 30 minutes) to load and unload crew, supplies, gear, trash, and so forth. For example, there are many documented incidents of conflicts between boaters attempting to use the touch-and-go dock at the east end of the Wood Pile Pier (WPP) and persons fishing. There is also very limited free dinghy dock space for transients, and no free dock for boaters desiring to tie up for a few hours (as above, time on the touch-and-go docks is limited to thirty minutes)

Issue: Enhancement of Public Access, Resolve Boater/Fisherman Conflicts

Goal/Policy To provide better touch-and-go dockage, reduce or eliminate conflicts between the boating and fishing communities, and provide better access to the shore for visiting boaters or mooring holders .

Recommendation: That the harbor commission work with the relevant town authorities and the local marinas to improve public dock facilities.

Implementation:

Action: In early 2008, the Town Council directed the JHC to set aside a portion of the WPP for fishing and provide an additional short-stay touch-and-go dock to the north side of the WPP. If implemented these could be expected to alleviate the conflicts noted and provide better touch and go dockage. A new touch-and-go dock was added to the WPP over the in winter of 2009-2010.

If a new floating dock is constructed, possibly a free transient dinghy dock space could be incorporated into in a space not suitable for full-size boats.

No proposals are currently on the table for providing town-owned dockage for visiting boaters, and it is difficult to see how this could be accommodated without very significant construction; perhaps this need can be best left to the commercial operators, as at present.

Timing: As above, these matters are currently on the JHC’s active docket.

Costs: Each of the above options will involve some cost, at this point undetermined, although the JHC has obtained a detailed design and estimate for a new touch-and-go dock to be added to the WPP, and has sent it out for bids. Whether this and other improvements can be funded through the JHC budget or will require Town contribution is likewise not yet apparent.

D. TOWN-OWNED WATERFRONT STRUCTURES

Jamestown has a number of waterfront structures (and adjacent properties) that support water-based activities. With varying degrees of urgency, the harbor commission needs to consider the possible future uses of these structures and properties for the years ahead as they pertain to its own particular goals.

As the commission considers the best possible long-term use for these structures and adjacent properties--the beach, launch ramp, concrete pier, wood pile pier with two attached touch and go docks, and public bulkheads at East Ferry; the barn area and waterfront at the Fort Wetherill boat basin; the pier, launch ramp, and outhauls at Fort Getty; the wharf at West Ferry, etc.--a number of questions come to mind: Should the town continue the current uses of these structures or find other ones? Should it choose the uses that maximize boater support, public access, or town revenue? Should it sell any of the structures to private interests? Where leases are coming due should the town renew the current leases on roughly the same terms; should it limit or eliminate certain uses; should it seek the highest market offer; should it operate the facilities itself?

Many of the issues the harbor commission needs to discuss with respect to future uses result from differing groups having desirable and reasonable goals and interests that compete with each other: the convenient location of the East Ferry boat ramp for boaters competes with a free flow of vehicular traffic in the area; the use of, and income from, East Ferry beach permits competes with free pedestrian movement on the beach; on the congested wood pile pier at East Ferry a variable mix of commercial and recreational fishers, recreational boaters, and tourists compete for room on small spaces above the water; and so on. Some of the issues have priority for discussion over others: properties with upcoming lease renewals to consider; structures in a bad state of repair; properties--such as Fort Getty and the Fort Wetherill boat basin--already the subject of evaluation by other departments of the town.

It is self-apparent as well that the existing waterfront structures are in various degrees of disrepair, and that further action is needed to resolve conflicts between user groups. The Wood Pile Pier has been surveyed, and repairs need to be carried out. Repairs have been made to the steel pier, and the utility installation there has been finished off properly. Both the East Ferry and the Ft. Getty boat ramps should be repaired and/or upgraded. The dock at Ft. Getty needs some repair, as do the the dolphins to which outhaul tackle is secured there.

The principal user group conflict at East Ferry is between recreational (and, in the spring, subsistence) fishermen and boaters who both desire to use the outer floating touch and go dock. A floating dock is not a suitable place for fishing; nonetheless, if fishing is to

be permitted on the wood pile pier at all, the seaward end will always be the preferred spot. To address this issue, the JHC has constructed a new touch-and-go dock for the WPP; fishing is not allowed on this dock, so fishermen are now restricted to the pre-existing touch-and-go dock. To an extent, this has displaced commercial fishing dock space, at present (2010) commercial fishing is in decline and the space seems to be available. Nonetheless, it is to be hoped that commercial fishing will recover, and then the space will be again required. Given that the Town's policy is to encourage commercial fishing, we should not hasten to permanently eliminate the town-constructed portion of the wood pile pier as a commercial fishing dock.

Finally, the old ferry dock at East Ferry is an eyesore and hazardous, with rusty rebar protruding through gaping holes in the sagging, concrete deck. This should be repaired or removed entirely. Properly repaired, the space might serve as a sort of scenic lookout, perhaps with picnic tables and the like. Proposals for improvements here are being investigated as of late 2011.

The commission cannot resolve these issues on the town's behalf. It must work with the planning commission, the recreation department, other appropriate town departments, and tenants before making recommendations to the town council. But as the town body most immediately involved in the management of waterfront structures, it should initiate discussion of the issues pertaining to them.

Issue: The Long-term Future of the Town's Waterfront Structures (and Adjacent Properties)

Goal: To make timely recommendations to the Town Council on this subject over the next five years. More specifically, resolve the conflicts between user groups, especially at the wood pile pier. Further, survey the condition of the town-owned structures and make repairs and upgrades as needed.

Policy: To find the best possible long-term use for the town's waterfront structures and associated properties and make repairs and improvements so as to achieve those uses.

Recommendation: That the commission immediately determine the order in which it believes the various structures should be discussed and that it then work with the planning commission, the recreation department, other appropriate town agencies, and tenants to make recommendations to the town council on the future of these structures.

Implementation:

Action: Determine the future of town-owned waterfront facilities.

Reference: See II-E-3 on town-owned waterfront structures, above.

Responsibility: Initiator: Harbor commission; *Resources:* Planning commission, planning department, recreation department, tenants of leased properties.

Timing: As of 2010, the JHC has had a survey of the WPP carried out, has constructed an additional touch-and-go dock to be added to the WPP, has obtained an estimate of. The curbs and rails on the north side of the East Ferry area and the repairs to the steel pier are complete.

Costs: Significant costs will be incurred in obtaining properly engineered, reliably budgeted proposals to address the foregoing issues (although the harbor commission has already had some of the planning and engineering work done), and quite substantial cost would be involved in carrying some of these out.

E. COMMERCIAL FISHING

Jamestown's commercial fisheries help to maintain the island's quality of life. They have historical, social, and economic significance. Like the island's farms and areas of natural open space they reflect the past and contribute to the traditional rural and maritime atmosphere that islander's prize so much. They add richness and variety to what might otherwise be an increasingly monotonous community. And with other commercial fisheries they provide, through the marketplace, the means by which most residents exercise their right to benefit from the "free and common fisheries" guaranteed by the state constitution.

To be successful, commercial fisheries need reasonable support and opportunity. Rhode Island (and other states) supports commercial fisheries in a variety of ways. Jamestown supports them through reduced dockage fees (just as, for similar reasons, it subsidizes open space and farms through lower taxes). Yet to succeed, commercial fisheries must also have adequate waterfront working space; access to vessels, docks, and shore; and well-maintained fish habitats--all within the context of waters and a waterfront serving many different purposes.

Issue: The Appropriate Support for Commercial Fishing

Commercial fishermen at present have no guarantee of adequate waterfront working space in Jamestown. They have occasional difficulty, especially during congested times, finding places to park and--both from the water and the shore--approaching docks to load and unload cargo. Like recreational fishermen, they are particularly concerned that non-point sources of pollution and activities in sensitive areas may threaten the food web and water quality and thus the viability of marine resources. Their distinctive character is that they are businessmen providing food for the general public and that they are dealing with a perishable product.

Goal: To ensure that, with appropriate regard for the needs of others interested in the water and the waterfront, commercial fishermen are adequately supported in their activities.

Policy: To make a commitment to provide priority space for fishing vessels at all appropriate town-owned waterfront facilities and to support the leasing of dock space

at other facilities at equitable rates. To work with the state to preserve and, where possible, to upgrade the water quality and marine habitat of the near-shore waters.

Recommendations:

a) That the town gives first priority to the town-constructed portion of the wood pile pier at East Ferry to any commercial fishermen requesting dock space.

b) That the town attempt to provide ample dock and outhaul space for commercial fishermen at other town-owned locations on the island and to provide and ensure access to docks from shoreside and from the water to facilitate commercial fishing operations.

c) That the town consider commercial fishing business needs along with other businesses when considering parking designation and road access, and that it consider parking options for commercial fishermen at other access points when it formulates plans for those sites.

d) That the town work with the state to balance the interests of commercial fishing with the size of mooring fields and other boating activities in relation to maintaining open waters accessible for marine resources.

Implementation:

Action: Work with the planning department, the recreation department, the parking committee, and the DEM to achieve this goal.

Reference: See section II-C on natural resources, especially subsections 1-2 above; Section II-D on uses and activities, especially subsections 3-6, above; and Section III-D on town-owned waterfront structures, above. Also see the 2002 comprehensive community plan, p. 268.

Responsibility: Initiator: Harbor commission; *Resources:* Planning commission, town council, tenants of town-owned waterfront properties.

Timing: This will be an ongoing project tied to the town consideration of what to do with its waterfront structures and adjacent properties.

Costs: There should be no costs attached to this project until the town has decided the future of its waterfront facilities.

F. EMERGENCIES: STORM PREPAREDNESS

Storm preparedness is vital for everyone on or near the waterfront. While the town's responsible organization, the emergency management agency, has developed, and is

continuing to develop, detailed emergency procedures for storms (as well as for other potential disasters) there is still work for the harbor commission to do.

Issue: To contribute in the most effective way possible to the town's emergency procedures for storm preparedness.

Policy: To assist the emergency management agency in improving emergency procedures so as to provide the greatest safety possible for people and property on the island and on adjacent waters.

Recommendation: That the harbor commission assist the emergency management agency in whatever way the agency may find useful to improve and publicize hazard mitigation plans for storms and for other emergencies that fall within the commission's area of concern.

Implementation:

Action: Work with the harbormaster to find ways the commission may be useful to the emergency management agency.

Reference: See Section II-G on storm preparedness, above, and the CRMC 1998 Guidelines, pp. 31-38, 71-82. Also see the Jamestown ~~emergency management agency's Storm Preparedness and Hazard Mitigation~~ Jamestown Emergency Operations Plan (2012 November, 1992) and Hurricane Defense, Jamestown, Rhode Island (August, 1992).

Responsibility: Initiator: Emergency management agency; *Resources:* Harbor commission, other relevant town authorities, etc.

Timing: Require an annual report from the harbormaster on this issue.

Costs: There should be no costs involved.

G. OUTHAULS

Concern about outhauls has increased over the past several years not only in Jamestown but also in other waterfront communities throughout Narragansett Bay-- particularly in the bay's southern sections. The issues involved include various competing rights or desirable goals, such as free passage along the shore below mean high water, free passage on the water, riparian owners making optimum use of their shorefront property, abutting riparian owners making optimum use of the adjacent waters, the comparative ecological impact of outhauls vis-a-vis piers, and so on. There are policy issues, such as whether outhauls attached to piers should be treated differently from those attached to the shore, and so on. And there are the usual harbor management issues of jurisdiction, administration, expenses, and fees.

In May, 2000, as a way of beginning to address the issues, the harbor commission approved a motion to notify owners of outhauls that in future they must file a yearly

application for each outhaul they own. It also announced that a fee would be charged for outhauls in 2001. (The Commission referred only to outhauls attached to in-water moorings, assuming that dock-to-piling and dock-to-shore outhauls fall under the jurisdiction of the CRMC.) There was little response to the Commission's notice, and it was not possible to follow up on the matter in 2000.

At about the same time, the CRMC began independently to address some of the complicated legal and policy issues involved. As a consequence of CRMC's involvement, in 2001 the role of the Commission with respect to outhauls was largely one of assisting the CRMC: of participating in CRMC discussions when invited and of providing whatever information the CRMC or the town might find useful.

As of 2007, the CRMC had proposed regulations pertaining to outhauls, such that municipalities may permit up to two (2) outhauls to the contiguous waterfront property owner. The accompanying revised ordinance allows the harbor commission to regulate outhauls on riparian property, set a fee to be charged, and so forth, and will set a policy whereby permit-holders for the outhauls on town property at Fort Getty and West Ferry will lose their permits if the outhaul is not used, as in the case of moorings.

Goal: To resolve, in conjunction with the appropriate town agencies, the various issues pertaining to outhauls in Jamestown waters.

Policy: To develop a fair and equitable method of managing outhauls in Jamestown waters that is consistent with our fundamental goals: minimizing user conflicts, maximizing the efficient use of the water, protecting the coastal environment, and maintaining and enhancing public access to the shore; and remaining consistent with the goals, policies, and regulations of the CRMC.

Recommendations:

a) That the Commission make a census of all existing outhauls that includes, for each outhaul, the exact location of the outhaul, specifications of the mooring tackle attached to the outhaul, the length of the outhaul line, the kind of boat kept on the outhaul (primary? dinghy? motorboat? sailboat?), to what extent the outhaul impedes the right of passage along the shore, and any other information that seems pertinent to developing suitable policy.

b) That the Commission work with the relevant town agencies to develop a policy appropriate to Jamestown's particular circumstances.

Implementation:

Action: See "Recommendations", above.

Reference: See section II-E-5 on moorings, above.

Responsibility: Initiator: Harbor commission; Resources: recreation department, planning commission, CRMC.

Timing: Policy should be developed, so that, if necessary, appropriate consultation with the CRMC may be undertaken, and so that public hearings and any amendments to the harbor management ordinance may be completed before the deadlines for the budget and for application forms are due in early 200[4]9.

Costs: There should be only minor administrative costs in developing this policy.

H. HARBOR BOUNDARIES

In an effort to resolve issues related to the town's harbor boundaries, the harbor commission should direct its attention to developing, for presentation to the DEM and CRMC, a plan to correct the anomalies in harbor boundaries that now exist. Some of the problems with the current harbor boundaries that have been raised by various members of the commission are as follows:

East Harbor: **Mooring zone:** The waiting list time for moorings in the East Harbor mooring zone is now well over ten years, and yet there are areas in that zone that, realistically, cannot be utilized for moorings, where boats are exposed both to strong winds and to strong tides, and where access is extremely difficult for individuals who do not belong to a nearby yacht club or a commercial mooring launch service. There has been, also, a reduction in the size of the mooring zone (and an increase in the size of the transient zone) through the recent movement of government marker G"11" to the north. An additional complication is that the U.S. Army Corps of Engineers granted commercial mooring permits for areas outside the harbor's 1000' line that pre-date the 1988/90 ordinance. Finally, the town currently has no 50-foot setback from the shore for its mooring areas in either harbor and it allows swimming in those areas (except from town-owned property)--an arrangement that has worked well in the past but that the CRMC may require to be changed if it cannot be grandfathered. It would be greatly advantageous, even if no increase in size is possible, to be able to reconfigure the mooring zone in a way that could make its use more efficient. **Transient zones:** Perhaps most obviously in need of harbor boundary change are the zones for transient boaters trying to find a public mooring or a place to anchor. The two transient zones in the 1990 ordinance are 1) **north** of the Newport (Pell) Bridge, in open water, and over 500 feet from the nearest shoreline--which is itself largely in private hands and more than a mile from town; or 2) **south** of a line extending from Bull Point to government marker G"11", in what is effectively the main channel, exposed to the weather, in water that is up to 100 feet deep, and with the nearest landing place more than two miles from town. Surely it should be possible to find some location nearer the East Ferry for transient boaters. (G"11" is now also placed well beyond the 1000' harbor boundary.) **Conservation zone:** The only town conservation zone in East Harbor is north of the Newport (Pell) Bridge within 500 feet of the shore, an area near the town's marine sewer outfall off Taylor Point that the CRMC designates Type 1 waters.

West Harbor: **Mooring Zone:** Given the number of boats that use West Harbor, and given the harbor's safety and attractiveness, it would be desirable to expand the mooring zone somewhat if that is possible. The absence of a 50-foot setback (described

under the East Harbor mooring zone) must also be addressed. **Transient zone:** The transient zone, which is considerably larger than the mooring zone and which directly interferes with free passage of vessels on the east side of Dutch Island, needs to be appropriately reduced in size, while kept still convenient for visiting boaters.

Conservation zones: The south conservation zone simply replicates a CRMC Type 1 Conservation Area. The north conservation zone, which is larger than the transient and mooring zones combined and which has an unmarked turning point 1000 feet off the coast, is in CRMC Type 2, Type 4 waters and is classified as SA waters under DEM regulations, and except for a small area around the mouth of the Great Creek, may be reviewed for conservation purposes.

The JHC has also considered reconfiguration of the West Ferry waters to enlarge the mooring zone, by reducing the area of the transient zone, which is not extensively used at present. However, as of 2011 the harbormaster advises that there is still space for additional moorings in the existing mooring zone, so this initiative has been deferred. Shoreside access is apparently more of a problem, in that there is insufficient parking space in the West Ferry area to accommodate more boaters. Possibly more shoreside access could be provided at Ft. Getty, but this would require dinghy docks and other infrastructure, which has not yet been addressed in detail.

South (Mackerel Cove) Harbor: **Conservation zone:** The town designates all of this area as a conservation zone. It is in any case largely taken up by the swimming area for the public beach that stretches across its north end. It is part of a CRMC Type 1 Conservation Area.

Goal: To reconfigure the town's harbor boundaries so that they more effectively serve the purposes for which they were intended.

Policy: To work--consistent with town, DEM, and CRMC guidelines--to provide more mooring spaces for residents and non-residents, to provide more convenient public moorings and anchorages for visiting boaters, to provide more productive approaches to conservation, and to reduce total harbor areas where that is possible.

Recommendations: The town shall review its existing harbor lines and propose amendments as deemed necessary and with consideration to CRMC and DEM regulations.

Implementation:

Action: Establish an ad hoc subcommittee to study the issue and report to the full Commission. Establish an appropriate liaison with both the CRMC and the DEM.

Reference: See sections II-B, on current harbor boundaries, and II-D, on CRMC and DEM water classifications, above; the CRMC's Coastal Resources Management Program ("Red Book"), 1996 and ongoing; and the DEM's Water Quality Regulations, August 1997 and ongoing.

Responsibility: Initiator: Harbor commission; Resources: planning commission, conservation commission, CRMC, DEM.

Timing: The most urgent task for the Commission is to resolve issues relating to East Harbor moorings. It should undertake the harbor boundary issue either after or in conjunction with that Issue.

Costs: There should be only minor administrative costs in resolving this issue.

The Town of Jamestown

Comprehensive Harbor Management Plan

Appendix A

The Town of Jamestown

Comprehensive Harbor Management Plan

Appendix B

THE TOWN OF JAMESTOWN, RI

HARBOR COMMISSION

JAMESTOWN COMPREHENSIVE HARBOR MANAGEMENT PLAN

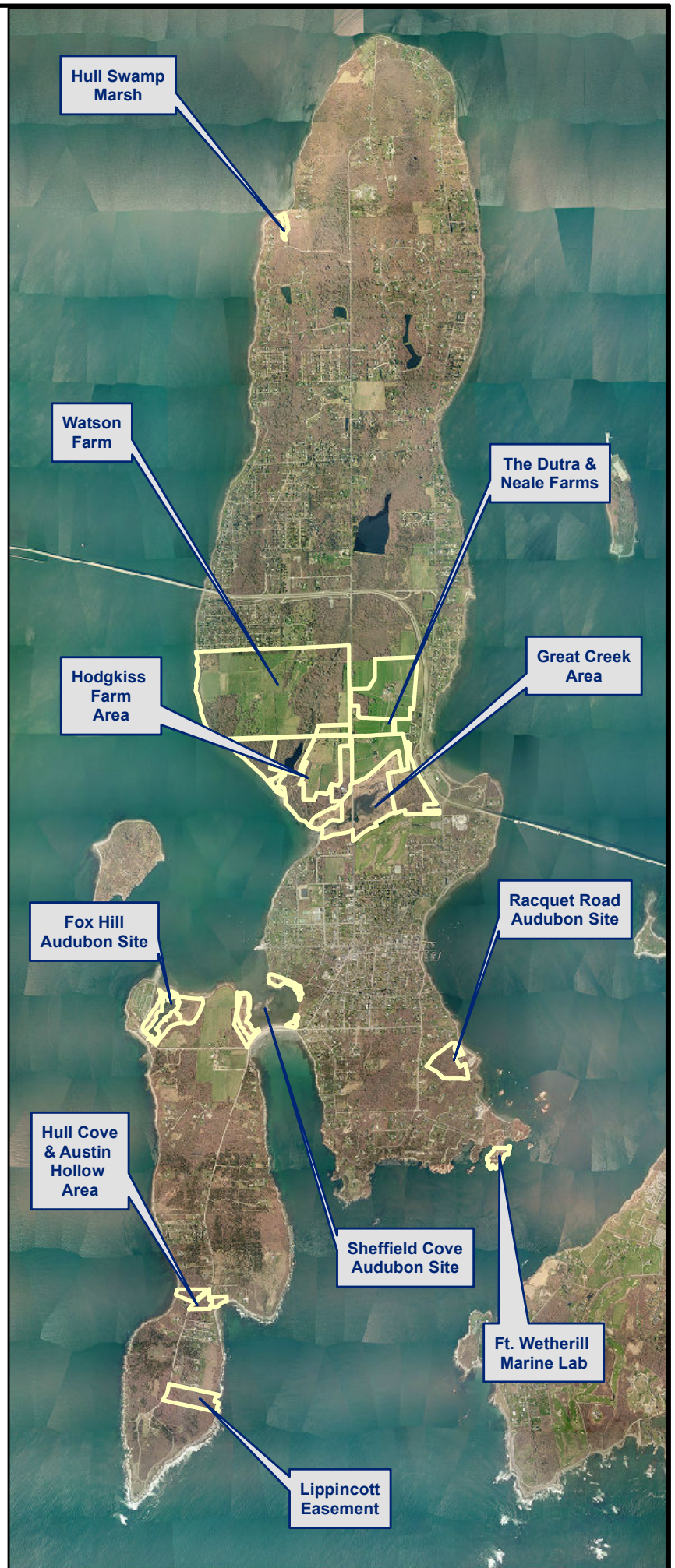
APPENDIX A: Map of Coastal Conservation Areas

0 1 2 Miles

The information depicted on this map is
for illustrative purposes only.
For descriptions of these
conservation areas, please consult
the Harbor Management Plan



Jamestown GIS Department
J. Jobin - September 2010

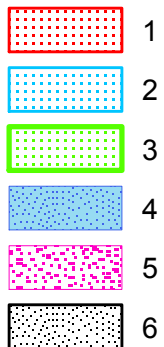


THE TOWN OF JAMESTOWN, RI

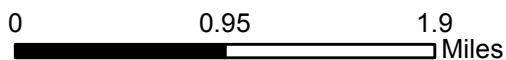
HARBOR COMMISSION

CRMC Water Designations

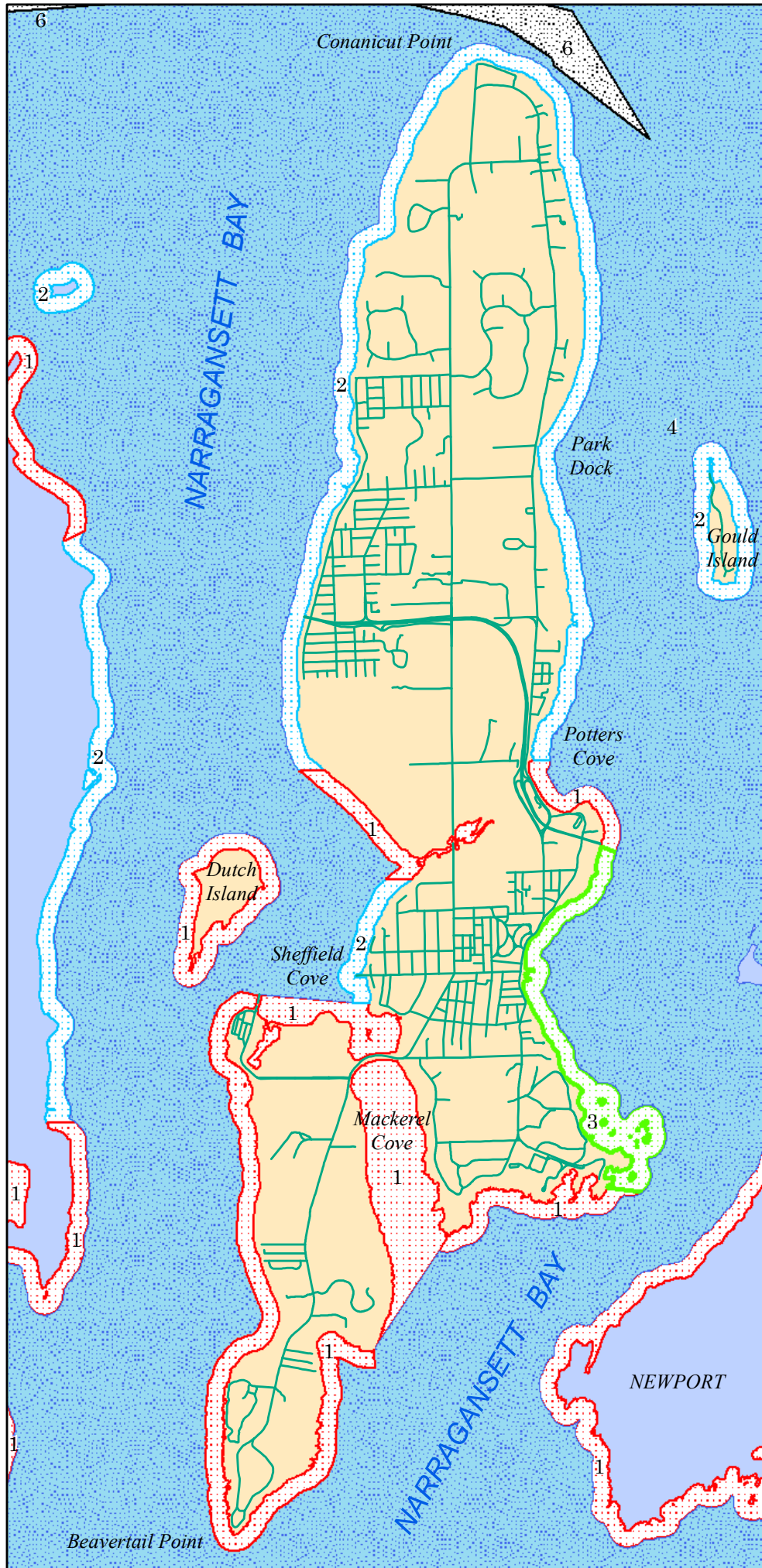
CRMC Water Designation Type



The information depicted on this map is for illustrative purposes only. For legal boundary definition or regulatory interpretation please consult the Harbor Management Ordinance.



RIGIS




MAP 10

Hydrologically Sensitive Areas

TOWN OF JAMESTOWN RHODE ISLAND

Comprehensive Plan, 2012

Map Legend

-  Roads
-  Streams
-  Ponds
-  A & AE Zone*
-  V - Zone**
-  Town Water Supply Watershed
-  Wetlands

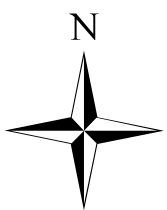
*A & AE Zone: Area within a Special Flood Hazard Area, landward of a V Zone or landward of an open coast without mapped V Zones.

**V - Zone: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

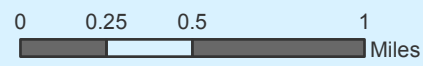
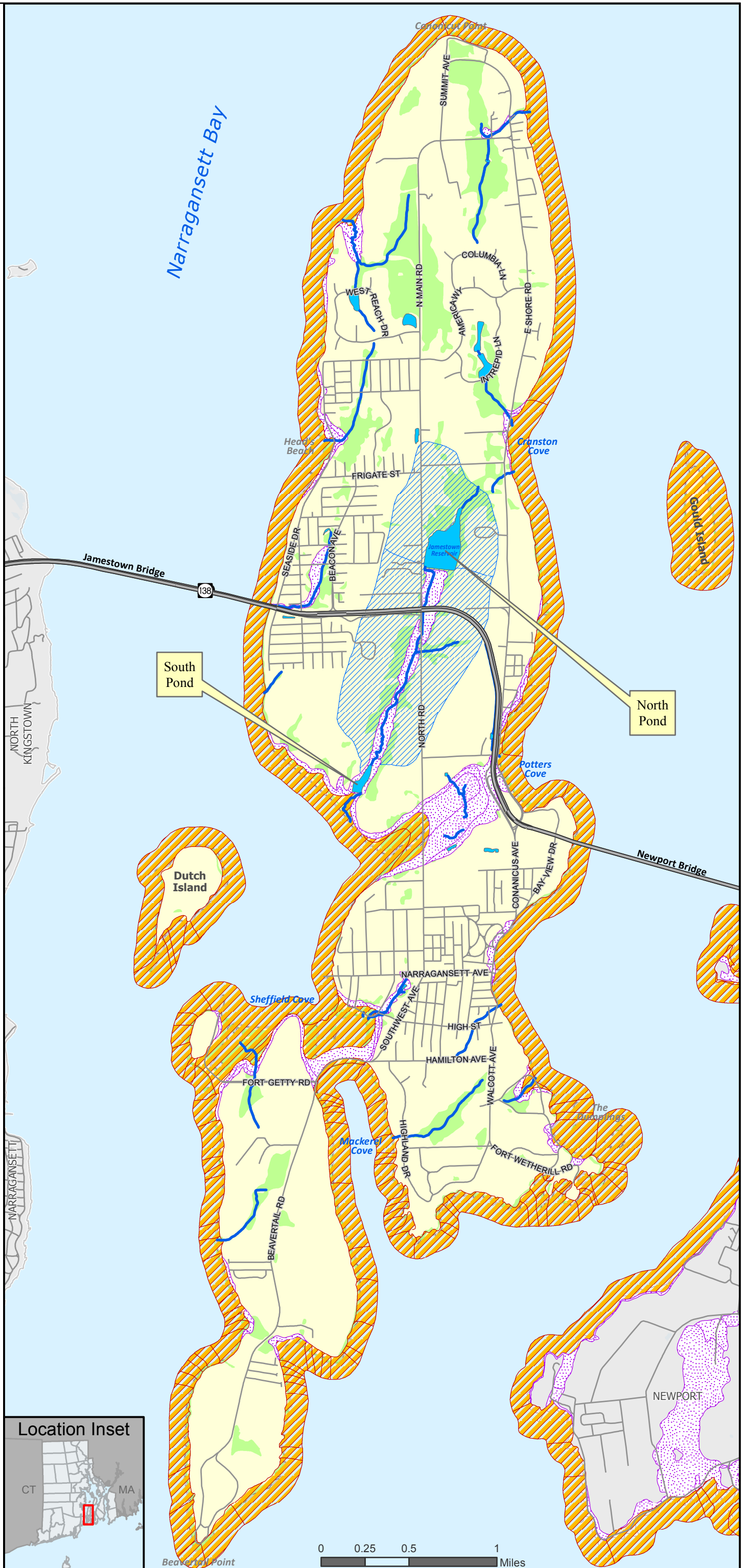
Source:
RIGIS

The Town of Jamestown
FEMA FIRM Hazard
Data for 2010

This map is not the product of a Professional Land Survey. It was created by Jamestown GIS Department for general reference, informational, planning or guidance use, and is not a legally authoritative source as to location of natural or manmade features. Proper interpretation of this map may require the assistance of appropriate professional services. The Town of Jamestown makes no warranty, express or implied, related to the spatial accuracy, reliability, completeness, or currentness of this map.


















Justin Jobin, Marianne Diffin
Jamestown GIS Dept.
May 2013



MAP 3 Existing Zoning

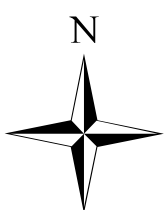
TOWN OF JAMESTOWN RHODE ISLAND Comprehensive Plan, 2012

Map Legend

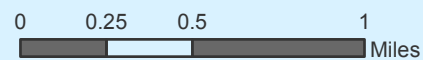
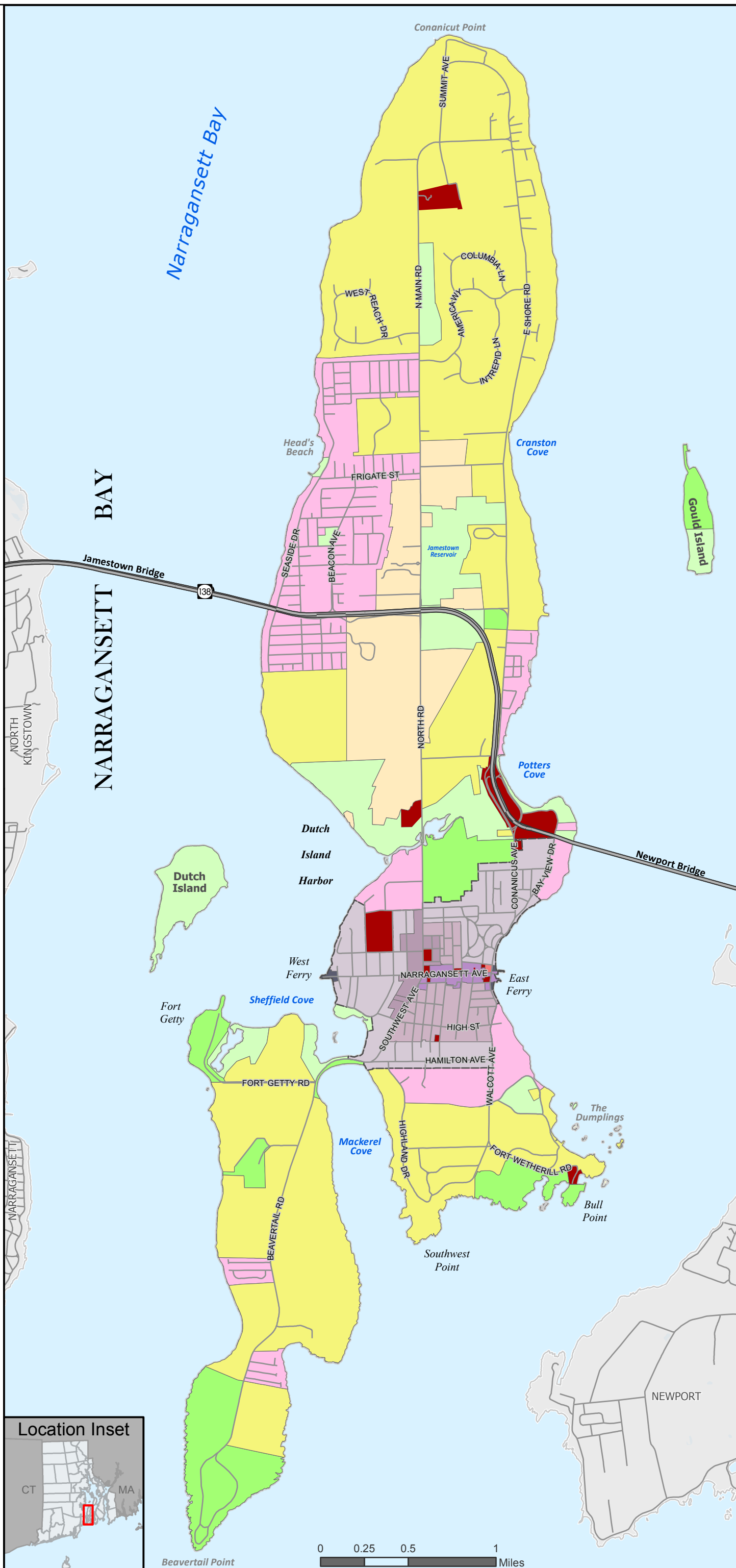
-  Jamestown Village Special Development District
- Zoning Districts**
-  OS-I
-  OS-II
-  CL
-  CD
-  CW
-  DC
-  P
-  R-8
-  R-20
-  R-40
-  RR-80
-  RR-200
-  Ponds
-  Roads

Source:
RIGIS
The Town of Jamestown

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Justin Jobin, Marianne Diffin
Jamestown GIS Dept.
May 2013



MAP 11

SHORELINE ACCESS: Existing and Potential Rights-of-Way

TOWN OF JAMESTOWN RHODE ISLAND

Comprehensive Plan, 2012

Map Legend

~ Roads

Boundaries

- Jamestown
- RI Municipal
- Other States

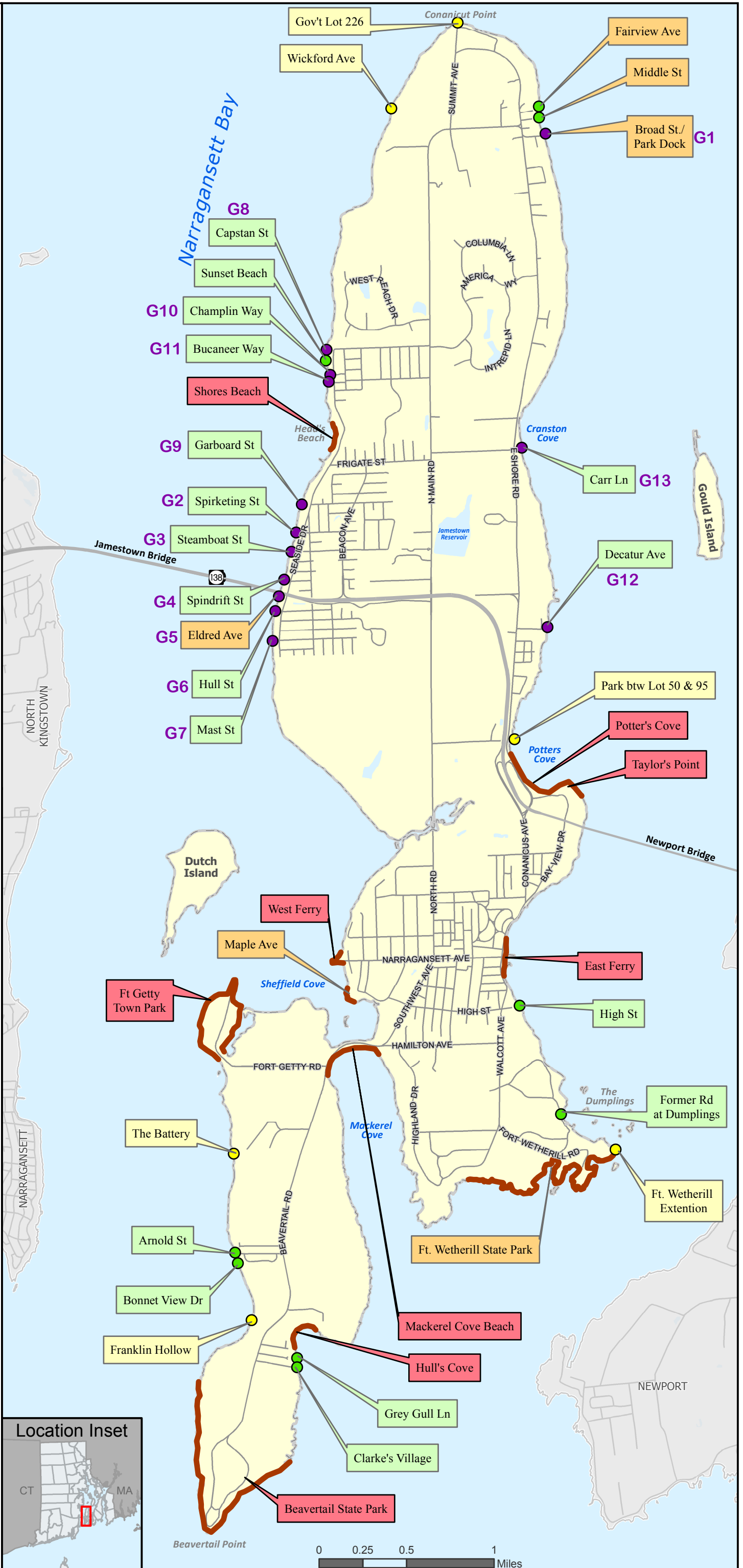
Rights-of-Way

- No 1 Priority Sites
- No 2 Priority Sites
- No 3 Priority Sites
- No recommendation until further review
- CRMC ROW Designation

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Justin Jobin, Erin McKinley
Jamestown GIS Dept.
March 2013



STORM PREPAREDNESS AND HAZARD MITIGATION

TOWN OF JAMESTOWN

December 10, 2012

One of the critical harbor and shoreline users is the individual boater. Because they are often the primary occupants of the harbor area, they should be given special attention. As part of this element of the harbor plan and related ordinance, each boater should complete and submit to the Harbormaster a preparedness plan. There is a growing amount of technical and educational material being developed for individual boat owners about to prepare for storm events.

The following is a summarization of key points contained in the current literature.

Boat owners will be faced with the decision of what to do with their boats in advance of a storm event.

If the storm is less than tropical strength and the decision is made so that boats can remain tied to the docks, all lines should be doubled and chaffing protection provided where dock lines pass through fairleads and chocks over the vessel's side. Dock lines should be attached to the high end of the pilings, if on a floating dock, rather than to cleats or other fastenings on the dock.

If mooring tackle has been recently inspected and serviced, leaving the boat on the mooring may be the best option. One of the drawbacks to staying on a mooring, as with staying at a dock, is the threat of storm surge. Check with expected storm-surge forecasts to determine if the scope of the mooring will provide sufficient holding power at maximum tidal flow. All individuals using their moorings during a storm must notify the Harbormasters Office that they will be weathering the storm on the mooring. Those same individuals will also be required to notify the Harbormaster again when finally leaving the vessel. The Town of Jamestown requires mooring inspections to be done every third year, before the mooring permit will be renewed.

Regardless of whether the boat remains at a dock or mooring, there are some basic steps that need to be taken before the storm strikes. The first step is to minimize the amount of surface area the wind can work against. The more surface area the wind has to push on, the greater the strain on all components of your boat and securing devices. Remove sails entirely and stow them below deck, especially roller furling jibs. Secure or remove everything in the cabin that is not fastened down, with particular attention to the galley area and chemicals stored in lockers. Secure all ports and hatches, and remove and cap all funnels. Tightly secure the tiller or wheel with strong lines from either side of the cockpit, do not leave coils of line on deck, and take out all slack from running lines on the deck or mast. In order to minimize damage caused by impact of loose boats in a crowded harbor, it is important to place fenders on both sides of the boat. Once all precautions have been taken, the boat owner should leave the boat and seek shelter.

Can the municipality tow a disabled vessel?

According to the U.S. Coast Guard, assistance cases fall into two broad categories: distress and non-distress. Distress is defined as imminent danger requiring immediate response and assistance (U.S. Coast Guard COMDTINST 16101.2B, p. 2). If the situation is life threatening, the historic law of the sea obliges the Harbormaster, or any boater, to render assistance.

In cases of distress the Coast Guard should be notified immediately of the situation and of the intent of the Harbormaster. The Harbormaster plays a key role in the hierarchy of emergency response, as he/she is often the

first to arrive on-scene. If the Coast Guard deems it necessary, it may direct other private/public resources, in addition to its own, to respond. If the Coast Guard arrives and finds a stable situation with the first responders capable of assisting, it may withdraw its response equipment.

However, if the Coast Guard finds the situation unstable, and if the first responders are unable to provide the necessary assistance, it will intervene immediately. When a Harbormaster responds to a distress situation, and provides some form of emergency aid, he/she is afforded protection from liability through Title 46, Section 2303 of the US Code which states:

Any person...who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty without objection of any person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance for any act or omission in providing or arranging salvage, tonnage, medical treatment, or other assistance where the assisting person acts as an ordinary, reasonable prudent man would have acted under the same or similar circumstances.

The key phrase here is “act as an ordinary, reasonable prudent...” which dictates that the Harbormaster must act in good faith and in a reasonable, seamanlike manner. Any variance from this standard may increase liability.

This potential liability, and the fact that alternatives exist, should dissuade the Harbormaster from towing. Other resources that may be able to offer assistance can be contacted. The Coast Guard will issue a Marine Assistance Request Broadcast (MARB) which solicits voluntary response of anyone who can assist the disabled mariner (including Coast Guard Auxiliary Units and good Samaritans) (U.S. Coast Guard COMDTINST 16101.2B, p. 2). A Harbormaster may also contact a friend or family member of the boater for assistance.

Another viable form of assistance may be sought through professional towing companies that work in the area. The Harbormaster can provide the disabled boater with information on how to contact these companies, and their current rates. In most instances these firms will contact the boater directly in response to the MARB. Once the boater decides upon a service and a verbal agreement is made, the Harbormaster cannot interfere with that contract. Safe Sea - 401-294-2360 Sea Tow - 800-338-7327

It is clear that "good faith" actions of Harbormasters are protected, to some degree, by the "Federal Boating Safety Act of 1971," but to what extent remains uncertain. Unfortunately, there is no statutory framework from which to formulate guidelines. Issues such as this are decided by customary law, which means each case is reviewed individually by a judge and jury. Because there are so few cases involving Harbormaster liability, judges and jurors lack prior judicial decisions which set precedents. It is therefore difficult to predict the extent to which Harbormasters will be protected by the state. In order to limit the potential of being found liable, Harbormasters must realize the extent of their liability and must make rational, professional decisions which can be supported as reasonable actions before a court of law.

What is the municipalities mooring liability?

The major concern focuses on the Harbormaster's involvement with setting mooring standards, placing ground tackle and conducting inspections. In order for a Harbormaster to avoid or minimize the amount of liability he/she must exercise reasonable care. This includes:

- (1) setting mooring standards which are appropriate for the area. The Harbormaster must be able to justify the standards which have been set. The maximum load the mooring gear is expected to withstand must be identified and documented (Taylor, 1992);
- (2) providing mooring occupants with information on the stress points of moorings and offering advice on dealing with extreme weather conditions; and
- (3) ensuring that all mooring gear under town control is routinely inspected, and that proper records of these inspections are kept. The question of liability continually arises if the town conducts the inspections itself. Liability results not because the town inspects the mooring, but because it does so improperly or fails to correct a situation in which the mooring does not meet specifications. The

Town of Jamestown places the burden of mooring inspection on the boaters. Moorings are to be inspected every third year by a certified mooring inspector. (*Harbor Management Ordinance, Sec.78-26(k). Mooring Inspections.*)

- (4) identifying and correcting situations which may cause damage to a moored vessel. If a Harbormaster learns that two boats are hitting one another while on town managed moorings, the situation needs to be rectified quickly. The Harbormaster must first stop the vessels from hitting. This can be achieved by removing one of the vessels from its mooring. The Harbormaster then decides where to move the vessel. Jamestown mooring tackle specifications are indicated in the Jamestown Town Codes. Information on mooring specifications and storm preparedness can be obtained through the Harbormasters Office.

HAZARD MITIGATION PLAN

SUMMARY FOR THE TOWN OF JAMESTOWN AND SURROUNDING WATERS

- Land Use: The land use along the shores of Jamestown is a combination of residential and boatyards. water dependent commercial development, such as marinas, boat yards, etc. The majority of residential and commercial properties will be significantly affected in the event of severe weather combined with high tides and a substantial storm surge.
- Moorings: The town regulates mooring fields in

100. Authority:

The primary authority for carrying out the responsibilities detailed in this plan is vested with the Harbormaster, who will work in cooperation with the harbor commission. However to successfully complete the activities outlined in this plan, the Harbormaster is required to work with other town departments including the: planning board, police and fire departments, town planners, building code official, department of public works and the emergency management director.

200. Goals of the Harbor Hazard Mitigation Plan

To prevent the loss of life and property by:

- properly preparing for storm events
- having a completed and enforceable response and recovery plan
- working in cooperation with harbor and shorelines users to ensure that a coordinated approach is applied to hazard mitigation
- integrating harbor hazard mitigation activities with other, ongoing, local hazard mitigation programs.
- identifying and completing long term actions to redirect, interact with or avoid the hazard.

300. Risk Assessment

310. General Characteristics^[kd1]:

Conanicut Island is surrounded by water of considerable depth, especially along the southern part of its eastern coast, where readings of more than forty, and occasionally sixty, feet may be found within 500 feet of the shore. Water near the shoreline is shallower in Mackerel Cove and to the north (especially in Dutch Harbor and north of the Jamestown-Verrazzano Bridge). Specific water depths of various locations around the island are indicated on NOAA charts #13223 and #13221.

Navigation to, from, and around the island is generally straightforward. Some unmarked dangers to navigation do exist. There are occasional submerged or semi-submerged boulders situated around the island very near the shore. There are a few submerged ledges in deeper water, notably near Kettle Bottom Rock and in the Dumplings area. Otherwise, as the charts indicate, navigation around the island and into the harbors from any direction is well-marked and direct.

The waters surrounding Jamestown can be divided into three general uses:

1. Open space – approximately 34 % of Jamestown’s waterfront is open space.
2. Residential - this use totals approximately 63 % of the land use. Generally, the single family dwellings are built upon lots that range from 10,000 square feet to 1+ acres.
3. Commercial – commercial waterfront uses, such as marinas comprise 3% of the

320. High Hazard Areas:

Historically, flooding has always been significant during storm events for Jamestown.

330. Risk Assessment Table

Threat	Marine interest	Effect	Result -1	Result -2
Flood/surge	Boaters on moorings and docks	decreased scope	Dragging	
		Lower	threaten shoreline homes	
		Middle	threaten shoreline business	
		Upper	Severe threat to auto bridge	
	Marina facility	flooded facility	floating debris	
		spills of hazardous material	threaten surrounding	
		Docks topping piles	freed docks and boats	
	Private residences		flooded property	
		Docks topping piles	freed docks and boats	
Wind	Boaters on moorings	windage	Dragging or pennant	
	Marina facility	windborne debris	structural damage	

400. Strategies for Preparedness, Response and Recovery

410. Town of Jamestown - The Harbormaster will coordinate all harbor activities related to preparation, response and recovery. This will be done in coordination with the emergency management officer and other department heads.
- 410.1 Preparedness - The Town of Jamestown , through its Harbormaster, will activate the following preparedness, response and recovery plan 72 hours prior to a severe storm event or as necessary for unpredictable events.

THE SAFFIR-SIMPSON HURRICANE SCALE

The Saffir-Simpson Hurricane Scale is a 1-5 rating based on the hurricane's present intensity. This is used to give an estimate of the potential property damage and flooding expected along the coast from a hurricane landfall. Wind speed is the determining factor in the scale, as storm surge values are highly dependent on the slope of the continental shelf in the landfall region. Note that all winds are using the U.S. 1-minute average.

Category One Hurricane:

Winds 74-95 mph (64-82 kt or 119-153 km/hr). Storm surge generally 4-5 ft above normal. No real damage to building structures. Damage primarily to homes, shrubbery, and trees. Some damage to poorly constructed signs. Also, some coastal road flooding and minor pier damage. Hurricanes [Allison](#) of 1995 and [Danny](#) of 1997 were Category One hurricanes at peak intensity.

Category Two Hurricane:

Winds 96-110 mph (83-95 kt or 154-177 km/hr). Storm surge generally 6-8 feet above normal. Some roofing material, door, and window damage of buildings. Considerable damage to shrubbery and trees with some trees blown down. Considerable damage to mobile homes, poorly constructed signs, and piers. Coastal and low-lying escape routes flood 2-4 hours before arrival of the hurricane center. Small craft in unprotected anchorages break moorings. [Hurricane Bonnie](#) of 1998 was a Category Two hurricane when it hit the North Carolina coast, while [Hurricane Georges](#) of 1998 was a Category Two Hurricane when it hit the Florida Keys and the Mississippi Gulf Coast.

Category Three Hurricane:

Winds 111-130 mph (96-113 kt or 178-209 km/hr). Storm surge generally 9-12 ft above normal. Some structural damage to small residences and utility buildings with a minor amount of curtainwall failures. Damage to shrubbery and trees with foliage blown off trees and large trees blown down. Mobile homes and poorly constructed signs are destroyed. Low-lying escape routes are cut by rising water 3-5 hours before arrival of the center of the hurricane. Flooding near the coast destroys smaller structures with larger structures damaged by battering from floating debris. Terrain continuously lower than 5 ft above mean sea level may be flooded inland 8 miles (13 km) or more. Evacuation of low-lying residences with several blocks of the shoreline may be required. Hurricanes [Roxanne](#) of 1995 and [Fran](#) of 1996 were Category Three hurricanes at landfall on the Yucatan Peninsula of Mexico and in North Carolina, respectively.

Category Four Hurricane:

Winds 131-155 mph (114-135 kt or 210-249 km/hr). Storm surge generally 13-18 ft above normal. More extensive curtainwall failures with some complete roof structure failures on small residences. Shrubs, trees, and all signs are blown down. Complete destruction of mobile homes. Extensive damage to doors and windows. Low-lying escape routes may be cut by rising water 3-5 hours before arrival of the center of the hurricane. Major damage to lower floors of structures near the shore. Terrain lower than 10 ft above sea level may be flooded requiring massive evacuation of residential areas as far inland as 6 miles (10 km). [Hurricane Luis](#) of 1995 was a Category Four hurricane while moving over the Leeward Islands. Hurricanes [Felix](#) and [Opal](#) of 1995 also reached Category Four status at peak intensity.

Category Five Hurricane:

Winds greater than 155 mph (135 kt or 249 km/hr). Storm surge generally greater than 18 ft above normal. Complete roof failure on many residences and industrial buildings. Some complete building failures with small utility buildings blown over or away. All shrubs, trees, and signs blown down. Complete destruction of mobile homes. Severe and extensive window and door damage. Low-lying escape routes are cut by rising water 3-5 hours before arrival of the center of the hurricane. Major damage to lower floors of all structures located less than 15 ft above sea level and within 500 yards of the shoreline. Massive evacuation of residential areas on low ground within 5-10 miles (8-16 km) of the shoreline may be required. [Hurricane Mitch](#) of 1998 was a Category Five hurricane at peak intensity.

over the western Caribbean. [Hurricane Gilbert](#) of 1988 was a Category Five hurricane at peak intensity and is one of the strongest Atlantic tropical cyclones of record.

LEVEL 3 - 72 HOURS

1. If hurricane, begin tracking and monitoring hourly weather reports
2. Contact any services under contract for after event to assess their readiness
3. Manage harbor traffic as it increases during marina/boater preparation activities
4. Ensure fuel tanks are full and reserve batteries are charged
5. Inventory and update first aid equipment and other onboard emergency tools
6. Contact local marinas and boat moving companies for statuses to relay to mariners.
7. Maintain radio watch
8. Alert local port community, encouraging boat owners to seek safe refuge, remove boats from water, or take action to minimize damaging effects
9. Alert local marinas, marine interests, holders of mooring permits, and occupants of special anchorage areas to impending emergency.
12. Document waterfront using photographs or video
13. Start tracking time and resource allocations for possible state and federal reimbursement.
14. Post notice to have all vessels removed from Town docks.

LEVEL 2 - 48 HOURS

1. Continue to perform activities in level 3
2. Contact mooring permit holders who are not complying with preparedness plan.
3. Assist marinas/waterfront business with special requests
4. Continue to manage harbor traffic as it increases
5. Finalize emergency work schedule with assistant Harbormasters
6. Confirm arrangements to have Harbormaster vessel hauled and stored
7. Preparation of town properties with department of public works, that includes:
 - removing all town equipment from flood plain
 - securing all items such as trash bins, benches, etc..
 - complete necessary precautions for Harbormaster office
8. Establish liaison with police, fire and public works departments
9. Alert maritime community to unsafe conditions in the harbor as needed
10. Curtail regular business activities
11. Begin regular patrols of the harbor to ensure necessary individual precautions are begin taken
13. Alert local harbor community to any impending closure of anchorages or waterways.
14. Encourage local marinas to suspend fueling operations and to secure fueling piers sufficiently to minimize pollution threat.
15. Inventory of individuals who plan on staying on their moored vessels during the storm event.

LEVEL 1 - 24 HOURS

1. Final patrol of the harbor
 - inventory number of vessels and precautions taken by harbor and shoreline users
 - clear public pier of vessels and equipment
2. Log information on transient boats
3. Fuel Harbormaster vessel
4. Haul and store Harbor Patrol vessel with assistance of the Department of Public Works
5. Complete shoreline survey and final harbor check from shore
6. Alert harbor community to any unsafe conditions in harbor

7. Continue to perform pertinent level 2 activities.

7. All vessels must be removed from town docks at this time. Transient moorings **will not** be allowed to be used during any storm event.

410.2 Response - The Town of Jamestown's policy is that no emergency watercraft will be dispatched for emergency response during a storm event. All requests for assistance will be forwarded to the nearest Coast Guard Station. This policy will remain in effect unless revoked by the Fire Chief or Police Chief. The Harbormaster will remain on-call to address any harbor related issues. This will also allow the Harbormaster vessel to begin operation immediately at the conclusion of storm. The Harbormaster shall monitor police, fire and marine frequencies throughout the event.

410.3 Recovery - Immediately after the event has terminated, the town has three recovery priorities.

Priority 1:

Reestablish the Harbormaster's Office as an operational unit in order to facilitate the second and third priority

Priority 2:

Take the necessary immediate action to minimize additional risk to life and property.

Priority 3:

Reopen the harbor for recovery activity.

To achieve these priorities, the following sequential actions will be taken:

IMMEDIATE 24 HOURS

1. Assess readiness of the Harbormaster's Office, correct deficiencies
 - reestablish radio communications.
2. Complete rapid appraisal of damage
3. Provide damage assessment information to town officials.
4. Initiate pre-established contracts services companies (towing, salvage) if required
5. Institute security watches as necessary
6. Alert maritime community to unsafe conditions in the harbor
8. Track time and resource allocation of Harbormaster's Office for possible state and federal reimbursement.

MID-TERM 1 TO 14 DAYS

1. Complete comprehensive inventory of damage using photographs and video if possible
2. Notify appropriate parties regarding damage (i.e., mooring holders)
4. Contact local harbor and shoreline users to assess their situation
6. Begin to remove large pieces of floating debris from the harbor
7. Assist town and state agencies with damage assessments and emergency permitting process.

LONG-TERM 14 TO 90 DAYS

1. Analyze effects of storm on the harbor. Complete summary report within 30 days of storm event for Town Council and Town Administrator.

2. Review mitigation list and selection actions that could be implemented during the recovery phase
3. Conduct an evaluation meeting for harbor and shoreline users to identify problems not properly addressed by this plan
4. Complete a survey of boat damage
5. Update hazard mitigation plan and identify new mitigation opportunities
7. Assist emergency situations as appropriate
8. Track time and resource allocations for possible state and federal reimbursement.

420. Harbor and Shoreline Users

421. Marina facilities - As part of the Town of Jamestown's harbor hazard mitigation plan, all marina facilities as defined by CRMC, will submit a hazard mitigation plan to the Harbormaster within 90 days of this document being approved. The facility's plan will be updated annually and any changes will be reported to the Harbormaster by January 1 of each year.

Facility plans will include:

- Primary contact person primary and secondary phone numbers.
- VHF channel that is monitored
- List of facility staff who are expected to assist in preparation, response and recovery phases.
- List of hazardous material stored on site (i.e. waste oil, fuel tanks, solvents). This information can be extracted from the facilities Environmental Operations and Maintenance Plan.
- Inventory of potential recovery equipment (heavy equipment, generators), including outside contracts for special equipment for recovery phases
- Debris disposal plan
- Special assistance requested from town
- List of preparation, response and recovery activities and timing

422. Boaters -. The Town of Jamestown does not have any town managed transient or seasonal moorings. All of the permits issued are for private or commercial mooring permits. Via the Online Mooring permitting system, email and text notices can be sent to individual permit holders notifying them of impending storms.

Mooring standards have been developed to maximize safety during normal weather conditions. To safeguard a moored boat during a severe storm event, additional precautions will be necessary. These actions will include:

- Improving the connection between the vessel and the mooring chain by using chafing gear and extra lines.
- Reducing windage
- Whenever possible, increase scope.

Boaters should also consider:

- Bypassing the mooring swivel and attach the chain directly to the pennant.
- Hauling their boat and storing it upland
- Leave anchor lights and auto bilge pumps on.
- Ensure that self-bailing cockpit drains are clear of debris
- Add an emergency catenary weight at the vessel end of the chain to absorb shock

Boat owners are encouraged **NOT** to stay aboard during major storm events. The town's standard procedure is not to respond to on-the-water requests for assistance during a major storm event. Such requests for assistance will be forward to the nearest U.S. Coast Guard Station.

423. Waterfront business (excluding marinas) - All waterfront business are expected to take the necessary precautions to protect their property.

424. Shorefront home owners- All shorefront homeowners are expected to take the necessary precautions to protect their property.

425. Special Hazards

1. Town Docks- all vessels shall be cleared of the town commercial dock 72 hours prior to expected storm event.

2. Transients- vessels not usually moored in the harbor, but seeking safe refuge will be allowed to moor in the specified anchorage areas. Transit yachts will not be allowed to tie to a mooring if not authorized by both the mooring owner and the Harbormaster. Transient vessels seeking shelter will provide the Harbormaster with:

- name of owner and captain if different.
- home port
- registration/documentation numbers
- length, draft and type (power/sail)
- number of persons aboard
- address and phone were owner can be contacted

3. Passenger vessels and ferries- As deemed necessary by the Harbormaster, local passenger vessels and ferries will submit individual plans to the Harbormasters. These plans will include information about planned preparedness, response and recovery actions.

500. Inventory of longer term mitigation projects

1. Maintaining the existing seawalls. Although it does not provide complete protection, there is a measure of safety gained by having the seawall properly maintained.

2. Methods to increase scope within the harbor without losing surface area maximization should be explored. Actions may included a targeted approach to removing vessels from moorings and increasing the scope with storm pennants for those that remain. In the existing mooring configuration, increasing mooring scope is difficult. Therefore, the town should explore alternative methods for gridding the mooring field that will allow space maximization and increased scope.

3. Implement an annual education and training program conducted by the Harbormaster for the public. This program should focus on storm preparedness for the boater. Other workshops should be conducted with the help of the building inspector and planning board to discuss shoreline construction standards and storm proofing homes and business.

4. The Harbormaster should compile a list educational material that can be shared with harbor and shorefront users.

5. Maintain an accurate lists of principle marine interests including marinas, waterfront business, neighboring Harbormasters, Coast Guard, Towing and Salvage Companies, Environmental Response teams, Key vessel operators (charter boats and ferries) fishing cooperatives, etc.

6. Starting at the beginning of each hurricane season (June 1) the Harbormaster shall:

- review local harbor hazard mitigation plan and update as necessary
- distribute and post revised plan
- inspect all storage sheds, outbuildings, and portable office trailers for proper tie-down.

- inspect all emergency power sources and lighting systems to ensure they are operational
 - prepare and distribute a storm checklist for to boaters
7. Conduct a Disaster Mitigation workshop for Business and Industry in cooperation with RI Emergency Management Agency. Propose activities that can be implemented to mitigate damage. Suggested actions for local coastal business may include:
 1. Place more essential equipment and functions on higher levels of the structure, above the anticipated flood level;
 2. Construct berms around the facility;
 3. Install or have dewatering pumps;
 4. Provide emergency generators and potable water storage;
 5. Install blowout plugs in floor slabs whose elevation is below anticipated flood elevation.
 6. Install master shutoff valve controls for sewer, gas, and water above anticipated flood elevation;
 7. Reinforce walls to carry hydrostatic and hydrodynamic loads;
 8. Install flood proof electrical systems and utility cores in areas subject to flooding; and
 9. Install safety glass in windows.
 8. Assess the feasibility of developing a volunteer corp who can assist the Harbormaster secure vessels during the phase or maintain security patrols after an event.

600. Coordination

Memorandum of Agreement shall be entered into with the Department of Public Works to establish the working relationship between it and the Harbormaster for completing the following activities: preparing public waterfront property and hauling and storing the Harbormaster vessel

In order to further coordinate local policies contained in the comprehensive land use plan for resource protection, coastal management, the town should consider the following policies.

1. The town should work with appropriate state agencies to ensure that Post-storm shoreline management options for shoreline areas shall be consistent, to the extent possible, with use, density and other land uses policies and standards contained in the comprehensive land use plan.
2. Create local priorities for acquiring coastal properties to promote hazard mitigation, public recreation, and resource management objectives contained in the comprehensive plan.
3. Post-storm redevelopment options should consider impacts to evacuation routes, as determined by emergency management officials.
4. maintain and or adopt minimum parcel size and configuration requirements on the subdivision of critical shoreline features.
5. discourage platting of shoreline properties and encourage replatting to accommodate post-storm relocation of structures landward.

TOWN COUNCIL MEETING
October 7, 2013

I. CALL TO ORDER

Town Council President Trocki called the special meeting of the Jamestown Town Council to order at 5:02 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue.

II. ROLL CALL

Town Council members present:

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

Also present:

Peter D. Ruggiero, Town Solicitor
Cheryl A. Fernstrom, Town Clerk

III. EXECUTIVE SESSION

- A) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Discussion regarding Town Administrator applicants and possible vote)

A motion was made by Eugene Mihaly with second by Blake Dickinson to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (1) Personnel.

Pursuant to RIGL §42-46-5(a) Subsection (1) the following vote was taken by the Jamestown Town Council to enter into Executive Session to discuss personnel: President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Executive Session was recessed at 6:30 p.m. and will reconvene following the regular meeting that begins at 7:00 p.m.

The special meeting reconvenes at 8:46 p.m.

A motion was made by Thomas Tighe with second by Blake Dickinson to go back into Executive Session from the previous meeting. President Trocki, Aye; Vice

President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

IV. OPEN SESSION

- A) Take such other action as necessary and related to facilitate and prepare for Town Administrator candidate discussion and possible vote

V. ADJOURNMENT

The special meeting was continued to Tuesday, October 8, 2013 at 8:45 a.m.

The special meeting was recessed at 9:45 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Interim Town Administrator
 Town Solicitor

JAMESTOWN COUNCIL MEETING

October 7, 2013

I. ROLL CALL

Town Council Members present:

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

Also present:

Christina D. Collins, Interim Town Administrator/Finance Director
Peter D. Ruggiero, Town Solicitor
Lisa Bryer, Town Planner
Michael C. Gray, Public Works Director
Edward A. Mello, Police Chief
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER; PLEDGE OF ALLEGIANCE

Town Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:06 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and led the Pledge of Allegiance.

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND RESOLUTIONS

A) Resolutions

- 1) No. 2013-18: November as Pancreatic Cancer Awareness Month.
President Trocki summarized the Resolution.

A motion was made by Eugene Mihaly with second by Mary Meagher to adopt Resolution No. 2013-18 declaring November as Pancreatic Cancer Awareness Month in Jamestown. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

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

A) **Request for a motion** that the application listed below will be in order for hearing at a meeting of the Town Council sitting as the Alcoholic Beverage Licensing Board on Monday, November 4, 2013 at 7:00 p.m. and advertised in the *Jamestown Press*, as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island

1956, and as amended, for a **NEW** license under said Act, for the period December 1, 2013 to November 30, 2014:

CLASS B - VICTUALER

Portuguese American Citizens Club
dba: Jamestown Bar and Grille
11 Pemberton Avenue
Jamestown, RI 02835

A motion was made by Thomas Tighe with second by Blake Dickinson to proceed to advertise in the *Jamestown Press* for public hearing at the November 4, 2013 Town Council meeting for the NEW Class B – Victualer Liquor License for the Portuguese American Citizens Club dba: Jamestown Bar and Grille. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

This new license application does not increase the total number of liquor licenses set by the Town.

B) Public Hearing:

1) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 82 Zoning Ordinance, Article 14 Accessory Family Dwelling Units, Sec. 82-1400 Description through Sec. 82-1409 Technical Review Committee; as advertised in the *Jamestown Press* September 19th, September 26th, and October 3rd editions. The memoranda from the Town Planner and Planning Commission were referenced.

Town Planner Lisa Bryer gave an overview and background of major provisions of the proposed ordinance. She reported there are 65 legal and legal non-conforming accessory dwelling units in Jamestown. In 2009 the Zoning Ordinance was amended to allow accessory dwelling units as affordable housing for qualified low income persons and count towards the 10% State mandate. No one has used this provision. Over the last five years there has been more interest in multi-generational living for economic and other reasons, with families preferring separate units. Based on review of the information and provisions in the Comprehensive Plan, the Planning Commission determined there was a need for accessory dwelling units for family members.

The dwelling units must be owner occupied and can only be occupied by family members (related by blood, marriage, or other legal means) or (hired) caregivers who are not family members. Units must meet all codes and ordinances in existing dwellings, accessory units, and new structures. All conversions require public notice and existing dwellings with no exterior changes that meet the criteria can be approved administratively, and dwellings that do not meet the statute require Zoning Board approval. All units must obtain Technical Review Committee approval, must always look like single family dwellings, one per lot, and have an interior connection. Accessory units must be a minimum of 300 sq. ft. and be no more than 33% of the gross livable floor area

Town Council Meeting 10.07.2013

of the structure, with a maximum of two bedrooms for occupancy by a maximum of two adults. An affidavit of compliance must be submitted annually. If not in use the owner can defer removal of the kitchen for up to five years, with a hardship continuation allowed.

Council Comments.

President Trocki stated the ordinance is very clear and the intent is understandable. The Council appreciates the hard work involved by the Planner and Planning Commission. Vice President Meagher referenced the special use permit for a separate structure that meets the primary requirements, such as converting a detached garage, which may work better for some families.

Councilor Dickinson asked how this helps with the 10% affordable housing requirement. Planner Bryer stated this does not count towards the 10% as they are for family members, are not permanently affordable, and may cease to exist. Councilor Dickinson asked whether this was part of the intent. Planner Bryer noted this serves a need but does not qualify as part of the 10%, as the units are not income qualified, and don't have the 30 year restriction. The provision for affordable units has been on the books since 2009.

Vice President Meagher noted this is for family members, not to create a rental unit. Per Planner Bryer there are 17 communities with this type of provision and individuals who seek such housing are probably already here in town. This will not impact our build-out number significantly or water usage. Eugene Mihaly thinks this is a fine work. Councilor Dickinson would like to see more allowance for the affordable count.

Public Comments.

David Reardon of Westwind Drive commented on Section 1403. I. requiring that the principal unit and accessory unit must have combined utilities. He has an accessory structure at his residence with separate utilities as mandated by the Town, and he may want to convert it for a family member in the future. Solicitor Ruggiero stated the Building Official could interpret the ordinance and apply the provisions to each situation in making a determination. President Trocki encouraged him to address the issue with the Building Official. Solicitor Ruggiero and Planner Bryer suggested public comment continue as they work on the language so that an amendment could be made to the language as part of this public hearing. Vice President Meagher referenced structures with separate guest quarters and required separate tie-ins. Discussion continued.

Gary Girard of Seaside Drive commented on the need for this ordinance to prevent family members from having to leave the Island and to provide that elderly residents can stay here and have the privacy and care needed.

Sav Rebecchi of Sail Street commended the Planner and Planning Commission for this much needed ordinance and referenced his five-year experience as a caregiver. He referenced Section 1403. E. requiring a minimum of 300 square feet for the accessory unit and asked if the Technical Review Board could waive that provision. Planner Bryer

noted the accessory unit is based on a minimum housing provision and it is not just a bedroom, it is a dwelling unit. Mr. Rebecchi stated he hopes the ordinance is approved.

Planner Bryer referenced Section I. line 44 on page 3, and stated after the word structure, add the phrase “unless separate utilities exist or are required.” This wording would allow cases such as Mr. Reardon’s. Solicitor Ruggiero noted the units should be under one control, as it is an accessory use under one dwelling. This does not affect the rules of Water and Sewer, as the Board has their own regulations. This language is saying the dwellings are to be considered as one unit, with exceptions, as some cannot conform, and they are not denied the use of this prerogative. Planner Bryer reiterated this is not for separate rental units, it is for family members.

A motion was made by Mary Meagher with second by Eugene Mihaly to approve Article 14 Accessory Family Dwelling Units under the Zoning Ordinance, as amended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

C) Licenses and Permits

1) One Day Event/Entertainment License Applications

- a) Applicant: Jamestown Fitness Center
Event: Jamestown Fitness Halloween Parade
Date: October 26, 2013
Location: Narragansett Avenue (JFD to East Ferry)

A motion was made by Mary Meagher with second by Blake Dickinson to accept the One Day Event/Entertainment License application of Jamestown Fitness for the Jamestown Fitness Halloween Parade on October 26, 2013. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

- b) Applicant: Tri-Mom Productions LLC
Event: The Jamestown Bridge 5K/10K
Date: April 6, 2014
Location: Jamestown Bridge

A motion was made by Eugene Mihaly with second by Mary Meagher to accept the One Day Event/Entertainment License application of Tri-Mom Productions for the Jamestown Bridge 5K/10K on April 6, 2014. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

- c) Applicant: Eident Sports Marketing
Event: Jamestown Half Marathon
Date: July 12, 2014
Location: Roads through Jamestown

A motion was made by Eugene Mihaly with second by Mary Meagher to accept the One Day Event/Entertainment License application of Eident Sports Marketing for the Jamestown Half Marathon on July 12, 2014. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

- d) Applicant: Jamestown Rotary Club
- Event: Jamestown Classic Bike Race
- Date: October 14, 2013
- Location: Roads throughout the Island

A motion was made by Mary Meagher with second by Blake Dickinson to accept the One Day Event/Entertainment License application of Jamestown Rotary Club for the Jamestown Classic Bike Race on October 14, 2013. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

- 2) Holiday License Application
 - a) Woody's World of Wax dba: Scrubs & Bubs
35 Narragansett Avenue

A motion was made by Mary Meagher with second by Eugene Mihaly to accept the Holiday License application of Woody's World of Wax for the period October 7, 2013 to February 28, 2014. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

List hours.

V. OPEN FORUM

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

A) Scheduled to Address.

Christine Ariel of Steamboat Street referenced her letter regarding the proposed golf course building, and she is here to follow-up on it. At the last meeting the Council was waiting for the Recreation Study. She asked that the public workshops on the golf course building be scheduled as soon as possible. She is here out of concern as she is part of performing arts groups in Town whose members want to plan around their schedules so that they can attend the workshops. She would like to have the two dates this evening if possible. President Trocki noted the golf course update is on the agenda.

B) Non-scheduled to Address.

None.

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

A) Town Administrator's Report. Interim Town Administrator Christina Collins.
1) Golf Course. Interim Town Administrator Collins stated the site survey is still underway and taking longer than expected, and it is anticipated it will be back by the end of the month. A meeting is planned for October 30th, with the survey available then. Public Works Director Gray noted the program needs, as well as building square footage, and what is needed to house the operations, with a conceptual layout and footprint required for those operations, would be provided. It is not a plan but a concept of what is needed for the operation, encompassing space needs that include parking requirements. Vice President Meagher noted this is a first step with very preliminary ideas. President Trocki noted this first level is for the golf course needs with the next phase to cover workshops for other uses. The special meeting on October 30th is at 7:00 p.m. The first phase is to discuss replacement of existing needs going forward. Councilor Dickinson asked that the report show what is needed for the taxpayers today. The golf course report by the Buildings and Facilities Committee was referenced. Discussion continued.

Ms. Ariel asked for clarification whether public discussion will take place at the October 30th meeting. The Council stated the consultant will have a presentation. Per Solicitor Ruggiero, as no votes will be taken he recommends a workshop. The workshop will include the presentation by the architect, with follow-up sessions, and there will be many opportunities for discussion. The Council encourages public input on the process.

Recreation Study. Interim Town Administrator Collins noted the Recreation Study was forwarded to the Steering Committee yesterday, and the review is underway; the 145 page report will be available to Council after this meeting. The consultants are tentatively scheduled to meet with the Council at the October 21st meeting. Ms. Collins will request the report in a summarization form grouped into categories.

Paperless Agendas. Ms. Collins reports links were sent out this weekend. There were some problems, and any feedback is appreciated. Review of new equipment recently released is ongoing with samples available for the Council very soon.

Fort Getty. Ms. Collins noted overall it was a good season with minimal incidents. The low voltage issue on hot humid days was addressed, and the Town is looking at solutions. Out of 83 seasonal sites, five were used as transient sites, and of the 78 seasonal campsites, three were Jamestown residents. A more detailed report on revenues and expenses will be available for October 21st or November 4th.

Pavilion Upgrades. Ms. Collins reports that Planner Bryer and Public Works Director Gray are working with Architect Erich Galle to prepare the application to CRMC to see what is feasible for upgrades. No financial figures will be available until CRMC has made their preliminary determination. The project will require a full Board approval.

Recycling Profits. Last week RIRRC presented Public Works Director Gray with a check for \$6,788.11 for recycling profit sharing. This is lower than last year due to lower
Town Council Meeting 10.07.2013

commodities values. Mr. Gray reported recycling was 31% this year, up from 28% last year. The State mandate is 35% recycling. Anything above the cap is charged at a higher fee for disposal at the Central Landfill (\$32/ton v. \$60/ton).

B) Tick Task Force update. Councilors Mihaly and Dickinson noted there is momentum, and on the education side, the *Jamestown Press* will run a series of five or six articles, with ads in between, with two or more public forums planned. Councilor Mihaly met with the RIDEM Associate Director and will meet with the Department of Health and senior leadership of the Senate. This is a complex issue, and he will keep the Council and public informed. President Trocki noted the communications on this issue and public support for their efforts. Public health is of paramount importance to the Council.

C) Quonset Development Corporation Report: Board of Directors Member James Rugh. Mr. Rugh gave a PowerPoint presentation on the Quonset Development Corporation as follows:

Quonset Business Park – 3,207 total acres, comprised of 175 companies; employs more than 9,100 jobs - 1 in every 50 working Rhode Islanders. It has been around since 1980 at the site of the former Navy base

Impact – A Bryant University study (2011 data) showed

- Quonset generated 18,536 FTE jobs in RI
- Created \$956,500,000 income for RI households
- Generated \$25,500,000 personal income tax revenues for RI

Success

- Investment in world class infrastructure - \$565,000,000 State and Federal since and \$317,000,000 private investment; \$100,000,000 environmental clean-up

Site Readiness Program

- Removes uncertainty – environmental permits complete and project book for each parcel

Uniform Development Regulations

- Single set of land use controls
- Single source building permits
- Shovels in the ground within 90 days of application

Available Land - 356 Acres available with 36 site-ready parcels

Development Activities

- Indoor Sports Complex; Electric Boat Expansion; Marriot Town Suites “green” Hotel; expanded Fast Ferry docks; Gateway Office building; BankNewport branch under construction

- Solar Energy – Toray Plastics has state’s largest solar array and planning a go-generation energy system

Port of Davisville

- Foreign Trade Zone – 2 piers with 3,000 linear feet of space
- 32’ water depth and mobile harbor crane
- Handles roll-on/roll-off cargo; does not handle bulk cargo
- Homeport for NOAA’S Okeanos Explorer
- New 8,200 sq. ft. ship’s offices
- Largest producer of frozen-at-sea seafood on east coast
- Cold storage facility for up to 23,000,000 pounds
- Houses American Mussel Harvesters, major east coast distributor for restaurant-ready mussels, oysters and clams
- No. 6 auto importer in North America – NORAD – 172,000 autos in 2012; in 2014 Honda will be added to VW, Audi, Porsche, Subaru and Bentley

Mr. Rugh encouraged Council members to tour Quonset/Davisville. Council members thanked him and commented this was a very informative presentation.

D) Town Council meeting with Jamestown Harbor Commission: agenda. Vice President Meagher noted the discussion should include an introduction on what Harbor regulates, the Conanicut Marine expansion, and budgets and funding, if time permits. The session is limited to one hour, and Harbor will be notified their meeting with the Council is at 6:00 p.m. on October 21st. Chief Mello will be in attendance.

VII. UNFINISHED BUSINESS

A) Proposed Oyster Farm at Shore’s Beach. Planner Lisa Bryer referenced the application submitted by Mr. Pinheiro last May. Mr. Pinheiro revised his plan making the oyster farm smaller, addressing the significant impact on the mooring field and eel grass. However, there are concerns for the placement with respect to the Town beach. The neighbors’ comments were referenced. Citations from the Comprehensive Plan that support aquaculture as long as it is not a visual impact were noted. The proposed location is in a shallow area that cannot be accessed by sea, and can only be accessed by land. Mr. Pinheiro does not own the land adjacent to the site, and his access would be across private land or public beach. Maps for both proposals were referenced and adjacent properties noted. Planner Bryer stated it is her recommendation this is not the best viable option, the application is not there yet, and he should investigate other operations that do not impact residents.

Interim Town Administrator Collins stated the Town Clerk notified Mr. Pinheiro this was an agenda item and his attorney, Ben Cerelli, was made aware of these proceedings. Neither of them is in attendance. President Trocki noted the many letters from area residents, the Council did not support the proposal from May, and we are here to address the new proposal. Planner Bryer noted the CRMC hearing is not scheduled yet, and this is

a CRMC determination, not the Town's; however, the Council can form an opinion and provide it to CRMC.

Vice President Meagher stated the changes made do not make it better, it is perhaps worse, and she would like the comments to CRMC to reflect that. The location is too close to shore, is significantly problematic, and she suggested going back to the drawing board. Solicitor Ruggiero stated the letter submitted objecting to the previous plan should be reiterated and should include further objections.

Councilor Dickinson asked if this proposal would restrict navigation. Harbor Master Sam Patterson noted a neighbor could not drive their boat across it. Councilor Dickinson does not support this proposal. Council members would like to review the letter of objection being drafted by Interim Town Administrator Collins before it is forwarded to CRMC.

Public comment.

Charlotte Zarlengo of Seaside Drive thanked the Council for their comments. One area of opposition is based on riparian ownership of their waterfront property, which is adjacent to the proposed oyster farm. She noted their inability to wade in front of their property, debris washing up on shore from the business, low tide conditions, inability to construct a dock adjacent to their property, concern for vehicle access across the beach, and personal liability imposed by this commercial operation in front of their property, including environmental issues. Her family is strongly opposed to this proposal and she has a petition signed by over 100 people opposed to the oyster farm. She requested the Council notify CRMC of the residents' objection.

Christine Ariel of Steamboat Street reiterated what has been said. She is opposed to the proposal; her family walks and swims in the area, and the oyster farm would intensify use of a public resource and would eclipse resident/citizen use of the area. She is in favor of the Council writing to CRMC to express the objections.

Kristin Zhivago of Seaside Drive expressed concern for the application statement by Mr. Pinheiro that he has never seen recreational use of the area. She sees recreational activities and summer activities there every single day. She has seen the buoy on the ground and the water less than ankle deep where Mr. Piniheiro wants to operate. She doesn't mind people using the beach and likes that it is used for recreation, but has concerns for theft issues, as anyone can walk right out to the proposed oyster farm. Mr. Pinheiro proposes that this is a hobby not a business. The application is based on a false premise and we should not support it, as it will only hurt the community. She doesn't mind oyster farms, but this is not the right place.

Gary Girard of Seaside Drive agrees with all the statements made. He has used that beach for 65 years, and Mr. Pinheiro saying he has never seen recreational use of it is wrong; he uses it and his family members use it. He asked that a Council member attend the CRMC hearing in addition to writing the letter of objection.

Solicitor Ruggiero noted the Town should receive notice of the CRMC public hearing. The draft letter of objection to be prepared by Interim Town Administrator Collins will be forwarded to Council prior to sending to CRMC (this week).

Sam Patterson of Fox Run stated as the Town Harbor Master he supports aquaculture. The biggest concern is user group conflicts. The applicant has not addressed maintenance issues, which is the largest concern, and that should be addressed in the letter.

President Trocki noted her agreement with aquaculture, but this proposal is not appropriate; it is simply a matter of location.

Timothy Yentch of Gondola Avenue stated by virtue of the Town ordinance that prohibits off-loading the Council has a de-facto veto on the site and can effectively eliminate the viability of the site. Once you open the door even slightly it is difficult to eliminate future exceptions to regulations.

Carol Nelson Lee of Buoy Street praised the Council for acknowledging the value of rights of way and access to water by all Jamestown residents. She is against this proposal.

President Trocki thanked the citizens for their comments.

A motion was made by Mary Meagher with second by Eugene Mihaly to write a letter to CRMC in opposition to this application, noting the inaccuracies in the application about recreational use of the area and the abutting properties; noting that the project, though revised and smaller, is still poorly located and in too shallow water, and is a commercial intrusion into a residential area. It is not clear how the operator will access or maintain the aquacultural farm, cannot do so by boat, should not be across a Town beach, referencing the off-loading issue; and it will so intensify the use of this area that it will eclipse the public's recreational use of the Jamestown Shores Beach, and infringes on private properties. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

- B) Fort Getty
 - 1) 2013 Season update.
 - 2) Pavilion upgrades.
- Addressed previously under Reports.

VIII. NEW BUSINESS

None.

IX. ORDINANCES AND APPOINTMENTS

None.

X. CONSENT AGENDA

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

A motion was made by Thomas Tighe with second by Blake Dickinson to accept the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
 - 1) September 3, 2013 (regular meeting)
 - 2) September 3, 2013 (executive session)
 - 3) September 11, 2013 (special meeting)
 - 4) September 11, 2013 (executive session)
 - 5) September 16, 2013 (regular meeting)
 - 6) September 16, 2013 (executive session)
 - 7) September 18, 2013 (special meeting)
 - 8) September 18, 2013 (executive session)
 - 9) September 19, 2013 (special meeting)
 - 10) September 19, 2013 (executive session)
 - 11) September 25, 2013 (special meeting)
 - 12) September 25, 2013 (executive session)
 - 13) September 27, 2013 (special meeting)
 - 14) September 27, 2013 (executive session)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Affordable Housing Committee (07/01/2013)
 - 2) Jamestown Affordable Housing Committee (08/05/2013)
 - 3) Jamestown Affordable Housing Committee (08/21/2013)
 - 4) Jamestown Harbor Commission (08/14/2013)
 - 5) Jamestown Planning Commission (07/17/2013)
 - 6) Jamestown Planning Commission (08/07/2013)
 - 7) Jamestown Town Administrator Search Committee (08/02/2013)
 - 8) Jamestown Town Administrator Search Committee (08/08/2013)
 - 9) Jamestown Town Administrator Search Committee (08/15/2013)
 - 10) Jamestown Town Administrator Search Committee (08/21/2013)
 - 11) Jamestown Town Administrator Search Committee (08/22/2013)
 - 12) Jamestown Tree Preservation & Protection Committee (06/18/2013)
 - 13) Jamestown Tree Preservation & Protection Committee (07/16/2013)
 - 14) Jamestown Zoning Board of Review (05/28/2013)
- C) CRMC Notices
 - 1) Notice of proposed amendment to the CRMC Management Program Section 300.14 –Maintenance of Structures, with written comments submitted by October 15, 2013 for the public hearing on October 22, 2013, One Capitol Hill, at 6:00 p.m.
 - 2) Semi-Monthly Meeting Agenda for September 24, 2013

- 3) October 2013 Calendar
- D) Proclamations and Resolutions from other RI cities and towns
 - 1) Resolution of the Middletown Town Council re: Support for the concept to bring the retired aircraft carrier USS John F. Kennedy to Newport County as a family attraction, education and job training center, disaster relief facility, museum, and memorial
 - 2) Resolution of the Richmond Town Council re: November 2013 as Pancreatic Cancer Awareness Month
- E) Abatements/Addenda of Taxes
- F) Acceptance of Donation of Land (Assessor Plat 5 Lot 316, Nautilus Street) and Authorization for Town Solicitor to Process Said Transaction

XI. COMMUNICATIONS AND PETITIONS

#18 Letter regarding Eagle Scout Zachary Neronha was referenced. A proclamation will be presented to him at the next Council meeting, along with a letter of congratulations.

#19 Letter of CISF Executive Director Meg Myles with 2013 Season Report and the many communications from happy campers and their parents, including the special needs camp, received over the last few months were referenced. The Sea Adventure and Sailing Camps were a great success. Challenges noted will be reviewed in conjunction with the Recreation Study.

#6 and #10 Letters regarding the Tick Task Force were referenced.

#11 Letter of thanks from the Jamestown Arts Center for the contribution towards the roof repair was referenced.

#3, #4, #9 and #12 Letters were referenced and will be reviewed during the meeting with the Harbor Commission.

A motion was made by Thomas Tighe with second by Eugene Mihaly to accept the Communications as listed. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

The Communications accepted consists of the following:

- A) Communications
 - 1) Letter of FEMA re: Coastal A Zone Flood Insurance Rate Maps
 - 2) Letter of Pat and Jim Perry re: performing arts space at the proposed golf course building
 - 3) Letter of Robert P. Horne re: Conanicut Marina dock expansion
 - 4) Letter of Elaine Buchanan re: Conanicut Marina dock expansion
 - 5) Letter of Ann S. Zartler re: performing arts space in Jamestown

- 6) Letter of Eliot Denault re: concern for tick infestation in Jamestown and high incidence of Lyme disease
- 7) Letter of FEMA re: NFIP revalidation of Letters of Map Amendment until superseded by NFIP map panel revisions
- 8) Letter of Discover Newport with Annual Audit for year ended March 31, 2013
- 9) Letter of Conanicut Yacht Club re: request for additional mooring permits
- 10) Letter of Alan McKibben re: tick-borne diseases public health crisis and deer population
- 11) Letter of Jamestown Arts Center thanking the Town for the \$4,000 contribution for roof repairs
- 12) Letter of RIDOT Director Michael Lewis and Clean Water Finance Agency Director William Sequino re: Municia; Road and Bridge Revolving Fund Act of 2013 and Clean Water Finance Agency administration of the \$6,992,890 revolving fund allocation by the General Assembly
- 13) Letter of Eveline Paquette to RIDEM Director Janet Coit opposing ISDS/OWTS Application of Sandra DiSandro, Plat 14 Lot 215
- 14) Letter of Jamestown Shores Association Co-Chairs Anita Girard and Ann Gagnon re: CRMC Application of Antonio Pinheiro for an oyster farm off Head's Beach
- 15) Letter of Barbara and Bill Ritter re: Council procedures to address Historic District Zoning
- 16) Letter of Attorney General Peter Kilmartin and RI Housing Director Richard Godfrey re: legislation (RIGL §34-27-3.2) effective September 13, 2013 establishing a statewide foreclosure mediation process for residential property (1-4 units)
- 17) Letter of Bruce Banks in support of sourcing Jamestown's recycling program to Island Rubbish
- 18) Letter of Jamestown Troop 1 Scoutmaster James T. Archibald announcing Zachary Neronha has achieved the rank of Eagle Scout
- 19) Letter of CISF Executive Director Meg Myles with 2013 Season Report
- 20) Letter of RI Division of Planning with Annual Report 2012

B) Petitions

- 1) Pole Petition: Verizon New England and Narragansett Electric Company to place new joint mid-span pole (P.4-50) on Southwest Avenue for new rises for Clarke Street substation
 - a) Recommendation for Pole Petition approval by Public Works Director Michael Gray

A motion was made by Mary Meagher with second by Eugene Mihaly to accept the Pole Petition as recommended by Public Works Director Michael Gray. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

XII. EXECUTIVE SESSION

None.

XIII. ADJOURNMENT

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

The regular meeting was adjourned at 8:45 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)
 Interim Town Administrator
 Town Administrator
 Town Solicitor

TOWN COUNCIL MEETING
October 8, 2013
Continued from October 7, 2013

I. CALL TO ORDER

Town Council President Trocki reconvened the special meeting of the Jamestown Town Council continued from October 7, 2013 at 5:00 p.m. and 8:46 p.m., and called it to order at 8:51 a.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue.

II. ROLL CALL

Town Council members present:

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

Also present:

Christina D. Collins, Interim Town Administrator
Peter D. Ruggiero, Town Solicitor
Fred Brown, Building/Zoning Official
Lisa Bryer, Town Planner
Donna Fogarty, Library Director
Michael Glier, IT Director
Kenneth Gray, Tax Assessor
Michael Gray, Public Works Director
Edward Mello, Police Chief
William Piva, Parks and Recreation Director
Cheryl A. Fernstrom, Town Clerk

III. EXECUTIVE SESSION

- A) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Discussion regarding Town Administrator applicants and possible vote) Executive Session resumed at 8:52 a.m.

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

IV. OPEN SESSION

- A) Take such other action as necessary and related to facilitate and prepare for Town Administrator candidate discussion and potential vote

Open Session was resumed at 8:53 a.m.

President Trocki thanked the department heads in attendance and noted the extensive decision making process with respect to the search the new Town Administrator.

Councilor Dickinson gave a synopsis of the Search Committee process, from reviewing the 33 applications, narrowing the field to seven applicants for preliminary interviews via video conferencing. Upon conclusion of those interviews, the Committee presented three viable candidates to the Town Council. The Town Council interviewed the finalists multiple times and conducted full background checks, and made a decision. The person chosen was Kevin Paicos.

A motion was made by Blake Dickinson to authorize President Trocki to execute a contract for a salary of \$105,460, with a \$200 a month travel and incidentals allowance, a \$1,000 a month housing allowance in lieu of the sick leave buyback, and the \$2,200 healthcare opt-out allowance for Kevin Paicos.

Discussion. President Trocki noted there will be a six month review period from the candidate's perspective and the Council's perspective, and to assess the housing situation. Councilor Dickinson stated the Council was able to do this and lower the gross benefits package, and he will be moving here. President Trocki noted this was a key point, living on the Island, and that is the reason for the housing allowance. Vice President Meagher noted Mr. Paicos was the first choice of the Search Committee and he has a long experience working in larger towns in Massachusetts. Significant background and reference checks were conducted, and the Council feels he will do a terrific job for the Town and department heads will welcome him, enjoy working with him, and he will work well with all of you. He has spent considerable time in this community, he will fit in well with this community, and he looks forward to being here and being emersed in this community. President Trocki noted he is starting on Thursday and will meet with Town employees at a reception beginning at 9:00 a.m. on Thursday. Councilor Mihaly noted the extensive reference check revealed very candid remarks from employees of his former towns that were positive and he will be an asset to this town. His former employment history in the Towns of Dover, Hingham, and Foxboro in Massachusetts was referenced. Mr. Paicos' employment experience and report on the potential affect of a casino on the Town of Foxboro was referenced, as well as his history as a medic in the Army Reserves, including active duty in Afghanistan.

Back to the vote on the motion. **A second to the motion was made by Mary Meagher. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

President Trocki stated that no votes were taken during the executive sessions of last night and this morning.

A motion was made by Mary Meagher with second by Blake Dickinson to seal the Minutes of the Executive Session. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

President Trocki reviewed Mr. Paicos' family commitment and the balancing act between living in Jamestown and honoring his commitment to his family. The review period for six months was referenced. The process could not have been achieved without the Town Administrator Search Committee, and the Council thanked them for their diligence and providing the Council with an excellent pool of candidates. This was a very difficult decision, and the Council is proud that we have a Town that candidates wanted to come to. There have been many meetings, many interviews, and thanks to all of the folks who have been part of this process, and thanks to the press for their patience. President Trocki stated she looks forward to a seamless transition and that this is a good fit for Jamestown. Mr. Paicos will give notice to his current town of employment, and will be working part time until that notice period is up. Vice President Meagher hopes all Town department heads, employees, and Search Committee members will attend the reception on Thursday. Special thanks and kudos were given to Finance Director and Acting Town Administrator Christina Collins for doing a terrific job. (Applause) Ms. Collins stated she couldn't have done the job without the assistance of Town department heads. President Trocki thanked department heads for their assistance during this process.

V. ADJOURNMENT

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

The special meeting was adjourned at 9:14 a.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Interim Town Administrator
 Town Administrator
 Town Solicitor

**TOWN COUNCIL MEETING
October 21, 2013**

I. ROLL CALL

Town Council Members present:

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

Town Council Members absent:

Thomas P. Tighe

Also present:

Kevin E. Paicos, Town Administrator
Christina D. Collins, Finance Director/Interim Town Administrator
Peter D. Ruggiero, Town Solicitor
Lisa Bryer, Town Planner
Michael Gray, Public Works Director
Catherine Kaiser, School Committee Chair
William Piva, Recreation Director
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER; PLEDGE OF ALLEGIANCE

Town Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:09 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and led the Pledge of Allegiance.

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND RESOLUTIONS

A) Proclamation

1) No. 2013-19 Eagle Scout Zachary Neronha. The Proclamation was read by President Trocki. She referenced Zachary's project of restoring the trails at the Conanicut Battery, which she enjoys walking. The Council congratulated Zachary and thanked him for his service to the Town. (Applause) The Proclamation was presented to Zachary and members of his family in attendance.

B) Resolutions

1) No. 2013-20 Acknowledging Interim Town Administrator Christina D. Collins. The Resolution was read by President Trocki. The Council thanked Tina for her hard work acting as Interim Town Administrator while continuing as Finance Director, resulting in a flawless transition. (Applause) She will continue her Interim Town

Administrator duties on a part-time basis until Town Administrator Paicos is on board full time in November.

2) No. 2013-21 Acknowledging the Town Administrator Search Committee. The Proclamation was read by President Trocki, thanking members Tony Antine, Melody Drnach, Cathy Kaiser, John Murphy, Arlene Petit, Blake Dickinson, and Gene Mihaly. (Applause) Councilor Mihaly noted Committee Chair John Murphy did a splendid job.

A motion was made by Blake Dickinson with second by Mary Meagher to move Open Forum until after the Recreation Study presentation. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Absent; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

IV. UNFINISHED BUSINESS

A) Recreation Study (presentation of draft report, discussion, and possible action). Consultants Monica Lamboy and Rob Hayley of the Edward J. Collins Center for Public Management at UMass Boston are in attendance to report their preliminary findings on the Organizational Assessment of the Jamestown Parks and Recreation Department. An overview of their organization, the study process, and reporting was given by Mr. Hayley. A PowerPoint presentation of their findings continued, outlining:

Methodology

- Conducted interviews
- Gathered community input
- Collected data
- Developed descriptive profile of operations
- Compared department practices against “best practices” in the industry

Study Components

- Organizational structure, including analysis of functions and activities
- Effectiveness of staffing levels and cost-effectiveness of service levels and delivery
- Benchmarks and indicators of effectiveness

Descriptive Profile of Operations – Staffing and Budgets

- Department provides recreational services for residents and visitors
- Provides services with 6 full time and 12 temporary and part time staff (organizational chart referenced), reporting to the Director
- Department’s budget is \$507,114

Descriptive Profile of Operations – Facilities and Grounds

- Department provides park and field maintenance for:
 - 7 parks and beach areas (Fort Getty the largest)
 - 2 schools (includes 3 fields, skateboard park & 6 tennis courts)
 - Playground
 - Cemetery

- Programs
 - 2011-2012 included Volleyball, Basketball, Tennis, Baseball, Summer camps, Soccer, Yoga, Ballet, Kinder Gym, Community Theatre, Sailing, Bridges Open Recreation, and others
 - Approximately 1,470 participants
 - Coordinated other events, including Summer Concert Series, Jack O’Lantern Jog, Bridges Story Telling Concert, Men’s Chorus, Fireworks, Talent Shows, Pinewood Derby, with approximately 3,700 participants and audience members
- Best Practices – Description
 - Operations compared to “best management practices” based on project team’s experience and “industry standards” from other organizations
 - No department meets all standards
 - Comparison to best practices is a method to focus on areas of opportunity for greatest improvement
- Best Practices – Strengths of the Department
 - Master plan for Fort Getty
 - Active solicitation of input from participants desires for new programs and satisfaction with existing ones
 - Involvement with multiple community groups
 - Solicitation of sponsorships from local businesses
- Best Practices – Improvement Opportunities
 - No formal long-range strategic plan
 - No formal surveys of participants
 - Little coordination with Library, Seniors, Arts Center or fitness center
 - Little proactive outreach to local community groups
 - Little description of services or use of distribution networks outside the *Jamestown Press*
 - No online program registration

Consultant Monica Lamboy continued the presentation for the Community Survey and Input portion. She acknowledged the high level of participation.

- Community Input
 - Community Survey – 411 responses (186 online, 225 hard copy), 19 content questions, 6 with personal information questions
 - Community meetings – special events, arts and culture; recreational activities for adults and seniors; recreational activities for youth and teens
 - Surveys representative of Town population – 97.4+% of town residents surveys consistent with age distribution; much support for the programs
- Community Input Finding #1
 - Jamestown residents actively utilize their parks, beaches, and playing fields –Mackerel Cove, Beavertail, Fort Getty & Fort Wetherill highest use (more than 12 times per year)
- Community Input Finding #2

- Fort Getty users most frequently use beaches & trails followed by Pavilion, dock & boat ramp (6 to 12 times per year); residents suggested moving kayak rentals from Mackerel Cove to Fort Getty
- Community Input Finding #3
 - Jamestown residents place high value on maintenance of public recreational facilities and are generally satisfied – 98.2% consider maintenance a high priority; 16.7% consider actual maintenance as fair; Dissatisfied with off-leash recreational areas, quality of sport surfaces, paths, walkways and stairs; specific comments on playing fields, tennis courts, playground, trash and litter, dog droppings
- Community Input Finding #4
 - Over a two-year period the average resident attends 5.5 local cultural events – Fireworks, Summer Concert Series, Fools Rules Regatta, Art Association Show and Crafts Fair, Community Theater have highest attendance; great appreciation in Jamestown
- Community Input Finding #5
 - Jamestown residents actively participate in recreation programs; more youth participation than adult (not a significantly large margin)
- Community Input Finding #6
 - Town not successful in getting the message out on program offerings; *Jamestown Press* is (360 survey participants noted *Jamestown Press*) People unaware of recreational services
- Community Input Finding #7
 - Multiple residents identified the need for improved & expanded facilities for cultural/theater events, bicycling, indoor swimming pool (residents are very interested in swimming, but no classes available on the Island)

The next phase of the Study will be recommendations. They are happy to answer any questions. There are no public questions. The Council found the survey results very interesting.

Councilor Dickinson commented on getting the message out via electronic media, which is a Council concern, and asked if Jamestown's survey results are consistent with other communities. Ms. Lamboy commented on potentially higher participation with increased online access and online registration. The median age in Jamestown is 50.7 years.

Public comments.

Mary Wright of Highland Drive asked if the surveys were directed to children as well as adults. She was informed of all the locations the survey was available, and the workshop focused on youth and teens, as well as survey questions.

Councilor Mihaly commented on the depth of the report, with recommendations in process. Vice President Meagher noted the information including best management practices has been shared with the Recreation Department, and it will be on the Town

website tomorrow. Ms. Lamboy stated the next step is formal recommendations (by mid November), which will be submitted to the Steering Committee.

Chris Walsh of Rosemary Lane asked about the programs currently provided and what does it mean provided by the Recreation Department. Vice President Meagher agreed that we need a better definition of what constitutes a Recreation Department program. Discussion continued.

Recreation Director Piva stated the department provides space as well as providing service.

Melody Drnach of Union Street asked who the Steering Committee members are and what level of detail will come back with the recommendations. The Steering Committee is Gene Mihaly and Thomas Tighe, coordinating with Town staff including the Town Administrator, Finance Director, and Recreation Director.

Per consultant Rob Hayley, the recommendations will be in depth, but will not include costs.

V. OPEN FORUM

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

- 1) Scheduled to Address. None.
- 2) Non-scheduled to Address. None

VI. NEW BUSINESS

A) Handicapped parking issue (Narragansett Avenue at Clinton Avenue). Town Administrator Paicos stated he met with Mr. Bell and Public Works Director Gray last week, and he is optimistic we can work out a compromise that will be in the public's best interest and result in the least amount of construction on the premises and will be acceptable to the Council, Planning Board, and Mr. Bell. This item will be continued to a future date.

B) Town Council policy re: vacancies and appointments (discussion and possible action). Vice President Meagher referenced the previous Council's policy to reappoint present members who wish to continue to serve to additional terms without advertising and interviews. She asked if Council members wanted to continue this practice or advertise and interview all expiring terms. Councilor Mihaly is uncomfortable with automatic reappointment. Input from committee chairs is a good source of information, including attendance. Vice President Meagher would like all expiring terms advertised. President Trocki advises touching base with committee chairs. Councilor Dickinson would like the process to be open. Discussion continued.

C) Awarding of Bid: Recyclables Collection Contract to Island Rubbish, Inc. for a total contract bid price of \$902,560.00, as recommended by Public Works Director Michael Gray.

A motion was made by Mary Meagher with second by Eugene Mihaly to award the bid for the Recyclables Collection Contract to Island Rubbish, Inc. for a total contract price of \$902,560.00 as bid as recommended by Public Works Director Michael Gray. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Absent; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- D) Agenda items for November 4, 2013
- License renewals
 - Update on IT, specifically website and access to government services online
 - Harbor Ordinance and Harbor Management Plan to vote to proceed to public hearing
 - Golf Course Architect's presentation and update on October 30th
 - Land use – farm licenses
 - Surveillance apparatus and Town policy
 - Landfill closure update (75% complete)
 - Recreation Department Report (updated figures)
 - Purchase of Recreation stickers and clarification of information for citizens
 - Landscape architect's report for Fort Getty update
 - Fire Department strategic plan (north end substation, consolidation of Fire/EMS location)

Town Administrator Paicos suggested Council members meet with him individually to express what is needed to bring him up to speed. Tina Collins has shared Town goals and needs with Administrator Paicos. Mr. Paicos is meeting with department heads individually to review each department. He will also meet with Board, Commission, and Committee chairs. Appointments should be made through the Administrator's assistant. The surveillance policy is paramount.

VII. CONSENT AGENDA

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

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

The Consent Agenda approved consists of the following:

- A) Finance Director's Report

VIII. EXECUTIVE SESSION

None.

IX. ADJOURNMENT.

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

The regular meeting was adjourned at 8:35 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)
 Town Administrator
 Interim Town Administrator
 Town Solicitor

TOWN COUNCIL SPECIAL MEETING
October 21, 2013

I. CALL TO ORDER

Town Council President Trocki called the special meeting of the Jamestown Town Council to order at 6:05 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue.

II. ROLL CALL

Town Council Members present:

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

Town Council Members absent:

Thomas P. Tighe

Harbor Commission members present:

Michael de Angeli, Chair
David Cain
Chris Brown
Edward McGuirl
J. William Harsch
Patrick Bolger
Lawrence Eichler

Also present:

Kevin E. Paicos, Town Administrator
Christina D. Collins, Finance Director/Interim Town Administrator
Peter D. Ruggiero, Town Solicitor
Michael Gray, Public Works Director
Edward E. Mello, Police Chief/Harbor Executive Director
Sam Patterson, Harbor Master
Cheryl A. Fernstrom, Town Clerk

III. JAMESTOWN HARBOR COMMISSION

A) Introduction to what Harbor regulates. Chair Michael deAngeli gave an overview of Harbor Commission activities and what it regulates including:

- Set rules for the management of moorings
- Recommendations to Town Council on repairs and improvements

- Set fees for operation of harbor and collection of fees
- Operating budget
- Capital budget and long-range planning
- Yearly and ongoing maintenance
- Revenues and expenses tracking

- B) Harbor Management Ordinance
- C) Comprehensive Harbor Management Plan
- D) Budgets and Funding

CRMC requested modifications to the Harbor Ordinance were referenced (minor housekeeping issues). The Comprehensive Harbor Management Plan requires a revision to cover aquaculture activities (currently being prepared by member McGuirl). The revisions would require a Council vote to proceed to advertise for public hearing.

Mr. de Angeli addressed budget issues and the Harbor Commission's disagreement with Harbor funds being used by the Town for what the Commission perceives as road repairs – repair of the East Ferry seawall – at a cost of \$45,000 per year over five years (decision of the previous Town Council). This depletes the “rainy day” fund for emergencies and is maintaining Town assets not harbor properties. Discussion of the enterprise fund and revenues ensued. Harbor Commission members requested to have a public discussion (public hearing) of the Harbor Ordinance and Harbor Management Plan and the budget, as well as consideration of revisions to budget policies for the 2014-2015 fiscal year. Lengthy discussion of Harbor Ordinance and Management Plan revisions ensued. Lengthy discussion of what should be considered as Harbor responsibility ensued. Discussion of ferry landing repairs and upgrade, jurisdiction, Town assets, Harbor assets, and recommended asset management plan ensued. The Harbor Ordinance and Harbor Management Plan will appear on the November agenda for a vote to proceed to public hearing in December. Revisions to the Plan and Ordinance do not change the funding process. Discussion continued.

E) Conanicut Marina expansion. Citizen concerns and/or endorsements for the Conanicut Marina expansion sent to the Harbor Commission were noted. This has not been addressed by the Harbor Commission as no final plan has been submitted and they cannot comment until then.

Bill Munger, Conanicut Marina. Mr. Munger introduced new Conanicut Marina employee Andrea McDonald. Mr. Munger referenced the on-going rebuilding after last year's Hurricane Sandy, including replacement of the wave attenuator and electrical issues. To date he has not chosen a final expansion plan (of the four proposed concepts). He is still seeking public input, and to date only two letters have been received. He feels the Town would benefit from Conanicut Marina's expansion. As he is still engulfed in repairs, he has not been able to choose a final plan. Presently he favors Plan D. Discussion continued.

Public comment.

Gary Parker of Green Lane stated he is a mooring owner who would be affected by Mr. Munger's plans. What Mr. Munger is trying to sell as wave protection is really a marina expansion that will wipe out the space his mooring is in. If he has an acceptable offer to the 7 mooring holders who would be affected by his proposed expansion proposals they would listen. The present offer is for a mooring further offshore, three to four times the water depth as the present mooring, at a cost for maintenance that will triple. Per Vice President Meagher, the decision may be up to CRMC not the Town.

Julio DiGiando of Clarke Street stated what is needed is to maintain a sense of balance between riparian and non-riparian folks. The red book (CRMC Regulations) controls what is to happen and a project does not go forward until the Town gives its blessing. This gives the wrong message to people waiting for a mooring, and for the good of the community, the Council must consider what is proposed.

Melvin Whittaker of Friendship Street was informed last spring his mooring was not an issue. There are 27 new slips proposed, and he just wants to keep his mooring.

Jerome Scott of Walcott Avenue stated he is speaking as President of the Taxpayers Association of Jamestown. The Association has concerns for the terms of leases for various Town facilities – marinas and golf course – and estimates the Town loses nearly \$900,000 annually due to the terms of the leases. The 2008 appraisal of Fort Wetherill was referenced, which estimated its value at half of what it should be due to its lease terms. The cap rate for properties was referenced. Discussion of lease costs and property valuations continued.

Bill Munger stated the wave attenuator expansion has nothing to do with leased land or the arrangement with the Town of Jamestown. Conanicut Marina is working with mooring holders, and any changes will be done peacefully.

Vice President Meagher asked Mr. Munger when he plans to make a decision on submission of a final plan. Mr. Munger stated later this fall. He would have all details worked out prior to the submission to CRMC. Ms. Meagher would like our Solicitor to render an opinion on removals of established moorings.

This will go on the November agenda for a vote to proceed to public hearing in December for both the Harbor Ordinance and Harbor Management Plan.

V. ADJOURNMENT.

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

The special meeting was adjourned at 7:05 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)
 Town Administrator
 Interim Town Administrator
 Town Solicitor

TOWN COUNCIL WORKSHOP
October 30, 2013

I. CALL TO ORDER

Town Council President Trocki called the workshop for the Jamestown Town Council to order at 7:06 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and led the Pledge of Allegiance.

II. ROLL CALL

Town Council members present:

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

Also present:

Kevin E. Paicos, Town Administrator
Christina D. Collins, Finance Director/Interim Town Administrator
Wyatt A. Brochu, Town Solicitor
Lisa Bryer, Town Planner
Michael Gray, Public Works Director
William Piva, Parks and Recreation Director
Cheryl A. Fernstrom, Town Clerk

President Trocki stated the purpose of this evening workshop is to view the architect's presentation and gather public comments and ideas regarding the golf course. This is the first of multiple workshops for the golf course project, and no votes or decisions will be made this evening. The rules of procedure for the workshop were outlined as follows:

- Three minute time limit per speaker
- Speakers must use the microphone at the podium, stating their name and address
- Don't repeat what was stated by a prior speaker
- The workshop will end no later than 9:00 p.m.

III. JAMESTOWN GOLF COURSE FACILITY

A) Presentation by Burgin Lambert Architects. Architect Bill Burgin gave a PowerPoint presentation (copies distributed to Council members). Planning procedures to develop a schematic design were explained. An overview of the area included the golf course area, landscaped area, and present structures, identifying the club house, maintenance barn, parking lot, offsite storage and conservation easement. .

Comparison of the present golf course maintenance facilities to another golf course maintenance facilities ensued. Existing building work and storage areas, including building use and square footage, were demonstrated. A proposed building use and square footage was reviewed, with the clubhouse (Building B) location moved closer to the first tee. The old building could be used during construction of a new one, and other buildings (Buildings A [storage barn], C [storage/multi-purpose], and D [general storage], and E [temporary storage]), could be constructed one at a time.

A breakdown and comparison of existing and proposed square footage ensued. The proposed outcome is to have all facilities located on Town land under Town control, an additional 15 parking spaces, an enlarged Caddy Shack, and increased overall square footage of 1,000 sq. ft. to 11,555 sq. ft. for the golf course facility only. The inclusion of the multi-purpose facility would increase the overall square footage by 2,831 sq. ft. to 13,355 total sq. ft. for the project. Discussion of alternatives ensued, including storage under the clubhouse.

The estimated cost for the golf course facility only, based on 11,555 sq. ft. at a cost of \$350 per sq. ft., is \$2,252,250. The estimated cost for the golf course facility with the multi-purpose building (4,300 sq. ft.), based on 13,355 sq. ft. at a cost of \$350 per sq. ft., is \$3,724,000.

Discussion ensued of improved functionality and visibility with the new location for the clubhouse and the village concept for separate buildings. Vice President Meagher asked whether the multi-purpose building with cart storage under the clubhouse building was preferable. Mr. Burgin stated not necessarily, and referenced storage under water-tight porches and decks surrounded by curtains for view purposes.

Councilor Mihaly asked about options for the clubhouse and the purpose of C building (multi-purpose). He was informed to house what is on the present second floor (now closed) at the clubhouse. Councilor Mihaly inquired about a third floor to B building (clubhouse). Mr. Burgin noted using the two floors like a split level building gives direct access on each level and improved aesthetics, while a third floor with required elevator adds great expense. He feels it is better to separate the maintenance and storage from the clubhouse operations. Discussion continued.

Mr. Mistowski (operator) noted the proposed clubhouse location was what he had in mind, wants the Caddy Shack to be the same as it is now, likes the village concept, and prefers to add on to the present maintenance facility.

Councilor Dickinson likes the proposed configuration. His primary concern is parking and asked if parking spaces were lost with removal of the double entrance. Mr. Burgin stated it is the same. Discussion ensued of existing parking. Mr. Burgin noted the Buildings and Facilities Committee was in favor of the multiple buildings and moving the

clubhouse location. Discussion ensued of landscaping and use of lawn areas for additional parking for events.

President Trocki asked what would be new for the present operator. Mr. Burgin noted it would be a whole new space with a new clubhouse and restaurant, space for outdoor dining on the deck, and better maintenance and storage space.

Town Administrator Paicos commented he had an opportunity to read reports and publications on the golf course and recreation facilities. It is apparent that culture, recreation, and amenities are a part of the character of Jamestown. There is a lot of programming in that area by private and public groups and is not sure we have a complete inventory of all activities, so we don't know where to house all of them. It would be beneficial to review and determine programs and needs prior to moving forward and making permanent decisions. Council members agreed.

IV. PUBLIC COMMENT/DISCUSSION

Bill Munger of Reservoir Circle stated he and his wife are neighbors to the golf course. He appreciates the challenges of being a tenant of the Town. He likes the B building concept and feels everything in one building is not a good idea; there are higher insurance rates with all activities included in one building. He prefers that C building be addressed after a needs assessment is completed. The parking is a better concept. He supports the B building, but cautions against C building and D building.

Mr. Burgin explained the grade change to lower the height of B building on the west side to accommodate people's wishes for a better view and vegetation for improved aesthetics.

Christine Ariel of Steamboat Street asked what this proposal does for community organizations, as many people don't play golf, and recreation includes singing, dancing, and performance. She likes the concept of the C building for theater, band, chorus, piano recitals, and the arts. Performing groups need a space to store equipment and rehearse, and there is a need for performing arts space for our leisure activities to provide a service for the segment of taxpayers who do not play golf. She doesn't like seeing older people setting up staging at the Baptist Church and doesn't like crawling under the stairs at the Rec Center to set up and store chairs at the end of events. The 2,500 sq. ft. of space for cultural and artistic activities is needed. She doesn't see any need for banquet facilities, and would not use them. The gathering of information is already done just assemble the performing arts people, as they can provide it right now. She asks that this go forward without delay. The preliminary design is compatible as long as it takes into consideration the needs for performing arts participation.

Mary Wright of Highland Drive thanked Town Administrator Paicos for his comments on the Recreation Study pointing to various creative activities. The first consideration is the survey results and it what the public wants. As Director of the Community Theater it

would be refreshing to have space for productions and other arts groups, as there is much creativity on this Island.

B. J. Whitehouse of Steamboat Street this stated this is the perfect format for discussion of performing arts. He understands the community, has been active with performing arts in town for 24 years, referenced equipment storage difficulties, and feels the over-used Recreation Center would also benefit from a performing arts center. He estimates over 1,000 Island residents are involved in performing arts (participants, spectators, supporters), and they are all taxpayers. The town-owned piano at St. Matthew's should be housed in a performing arts facility, and the time has come or a performing arts facility.

Jane Bentley of Mount Hope Avenue asked if there was an extra story on building B would it eliminate building C. Mr. Burgin stated no, it would not. Ms. Bentley stated she did community activities that included Pilates and Yoga until they were cancelled (due to the unsafe conditions) and feels the new building should be available for everyone. It is her concern there is not enough storage space, and she hopes building B will be used for other activities during the day to meet other community activity needs.

Sue Nicholson of East Shore Road stated she is in band and they use the PAC. Storage is a problem and she would love to see another facility. She likes the concept of multiple buildings and believes the various groups and the restaurant would not interfere with one another.

Tony Gutierrez of Clinton Avenue stated the Town Administrator's remarks were on target. Everyone wants to fix the golf course. He asks the Council to take the time to evaluate other needs, as there is no adequate performing arts space in Jamestown. It doesn't have to be huge, but properly designed it could serve the community and be a venue for other performing opportunities. Proper planning will benefit all citizens and the golf course operator.

Robin Monihan-Yoffa of Hamilton Avenue stated whatever happens with building C, with dual activities the 115 parking spaces would not be enough.

Jack Brittain of Conanicus Avenue sees the golf course every day. He likes building B, but is not sure if building C is in the right location. He understands performing arts space is needed, and he worries about the Mistowski family leasing the golf course, who pay a substantial amount of money. Mr. Brittain expressed concern for parking with multiple activities, especially on weekends.

Councilor Dickinson referenced the Zoning Ordinance matrix and noted the property is not restricted to just a golf course, it is for active recreation. Per Planner Bryer, any additional activities may need to go to Zoning for approval.

Dorothy Strang of Riptide Street referenced the parking situation and stated golf is not played after dark or in winter, and that is when many performing arts activities take

place. She thanked Town Administrator Paicos for acknowledging the arts and space needs.

Dorothy Brittain of Conanicus Avenue stated golf is played at night and the parking lot is always full. Arts organizations need a place, but she does not think it should be there, as it should be reserved for the golf course and its activities. She would rather see the \$1,000,000 spent for the golf course, as there are other locations in town that could be used (for performing arts).

Vice President Meagher thanked architect Bill Burgin. Tonight's discussion revealed we are a long ways from resolution, and many things need to be taken into consideration. The main point is the golf course; the Town owns it and leases it to a good tenant, and the present building is problematic. She appreciates the desire to create a home for performing arts, but we need to step back and look at all the information gathered and have a comprehensive discussion on how we can provide performance space in town. There may be other places that better serve this need. The Recreation Study and the Rec Center should be included in the discussion and all aspects need to be reviewed. The Jamestown Arts Center was referenced as a model to follow.

President Trocki noted Mr. Paicos' remarks were very accurate. She would love for Christine Ariel and other citizens or groups that have compiled information to submit it to the Town Clerk. We need to look at the golf course and the community at large and all aspects of recreation in order to give the architects some direction. This is a lot to digest and she needs time to process the information. This is a lot of money to spend, and we want to proceed, but thoughtfully and cautiously.

Vice President Meagher stated developing the program is a very important part of the process. It forms what we need, what we want, and what we can afford. Please be patient while we develop what this building should be.

Councilor Dickinson thanked the other Councilors, the Town Administrator and the people for their input and concepts. He enjoys the arts and asks that performing arts people be patient and work with non-performing arts entities to find a solution. We need to be sympathetic to citizens' needs and the golf course operator. He thanked Mr. Burgin for the preliminary concept.

Councilor Mihaly commented on the Recreation Study which revealed the identity of the Town is wrapped up in culture and recreation. We should be thinking Town-sponsored and non-Town sponsored activities and the opportunity to serve who we are. We need to see how the pieces fit together of what we have and what we need. He believes this will take a short time to develop.

Councilor Tighe referenced the activity to build a police station where the Rec Center exists. It was voted down by the people with the recommendation a proper location be found and a new police station be built on that location. Perhaps that approach is the right

one to find something that will meet everyone's needs in an appropriate building, without trying to combine the performing arts needs with the golf course.

Christine Ariel stated she wonders how the two activities can come together before she goes home to do her homework to develop what is needed. The theater people and other performing arts groups already know what they need, including dimensions and climate control for instruments and equipment. We can get all that information together to make specific proposals and have detailed discussions.

President Trocki asked Town Administrator Paicos how he would like to proceed. We can't have a building for every individual organization; it will be a space sharing facility. Mr. Paicos stated it is encouraging the performing arts groups know what they need for performing and storage. There should be a dialogue with other groups, such as Pilates and yoga that no longer use the golf course space. As the first step Town staff needs to gather information to begin to prepare the inventory. The staff needs to collect information from other organizations and get a sense of what they need. Once we have gathered the information, we can work with Mr. Burgin, who has done an excellent job developing the golf course needs, to determine where to place various activities and facilities needed for performing arts. This will not be a long exercise and will work well with the timeframe established for the project.

Ray Iannetta of North Main Road stated he likes the proposed layout as it doesn't intrude on the first or ninth hole. The main objective is to replace a sub-par facility. The proposed layout would allow the Town to proceed with building B and then determine the performing arts needs. The parking difficulties created by combining the facilities and activities in this location need to be addressed.

Mary Brittain asked for clarification whether the Town has performing arts community groups in the budget. As taxpayers are we responsible to provide such space? Where is JAC funded? Where do you draw the line?

Town Administrator Paicos noted the precedent for public/private cooperation exists. Youth group sports are performed on Town land already, which is beneficial, and the model is there and very much appropriate.

Mary Wright stated her group is fortunate to be under the Rec Department. Performing arts have exhausted all other places, we can't afford to use the schools, and the PAC is not a good place for all ages of participants. Prior discussion to add a floor to the Rec Center was referenced.

President Trocki thanked everyone for their comments. This discussion will be continued to a future date.

V. ADJOURNMENT

There being no further business to discuss, the workshop was adjourned at 8:44 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director/Interim Town Administrator
 Town Solicitor



JAMESTOWN HARBOR OFFICE
TOWN HALL
93 NARRAGANSETT AVENUE
JAMESTOWN, RHODE ISLAND 02835

Phone 401.423.7262
Fax 401.423.7229

TOWN OF JAMESTOWN
HARBOR COMMISSION

Minutes of the September 11, 2013 Meeting of the Jamestown Harbor Commission
Approved: 10-9-2013

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, September 11, 2013 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

Chairman deAngeli called the meeting to order at 7:02 PM:

Present:

Michael deAngeli, Chairman
David Cain, Vice-Chairman
Larry Eichler, Commissioner
Ed McGuirl, Commissioner
Chris Brown, Commissioner
Patrick Bolger, Commissioner

Absent:

William Harsch, Commissioner

Also in attendance:

Chief Edward Mello, Executive Director
Sam Paterson, Harbormaster
George Souza, Conservation Commission Liaison
Kim Devlin, Harbor Clerk & Recording Secretary

APPROVAL OF MINUTES

August 14, 2013

Vice-Chairman Cain moved to approve the minutes of the August 14, 2013 Jamestown Harbor Commission meeting. Commissioner Eichler seconded. So voted (4 ayes, 0 nays, 2 abstentions (Brown and Bolger)).

EXECUTIVE SESSION

No Executive Session.

OPEN FORUM

Scheduled Requests to Address

No Scheduled requests to address.

Non-scheduled Requests to Address

No Non-Scheduled requests to address.

EXECUTIVE DIRECTOR MELLO'S REPORT

Executive Director Chief Mello reported Assistant Harbormaster, Joe Falcioni, completed his final shift of the season on Monday (September 9).

Executive Director Chief Mello stated the Harbor Management Ordinance and Comprehensive Harbor Management Plan have been sent to Town Solicitor, Peter Ruggiero, for review before being sent to the Town Council. If there are any major edits, the Harbor Management Ordinance will come back to the Jamestown Harbor Commission for approval, before it is sent to the Town Council. The Comprehensive Harbor Management Plan will be brought back to the Jamestown Harbor

Commission for approval after review by the Town Solicitor, and then will be passed to the Town Council.

**MARINE DEVELOPMENT FUND BUDGET
2013/2014 MDF YTD Budget**

The Marine Development Fund was presented to the Jamestown Harbor Commission.

HARBOR CLERK REPORT

Harbor Clerk Devlin reported there are currently four (4) permits that have not been renewed this year. Those individuals have been sent forfeiture notices.

HARBORMASTER REPORT

Harbormaster Paterson had nothing to report.

Commissioner McGuirl inquired if there are any developments in the Pinheiro aquaculture application.

Executive Director Chief Mello stated the town is monitoring the situation, and waiting for the CRMC notice of a public hearing.

LIAISON REPORTS

Planning Commission Liaison

Planning Commission Liaison seat is vacant.

Town Council Liaison

Town Council Liaison seat is vacant.

Conservation Commission Liaison

Conservation Commission Liaison George Souza had nothing to report.

ONGOING BUSINESS

Budget

Commissioner Brown had nothing to report, but asked when the audited 2012/2013 budget would be available.

Harbor Clerk Devlin stated the audited budget will be available in January.

Facilities

Commissioner Eichler had nothing to report.

Mooring Implementation

Vice-Chairman Cain commented on the parking situation at Maple Avenue, in regards to the number of beach permits issued, stating there should be a reasonable assessment of the parking situation prior to determining the maximum number of permits allowed.

Executive Director Chief Mello stated that parking could be a problem at Maple Avenue, but that a number of residents within walking distance also have permits for that location. The concern is not only parking, but also access to the water for everyone, not just those with vessels.

Commissioner Cain stated the town planner should be consulted to determine what her plans are for that location in the future, and maybe the town council, with respect to parking. There does not seem to be a parking problem at the other locations – Ft. Getty, East Ferry and Head's Beach.

Commissioner Cain requested permission from the Jamestown Harbor Commission to consult with Chief (Mello), the town planner and the town council during the winter months to determine if there are any plans for municipal parking in that area before the number of permits is set at that location (Maple Avenue). We need to know what our capabilities are first.

Chairman deAngeli stated that seems like a reasonable way to move forward. There were no objections from the Commission and Chairman deAngeli requested Commissioner Cain move forward as stated.

Harbor Management Ordinance / Comprehensive Harbor Management Plan

Chairman deAngeli had nothing to report.

OLD BUSINESS

A. What criteria does the Jamestown Harbor Commission use to define a "Qualified mooring inspector?"

The Jamestown Harbor Commission reviewed the draft form to be submitted to the town by mooring inspectors and

installers who wish to be included on the town list of qualified mooring inspectors.

The form will be updated, per suggestions made at the meeting, and re-submitted to the Jamestown Harbor Commission.

NEW BUSINESS

There was no New Business to discuss.

CORRESPONDENCE

A. Clarke Moody – Re: CMS expansion plan comments; Rec'd: 8-25-2013

Vice-Chairman Cain moved to accept Correspondence item 14A, Commissioner Bolger seconded. So voted (6 ayes, 0 nays).

Commissioner Bolger commented that the letter from Mr. Moody raises a legal issue that has not yet been brought up, regarding the Conanicut Marine expansion. The letter states that the plans put forth by Bill Munger for Conanicut Marine's expansion move the business outside of the commercial waterfront zoning district and into the zoned residential district.

Chairman deAngeli stated he would look into the issue and contact the zoning board of review and the town solicitor.

B. Peter Converse – Re: Vessel ownership; Rec'd: 9-6-2013

Vice-Chairman Cain moved to accept Correspondence item 14A, Commissioner Bolger seconded. So voted (6 ayes, 0 nays).

C. CRMC – September Monthly Calendar; Rec'd: 9-6-2013

Chairman deAngeli moved to accept Correspondence item 14A, Commissioner Bolger seconded. So voted (6 ayes, 0 nays).

D. Cheryl Fernstrom, Town Clerk – Memo; Rec'd: 9-6-2013

Chairman deAngeli moved to accept Correspondence item 14A-D, Commissioner Brown seconded. So voted (6 ayes, 0 nays).

Chairman deAngeli asked Harbor Clerk Devlin to notify the town clerk that the Jamestown Harbor Commission would attend the October 21 meeting with the town council.

OPEN FORUM – CONTINUED

There was no Open Forum continued.

ADJOURNMENT

Vice-Chairman Cain moved to adjourn at 7:35 PM, Chairman deAngeli seconded. So voted; (6 ayes, 0 nays).

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk

Jamestown Tree Preservation and Protection Committee

September 17, 2013

MINUTES

The regular meeting was called to order at 6:45 p.m. Present: James Rugh, Tony Antine, John Collins, Lois Migneault and Tree Warden Steve Saracino. Absent: Lydia Thomas and David Frank. The July 16th meeting minutes were read. Mr. Antine moved approval and Mr. Collins seconded approval. The motion passed unanimously. There was no correspondence.

The Tree Warden reported that sourcing of plant material for the Transfer Station at various nurseries is completed. A plant list has been identified and a preliminary design has been completed. He is awaiting confirmation from Mike Gray as to when area (1) along back of Transfer Station will be ready for planting. This area will be planted with groups of evergreens for screening purposes. Area 1 should be completed this fall with the other areas scheduled for spring 2014.

The Tree Warden reported that a meeting was held with Tee Jay Boudreau, the new Rhode Island Urban and Community Forestry Program Coordinator, at the Jamestown Tree Nursery. An inspection was done of the all the work to date at the nursery. Mr. Boudreau was satisfied with the progress thus far and indicated he will make a follow-up visit once the trees for the 2012 ATB Grant are planted. Twelve trees have been sourced and tagged for the Town Tree Nursery to fulfill the 2012 America the Beautiful Grant. Trees will need to be planted at the Tree Nursery by September 30, 2013. The reimbursement package for the 2012 ATB Grant will be completed and submitted when the trees are planted.

The Tree Warden reported that due to the number of trees, twelve, a request has been made to the DPW to assist in the planting and mulching of the trees for the Tree Nursery.

- ◆ 14 Racquet Road – A second request was made to prune two existing maple trees for a vista corridor improvement. An evaluation was made that the trees could use some selective trimming and deadwood removal. A final decision will be made once I meet with the supervising arborist to clarify the extent of pruning that would be allowed. Ms. Migneault asked what type of maples they are. Mr. Saracino was not sure but thought they might be Norway Maples.
- ◆ 14 Narragansett Ave. – A request was made to plant a Honey Locust in front of the Fish Restaurant to replace the existing Evodia tree that is decline. The existing Evodia tree was planted as part of the Narragansett Avenue Improvement Project. This request was approved and work will be performed by the DPW.
- ◆ 67 Dumpling Drive – A request was made to remove two hazardous trees that are splitting and growing into the power lines and utility pole. The Tree Warden said he would be inspecting these three in the next week.

Under New Business the Chairman presented a draft of a revised Tree Permit. He explained that this was to make certain requirements under the existing process clearer. There were no actual changes in the process, it simply elaborated where questions have come up in the past. For example, if the permit is to remove a healthy tree the landowner is to replace the tree to maintain the town's tree cover. Ms. Migneault noted that in view of the invasiveness of Norway maples shouldn't we be encouraging the removal of these trees. The Chairman explained that in order to maintain the town tree cover, which is a major charge of the committee, the policy is to require a replacement tree for removed trees. A discussion about Norway maples ensued and what should be the committee's position on the tree. The Chairman said he would be attending the RI Tree Council board meeting on the 19th and would bring this issue up to the council. After additional discussion Mr. Collins moved approval, Mr. Antine seconded and the motion passed.

There were no liaison reports. A motion was made by Mr. Collins and seconded by Ms. Migneault to adjourn. This carried unanimously and the meeting adjourned at 7:53 p.m.

Approved: October 15, 2013

Approved As Written
Affordable Housing Committee Minutes

September 4, 2013

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

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

Also present:

Cinthia Reppe, Christian Belden

I. Approval of Minutes from August 21, 2013

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

II. Discussion – Church Community Housing Corp

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

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

The following are programs that CCHC does for Jamestown:

Home repair loan

Homebuyer education program

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

Rental housing development

Christian distributed information and papers to the members.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attest:

Affordable Housing Committee
September 4, 2013
Page4

Cynthia L Reppe
Cynthia L Reppe
Planning Assistant

Approved As Written

Affordable Housing Committee Minutes

September 11, 2013

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

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

I. Approval of Minutes from September 4, 2013

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

II. Discussion – Actions and Goals

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

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

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

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

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

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

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

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

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

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

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

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

Prioritizing Actions

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

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

Priority Actions - Brainstorming

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

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

Affordable Housing Committee Minutes

September 11, 2013

Page 5

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

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

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

Attest:


Cinthia L Reppe

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

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

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

Not present: Mick Cochran

Also present:

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

I. Approval of Minutes July 17, 2013

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

Approval of Minutes August 7, 2013

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

II. Correspondence

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

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

IV. Reports

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

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

4. Sub Committees

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

V. Old Business – nothing at this time

VI. New Business

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

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

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

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

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

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

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

A. Findings of Fact

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

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

B. Conditions of Approval

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

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

So unanimously voted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Planning Commission Minutes

September 4, 2013

Page 6

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

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

Attest:


Cynthia L Reppe

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

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

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

Not present:

Richard Lynn
Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner

I. Approval of Minutes September 4, 2013

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

Page 4, 7th paragraph, last sentence ~~More separation could be created but that requires more fill.~~
Page 5, 3rd paragraph, first sentence ~~Mr. DeSimone~~ **The applicant** respectfully asked for a continuance.

So unanimously voted.

II. Correspondence

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

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

IV. Reports

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

V. **Old Business**

1) Comprehensive Plan Update

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

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

VI. **New Business – nothing at this time**

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

Attest:

Lisa Bryer
Town Planner

This meeting was digitally recorded



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

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

AGENDA

Semi-Monthly Meeting – Full Council
Tuesday, October 22, 2013; 6:00 p.m.
Administration Building, Conference Room A
One Capitol Hill, Providence, RI 02908

RECEIVED
TOWN OF HOUSTON, CT
13 OCT 21 AM 10:51

Approval of the minutes of the previous meeting
Subcommittee Reports
Staff Reports

Applications which have been Out-To-Notice for 30 Days and are before the Full Council for Decision:

2013-05-131 LUIS & DJAMILIA JUNCO – As-Built structural shoreline protection located at plat 369 lot 242; 105 Budlong Farm Road, Warwick, RI.

Public Hearing for Applications Requiring Special Exception:

2011-11-091 RI DEPARTMENT OF TRANSPORTATION -- Replace the existing Great Island Bridge No. 499 with a new 3 span structure constructed along its existing alignment. Located at plat 2157, lot 2320; Great Island Road, Narragansett, RI.

Public Hearing on Changes to the Rhode Island Coastal Resources Management Program:

RI Coastal Resources Management Program – Section 300.14 –Maintenance of Structures

Revise Section 300.14.B.5 by adding new subsection (c) as follows:

(c) Yacht Clubs and other boating facilities that are listed on the National Historic Register that are destroyed may apply for a maintenance Assent before the Council (reconstruction) provided that the exact historical foot print of the structure is utilized and a similar architectural edifice is utilized on the building. All non-façade elements shall be in compliance with the latest edition of the Rhode Island State Building Code.

Purpose: To provide for the rebuilding of destroyed boating facilities listed on the National Register of Historic Places.

Enforcement Report – August 2013

Category “A” List

/lat

To: PRESIDENT, JAMESTOWN TOWN COUNCIL

From: JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS/ADDENDA OF TAXES FOR **NOVEMBER 4, 2013** MEETING

ABATEMENTS TO 2013 TAX ROLL

#01-0475-21 Andrew, Paul T. & Suzann	Plat 8, Lot 200 - Property transfer 10-1-13 to Account #08-0609-20	\$16,416.81
#01-0475-21 Andrew, Paul T. & Suzann	Plat 8, Lot 301 - Property transfer 10-1-13 to Account #08-0609-20	\$764.82
#02-0571-50 Beretta, Norman & Joyce, Trustees	Plat 9, Lot 291-B - Tax appeal to equalize condo values with 9/291-A - Assessment transfer to #02-0564-00	\$4,633.13
#02-1187-00 Brazbron Realty, Inc.	Plat 5, Lot 125 - Property transfer 9-20-13 to Account #02-1161-90	\$617.75
#02-1525-50 Buck, Brian R. & Trocki, Carol L.	Plat 9, Lot 311 - Tax Appeal - Assessment reduced based on 2 appraisals - New Value \$483,300	\$294.88
#02-1640-00 Bunkley, John Britain	Plat 9, Lot 862 - Property transfer 10-4-13 to Account #01-0043-00	\$2,649.88
#03-0178-00 Cardi, Nicholas & Kerri	Plat 2, Lot 69 - Property transfer 10-1-13 to Account #18-0640-00	\$23,414.00
#03-0686-00 Chrisler, Patience et al	Plat 9, Lot 301 - Tax appeal - Land value adjusted to equal abutting parcel - New Value \$3,863,700	\$1,862.88
#03-0868-04 Clarke, Laura E. & McGuirl, Edward J.	Plat 8, Lot 40 - Property transfer 10-11-13 to Account #06-0302-62	\$3,733.10
#03-1177-00 Cook, Paul L. & Craig, Karen	Plat 9, Lot 239 - Property transfer 10-15-13 to Account #19-0898-00	\$4,066.10
#03-1324-00 Costa Family Trust	Plat 7, Lot 42 - Tax appeal - Assessment reduced based Grade & Land - New Value \$1,879,700	\$1,146.25
#03-1493-30M Crater, Mary L.	Motor Vehicle - 2007 VW Reg. #QH 341 Registered in MA 1-24-12 - Abate 342 Days	\$63.57
#05-0005-72 East Ferry Properties, LLC	Plat 9, Lot 775 - Property transfer 10-2-13 to Account #12-0300-15	\$4,341.63
#06-0115-50 Fazio, George J. & Susan E.	Plat 10, Lot 79 - Property transfer 10-2-13 to Account #01-0474-74	\$3,118.38
#07-0030-00 Gaither, H. Rowan et al	Plat 8, Lot 389 - Property transfer 10-1-13 to Account #10-0007-00	\$719.35
#07-0736-00 Gouveia, Alan A. & Maria H.	Plat 15, Lot 216 - Property transfer 10-4-13 to Account #13-0364-00	\$4,683.75
#11-0135-33M Kelly, Thomas J.	Motor Vehicle - 2004 Nissan Reg. #TK 185 Vehicle traded-in 6-4-13	\$22.96
#13-1562-00 Mikolay, Joy & Michael	Plat 2, Lot 154 - Tax Appeal - Adjusted depreciation New value \$631,600	\$231.00
#14-0395-00 Noble Family Trust	Plat 8, Lot 201 - Property transfer 10-1-13 to Account #10-0007-00	\$16,731.49

#16-0538-00 Perez, John R. & Elizabeth H.	Plat 2, Lot 106 - Tax appeal - Assessment reduced based on re-inspection - New Value \$2,741,600	\$1,449.88
#16-0626-00 Perry, Raymond J. & Wendy	Plat 3, Lot 474 - Property transfer 9-20-13 to Account #20-0539-90	\$2,244.25
#16-1055-00 Potash, Daniel R. & Celeste M.	Plat 9, Lot 83 - Property transfer 10-15-13 to Account #20-0232-00	\$2,657.05
#18-0626-00 Roche, Vincent E. & Janet B.	Plat 8, Lot 413 - Property transfer 10-7-13 to Account #16-1100-00	\$2,518.20
#18-0730-80 Rose, Laura Love	Plat 12, Lot 216 - Tax appeal - Assessment reduced based on limited water view - New Value \$1,820,600	\$1,217.13
#18-0780-88M Rothrock, Martin L.	Motor Vehicle - 2012 Subaru Reg. #581663 Soldier/Sailor Exemption	\$118.59
#19-1565-51M Sugalski, Adam J.	Motor Vehicle - 2007 Hyundai Reg. #068103 Registered in Texas 10-29-12	\$8.19
#20-0394-90 Tieri, Christine	Plat 8, Lot 462 - Property transfer 10-16-13 to Account #10-0061-20	\$2,917.88
#23-0080-00 Waldman, Margot L. & Haspiel, Eliz. L.	Plat 9, Lot 267 - Tax appeal - Assessment reduced based on no finished attic - New Value \$830,500	\$159.25
#23-1001-20 Willis, Philip & Norma	Plat 3, Lot 480 - Tax appeal - Assessment reduced based Grade - New Value \$2,479,000	\$425.25

ADDENDA TO 2013 TAX ROLL

#01-0043-00 ACS Builders, LLC	Plat 9, Lot 862 - Property transfer 10-4-13 from Account #02-1640-00	\$2,649.88
#01-0194-50 Allen, Sheree Kaplan & David S.	Plat 1, Lot 130 - New Construction - Prorated Bill (124 Days) - New Value \$4,416,100	\$2,948.82
#01-0474-74 Andrews, Nikki C.	Plat 10, Lot 79 - Property transfer 10-2-13 from Account #06-0115-50	\$3,118.38
#02-0564-00 Beretta, David III et al	Plat 9, Lot 291-A - Tax appeal to equalize condo values with 9/291-B - Assessment transfer from #02-0571-50)	\$4,633.13
#02-1161-90 Brasil, James E., Trustee	Plat 5, Lot 125 - Property transfer 9-20-13 from Account #02-1187-00	\$617.75
#06-0302-62 Flood, Kathryn K. & Richard T. III	Plat 8, Lot 40 - Property transfer 10-11-13 from Account #03-0868-04	\$3,733.10
#08-0609-20 Hoey, James Peter & Susan M., Trustees	Plat 8, Lot 200 - Property transfer 10-1-13 from Account #01-0475-21	\$16,416.81
#08-0609-20 Hoey, James Peter & Susan M., Trustees	Plat 8, Lot 301 - Property transfer 10-1-13 from Account #01-0475-21	\$764.82
#10-0007-00 Jachinowski, Joseph K. & Suzanne Hoey, Trustees	Plat 8, Lot 201 - Property transfer 10-1-13 from Account #14-0395-00	\$16,731.49
#10-0007-00 Jachinowski, Joseph K. & Jachinowski, Suzanne Hoey, Trustees	Plat 8, Lot 389 - Property transfer 10-1-13 from Account #07-0030-00	\$719.35
#10-0061-20 Jamestown Village, LLC	Plat 8, Lot 462 - Property transfer 10-16-13 from Account #20-0394-90	\$2,917.88
#12-0300-15 LDRE Properties, LLC	Plat 9, Lot 775 - Property transfer 10-2-13 from Account #05-0005-72	\$4,341.63
#13-0364-00 Manella, Matthew D. & Darlene A.	Plat 15, Lot 216 - Property transfer 10-4-13 from Account #07-0736-00	\$4,727.50
#13-1960-50 Moorehead, John J. & Jennifer A.	Plat 1, Lot 67 - New Construction - Prorated Bill (124 Days) - New Value \$371,700	\$855.51

#16-1100-00 Potter, Louise	Plat 8, Lot 413 - Property transfer 10-7-13 from Account #18-0626-00	\$2,518.20
#18-0640-00 Rockwood Lane Realty, LLC	Plat 2, Lot 69 - Property transfer 10-1-13 from Account #03-0178-00	\$23,414.00
#19-0898-00 Sirotin, Justin & Bell, Alicia	Plat 9, Lot 239 - Property transfer 10-15-13 from Account #03-1177-00	\$4,066.10
#20-0232-61 Templeton-Cotill, Anna	Plat 9, Lot 83 - Property transfer 10-15-13 from Account #16-1055-00	\$2,657.05
#20-0539-90 Treciokas, Aaron P. & Ritter, Amy Grace	Plat 3, Lot 474 - Property transfer 9-20-13 from Account #16-0626-00	\$2,244.25
#26-0019-55 Zero Blueberry, LLC	Plat 10, Lot 98 - New Construction - Prorated Bill (103 Days) - New Value \$415,700	\$313.84

TOTAL ABATEMENTS	\$103,227.40
TOTAL ADDENDA	\$100,389.49

RESPECTFULLY SUBMITTED,

Kenneth S. Gray

KENNETH S. GRAY,
TAX ASSESSOR

TOWN OF JAMESTOWN

Jamestown Tree Preservation and Protection Committee

93 Narragansett Avenue, Jamestown, Rhode Island 02835

*Enhancing the rural character of Jamestown through
inventorying, preserving, planting and maintaining Jamestown's trees.*

October 16, 2013

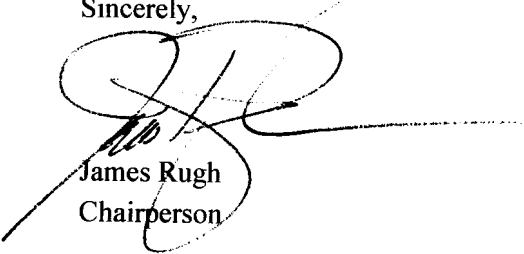
Town Council
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

To the Town Council:

Early this spring one member of the committee resigned. In addition, another member has not attended any meetings this year due to conflicts. We are this effectively operating with a five-member committee. We would ask that the committee be brought up to full strength.

In addition, the focus of the committee has changed over the past few years with the creation of the town tree nursery. In considering future members, we would urge the council consider applications who have the time, interest and ability to assist with the operation of the nursery.

Sincerely,



James Rugh
Chairperson

Jamestown Tree Preservation and Protection Committee

Attendance Record 2012

	January	February	March*	April	May Special	May	June	June Special	July 3 Plant	July	August	September	October	November	December
Jim Rugh <i>Chairperson</i>	P	P	*	P	P	P	P	P	P	P	*	P	P		
Anthony Antine <i>Vice Chairperson</i>	A	A	*	P	P	P	P	P	P	P	*	P	P		
<i>Secretary</i>															
John Collins	P	P	*	P	P	P	P	P	P	P	*	P	P		
Lois Migneault	P	P	*	P	P	P	P	P	P	P	*	P	P		
David Frank	P	A	*	A	P	A	A	P	A	P	*	A	P		
Lydia Thomas	A	P	*	A	A	A	A	A	A	A	*	A	A		
Richard Lynn ^	A														
NON VOTING MEMBERS															
Richard Lynn ^ <i>Planning Board Rep</i>	A														
Patrick L Driscoll <i>Conservation Rep</i>	A	A	*	P	P	P	P	P	A	P	*	A	P		
Steve Saracino <i>Tree Warden</i>	P	P	*	P	P	P	P	P	P	P	*	P	A		
Mike Gray <i>Public Works Dir</i>	A	A	*	A	P	A	A	P	A	A	*	A	A		
Fred Brown <i>Building inspector</i>	A	A	*	A	A	A	A	A	A	A	*	A	A		
Lisa Bryer <i>Town Planner</i>	A	A	*	A	A	A	A	A	A	A	*	A	A		

^ Mr Lynn was both a voting members and a liasion * Cancelled

TOWN OF JAMESTOWN

Jamestown Tree Preservation and Protection Committee

93 Narragansett Avenue, Jamestown, Rhode Island 02835

*Enhancing the rural character of Jamestown through
inventorying, preserving, planting and maintaining Jamestown's trees.*

October 16, 2013

Town Council
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

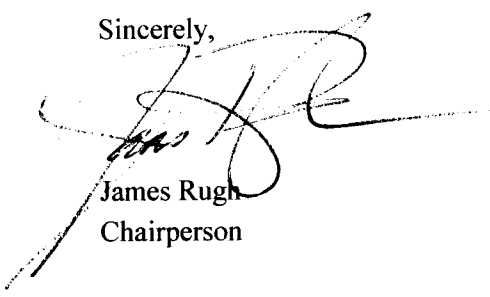
To the Town Council:

Interest has been expressed in providing a memorial tree. We do have a formal memorial tree program and this requires the approval of the Town Council. Requests are rare and there are currently only four memorial trees in town. A reason there have been so few requests is that we have not publicized the program because a limiting factor is finding a suitable location on town owned land.

In light of this latest inquiry, the memorial tree program was discussed at the October Jamestown Tree Preservation and Protection meeting. One possible location for memorial trees would be Ft Getty. Immediately trees could be planted in the area of the pavilion, once landscape plans are complete. This could expand any landscaping budget. In addition, should a master plan for the overall park be approved designated tree location might be used for future memorial trees.

We would ask that the need for planting locations for a limited number of memorial trees be kept in mind when considering trees at Fr. Getty.

Sincerely,



James Rugh
Chairperson

Jamestown Tree Preservation and Protection Committee

93 Narragansett Avenue
Jamestown, RI 02835

Memorial Tree Program

The Town Land Memorial Tree Program allows residents of Jamestown an opportunity to memorialize or honor individuals with a connection to the Town of Jamestown by donating a tree to be planted on town owned land. The program is administered by the Jamestown Tree Preservation and Protection Committee and helps the Town meet the need for additional or replacement trees.

To Donate a Memorial Tree:

Complete this form and send it to the Jamestown Tree Preservation and Protection Committee. The Committee will consider the request. If approved, the Tree Warden will contact you to help you select an appropriate species and an appropriate location on town owned land, based on the tree needs of the Town. The species selected will be from the Town's approved list of street trees. Once the location and species are selected, the application will be forwarded to the Town Council for final approval.

For Approved Memorial Trees:

The Town will provide and plant a 2 1/2-inch caliper tree in the fall. If it dies the town reserves the right to replace it with a different species. If you desire a memorial plaque, the Town will purchase and install one near the base of the tree and flush with the ground. The plaque can read either "In memory of" or "Honoring." The Town is not responsible for a damaged or stolen plaque. Privately purchased plaques or markers are not permitted.

Cost:

The cost of a Memorial Tree is \$250, plus the cost of a plaque, if desired (estimated at \$100, quoted at current cost). A check for the full amount, made payable to the Town of Jamestown, is due upon final approval by the Jamestown Town Council.

Your name:

Your address:

Phone: (.....)- Email:@.....

Preferred location(s): (must be town owned land)

Name and connection to Jamestown of the person to be memorialized:

.....
.....

Your signature: Date:

Cheryl Fernstrom

From: Wendy Marshall [wmarshall@middletownri.com]
Sent: Thursday, October 17, 2013 8:27 AM
To: Kathleen M. Silvia ; Cheryl Fernstrom; Joanne Mower; Nancy L. Mello; Carol Wordell
Subject: Creation of a Unified High School Exploratory Committee

Good Morning,

At a regular meeting of the Middletown Town Council, held on October 7, 2013 the Council voted to create a Unified High School Exploratory Committee:

Voted was taken as follows:

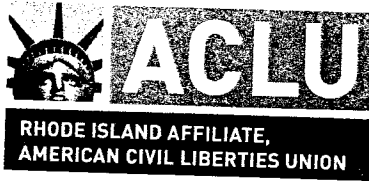
On motion of Vice President Sylvia, duly seconded, it was voted unanimously that:

1. That the Town Council appoint 2 Town Councillors to a Unified High School Exploratory Committee.
2. That the Town Council request that the Middletown School Committee appoint 2 School Committee member to a Unified High School Exploratory Committee.
3. That the Town Council send to each of the other Newport County Councils a request to act as above in order to facilitate joint discussions related to a Unified High School Exploratory Committee and make recommendations for changes in the enabling legislation to accomplish the foregoing.

The Council is requesting your Council's support in this matter.

Have a nice day!
Wendy

Wendy J.W. Marshall, CMC
Town Clerk
350 East Main Road
Middletown, Rhode Island 02842
Phone: 401-847-0009
Fax: 401-845-0406



128 DORRANCE STREET, SUITE 220
PROVIDENCE, RI 02903
401.831.7171 (t)
401.831.7175 (f)
www.riaclu.org

October 16, 2013

Kristine Trocki
President, Town Council
Jamestown Town Hall
93 Narragansett Avenue
Jamestown, RI 02835

RECEIVED
TOWN OF JAMESTOWN
13 OCT 23 PM 12:08

Dear President Trocki:

As an organization concerned with protecting the privacy of Rhode Islanders, the ACLU of Rhode Island is glad to see the Town Council is engaging in a serious discussion as to the level of surveillance to which Jamestown residents should be subjected. We strongly encourage the adoption of an ordinance, crafted through an open and transparent process including public examination and comment, that sets standards on the use of surveillance equipment throughout Jamestown. This should include the reasons for use, and standards as to who can view captured material, the purposes for which this material can be used, and the process for obtaining access.

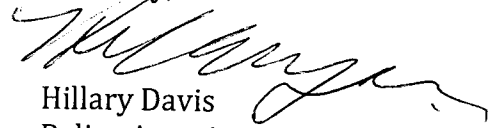
Reliance on surveillance cameras has in recent years become commonplace, but the use of this equipment is often unregulated. Although evidence does not suggest that use of surveillance cameras is associated with lower crime rates, increasingly large portions of our public space are under 24/7 monitoring, capturing in invasive and excruciating detail every moment of our public lives. Unfortunately, once surveillance cameras are installed, their use rarely remains confined to their original purpose. Without thorough discussion and agreement as to the purpose of surveillance cameras, it is only a matter of time before they are misused to violate the privacy of innocent passersby.

The use of any surveillance equipment should be accompanied by standards as to how long the recorded information can be kept, how it may be accessed, and by whom. Access to recorded information should always be limited only to the camera owner or operator, or law enforcement engaged in an active criminal investigation that requires examination of images recorded over a specific time frame. Captured images that are not part of an active criminal investigation should be deleted or otherwise destroyed within a short period of time after their capture. In order to allow passersby the greatest control over their privacy, surveillance cameras should be visible or their location otherwise clearly marked.

We applaud Jamestown for recognizing the problems with a piecemeal approach to protecting the privacy rights of Jamestown's residents and visitors, and are happy to offer any further assistance in crafting a town-wide policy that alleviates safety concerns while

ensuring privacy remains protected. We look forward to seeing the text of this proposed ordinance soon, so that the public may comment before its final adoption.

Sincerely,

A handwritten signature in black ink, appearing to read "Hillary Davis", written in a cursive style.

Hillary Davis
Policy Associate

cc: Council Members
Town Clerk

Cheryl Fernstrom

From: John A. Murphy [jamurphy@jamestownlawyer.com]
Sent: Thursday, October 24, 2013 7:52 PM
To: Kristine S. Trocki (trockijamestowntc@gmail.com); Mary E. Meagher (meagherjamestowntc@gmail.com); 'Eugene Mihaly (Eugene@mihaly.org)'; 'tighe@jamestownri.net'; Blake A. Dickinson (dickinsonjamestowntc@gmail.com)
Cc: Cheryl Fernstrom (cfernstrom@jamestownri.net); Peter Ruggiero (peter@rubroc.com); Prior, H. David (Phila); Lanny & Kathy; Richard Meunier (squiggy733@aol.com); Tim Riel; Joe Baker, reporter (baker@NewportRI.com); kpaicos@jamestownri.net
Subject: Request for a resolution calling for the installation of a center median barrier on the Newport Pell Bridge...
Attachments: 2010 RITBA TIGER Application.pdf; 2009 RITBA TIGER Application.pdf

Dear Council Members:

I anticipate coming before you at the next Council meeting and requesting your support for a resolution calling for the installation of a center median barrier on the Newport Pell Bridge.

Attached are copies of the TIGER grant applications filed in 2009 and 2010 by the Rhode Island Turnpike & Bridge Authority. These documents demonstrate absolutely, in the words of Authority officials themselves, that the bridge is unsafe without such a barrier.

The Authority must now act to protect the 27,000 people who cross the bridge every day, including 15,000 daily commuters, a number of whom are your constituents.

John A. Murphy
77 Narragansett Avenue
Jamestown, RI 02835-1149

You Could Be the Next Person Killed on the Pell Bridge

A Report on the October 21, 2011 Fatal Crash

By H. David Prior

Nearly two years ago, two people were killed on the Pell Bridge. Their deaths could have been prevented. A reckless driver killed them. Certain public officials sworn to protect us swept the case under the rug. They trivialized the victims' deaths and excused the reckless driving. They need to be held accountable for their misbehavior and their failure to protect us. The truth needs to be revealed. That is why I have written this report for the citizens of Jamestown and ask for your help.

My brother Kenny was afraid to cross the Pell Bridge on his way to work and back. He frequently told me the bridge was "scary", people drove too fast on it and there was no escape from "crazy" drivers. Unfortunately, Kenny was right. On the night of October 21, 2011, Kenny was on his way home to Jamestown from his job at the Navy base. He and his friend and co-worker Kathy Meunier, who was driving him home, were hit head-on by James MacKenzie, a teenage driver from Middletown. MacKenzie was returning home from a football game around 10:20 pm with his twin brother Chris. Kathy Meunier was killed instantly. Kenny was critically injured. The first responders and doctors made heroic efforts to save him. He was transferred by helicopter to Rhode Island Hospital in

Providence where he died a few hours later. The MacKenzie twins were also badly injured, but they survived the crash and graduated from Bishop Hendricken High School in June 2012. Two active cell phones belonging to the two boys, containing numerous text messages, were taken from the front seat of their car by the Rhode Island State Police the night of the crash. The phones were still buzzing and ringing when the RISP seized them.



After the horrific crash which killed my brother and his friend, we contacted the Rhode Island authorities asking for an explanation and a copy of the official accident report. We talked to several eyewitnesses to the crash and conducted our own investigation with the help of our lawyer John Murphy of Jamestown. Several months later we finally met with Jay Sullivan of the Attorney General's office in Providence. We were shown a video of the crash and were told that the Rhode Island State Police and the Attorney General's Office were still investigating. Sullivan promised to provide us with a full accident report on the crash.

After months of delay and stonewalling, the Attorney General decided not to bring criminal charges for reckless driving despite all the evidence to the contrary. The driver eventually pled guilty to traffic violations of speeding and driving on the wrong side of the bridge in late March of 2012. He was fined \$385 for driving over 63 mph in a posted 40 mph zone and his license was suspended for 6 months. Immediately after the driver pled guilty, the



Attorney General's office reneged on its agreement to provide us with the full accident report, including the evidence of cell phone use and texting. We were forced to go to court several times last year to obtain two separate court orders requiring the Attorney General and the State Police to produce the evidence we were promised and entitled to by law.

Based upon both eyewitness accounts and the evidence we now have, here is what we know: We know James MacKenzie was traveling in excess of 63 mph. That is what the video shows and that is what he pled guilty to before a RI Traffic Tribunal judge in a pre-arranged plea worked out by his lawyer and the prosecutor Jay Sullivan. We know that both the driver and his twin brother had active cell phones in their car. It is illegal for a teen under the age of 18 to use a cell phone in a car while driving. It is also illegal in Rhode Island and in most states to text while

driving. We know based upon the police report that the boys both used each other's phone interchangeably and there was texting going on during their ride home before the crash. In fact, texts continued to be sent to the boys after the crash. We know that drugs and alcohol and vehicle malfunction were ruled out by the RISP. The video taken from the tower of the bridge shows that the driver drove his car straight across a double yellow line and two lanes of opposing traffic, far in excess of the speed limit, without slowing or stopping. He never swerved or even applied his brakes. He drove head on into Kathy Meunier's car and completely demolished it, killing two innocent people. Kathy Meunier was driving her car lawfully in the far right lane, within the speed limit. She and my brother were simply returning home from work that night. The same thing could happen to you, your brother, son, wife or mother, the next time any one of you crosses the Pell Bridge.

Kenny's survivors included his elderly mother with whom he lived his entire life and his twin sister Kathy and me. Kenny was 65. He was handicapped and had special needs. He never drove a car. Kathy Meunier was doing a good deed by driving him home after work as she had many times before. Kathy Meunier's survivors included her husband Richard and her seven year old daughter Honor. Their loss is tremendous. Kathy was the love of Richard's life and Honor has lost her mother and will never know her. Kathy was only 48. She was a special person who was a decorated National Guard veteran. She was going to school, working several jobs and volunteering to help others less fortunate when she was killed. She was buried with full military honors in the Rhode Island Veteran's Cemetery. Both Kenny and Kathy are missed tremendously by their families every single day.

The Pell Bridge was completed and opened in June 1969. It was built without a median barrier to protect its patrons who pay RITBA's tolls to cross Narragansett Bay. It replaced the Jamestown Ferry and became the only practical way to travel east from Jamestown. It was built years before strong lightweight materials were available to make the median barriers that are prevalent and used to protect people crossing bridges today. It was opened when far fewer cars crossed the bridge every day. It was built before cell phones were invented and texting while driving became the serious danger and curse it has become today. It was built before the Age of Distracted Driving when Texts Can't Wait and law enforcement selectively enforces the ban on using cellphones and texting while driving.

Bridges connect places and people. The Pell Bridge connects Jamestown and Newport. Ironically, the social service agency which helped my family take care of Kenny is called Bridges. Bridges, a nonprofit corporation, was founded by Lisa and Jim Rafferty of Jamestown over 25 years ago to take care of handicapped people with special needs.

My brother Kenny had special needs, but he also had special gifts. He worked for 37 years at the Navy base. He was an avid and accomplished woodworker despite his handicap. He made wooden birdhouses, planters, toys and crafts that reside in the homes of his many friends in Jamestown and elsewhere. Kenny feared being driven over the bridge, but he had good reason. He knew the bridge was not safe. He had compassion and empathy for those who drove to work and back with him and he worried about his safety and his future. He worried every day about what would happen to him and to us. I believe that he had a premonition about the bridge because he knew better than we did that the bridge was unsafe.

Kenny said to me shortly before he was killed, "Bridges wants me to be a role model. How can I be a role model?" His social workers at Bridges in Jamestown were probably thinking about how Kenny could teach their other handicapped clients woodworking. I think Kenny and Kathy Meunier can be another kind of role model now. Kenny and Kathy can and should be a catalyst for safety on the bridge. Their unfortunate deaths are a lesson for all of us. Their deaths should not be in vain. We need to demand that the Rhode Island Turnpike and Bridge Authority install a median barrier on the Pell Bridge now. Buddy Croft, the Executive Director of RITBA, was quoted by the Jamestown Press in August of 2012 as saying "One death on the roadway is too many." What does RITBA consider two deaths to be? It is time for RITBA to act now.

RITBA has been aware of the cross-over crashes and need for a barrier for decades and they have done nothing. RITBA's own records show that there have been numerous collisions on the bridge. In fact, there have been 49 crossover crashes since 1996. There have also been numerous "side swipes" or near misses. RITBA is clearly aware that the volume of traffic on the bridge has increased dramatically since the bridge opened. They have used historic traffic volume and projected increases in the traffic to sell bonds to their investors in public offerings. RITBA is also aware of the high rate of speed people travel over the bridge, the woeful lack of enforcement of the 40 mph speed limit on the bridge and the selective enforcement of the ban on texting while driving. The mounted cameras on the bridge show clear evidence of this law enforcement failure. RITBA also knows the bridge would be safer and more stable in high winds, including hurricane-force winds, with a median barrier. Their own engineering experts, Parsons Brinckerhoff, told them so after doing a study in 2009.

Sadly, RITBA has not made your safety in crossing the bridge a priority. RITBA has had a median barrier in its capital budget and 10 year renewal and replacement plan for years. In fact, it cites the number of cross-over crashes as the need for a median barrier.

RITBA has paid for engineering studies which confirm the need and demonstrate that the bridge would actually be safer and more structurally sound. RITBA has estimated the total cost of a median barrier at about \$6 million. It is still in their plans, they know it is needed and they have not installed it despite the cross-over history putting their patrons at risk.

A time line of RITBA's delay in acting is informative. In October 2006, RITBA hosted the fall conference of the International Bridge Tunnel and Turnpike Association in Newport. Besides a tour of the Pell Bridge by boat and a clam bake, the conference featured a program on barrier systems for bridges and the new barrier technology recommended by the National Transportation Safety Board. In August 2007, RITBA announced it was studying median barriers for the bridge and designs and bids for the barriers would be due soon. This was reported on the front page of the Jamestown Press under the headline "Bridge authority looking to separate highway lanes with median barriers." In February 2009, NBC 10 reported on a nine car crash on the bridge. Buddy Croft was quoted as saying he wanted to know if something could have been done to prevent the accident. In June 2009, WPRI reported that two people were recovering from serious injuries after a head-on crash on the bridge.

RITBA continued to study putting a barrier on the bridge. They applied in 2009 for a federal TIGER grant to install a barrier. The application made a case for public safety. Presumably, it included the long history of cross-over crashes which preceded Kathy and Kenny's deaths. In 2010, RITBA did a bond issue for capital improvements. The offering document for the bonds disclosed that RITBA intended to install a median barrier and had applied for a TIGER grant. It represented that if the TIGER grant was not awarded, RITBA would fund the barrier as soon as funds were available. RITBA did not get a TIGER grant and did not apply for one later. By then, RITBA had decided to build a new office building. Public safety took a back seat to their own comfort and personal needs.

In 2010, RITBA hired an architect to renovate its existing office building. In March 2011, the Jamestown Press reported that RITBA had voted to proceed with plans for a new office building which would be, in the words of RITBA's Chairman David Darlington, "safer and more comfortable for the employees and toll payers who work and visit the building." On October 21, 2011, when my brother and Kathy Meunier were killed on the bridge, RITBA was still studying the need for a barrier and had a barrier in its plans. RITBA's new office building was underway. Instead of installing the barrier, RITBA had a beautiful new office building and luxurious new board room designed and built for its own comfort and safety.

On August 1, 2012, my family, represented by our lawyer John Murphy of Jamestown, met with the RITBA board and staff. We had the full support of Richard Meunier and his family in the request we presented to the RITBA board. RITBA was meeting for the very first time that day in its new building. We asked RITBA to install a median barrier on the bridge. We said that the crash that killed Kathy and Kenny could have happened to anyone crossing the bridge at any time and a barrier may have saved their lives. The Jamestown Press and Newport Daily News both covered this presentation and reported on the meeting and our request. Well over a year has passed since then. No barrier has been installed and we have had no encouragement from RITBA that one will be anytime soon.

We believe a barrier could have saved Kathy and Kenny's lives. We think a barrier could save your life the next time you cross the bridge.

When we met with Jay Sullivan, the Assistant Attorney General and prosecutor assigned to the MacKenzie case, he said two things to us that were deeply disturbing.

First, by way of excusing the teen's reckless driving, Sullivan said "Everybody speeds on the bridge."

Kathy Meunier was not speeding. Careful and lawful drivers do not speed over the bridge.

If most drivers do speed on that narrow, four lane bridge separated only by a double yellow line, and they are not fined, that is a serious law enforcement problem.

Second, by way of minimizing evidence of cell phone use and texting while driving, Sullivan said "I haven't looked at the cell phones or texts. They may have been deleted or tampered with." This was said months after the crash and belies the Attorney General's statement to Joe Baker of the Newport Daily News in March 2012 that he was taking his time because he was doing a careful job. The phones had been in the possession of the RISP since the night of the crash. Sullivan refused to let us see the texts or permit us to have the phones inspected for months and months despite two court orders. He vowed we would never see what was on the phones. We finally got access to them after months of further excuses and stalling in March of 2013.

According to the National Highway Safety Administration, driving a car while texting is six times more dangerous than driving while intoxicated. Sending or receiving or looking at a text takes a driver's eyes off the road for an average of 4.6 seconds - when traveling at 55 mph - it is like driving the length of an entire football field while blindfolded.

Texting in cars and trucks causes over 3,000 deaths and 330,000 injuries a year according to a Harvard Center for Risk Analysis study.

Texting while driving now has replaced drinking while driving as the leading cause of accidents and deaths of teenage drivers and texting drivers are 23 times more likely to be involved in a crash than non-texting drivers.

The Rhode Island ban on texting while driving has been the law since 2009. Sadly, the law is not being enforced. A Providence newspaper reported in February 2013 that Rhode Island's law against texting while driving is proving wholly ineffective despite the fact that distracted driving and texting is now one of the greatest dangers facing drivers on our roads. In fact, only a mere handful of texting drivers have been ticketed and fined in Rhode Island.

So who will protect you when you cross the bridge again? You may be a safe driver, but you are not in control. You are at the mercy of the other driver who is speeding and texting while driving with impunity. A reckless driver can kill two people in Rhode Island and get away with it. The double yellow line on the bridge will not save you and lax and selective state law enforcement will not protect you.

If you cross other bridges in your travels, you will see many variations of strong, lightweight median barriers throughout the United States. Barriers are now made of modern materials and can be installed at a reasonable cost to save lives. In San Francisco a few years ago, there was a serious problem with head-on collisions on the iconic Golden Gate Bridge. Law enforcement had failed to adequately enforce the speed limit on the Golden Gate and no barriers protected drivers who were being killed with increased frequency. The citizens of the Bay area finally organized a campaign called Citizens for a Safe Golden Gate Bridge to change things. They got the speed limit on the Golden Gate lowered and strictly enforced and they demanded that barriers be installed to protect people using the bridge. And what happened? The laws are now enforced rigorously, movable lightweight barriers are being installed and fatalities on the Golden Gate have dropped dramatically.

So what can each of you do to save lives on the Pell Bridge? You can and should do several things:

Demand that RITBA, the RISP and the Attorney General rigorously enforce the speed limit on the bridge. It is not that hard. With today's technology, a transponder can track the speed of every car crossing the bridge. Anyone speeding can be ticketed and fined just like toll evaders can. RITBA has the technology to do this.

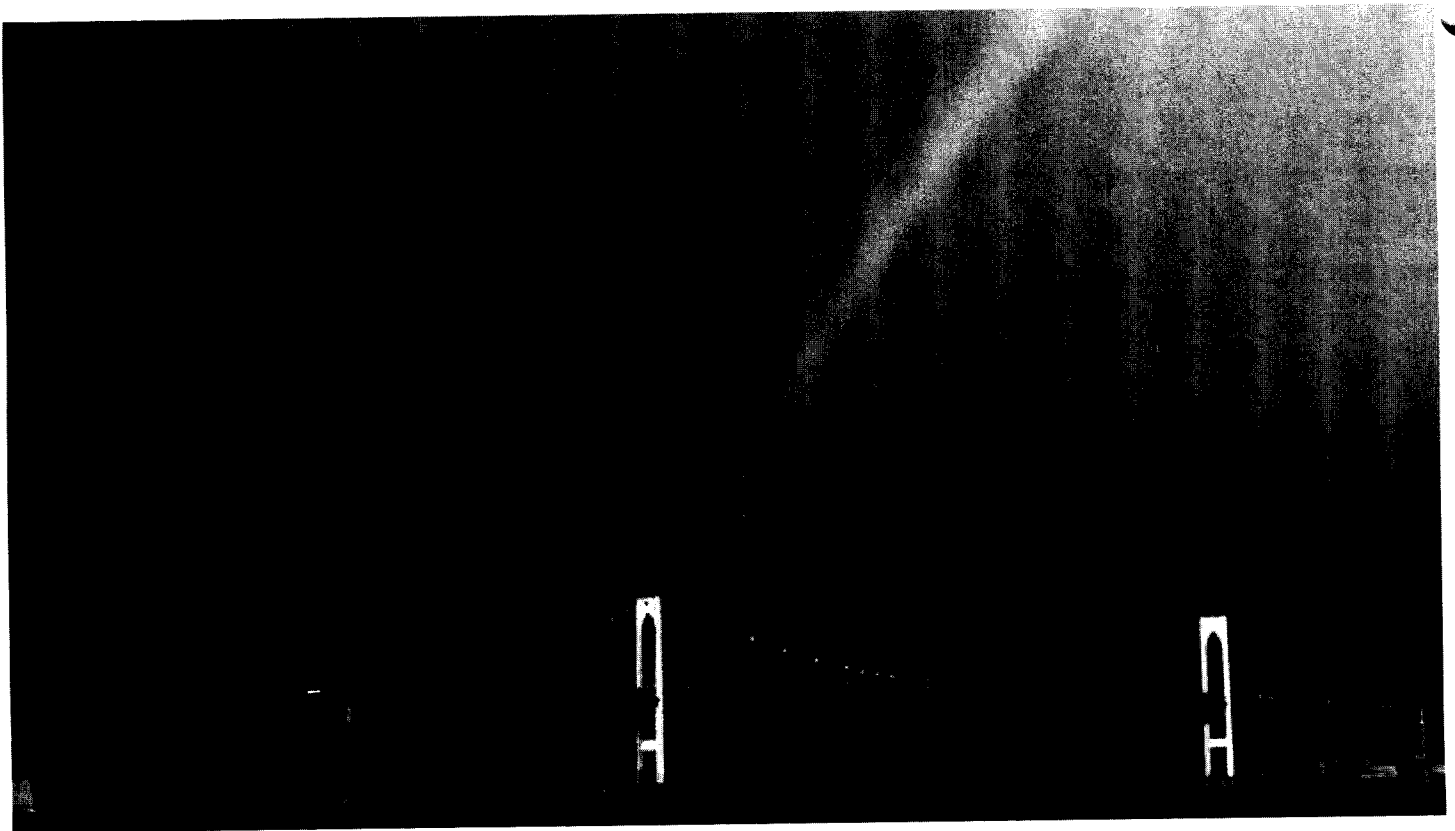
Demand that RITBA, the RISP and the Attorney General rigorously enforce the laws banning texting while driving. The public relations campaign to “Stop the Texts, Stop the Wrecks” needs to be more than simply lip service.

Demand that RITBA stop stalling and install a median barrier on the bridge. Now!

Please consider joining in a campaign against distracted driving, and make sure your loved ones understand the terrible harm that a distracted driver can cause.

You can make a difference by writing to RITBA and the others responsible for our safety and making your voice heard.

You can start by writing to David Darlington, the Chairman of RITBA, and Buddy Croft, the Executive Director, at One East Shore Road, Jamestown, Rhode Island 02835. Better yet, email them immediately at ddarlington@ritba.org and buddy@ritba.org. Please do not delay. Do it today. The life you save could be your own.



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H. David Prior
Tel: 215.864.8500
Fax: 215.864.8999
prior@ballardspahr.com

October 24, 2013

Tim Reil
Editor
Jamestown Press
Narragansett Avenue
Jamestown, RI

Re: Pell Bridge Barrier

Dear Tim:

Thank you for publishing my report "You Could be the Next Person Killed on the Pell Bridge." The families of Kenny Prior and Kathy Meunier also appreciate your continuing to report on the serious safety hazards on the Pell Bridge and the need for a median barrier.

The citizens of Jamestown should all know what is contained in the two TIGER grant applications filed by RITBA in 2009 and again in 2011. As reported by the Press, they depict in RITBA's own words and with their own statistics the compelling need for a barrier on the bridge.

David Darlington's excuses for the continued delay in installing a barrier do not make sense. Facts are stubborn things, but here are a few:

- RITBA said in its 2009 TIGER grant application "The Median Barrier design is approximately 50% complete and final plans and specifications could be completed within three months. If TIGER grant funds are provided for the project, construction can be completed by June 2011." (Emphasis added).
- If the barrier had been installed by June 2011, Kenny Prior and Kathy Meunier could be alive today. They were both killed on October 21, 2011.
- RITBA said in its 2010 bond offering if it did not receive a TIGER grant for a barrier, it would spend its own bond funds for one. It did not. It built a new office building for its own "comfort and safety" (Mr. Darlington's words) instead.
- RITBA said in both grant applications it needed a barrier to protect the 5,000 people who work at the Navy base in Newport. A barrier could have protected Kenny Prior and Kathy Meunier. They both worked at the Navy base.



Tim Reil
October 24, 2013
Page 2

- RITBA said in its 2010 application that a median barrier was “mandated” by AASHTO industry standards which require a barrier on a bridge with over 20,000 vehicles crossing daily. RITBA has ignored these standards because over 27,000 vehicles a day, including 15,000 daily commuters, use the Pell Bridge. They are all at serious risk.
- RITBA said in its 2010 application that from 2006 to 2009, 130 vehicles were involved in 72 accidents and 18 of these accidents were head-on collisions caused by vehicle cross overs.
- RITBA said in its 2010 application that “the annual number of accidents and crossovers is on an upward trend. The median barrier will redirect errant vehicles most effectively, minimizing sideswipe accidents with the barrier and with vehicles in the adjacent lane.”
- RITBA said in its 2010 application, that it had studied 17 different barrier types and had identified the best option for the bridge. It cited studies done in nine other states.
- RITBA had Parsons Brinckerhoff, its engineering firm, complete a study that concluded that the bridge would be safer with a barrier and more stable and structurally sound even in high winds, including hurricane force winds. RITBA paid over \$300,000 for the study.

Mr. Darlington’s excuses, published in the Jamestown Press on October 24, 2013 and provided piecemeal for other news media, simply do not hold water.

For Mr. Darlington to say that RITBA never intended to install a barrier, even if it obtained a TIGER grant, until 2015 is, at the very least, insensitive to the victims’ families and demonstrates an arrogant disregard for the safety of everyone who crosses the bridge every day. His statement is also in flat contradiction to what RITBA represented to the federal government in 2009.

The time for excuses is over. We need a barrier on the bridge now before another person is killed or crippled by RITBA’s intentional indifference to public safety.

Very truly yours,

H. David Prior

HDP/lak



Rhode Island Turnpike and Bridge Authority

Newport/Pell Bridge Improvements

**Grants for Transportation Investment Generating Economic Recovery
(TIGER II) Application**

August 23, 2010

Submitted by:

Rhode Island Turnpike and Bridge Authority

Buddy Croft, Executive Director

buddy@ritba.org

(401) 423-0800

1 East Shore Rd

Jamestown, RI 02835-1621

OVERVIEW

The Newport/Pell Bridge Improvements project is a bridge rehabilitation project that improves the safety and reliability of the bridge while preserving the availability of a vital thoroughfare for daily commuters, tourists and commercial truck traffic. The project is located in Newport County, Rhode Island, a state with a currently estimated unemployment rate of 11.2%, almost two full points above the national unemployment rate and the third highest state unemployment rate in the nation. Newport County is home to 42 naval and defense commands and activities including the home of the Navy's most prestigious educational institution, the Naval War College and the home of the Naval Undersea Warfare Center. These United States Navy facilities combined make them the largest employer in the county whose employees account for much of the commuter traffic on the bridge.

The Newport/Pell Bridge is in an area categorized as rural by the 2000 Census and is part of Rhode Island's 1st Congressional District. In order to complete the project, the Rhode Island Turnpike and Bridge Authority ("RITBA") is requesting a TIGER II discretionary grant of \$60 million. The TIGER funding will complete a funding package that will allow the RITBA to move forward with the project. The RITBA was created in 1954 by the Rhode Island General Assembly as a body corporate and politic, with powers to construct, acquire, maintain and operate bridge projects as defined by law. The RITBA has no stockholders or equity holders. It is directed by a five member board of directors, four of whom are appointed by the governor. The RITBA is a component unit of the State of Rhode Island for financial reporting purposes.

The Newport/Pell Bridge Improvements project will:

- Repair corroded elements of the bridge found to be structurally deficient in a recent inspection that lead to overweight vehicle restrictions.
- Install a median barrier on the bridge to mitigate cross-over collisions, head-on crashes, injuries, and fatalities. From 2006 through 2009, 130 vehicles were involved in 72 accidents along this less than two mile long bridge.
- Restore the protective coating system that is already 6 to 10 years beyond its service life. Delays in restoring the protective coating system will result in more costly repairs raising the costs to maintain the bridge and ultimately the fees to the users.
- Reduce restrictions on over-weight trucks. Presently overweight trucks need to use a detour of approximately 57-59 miles because of these restrictions, increasing vehicle miles traveled and emissions from the detour. The importance of the project is underscored by the fact that the Newport/Pell Bridge provides the only option for overweight vehicles to access Newport and the other communities on Aquidneck Island since the regional alternative routes also have overweight vehicle restrictions on the Mount Hope Bridge and an 18-ton and 2-Axle vehicle limit on the Sakonnet River Bridge.
- Remove loose concrete haunches that create a safety hazard.
- Avoid future, costly inspections and emergency repairs if the project is not carried out.
- Improve the lives of the approximately 15,000 commuters who rely on the bridge daily as their only connection to reach their employment destinations by maintaining a safe route.

Table of Contents

1 PROJECT DESCRIPTION 1

1.1 Description of Newport/Pell Bridge 1

1.2 Structural Systems Restorations 3

1.3 Median Barrier 6

2 PROJECT PARTIES 7

3 GRANT FUNDS 7

4 SELECTION CRITERIA 8

4.1 Selection Criteria: Primary 8

4.1.1 Long Term Outcomes 8

4.1.2 Evaluation of Expected Project Costs and Benefits 12

4.1.3 Evaluation of Project Performance 14

4.1.4 Job Creation and Economic Stimulus 14

FIGURE 4-2: SUMMARY OF NEAR-TERM ECONOMIC IMPACTS RESULTING FROM THE PROJECT..... 16

FIGURE 4-3: AVERAGE ANNUAL EMPLOYMENT PER YEAR DURING CONSTRUCTION 17

FIGURE 4-4: DIRECT (ON-PROJECT) JOBS BY QUARTER..... 17

FIGURE 4-5: BREAKDOWN OF JOB CREATION BY INDUSTRY AND TYPE OF IMPACT 18

4.2 Selection Criteria: Secondary 22

4.2.1 Innovation 22

4.2.2 Partnership 23

4.2.3 Program-Specific Criteria 23

5 FEDERAL WAGE RATE REQUIREMENT 23

6 NEPA REQUIREMENT 23

7 ENVIRONMENTALLY RELATED FEDERAL, STATE, AND LOCAL ACTIONS 23

8 INDEX OF SUPPORTING WEBSITES 24

Contact Information:

Buddy Croft, Executive Director
 buddy@ritba.org
 (401) 423-0800

1 E Shore Rd
 Jamestown, RI 02835-1621

1 Project Description

1.1 Description of Newport/Pell Bridge

The Newport/Pell Bridge is a 4-lane structure linking Newport and Jamestown, Rhode Island on Route 138 over the East Passage of Narragansett Bay between Jamestown on Conanicut Island and Newport on Aquidneck Island, and was opened to traffic in June 1969 (see Figure 1-1).

Figure 1-1 Project Location



The Newport/Pell Bridge is 11,248 feet long and includes a suspension bridge section over the main channel that provides a vertical clearance of 205.8 feet above mean high water. The bridge is owned and operated by the Rhode Island Turnpike and Bridge Authority ("RITBA") which also owns and operates the Mount Hope Bridge, another landmark suspension bridge. The Newport/Pell Bridge Improvement project is comprised of two main features: structural systems restorations and the installation of a median barrier.

The Newport/Pell Bridge traffic volumes are: 27,262 Average Daily Traffic and 810 Average Daily Truck Traffic. A summary of traffic by axle is included below in Figure 1-2.

Figure 1-2 Traffic Summary

Newport/Pell Bridge Traffic Summary July 2009 through June 2010							
Total	2 Axle	3 Axle	4 Axle	5 Axle		Overweight	Special
9,950,926	9,791,333	68,797	27,886	47,870		3,447	11,593

The Newport/Pell Bridge provides the only direct route between the counties of Washington and Newport in Rhode Island and provides the most direct access from the Route 95 Corridor to Newport, Rhode Island. The traffic on the bridge consists of a high percentage (approximately 80%) of local usage supporting local commerce through goods and service delivery and providing the only reasonable commuting access between Washington and Newport counties. The key industries supported by the bridge include the following:

Newport Naval Station: According to the United States Navy website for the Newport Naval Station, the 42 naval and defense facilities constitute the largest employer in Newport County. Many of the daily commuters on the Newport/Pell Bridge are the employees of these facilities. Newport is the Navy's premier site for training officers, officer candidates, senior enlisted personnel and midshipman candidates, as well as conducting advanced undersea warfare and development systems. Naval Station Newport's mission is to fulfill the diverse requirements of its tenant commands by providing the facilities and infrastructure that are essential to their optimum performance.

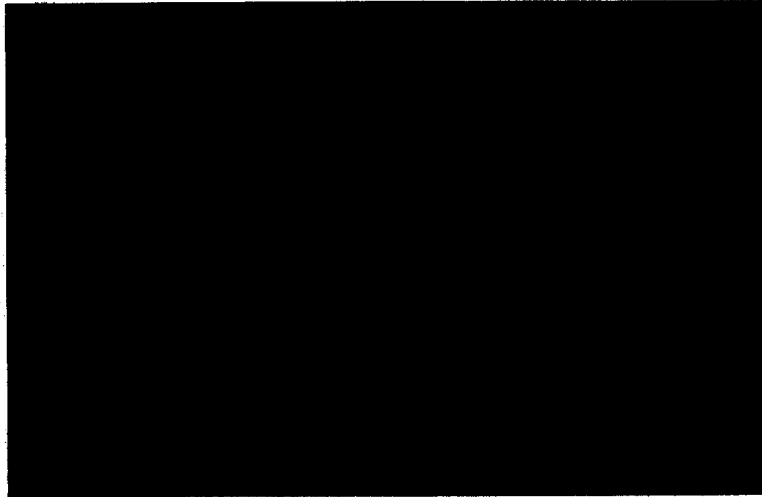
Newport is the home of the Navy's most prestigious educational institution, the Naval War College. As the oldest such institution in continuous existence anywhere in the world, the college is organized to pursue and integrate both academic and research endeavors. Each year, over 500 mid-career level officers of the Navy, all other U.S. services, civilian federal agencies and international naval officers come to Newport to pursue a rigorous 10-month course of post-graduate studies. Also located in Newport is the Naval Undersea Warfare Center (NUWC), a shore command of the U.S. Navy within the Naval Sea Systems Command Warfare Center Enterprise, which engineers, builds and supports America's Fleet of ships and combat systems.

Naval personnel assigned to Newport come from all parts of the United States and the world. Approximately 5,000 employees work at the 42 various commands located on Naval Station with an additional 9,300 students annually passing through one of the many schools on base. Naval Station Newport will be the future home of the Naval Supply Corps School and Center for Service Support currently in Athens, Ga. This command will be relocating to Newport sometime in FY 2010 as a result of 2005 Base Realignment and Closure ("BRAC") recommendations. The base overall will experience a net gain of more than 500 in population on base from the BRAC activities.

Tourism: Rhode Island is a regional tourist attraction. In 2010, the Rhode Island Tourism Division reported that tourism was the fourth largest employer in the state with Newport County being the main destination.

1.2 Structural Systems Restorations

Figure 1-3 The Newport/Pell Bridge



The Newport/Pell Bridge (Figure 1-3), at over 40 years old, is at a point in its life cycle where maintenance and repair items, especially increased attention to steel repairs and protective coatings, are required to maintain the structural integrity of the bridge. The protective coating system on the approach spans steel is between 22 and 24 years old while the expected service life of the coating system is 15 years. This system is beyond its service life and no longer provides protection to the

steel resulting in accelerated corrosion of the steel with areas of significant section loss. The corroded areas require repair and a new protective coating system needs to be installed in order to maintain the structural integrity of the bridge. There are also fatigue related cracks in some of the deck truss gusset plates that require repair on a priority basis. There have been two emergency repairs to roadway support stringers in the deck truss spans required due to heavy section loss from accelerated corrosion. Continued corrosion of the steel, particularly under expansion joints will likely result in loss of carrying capacity and more emergency repairs based on inspection findings.

Without repairs to the corroded steel and installation of a new protective coating:

- More frequent and costly in-depth inspections will be required in order to remain in compliance with National Bridge Inspection Standards and to ensure that compromised structural conditions due to accelerated corrosion are identified in a timely manner.
- Weight restrictions on commercial trucks will be required for safety reasons, thus diverting commercial trucks to other alternative routes and removing the only access for overweight trucks to Newport and the other communities on Aquidneck Island.

Based on the findings of the in-depth inspections, data is provided regarding the bridge condition on the "Structure Inventory and Appraisal Sheet" ("SI&A") that is submitted to the FHWA. The corrosion and fatigue cracks observed during the last two cycles of inspection resulted in downgrades to the conditions noted on the SI&A. The structural condition rating of the superstructure was downgraded from a 7 (Good Condition) to a 5 (Fair Condition), and the structure evaluation was also downgraded from a 7 (Better than current minimum criteria) to a 5 (Somewhat better than minimum adequacy). The Sufficiency Rating for the Newport/Pell Bridge was also reduced from 59.5 to a 48.8 over the last two

inspection cycles. According to FHWA criteria, on a scale of 0 to 100, a Sufficiency Rating of 80 or less is required to qualify for federal rehabilitation funding, and a Sufficiency Rating of 50 or less qualifies a bridge for federal replacement funding.

The RITBA has historically adopted a Ten Year Renewal and Replacement Plan (TYP) for the Newport/Pell and Mount Hope bridges on an annual basis and has included estimated costs for improvements to the bridge structures as well as to the toll plaza and administration building. The RITBA has included steel repairs and installation of a new protective coating to the approach spans in the TYP.

RITBA has also included the removal of loose concrete haunches in the TYP to be performed in conjunction with other projects that provide access to the haunch areas. Loose concrete haunches can range in size from a four inch cube to a foot long section of concrete that is 4 inches by 4 inches in cross section and can weigh up to 20 pounds. The loose haunches can pose a hazard to marine traffic and to workers below the bridge when they become dislodged under traffic vibrations and fall. The steel repair and protective coating project includes the removal of loose haunches in the approach spans.

In conformance with the TYP plan, the RITBA has completed the design and the preparation of contract documents is 80% complete for Contract 11-1 that includes steel repairs, installation of a protective coating system and removal of loose haunches in the approach spans of the Newport/Pell Bridge. The contract has not been advertised for bidding yet since funding has not been secured. If TIGER grant funding is provided, the construction can begin in the 4th quarter of 2011 and be completed in the 2nd quarter of 2015. This Contract is intended to return the approach spans to an NBIS condition rating of satisfactory and restore the roadway stringers to full live load capacity (state of good repair) and remove loose concrete haunches. The contract includes the following:

- Repair of corroded steel floor system elements in the approach spans.
- Repair/retrofit of fatigue cracking of gusset plates in the deck truss spans.
- Removal of loose concrete haunches in the approach spans.
- Full blast cleaning and installation of a three coat protective coating system for the deck truss, girder and stringer approach spans.

Photographs illustrating typical conditions that will be repaired as part of this work are included in Figures 1-4 through 1-6.

Figure 1-4 Corrosion and Fatigue Cracks on the Newport/Pell Bridge

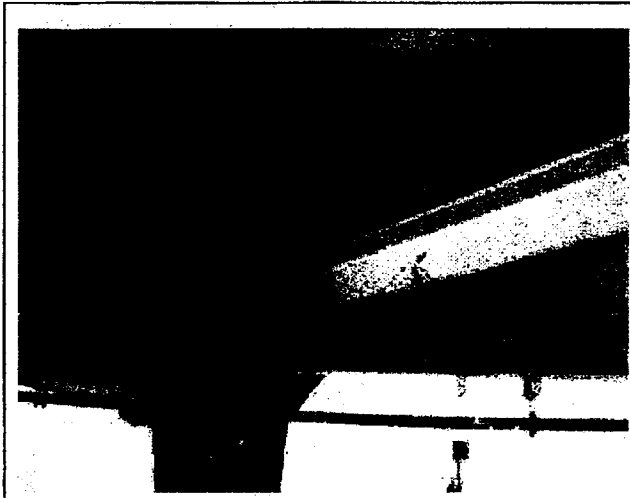
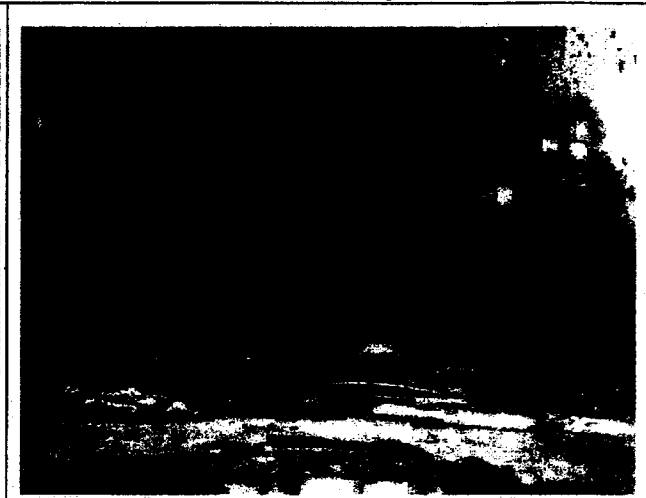
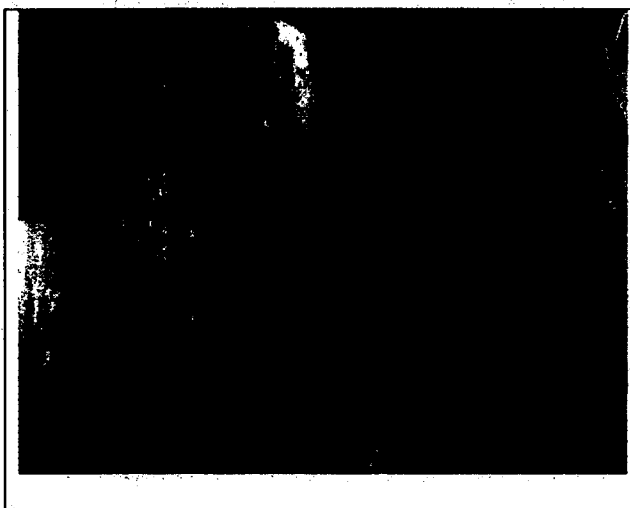
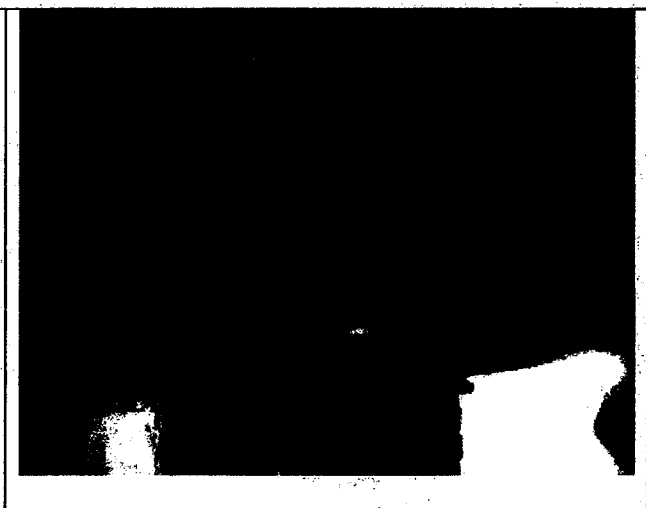
	
<p>Failed paint and corrosion at deck truss top chord, floorbeam and bracing member.</p>	<p>Failed paint and corrosion of steel at the interior of a deck truss top chord member.</p>
	
<p>Failed paint and corrosion of steel at a gusset plat and end bracing of a deck truss approach span.</p>	<p>Failed paint, corrosion and section loss at a deck truss stringer that required temporary shoring and has effected the issuance of overweight truck permits.</p>

Figure 1-5 Concrete Haunch

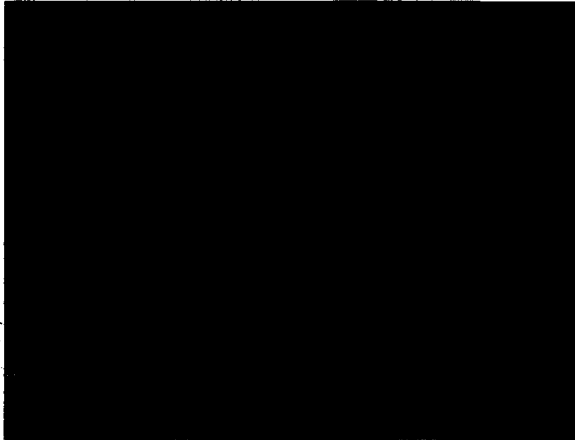
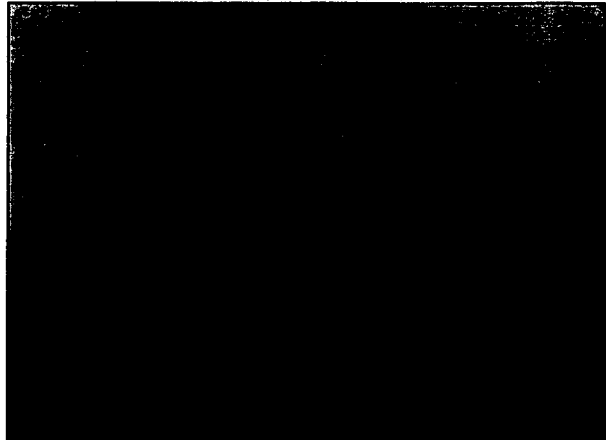


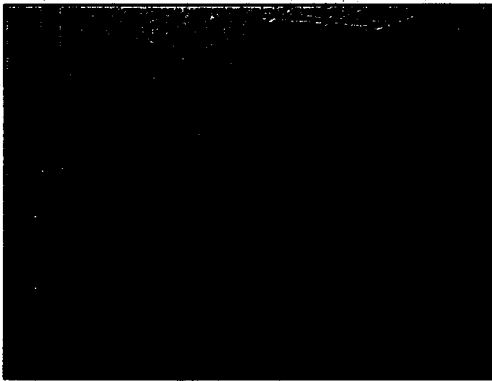
Figure 1-6 Haunch Debris



The concrete haunch as shown in Figure 1-5 is a non-structural detail that was used for convenience during original construction to place the concrete deck at the proper elevation and grade. Figure 1-6 shows debris from a loose haunch removal project at the west approach spans of the Newport/Pell Bridge.

1.3 Median Barrier

Figure 1-7 Newport/Pell Bridge



The Newport/Pell Bridge currently has no median barrier (see Figure 1-7). It is a narrow bridge with a 48-foot wide roadway. The roadway is divided into four lanes, two in each direction, and opposing traffic is separated by double yellow lines. There are no shoulders.

The installation of a median barrier on the Newport/Pell Bridge is intended for safety measures. The primary concern for the RITBA is cross-over accidents and head-on collisions. The AASHTO Roadside Design Guide considers a median barrier warranted when the Average Daily Traffic (ADT) is greater than 20,000 vehicles per day and there is no median width provided between opposing traffic. The ADT on the Newport/Pell Bridge is 27,262, there is no median width, and there is a history of cross-over accidents and head-on collisions. According to the AASHTO Roadside Design Guide criteria noted above, these conditions warrant installation of a median barrier. The geometry of the bridge includes a steep (4.8%) grade with limited sight distance at the crest of the vertical curve and a 1667 foot horizontal curve at the east approach (shown in Figure 1-7 above) that add to the warrant for the safety improvement of a median barrier installation. The RITBA has included the installation of a median barrier in its TYP as a means of mitigating cross-over accidents and head-on collisions and upgrading the safety of the bridge.

The new barrier will mitigate head-on collisions with minimal effects to roadway geometry. The barrier planned for installation is a concrete reactive tension system movable barrier (CRTS) that can also be

utilized to enhance safety during lane closures for construction work on the bridge. The CRTS, similar to the barrier installed on the Tappan Zee Bridge, meets NCHRP crash test criteria and can be installed on the bridge cost effectively since the CRTS requires minimal anchoring to the bridge deck.

2 Project Parties

The Rhode Island Turnpike and Bridge Authority ("RITBA") was created in 1954 by the Rhode Island General Assembly with mandates to construct, operate, and maintain the Newport/Pell Bridge; construct a Turnpike; acquire, operate, and maintain the Mount Hope Bridge ("MH"); and, to construct additional facilities thereafter authorized by law. Since the construction of the Newport/Pell Bridge was completed in the 1960's the RITBA has been the responsible party for all maintenance to keep Newport/Pell and the Mount Hope bridges in a state of good repair. The RITBA's revenue base consists of the tolls collected for crossing the Newport/Pell Bridge. The RITBA would administer the federal funds and would be responsible for delivering the project. The RITBA has the ability to successfully manage federal funds as demonstrated by the port security initiative and EZ-Pass system projects that both received Federal grant awards.

The RITBA undertook a Fiscal Integrity Study in 2007. The study projected an estimated funding shortfall of \$223 million from FY07 through FY27. The shortfall is the difference between the estimated costs of the necessary capital maintenance and rehabilitation and the annual revenue.

3 Grant Funds

TIGER II grant funding of \$60 million is being requested to complete the funding of a \$75 million project that includes steel repairs, the application of a new protective coating system to the approach spans, the removal of loose concrete haunches, and the installation of a median barrier along the full length of the Newport/Pell Bridge. The RITBA is providing \$15 million in funding for these projects. The TIGER II grant funding would represent 80% of the total project funding with the remaining 20% of the funding being provided by the RITBA (Figure 3-1). All of the RITBA funding would come from toll revenue paid by the users of the bridge. The RITBA would administer the grant funds and be responsible for any cost over runs on the projects.

Figure 3-1 Project Cost and Funding

Project	Estimated Cost	Funding Sources	
		TIGER II Grant Funding	RITBA Funding
Approach Spans Steel Repairs and Protective Coating Application	\$69,000,000	\$55,20,000	\$13,800,000
		80%	20%
Installation of a Median Barrier	\$6,00,000	\$4,800,000	\$1,200,000
		80%	20%
TOTAL	\$75,000,000	\$60,000,000	\$15,000,000
		80%	20%

The total project cost for the steel repairs, protective coating and haunch removal is estimated to be \$69 million and the total project cost for the median barrier is estimated to be \$6 million. The total cost for the steel repairs, protective coating and haunch removal is based on the engineer's cost estimate prepared as part of the final design for this work with the addition of professional costs for the construction inspection and supervision. The total cost for the median barrier is based on manufacturer's information and estimates of installation cost.

4 Selection Criteria

4.1 Selection Criteria: Primary

4.1.1 Long Term Outcomes

State of Good Repair: The RITBA has historically maintained its Newport/Pell and Mount Hope suspension bridges in a state of good repair and in a cost-effective and responsible manner, especially in comparison to other similar vintage bridge facilities elsewhere in the United States. For instance, through proactive maintenance, repairs, and preventive sealing with a protective silane/siloxane sealant system, the original Newport/Pell roadway deck continues to function at over 40 years of age, well beyond the 25 to 30 year expected service life of a bridge deck. Given its facilities' age and typical suspension bridge maintenance and replacement cycles, the RITBA is now facing additional capital needs. Some maintenance has also recently needed to be deferred in light of the slowing of traffic growth.

In response to flat revenues since approximately 2001, the Authority has had to defer some maintenance/repair projects. The deferrals were evaluated and implemented as a cost-effective approach to maintaining the condition of the bridges and deferring some of the more costly work. The RITBA adopted this approach while recognizing that the additional recommended work would be required to be performed at the point in the future when the cost-effectiveness of deferral of the capital repairs resulted in diminishing returns.

In order to keep their bridges in a state of good repair, RITBA has reviewed opportunities to reduce operating costs and implemented any cost savings available and has recently increased the tolls on the bridge. The toll increase, that went into effect September 8, 2009, increased the cost for a one-way crossing of a 2-Axle vehicle from \$2 to \$4 (with reduced rates for EZ-Pass users with Rhode Island Transponders and out of state frequent users remaining unchanged). The toll for trucks was increased from \$1 to \$2 per axle per one-way crossing. This toll increase on trucks is intended to maximize revenue from trucking through-traffic that has recently been diverted to the Newport/Pell Bridge due to the recent downgrading of the load rating of bridges on the alternate routes on Rhode Island's interstate system. This increased truck traffic on the Newport/Pell Bridge is also accelerating its rate of deterioration at a critical juncture, the point in its service life when it is most in need of stepped-up attention to the major maintenance issues of steel repairs and painting. Increases to the toll structure are considered carefully, particularly in light of the economic conditions in Rhode Island with a current estimated unemployment rate of 11.2%, almost two full points above the national unemployment rate and the third highest state unemployment rate in the nation.

Securing matching TIGER II Grant funds would allow the RITBA to complete the bridge rehabilitation scope of work and remove the safety hazard presented by loose concrete haunches using the

Recommended TYP timeline given by the RITBA's engineering consultant for maintaining the bridge in a state of good repair. Deferring the start of steel and protective coating repairs in the approach spans would result in additional costs associated with emergency repairs, additional inspections and additional repairs required estimated at over \$82 million over 20 years. The estimated cost directly related to performing the work in the suspended spans on a deferred schedule is approximately \$46 million (increasing the current estimated cost of \$69 million by 60%) over a ten year period. The additional costs are due largely to the cost of re-mobilizing for access and containment associated with a zone painting approach and the cost of additional steel repairs that would be required due to continued and accelerated corrosion.

Structural Evaluation:

In the most recent annual in-depth inspection report of the approach structures (2009), the major findings include extensive corrosion on the roadway stringer system. Another critical finding was that the paint system over the entire crossing is no longer functioning as intended. The Newport/Pell Bridge sufficiency rating was downgraded from 59.50 to 48.48 (on a scale of 0 to 100) from the 2007 inspection to the 2009 inspection. According to FHWA guidelines, a sufficiency rating below 50 makes the bridge eligible for federal funding for bridge replacement. Major recommendations in the 2009 inspection report included:

- Steel repairs to corroded stringers with reduced carrying capacity
- Retrofit of fatigue cracks at deck truss gusset plates
- A full abrasive-blast cleaning and protective coating program for the entire crossing in order to arrest further steel deterioration and more extensive and more costly steel repairs

Previous inspection reports recommended the evaluation of the roadway deck and roadway joints to determine their effectiveness to prevent leakage to the steel below. Based on this the condition of the roadway deck and the roadway joints have been evaluated for the entire crossing, and resulted in repair Contract 08-4. The scope of this repair contract was a repair and replacement of roadway joints to arrest water leakage onto, and corrosion of, the steel support superstructure immediately below roadway joints; Contract 08-4 also included an aggressive roadway concrete patching program, abrasive deck cleaning and protective resealing with a silane/siloxane sealant (to retard chloride intrusion from roadway salts and corrosion of the roadway deck reinforcing steel); and a multi-year concrete roadway deck preventive patching program for subsequent spalled concrete. Resealing of the roadway deck, as was performed in 2008 in Contract 08-4 is recommended by the manufacturer of the sealant on a seven-year cycle to maintain the roadway deck in a state of good repair.

The RITBA performed this repair work under Contract 08-4 as a first priority to prevent further deterioration of the roadway deck and the steel superstructure below the roadway deck joints. Final design has been completed for the more comprehensive steel repairs, installation of protective coating, and concrete haunch removal at the approach spans under Contract 11-1 Steel Repairs and Protective Coating. These steel repairs and improvements are expected to maintain the structure of the bridge in a state of good repair for the next 40 years. The removal and replacement of the existing lead-based paint protective coating system is expected to maintain the bridge in a state of good repair for the next 15 years (the expected service life for protective coating systems).

If these repairs and improvements are not carried out, accelerated corrosion of the steel superstructure can be expected to occur. It is expected that if these repairs are not carried out, accelerated steel corrosion and fatigue cracking may cause sporadic lane outages for emergency repairs, or a reduction in

the allowable load rating of this vital crossing may occur within four years. Emergency repairs were performed on two deteriorated roadway support stringers on the bridge's east approach in 2008. A reduction in capacity due to emergency lane closures during peak morning and evening travel periods would result in traffic back-ups, voluntary detours, and loss of toll revenue. An emergency temporary full closure of the Newport/Pell crossing would result in a detour from Jamestown to Newport, Rhode Island of approximately 57 miles through Providence and Routes I-195 and Route 24 via the Sakonnet River Bridge, or a detour of approximately 59 miles through Providence and via Routes 103 and 114 and the Mount Hope Bridge. Due to the current 18-ton load and two-axle vehicle limit on the Sakonnet River Bridge and the overweight truck restriction and narrow lane widths on the Mount Hope Bridge, certain trucking loads would have no overland roadway access to Newport, Rhode Island and other communities on Aquidneck Island. Estimated losses in toll revenue due to temporary full bridge closure is approximately \$40,000 per 24-hour period. (See Figure 4-1 below)

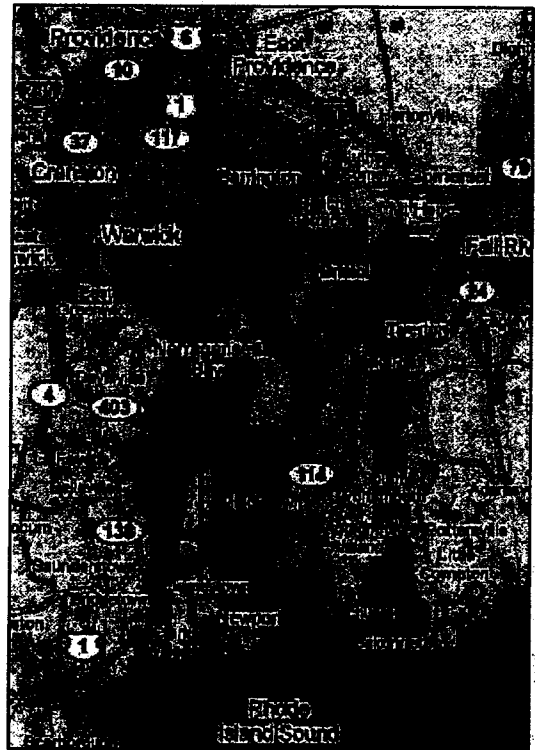
Safety:

Travel distances: A restriction on the Newport/Pell crossing would result in additional truck traffic and vehicles miles traveled (VMT). The minimum detour distance for the Newport/Pell Bridge is 57 miles. (See Figure 4-1) This condition increases the probability of vehicle accidents; in 2008, there were 65 traffic fatalities in Rhode Island registered vehicles; the fatality rate for the state was approximately 0.79 per 100 million vehicle miles traveled. Additional traffic will result in a higher number of fatal and disabling accidents.

Installation of a median barrier: A median barrier reflects an important additional safety consideration. The installation of a median barrier on the Newport/Pell Bridge is intended to eliminate crossover accidents and reduce the total number of accidents. The increase in traffic since the construction of the bridge, particularly during rush hours and on weekends during the Newport tourist season has increased the occurrence and continued probability of cross over accidents that result in serious head-on collisions, and has increased the possibility of a truck being involved in one of these accidents. A review of the historical traffic accident data on the bridge shows that, from 2006 to 2009, 130 vehicles were involved in 72 accidents along this less than two mile long bridge. Eighteen of those accidents were vehicle crossovers. A review of the data for the ten previous years found that the annual number of accidents and crossovers is on an upward trend. The median barrier will redirect errant vehicles back into the proper traffic lane. The type of barrier identified for installation is designed to redirect vehicles most effectively, minimizing sideswipe accidents with the barrier and with vehicles in the adjacent lane.

Median barriers usually fall into three groups based on their rigidity: flexible, semi-rigid and rigid. Flexible systems catch errant vehicles and prevent them from crossing over or bouncing back into same direction traffic. Rigid systems prevent crossovers but may result in the vehicle being redirected or bounced back into same direction traffic.

Figure 4-1 Detour Distances



A recent study conducted for the RITBA evaluated seventeen different barrier types and identified the best option for the bridge. This option is a proprietary barrier system that behaves in a range between the flexible and semi-rigid categories; with controlled deflection under impact. Under significant impact, the controlled deflection does not completely mitigate involvement of opposing traffic. However, these systems have superior redirection characteristics that will redirect a vehicle that would have migrated over the yellow lines while minimizing the possibility of involving a vehicle in the adjacent same direction lane. Studies conducted in many states; including Arizona, Colorado, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Utah, and Washington State, suggest that cable median barriers, a specific type of flexible barrier, are an effective mechanism for preventing fatal and disabling crashes. In addition, other studies have concluded that rigid concrete median barriers are also effective, although at a lesser degree, in mitigating highway accidents.

Steel Repairs: The performance of the priority steel repairs identified during recent in-depth inspections of the Newport/Pell Bridge and the installation of a new protective coating system to protect the repaired and existing steel from corrosion improve the safety of the bridge by returning the bridge to its full carrying capacity and arresting accelerated corrosion that leads to unpredictable local effects to roadway deck support elements.

Removal of Loose Concrete Haunches: The removal of loose concrete haunches is a significant safety improvement, particularly in the main suspension spans that are included in the grant request projects. These concrete elements can weigh up to 20 pounds and be dislodged unexpectedly from the underside of the bridge roadway deck, presenting a hazard to marine vessels that travel in this main navigation channel within the east passage of Narragansett Bay and to workers that access the catwalk and the anchorages.

Economic Competitiveness: As noted earlier in this application, the Newport/Bell Bridge is a vital connection for the region and economy. The bridge provides for a critical connection for daily commuters such as those who work at the Newport Naval Station, and tourists.

Commercial Trucks: In addition to the value derived from controlling the deterioration of the bridge through a targeted maintenance program that prevents larger, costly repairs if maintenance is deferred, benefits are derived from the reduction of over-weight restrictions at the bridge. Under the current conditions of the bridge, some overweight vehicles are not allowed to transit for safety reasons. Delaying repairs for 3 years will result in extending the restrictions for almost the entire duration of the delay period. The latest traffic figures show that, in average, there are 243 overweight commercial vehicle crossings of the Newport/Pell Bridge each month. Conservatively assuming no growth in overweight traffic for the following three years, it can be estimated that up to 2,916 business related trips per year could be affected by weight restrictions. The two other available detour options also restrict over-weight vehicle traffic. Therefore, the most probable outcome is for these potential users to distribute cargo over a larger number of trucks. This situation creates additional vehicle and driver based costs such as fuel, maintenance and repairs, insurance, wages and bonuses, etc. Although these additional costs would not directly affect the financial performance of the bridge administration, they could affect, directly or indirectly, the residents of Newport. These inefficiencies in transportation could be ultimately translated into higher end product costs or into lower margins for business owners.

Newport Naval Station: As noted previously, Newport is the Navy's premier site for training officers, officer candidates, senior enlisted personnel and midshipman candidates, as well as conducting advanced undersea warfare and development systems. These facilities position the United States to take a strategic advantage in naval and undersea warfare through the research and training programs.

Tourism: In 2010, the Rhode Island Tourism Division of the Newport Chamber of Commerce reported that tourism was the fourth largest employer in the state with Newport County being the main destination. For the same year, the Rhode Island Tourism Division reports that the state's travel and tourism visitors contributed \$1.63 billion to travel and tourism commodity expenditures supporting 1 out of every 10 Rhode Islanders job is contributed to tourism. Since the Newport/Pell Bridge is the direct route to Newport from the Interstate 95 corridor, lane closures for emergency repairs would negatively affect the tourism traffic that utilizes the Newport/Pell Bridge.

Livability: The RITBA has sought community participation in the planning process for long term funding of the large capital repair/rehabilitation projects that are included in the Ten Year Renewal and Replacement Plan (TYP). After performing a Fiscal Integrity Study to identify the revenue needs over a twenty year outlook the RITBA hosted five community forums to present the findings of the study and solicit participation from the communities that are the key users of the Newport/Pell and Mount Hope Bridges. The community forums were held in locations convenient to the key users of the bridges in Jamestown, Portsmouth, Bristol, Middletown, and Providence. The RITBA took the concerns raised by the local communities during these forums into consideration in their subsequent planning including the key goal to maintain the Newport/Pell and Mount Hope Bridges in good condition, minimize traffic delays and support commerce during the current condition of high unemployment in Rhode Island.

Sustainability: The projects included in the TIGER II grant include environmental and sustainability considerations including minimizing the amount of lead paint waste through a requirement to recycle the abrasive blasting grit and minimizing emissions through requiring the work to be performed from below the roadway with minimal lane closures. Given that some overweight vehicles are not allowed to transit the bridge for safety reasons, additional truck traffic is most probably generated. If funding is not obtained to fully cover the entire investment, this condition would be maintained throughout the delay period, Although it is difficult to estimate, with some level of confidence, how many additional trucks will be utilized and how many additional miles will be covered by these vehicles, it is evident that these restrictions would, most probably, result in more truck traffic and, consequently, more emission damages.

4.1.2 Evaluation of Expected Project Costs and Benefits

The Newport/Pell Bridge is at a point in its life cycle where maintenance and repair items, especially increased attention to painting and deck repairs, are required to maintain the continued structural integrity of the bridge. Deferred maintenance at this point in the life cycle of the bridge is not cost-effective since the result would be increased repair costs due to accelerated deterioration. The most recent inspections of the bridge have confirmed areas of accelerated corrosion that are consistent with the need to implement a more comprehensive capital repair program that includes full cleaning and painting of the bridge.

In addition, an approach of spreading the cost of performing steel repairs and applying protective coatings over a longer period of time, results in higher costs since the bridge is repaired in piecemeal

fashion with redundant and repeated mobilization costs and higher cost per square foot of protective coating installation due to lower quantities included in each repair contract.

In 2009, the RITBA commissioned a study to evaluate and quantify the effects of deferring the repair and protective investments on the bridge. The study evaluated two alternative 20-year Renewal and Replacement plans; the first one assumed that all priority repair work required to bring the FHWA structural condition ratings from "Fair" to "Good" would be performed. The second option assumed that repairs and protective coating work on suspended and approach spans would be deferred; degrading the condition rating to "Poor" and affecting the load carrying capacity of the bridge.

The study concluded that postponement of work on approach spans; delaying approximately \$36 million for an average of 10 years, results in additional costs of approximately \$40 million. These results are translated into annualized returns to better value the benefits of advancing work and consequently estimate expected savings of advancing work. The annualized returns of advancing approach span work is approximately 8%.

The Newport/Pell Bridge Improvements project is planned to be conducted over five years through October 2015. A study to estimate the specific economic effects of delaying, for three years, the repairs and protective coating work that have been included in the project has not been conducted. It was assumed, therefore, that project postponement costs would be compounded at a rate of 8% per year, the same as in the study conducted earlier this year for RITBA. The requested funding of \$60 million would allow the RITBA to fully finance the required repairs without delaying any work. Without TIGER II grant funds, the project would require deferment of up to ten years. Given the possibility of decreasing funding gaps through bond revenues after the first three years, it was conservatively assumed that, without the TIGER II grant funds, the repairs and protective coating work would be delayed only three years.

The value of the project derives, mainly, from advancing the repair and coating work and reducing accidents through the use of a median barrier. The annualized return of advancing repairs and coating work, three years in advance, is equivalent to the rate at which costs would otherwise accrue during that same period; approximately 8% per year. The total project cost for the steel repairs and protective coating is estimated to be \$69 million while the total project cost for the median barrier is estimated to be \$6 million. Based on the above indicated average annualized return, the \$60 million investment will derive benefits with a Present Value (PV) of \$ 67.3 million and represents a Net Present Value (NPV) of \$5.8 million.

The installation of a median barrier on the bridge is intended to eliminate crossover accidents as well as to reduce the total number and the severity of accidents. A review of the historical traffic accident data for the bridge shows that, from 2006 to 2009, 130 vehicles were involved in 72 accidents. Eighteen of those accidents were vehicle crossovers including significant property damage and injuries due to head-on collisions.

Median barrier rigidity is a key safety factor. As previously noted, median barriers usually fall into three categories: flexible, semi-rigid and rigid. Flexible systems catch errant vehicles and prevent them from crossing over or bouncing back into same direction traffic. On the other hand, rigid systems prevent crossovers but may result in the vehicle being redirected or bounced back into same direction traffic. The median barrier type that has been selected for the project is a proprietary system that, in terms of

rigidity, behaves in a range between flexible and semi-rigid categories. The use of flexible barriers has been effective in preventing and mitigating vehicle accidents, with reductions as significant as 51% in the number of accidents¹. Further investigation suggests that other types of median barriers are less effective in reducing accidents, with reductions that approximate 13 %².

The selected median barrier is expected to behave in a range between the flexible and semi-rigid categories; a reduction of 32% in the total number of accidents (midpoint between 51% and 13%) has been assumed for this analysis. Historical data shows roughly 18 traffic accidents per year; a reduction of 32% would represent a decline of over 5 accidents per year. Using a conservative relative value of injuries of 1.55% the VSL (corresponding to moderate injuries), additional benefits of approximately \$507,000 per year³ can be reasonably expected from the application of a median barrier. Given the long service life of this safety improvement, this relatively modest annual benefit translates into a NPV of \$1.1 million at 7% and of \$5.7 million at 3%⁴.

As indicated in the previous section, under the current bridge conditions, some overweight vehicles are not allowed to transit due to safety concerns. Delaying repairs for 3 years will result in extending these restrictions for almost the entire duration of the delay period. The latest traffic statistics at the bridge show an average of more than 243 overweight commercial vehicles per month; these vehicles do not have the option of using a detour given that similar restrictions apply for the detour routes. Given this restrictive situation, the most probable responses from these commercial users are the operation of large trucks at sub-optimal utilization levels or the operation of a greater number of smaller trucks. In both cases, the increased direct and indirect costs associated with the larger number of shipments represents additional costs that could only be attributed to transportation inefficiencies derived from the bridge deteriorating conditions. This added traffic also potentially increases the frequency and costs of accidents as well as emission damages and vehicle operating costs. If the capital investment is not implemented, the condition of the bridge will further deteriorate over the 3-year delay period and heavier traffic will be restricted even more. This is a condition that will certainly lead to additional inefficiencies and costs.

4.1.3 Evaluation of Project Performance

The RITBA will evaluate the effectiveness of the median barrier installation through the collection and comparison of collision data pre-installation and post installation and would make the data available to USDOT.

4.1.4 Job Creation and Economic Stimulus

The Newport/Pell Bridge Rehabilitation project is expected to create significant near-term economic benefits for the Newport County area and the State of Rhode Island, in addition to other regions of the United States. Rhode Island's economic benefits from the project would be driven by an increase in construction spending in the region. These project expenditures would generate a short term increase in demand for engineering and technical services, as well as construction-related labor and materials.

¹ According to FHWA research publications, average annual disabling accidents in Washington State were reduced from 3.60 to 1.76 after implementation of cable median barriers

² According to Invention and Technology Magazine, Summer 2006, a study conducted by the University of California indicates that concrete median barriers decreased accidents resulting in injuries by 13 %

³ VSL= \$6 million

⁴ Assumes median barrier annual maintenance costs of \$30,000 . NPV valuation conducted for a period of 40 years

To quantify the near-term economic benefits of this project an analysis was conducted utilizing Bureau of Economic Analysis (BEA) Regional Input-Output Modeling System (RIMS II) multipliers. RIMS II multipliers classify each capital cost category according to industrial sectors using North American Industry Classification System (NAICS) codes and can vary widely depending on the geographic region being analyzed. This particular analysis utilizes RIMS II data for the State of Rhode Island and Newport County⁵. The multipliers were used to determine the quantity and industry composition of benefits generated by the project resulting in estimations of short-term job creation, earnings, and economic output as a result of the project. The multipliers estimate two types of impacts:

- **Direct Impacts:** Direct impacts represent new spending, hiring, and production by civil engineering construction companies to accommodate the demand for resources in order to complete the project.
- **Indirect/Induced Impacts:** Indirect impacts result from the quantity of inter-industry purchases necessary to support the increase in production from the construction industry experiencing new demand for its goods and services. All industries that produce goods and services consumed by the construction industry will also increase production and, if necessary, hire new workers to meet the additional demand. The level of inter-industry trade within the area will determine the size of the indirect impact. Induced impacts stem from the re-spending of wages earned by workers benefiting from the direct and indirect activity within area. For example, if an increase in demand leads to new employment and earnings in a set of industries, workers in these industries will spend some proportion of their increased earnings at local retail shops, restaurants, and other places of commerce, further stimulating economic activity.

In addition to measuring the effects of the project on the Newport County economy, the economic impacts that will accrue to the rest of the state due to the project were also quantified. These impacts, referred to as "spillover" benefits, reflect the inter-county trade that occurs to supply industries in Newport County with the goods and services it needs to increase production.

For this project, the economic impacts were broken out into two categories: those impacts stemming from the bridge repair component of construction (approximately \$69 million in capital spending) and those impacts stemming from the installation of a median barrier (approximately \$6 million in capital spending). The results of the short term economic impacts are shown below in Figure 4-2:

⁵ RIMS II industry codes 7 (*Construction*), 16 and 47 (*Professional, Scientific, and Technical Services*) were utilized in this analysis.

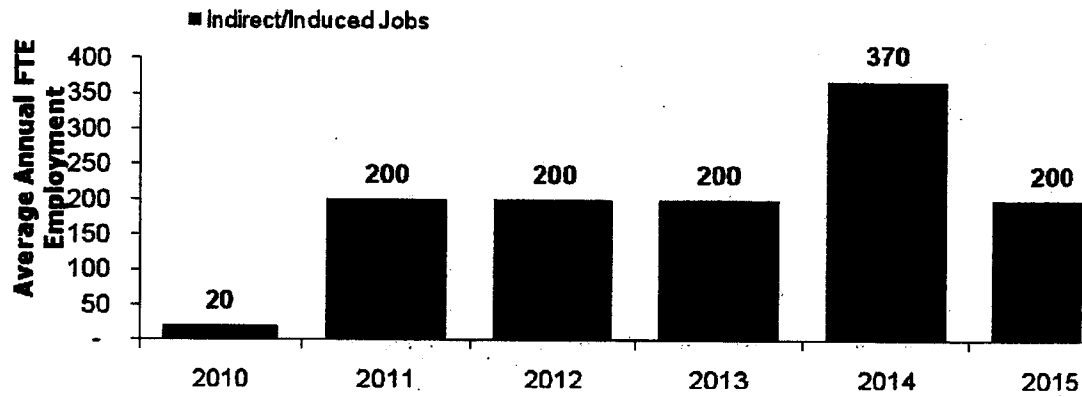
Figure 4-2: Summary of near-term economic impacts resulting from the project.

Direct Impacts	Bridge Repairs	Median Barrier	Total
Employment (Average Annual FTE Employment)	143	158	159
Earnings (2010 \$)	\$24,365,600	\$1,914,000	\$26,279,600
Output (2010 \$)	\$53,786,600	\$4,268,000	\$58,054,600
Indirect/Induced Impacts			
Employment (Average Annual FTE Employment)	107	118	118
Earnings (2010 \$)	\$13,742,400	\$1,091,000	\$14,833,400
Output (2010 \$)	\$72,597,000	\$5,753,000	\$78,350,000
Total Impacts			
Employment (Average Annual FTE Employment)	250	276	277
Earnings (2010 \$)	\$38,108,000	\$3,005,000	\$41,113,000
Output (2010 \$)	\$126,383,600	\$10,021,000	\$136,404,600

Beginning in 2011, the Newport/Pell Bridge Rehabilitation project is expected to generate significant economic benefits for the region. In total, the project would generate \$136 million in real economic output (measured in 2010 dollars), with approximately \$13 million dollars of economic output generated in 2010 and 2015, \$26 million generated in 2011, 2012 and 2013 and \$35 million in 2014. Of that \$136 million the bridge repair component of the project will generate approximately \$126 million in economic output while the median barrier component will produce about \$10 million in economic output.

An estimated average of 277 jobs will be created annually by the project, including an average of 159 direct jobs per year. Figure 4-3 shows the profile of average annual full-time equivalent (FTE) employment generated by the project's expenditures. At the peak of spending, in 2014, approximately 535 FTE persons are employed as a result of the project, including 280 direct jobs.

Figure 4-3: Average Annual Employment per Year During Construction



In total, the project is projected to create 970 person years of employment, including 556 direct job person years. The bridge repair component on the project produces 901 person years of employment, including 516 direct person years of employment whereas the median barrier installation component produces 69 person years of employment, including 40 direct person years of employment. Figure 4-4, below, shows the number of persons directly employed on the project per quarter.

Figure 4-4: Direct (On-Project) Jobs by Quarter

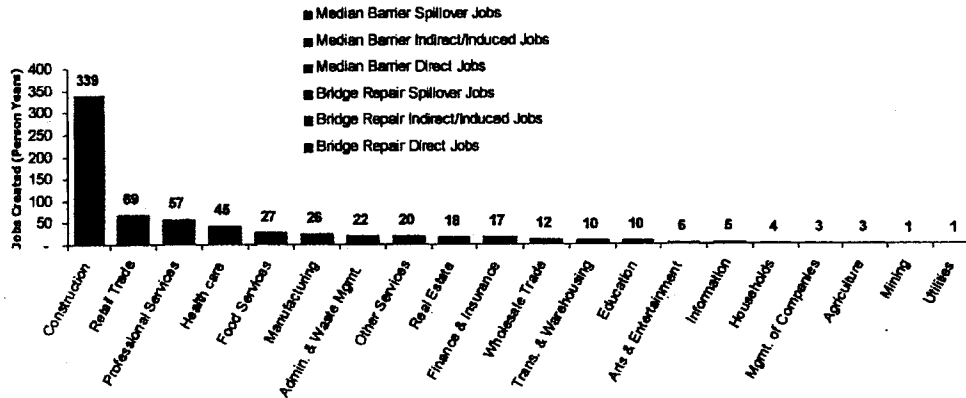
	2011				2012				2013			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Bridge Repairs	33	66	33	195	195	66	33	195	195	66	33	195
Median Barrier												
Total	33	66	33	195	195	66	33	195	195	66	33	195

	2014				2015	
	Q1	Q2	Q3	Q4	Q1	Q2
Bridge Repairs	195	66	33	195	195	66
Median Barrier			158			
Total	195	66	191	195	195	66

Figure 4-5 shows the breakdown of jobs created by industry and type of impact. As expected, the civil engineering construction industry is estimated to receive the largest increase in jobs from the project (339 person years), almost all of which are direct jobs created. The industries that will see the largest number of jobs created include retail trade (69 person years), professional services (57 person years),

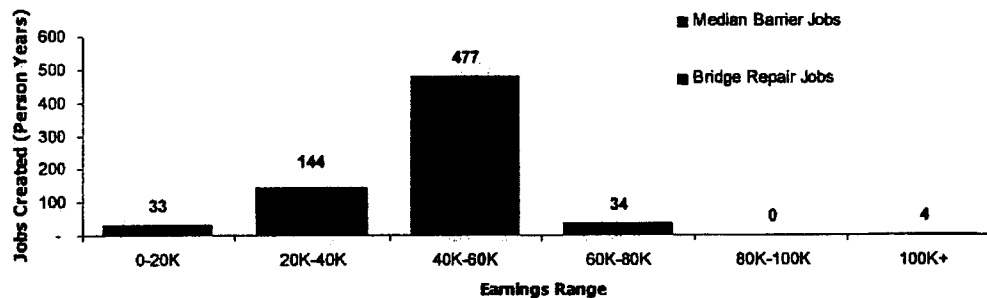
health care (45 person years), food services (27 person years), manufacturing (26 person years), administration and waste management (22 person years), and other services (20 person years).

Figure 4-5: Breakdown of Job Creation by Industry and Type of Impact



It is also important to consider the quality of the jobs that would be created by the project, which can be most easily measured by the number of jobs created at various levels of compensation. Figure 4-6 shows that the majority of jobs generated by both components of the project would receive compensation above \$40,000/year, which is above the average US per capita income. This indicates that the project would generate jobs that are above the average US per capita income. This will help stimulate the regional economy.

Figure 4-6: Breakdown of Job Creation by Earnings Range



The State of Rhode Island meets the federal definition of an Economically Distressed Area and is experiencing an unemployment rate of 11.2%, almost two full points above the national unemployment rate and the third highest state unemployment rate in the nation.

Equal Opportunity

The projects included in this TIGER II grant application will be performed under contracts that specify minority and women business enterprise participation goals. The Contractor's plan for meeting these goals and tracking of the goals are also requirements of the standard RITBA contract.

Job opportunities for low-income workers

The project will be procured and administered in accordance with all Federal and State requirements including those relating to the payment of the prevailing and/or living wage which provide higher wages than the mandated federal minimum wage, and the use of apprenticeship programs.

Maximum practicable opportunities for small businesses and disadvantaged business enterprises

The RITBA is committed to maximizing Disadvantaged Business Enterprise (DBE) and small business participation. This project will provide maximum practicable opportunities for small businesses and disadvantaged business enterprises, including disabled veteran-owned DBE firms. The project will adhere to all applicable Federal and Rhode Island requirements, including regulations regarding participation by DBE firms.

Project Schedule: The Steel Repairs and Protective Coating Contract 11-1 (including the removal of loose concrete haunches) design phase has been completed and contract documents are 80% complete, with only finalized repair quantities based on the most recent inspection to be incorporated into the documents and can be ready for advertisement for bidding within two months. The contract has not been finalized with quantities or advertised for bidding yet since funding has not been secured and repair quantities could change while waiting for funds. If TIGER grant funding is provided, the construction can begin in the 4th quarter of 2010 and be completed by the end of 2015.

The Median Barrier design is approximately 50% complete and final plans and specifications could be completed within three months. If TIGER grant funds are provided for this project, construction can be completed by the end of 2015.

Environmental Approvals: For Contract 11-1 Steel Repairs and Protective Coating approval and environmental monitoring requirements will apply regarding the removal and installation of a new protective coating system. For both Contract 11-1 and the installation of the Median Barrier, the RITBA will apply for a maintenance assent from the Coastal Resources Management Council. A summary of key permits or compliance with environmental agencies for the work included in this TIGER II grant application is provided in Figure 4-7 below.

Figure 4-7: Environmental Permits/Compliance Summary

Agency	Permits/Compliance Required	Status or Description	Anticipated Approval or Completion Date
FHWA	NEPA Categorical Exclusion	To be submitted	4 th Quarter 2010
Coastal Resources Management Council	Maintenance Assent	To be submitted	4 th Quarter 2010
United States Coast Guard	Approval of Marine Access Equipment in Navigation Channel	To be submitted by Contractor after project award	Spring, 2011
Environmental Protection Agency	Prove compliance with the Environmental Protection Agency, 40 CFR Part 745 "Lead; Requirements for Lead Based paint Activities."	To be submitted by Contractor after project award and tracked by RITBA	Ongoing monitoring throughout construction
Rhode Island Department of Environmental Management	(a) Air Pollution Control Regulation No. 5, "Fugitive Dust."	Compliance to be proved by Contractor and tracked by RITBA	Ongoing monitoring throughout construction
	(b) "Air Pollution Control Regulation No. 24, Removal of Lead Based Paint From Exterior Surfaces."		
	(c) "Rules and Regulations for Hazardous Waste Generation, Transportation, Treatment, Storage, and Disposal."		
	(d) "Rules and Regulations for Solid Waste Management Facilities."		

Legislative Approvals: The RITBA has authority to charge user fees and set toll rates as set forth in the original legislation that created the Rhode Island Turnpike and Bridge Authority. Title 24 Chapter 24-12, Section 24-12-9 "Powers of authority", Paragraph (9) reads:

"The authority is hereby authorized and empowered"... "To fix and revise from time to time, subject to the provisions of this chapter, and to charge and collect tolls for transit over the turnpike and the several parts or sections thereof, and for the use of the Newport Bridge, the Mount Hope Bridge, and any additional facility financed under the provisions of this chapter"

State and Local Planning: The projects included in this grant application have been included on the TYP's that are historically updated and approved by the RITBA Board of Directors annually. The items were

included in the 2007 TYP that was part of the "Fiscal Integrity Study" and are in the current 2009 Board Approved TYP. In the 2009 TYP these items are identified as:

- Item number 8 – Removal of Loose Haunches
- Item number 11 – Painting of Steel Structure
- Item number 12 – Steel Superstructure Repairs/Retrofit
- Item number 20 – Study/Implementation of Adding a Median Barrier.

The 2009 TYP is included as a link in Section 8.

Technically Feasible: For Contract 11-1 Steel Repairs and Protective Coating, the 80% contract documents were reviewed by the designer, Parsons Brinckerhoff, and by the owner, the RITBA, for technical feasibility and constructability. Final contract plans, specifications, and estimate are 80% complete and the contract will be ready to be advertised on RIVIP (Rhode Island Vendor Information Program) for bidding when it is determined that funding is available. The Median Barrier Study Report recommended a proprietary steel barrier system that uses a tensioned steel cable for anchoring the barrier, with minimal anchoring to the existing structure. This system was chosen for its constructability and ease of installation on an existing structure. Installation of this type of barrier to improve overall bridge accident safety is technically feasible and constructible. Design is approximately 50% complete and final plans and specifications will be completed within three months' time.

Financially Feasible: The Newport/Pell Bridge project is financially feasible. The RITBA has included the projects in the current TYP. Toll collection from the users provides a reliable revenue stream to fund the TYP. Without TIGER funding, the projects would be delayed causing increased costs from the deferred maintenance. The RITBA was awarded a Federal grant for a port security initiative in partnership with the Rhode Island Economic Development Corporation and the Rhode Island Department of Environmental Management and separate federal grant for the EZ-Pass system. The RITBA complies with all Federal grant requirements and maintains an A rating from Standard and Poor's.

The RITBA revenue source is the toll collections for crossing the Newport/Pell Bridge. The annual toll revenue received by the RITBA has been approximately \$17 million over the past several years. The first toll increase since tolls were instituted on the crossing went into effect on September 8, 2009. This increase brings the cash toll for a two axle vehicle from \$2.00 per crossing to \$4.00 per crossing with discounted rates for EZ-Pass users with Rhode Island transponders and for frequent use remaining unchanged. The additional toll revenue from the recent toll increase is estimated by the RITBA to be \$2 million annually.

The RITBA annual operational and debt service costs total approximately \$10 million. After these costs, there is approximately \$6.2 million available out of the estimated \$17 million in toll revenue to fund projects on the Ten Year Renewal and Replacement Plan (TYP). The RITBA currently holds approximately \$18 million in reserves available for capital repairs to the two bridges. This level of reserves is required to be maintained by bond indenture, but a portion of the reserves can be used to help fund annual gaps between revenue and capital repairs.

The TYP outlines the financial needs for maintenance of the bridges and includes approximately \$184 million for work through June 2015. This \$184 million includes the steel repairs, protective coating, haunch removal, and the median barrier installation projects that are part of this TIGER II grant

application at \$75 million. The \$184 million also includes \$109 million in other necessary repair and rehabilitation projects on the Newport/Pell and Mount Hope Bridges.

The RITBA has also recently issued a \$50 million Bond to help finance capital repairs to the bridges. The bond revenue will not be sufficient to close the funding gap between the toll revenue and required priority repairs to the Newport/Pell Bridge and the Mount Hope Bridge. Revenue from this bond issuance will be applied towards funding the remaining \$109 million in other required projects included in the TYP through 2015 and work in later years of the TYP.

The \$6.2 million annual contribution to capital repairs available from toll revenues totals \$17.1 million between now and the end of 2012. This toll revenue will provide the \$15 million in funding to be contributed by RITBA to the completion of the steel repairs, protective coating, haunch removal and median barrier installation.

Given the large size of the funding gap compared to annual revenues, the steel repairs and protective coating to the approach spans and the installation of the median barrier at the Newport/Pell Bridge could not be performed without the aid of the TIGER II grant funds in the required expeditious manner to maintain the bridge in a state of good repair. Without TIGER II grant funds these projects would require deferment of up to ten years. As discussed in other sections of this application, deferring these repairs is not cost effective and will result in further accelerated deterioration of the structural integrity of the bridge. Deferring the installation of the median barrier also affects the safety of the users of the bridge.

4.2 Selection Criteria: Secondary

4.2.1 Innovation

Contract 11-1 Steel Repairs and Protective Coating uses several innovative strategies and contract approaches. The steel repairs and protective coating removal and replacement will be performed without any long-term lane closures, per contract requirements. Short-term lane closures for dropping off workers and materials at a task location are permitted (up to one hour). Lane closures, one-at-a-time, are allowed only outside of morning and evening peak travel periods and are allowed only for abrasive blasting and repainting of the steel bridge railing and maintenance walkway immediately adjacent to traffic. This strategy avoids congestion and additional pollution of idling motorists during peak morning and evening travel periods.

In order to minimize the amount of lead paint waste that must be disposed of as hazardous waste, Contract 11-1 requires that abrasive blasting grit be separated from the lead paint chips and recycled for use. This not only reduces the volume of hazardous waste generated, but also reduces the cost of its disposal. To reduce painting life cycle costs long-term, the specifications require a three-coat paint system that is on the recommended listing of the Northeast Protective Coating Committee (NEPCOAT). Paints on the NEPCOAT recommended product list, tested to ASTM and other standards for slip resistance, salt fog, weather, abrasion, adhesion, and freeze-thaw stability by NTPEP (National Transportation Product Evaluation Program), have been proven to stand up to the environmental conditions encountered in the northeastern U.S.

The Median Barrier project will use a continuous concrete reactive tension system moveable barrier in order to reduce the number of anchoring points. This will reduce and possibly avoid unexpected field conditions during construction that may involve deteriorated concrete at anchor locations. It also avoids anchoring into the concrete over the support stringer positioned directly underneath the roadway crown. The reactive tension system moveable barrier will also deform elastically during impact and help redirect errant traffic, and then partly or fully reposition itself after impact, thereby reducing impact damage to the barrier as well as reducing maintenance repair costs.

4.2.2 Partnership

The RITBA is directed by a five member board of directors, four of whom are appointed by the governor and the fifth is the RIDOT Director. The creation of the RITBA by the Rhode Island General Assembly mandates the organization to operate and maintain the Newport/Pell and Mt. Hope bridges. To effectively manage their operations, the RITBA coordinates with the Rhode Island General Assembly and meets with the community to solicit input on the toll rate increases driven by the capital and operation and maintenance program.

The RITBA has ongoing cooperative relationship with the Rhode Island Department of Transportation ("RIDOT"). The Newport/Pell Bridge carries a RIDOT route over the bridge and RIDOT and RITBA share some responsibilities and costs to maintain the bridge roadway. For example, the RIDOT removes the snow from the bridge roadway while the RITBA purchases the equipment and weather sensing system to support those efforts.

4.2.3 Program-Specific Criteria

Bridge Sufficiency Rating: The Newport/Pell Bridge sufficiency rating was downgraded from 59.50 to 48.48 (on a scale of 0 to 100) from the 2007 inspection to the 2008 inspection.

Total Daily Truck and Non-Truck Traffic

ADT = 27,262 ADTT = 810

Load Restrictions – Some overweight vehicles. Overweight permit requests are reviewed based on the known as-inspected conditions.

Geometric Restrictions – 48 foot total horizontal clearance, 16'3" minimum vertical clearance

5 Federal Wage Rate Requirement

Certification that the RITBA will comply with Subchapter IV of Chapter 31 of Title 40 of the United States Code for all work included in this grant is included by link in Section 8.

6 NEPA Requirement

The work included in this TIGER II grant application is consistent with the requirements for a Categorical Exclusion. If TIGER II grant funds are provided, a NEPA categorical exclusion will be obtained.

7 Environmentally Related Federal, State, and Local Actions

All projects performed by the RITBA are reviewed by the Coastal Resources Management Council (CRMC) before construction. In addition, projects that have the potential for work over the East Passage navigation channel of Narragansett Bay are reviewed by the U.S. Coast Guard. Work in Contract 11-1 Steel Repairs and Protective Coating, involving lead-based paint removal, requires full negative-pressure

containment of the paint removal area, so that no lead paint, dust, debris, or abrasive blasting grit is emitted from the contained work area. The RITBA is currently completing lead remediation of soils underneath the Mount Hope Bridge and Newport/Pell Bridge, caused by deterioration of previously applied lead paint. All required permits and approvals for that work have been obtained and are current.

All contract work for Contract 11-1 requires review and approval from the Rhode Island Department of Environmental Management and the Rhode Island Department of Health. Contract documents will be submitted to the CRMC for Contract 11-1 prior to advertising the contract, since this approval is normally obtained prior to award of contractor Notice To Proceed (NTP). All other permits are normally applied for by the contractor after receiving NTP and submitting his proposed Work Methods for completing the scope of contract work. No permit applications for the Median Barrier project have been filed at this time. However, it is anticipated to submit plans for this contract to the CRMC during final design.

All contracts let by the RITBA include provisions in the contract specifications for protection of peregrine falcons, a species of raptor that lives in and around the bridge. While the peregrine falcon was removed from federal protection under the Endangered Species Act in 1999, populations are being monitored through a national de-listed species monitoring program begun jointly in 2001 by states and in coordination with the Fish and Wildlife Service; the monitoring program is expected to continue until 2015. Over the years, the RITBA has installed nesting boxes for the falcons at various locations on the bridge and has actively involved the United States Fish and Wildlife Service concerning monitoring the welfare of the peregrine falcon population and providing banding assistance at the Newport/Pell Bridge and the Mount Hope Bridge.

8 Index of Supporting Websites

Fiscal Integrity Report: <http://www.ritba.org/bulletins.html>

The 2009 Ten Year Renewal and Replacement Plan: <http://www.ritba.org/bulletins.html>

Federal Wage Rate Certification: <http://www.ritba.org/bulletins.html>

Rhode Island Turnpike and Bridge Authority

Newport/Pell Bridge Improvements

Grants for Transportation Investment Generating Economic Recovery (TIGER II) Application

August 23, 2010

Submitted by:

Rhode Island Turnpike and Bridge Authority

Buddy Croft, Executive Director

buddy@ritba.org

(401) 423-0800

1 East Shore Rd

Jamestown, RI 02835-1621



OVERVIEW

The Newport/Pell Bridge Improvements project is a bridge rehabilitation project that improves the safety and reliability of the bridge while preserving the availability of a vital thoroughfare for daily commuters, tourists and commercial truck traffic. The project is located in Newport County, Rhode Island, a state with a currently estimated unemployment rate of 11.2%, almost two full points above the national unemployment rate and the third highest state unemployment rate in the nation. Newport County is home to 42 naval and defense commands and activities including the home of the Navy's most prestigious educational institution, the Naval War College and the home of the Naval Undersea Warfare Center. These United States Navy facilities combined make them the largest employer in the county whose employees account for much of the commuter traffic on the bridge.

The Newport/Pell Bridge is in an area categorized as rural by the 2000 Census and is part of Rhode Island's 1st Congressional District. In order to complete the project, the Rhode Island Turnpike and Bridge Authority ("RITBA") is requesting a TIGER II discretionary grant of \$60 million. The TIGER funding will complete a funding package that will allow the RITBA to move forward with the project. The RITBA was created in 1954 by the Rhode Island General Assembly as a body corporate and politic, with powers to construct, acquire, maintain and operate bridge projects as defined by law. The RITBA has no stockholders or equity holders. It is directed by a five member board of directors, four of whom are appointed by the governor. The RITBA is a component unit of the State of Rhode Island for financial reporting purposes.

The Newport/Pell Bridge Improvements project will:

- Repair corroded elements of the bridge found to be structurally deficient in a recent inspection that lead to overweight vehicle restrictions.
- Install a median barrier on the bridge to mitigate cross-over collisions, head-on crashes, injuries, and fatalities. From 2006 through 2009, 130 vehicles were involved in 72 accidents along this less than two mile long bridge.
- Restore the protective coating system that is already 6 to 10 years beyond its service life. Delays in restoring the protective coating system will result in more costly repairs raising the costs to maintain the bridge and ultimately the fees to the users.
- Reduce restrictions on over-weight trucks. Presently overweight trucks need to use a detour of approximately 57-59 miles because of these restrictions, increasing vehicle miles traveled and emissions from the detour. The importance of the project is underscored by the fact that the Newport/Pell Bridge provides the only option for overweight vehicles to access Newport and the other communities on Aquidneck Island since the regional alternative routes also have overweight vehicle restrictions on the Mount Hope Bridge and an 18-ton and 2-Axle vehicle limit on the Sakonnet River Bridge.
- Remove loose concrete haunches that create a safety hazard.
- Avoid future, costly inspections and emergency repairs if the project is not carried out.
- Improve the lives of the approximately 15,000 commuters who rely on the bridge daily as their only connection to reach their employment destinations by maintaining a safe route.

Table of Contents

1 PROJECT DESCRIPTION 1

1.1 Description of Newport/Pell Bridge 1

1.2 Structural Systems Restorations 3

1.3 Median Barrier 6

2 PROJECT PARTIES 7

3 GRANT FUNDS 7

4 SELECTION CRITERIA 8

4.1 Selection Criteria: Primary 8

4.1.1 Long Term Outcomes 8

4.1.2 Evaluation of Expected Project Costs and Benefits 12

4.1.3 Evaluation of Project Performance 14

4.1.4 Job Creation and Economic Stimulus 14

FIGURE 4-2: SUMMARY OF NEAR-TERM ECONOMIC IMPACTS RESULTING FROM THE PROJECT 16

FIGURE 4-3: AVERAGE ANNUAL EMPLOYMENT PER YEAR DURING CONSTRUCTION 17

FIGURE 4-4: DIRECT (ON-PROJECT) JOBS BY QUARTER 17

FIGURE 4-5: BREAKDOWN OF JOB CREATION BY INDUSTRY AND TYPE OF IMPACT 18

4.2 Selection Criteria: Secondary 22

4.2.1 Innovation 22

4.2.2 Partnership 23

4.2.3 Program-Specific Criteria 23

5 FEDERAL WAGE RATE REQUIREMENT 23

6 NEPA REQUIREMENT 23

7 ENVIRONMENTALLY RELATED FEDERAL, STATE, AND LOCAL ACTIONS 23

8 INDEX OF SUPPORTING WEBSITES 24

Contact Information:

Buddy Croft, Executive Director
buddy@ritba.org
(401) 423-0800

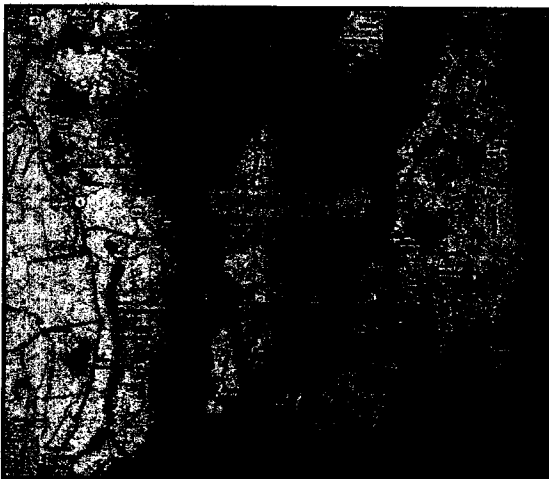
1 E Shore Rd
Jamestown, RI 02835-1621

1 Project Description

1.1 Description of Newport/Pell Bridge

The Newport/Pell Bridge is a 4-lane structure linking Newport and Jamestown, Rhode Island on Route 138 over the East Passage of Narragansett Bay between Jamestown on Conanicut Island and Newport on Aquidneck Island, and was opened to traffic in June 1969 (see Figure 1-1).

Figure 1-1 Project Location



The Newport/Pell Bridge is 11,248 feet long and includes a suspension bridge section over the main channel that provides a vertical clearance of 205.8 feet above mean high water. The bridge is owned and operated by the Rhode Island Turnpike and Bridge Authority ("RITBA") which also owns and operates the Mount Hope Bridge, another landmark suspension bridge. The Newport/Pell Bridge Improvement project is comprised of two main features: structural systems restorations and the installation of a median barrier.

The Newport/Pell Bridge traffic volumes are: 27,262 Average Daily Traffic and 810 Average Daily Truck Traffic. A summary of traffic by axle is included below in Figure 1-2.

Figure 1-2 Traffic Summary

Newport/Pell Bridge Traffic Summary July 2009 through June 2010							
Total	2 Axle	3 Axle	4 Axle	5 Axle		Overweight	Special
9,950,926	9,791,333	68,797	27,886	47,870		3,447	11,593

The Newport/Pell Bridge provides the only direct route between the counties of Washington and Newport in Rhode Island and provides the most direct access from the Route 95 Corridor to Newport, Rhode Island. The traffic on the bridge consists of a high percentage (approximately 80%) of local usage supporting local commerce through goods and service delivery and providing the only reasonable commuting access between Washington and Newport counties. The key industries supported by the bridge include the following:

Newport Naval Station: According to the United States Navy website for the Newport Naval Station, the 42 naval and defense facilities constitute the largest employer in Newport County. Many of the daily commuters on the Newport/Pell Bridge are the employees of these facilities. Newport is the Navy's premier site for training officers, officer candidates, senior enlisted personnel and midshipman candidates, as well as conducting advanced undersea warfare and development systems. Naval Station Newport's mission is to fulfill the diverse requirements of its tenant commands by providing the facilities and infrastructure that are essential to their optimum performance.

Newport is the home of the Navy's most prestigious educational institution, the Naval War College. As the oldest such institution in continuous existence anywhere in the world, the college is organized to pursue and integrate both academic and research endeavors. Each year, over 500 mid-career level officers of the Navy, all other U.S. services, civilian federal agencies and international naval officers come to Newport to pursue a rigorous 10-month course of post-graduate studies. Also located in Newport is the Naval Undersea Warfare Center (NUWC), a shore command of the U.S. Navy within the Naval Sea Systems Command Warfare Center Enterprise, which engineers, builds and supports America's Fleet of ships and combat systems.

Naval personnel assigned to Newport come from all parts of the United States and the world. Approximately 5,000 employees work at the 42 various commands located on Naval Station with an additional 9,300 students annually passing through one of the many schools on base. Naval Station Newport will be the future home of the Naval Supply Corps School and Center for Service Support currently in Athens, Ga. This command will be relocating to Newport sometime in FY 2010 as a result of 2005 Base Realignment and Closure ("BRAC") recommendations. The base overall will experience a net gain of more than 500 in population on base from the BRAC activities.

Tourism: Rhode Island is a regional tourist attraction. In 2010, the Rhode Island Tourism Division reported that tourism was the fourth largest employer in the state with Newport County being the main destination.

1.2 Structural Systems Restorations

Figure 1-3 The Newport/Pell Bridge



The Newport/Pell Bridge (Figure 1-3), at over 40 years old, is at a point in its life cycle where maintenance and repair items, especially increased attention to steel repairs and protective coatings, are required to maintain the structural integrity of the bridge. The protective coating system on the approach spans steel is between 22 and 24 years old while the expected service life of the coating system is 15 years. This system is beyond its service life and no longer provides protection to the steel resulting in accelerated corrosion of the steel with areas of significant section loss. The corroded areas require repair and a new protective coating system needs to be installed in order to maintain the structural integrity of the bridge. There are also fatigue related cracks in some of the deck truss gusset plates that require repair on a priority basis. There have been two emergency repairs to roadway support stringers in the deck truss spans required due to heavy section loss from accelerated corrosion. Continued corrosion of the steel, particularly under expansion joints will likely result in loss of carrying capacity and more emergency repairs based on inspection findings.

Without repairs to the corroded steel and installation of a new protective coating:

- More frequent and costly in-depth inspections will be required in order to remain in compliance with National Bridge Inspection Standards and to ensure that compromised structural conditions due to accelerated corrosion are identified in a timely manner.
- Weight restrictions on commercial trucks will be required for safety reasons, thus diverting commercial trucks to other alternative routes and removing the only access for overweight trucks to Newport and the other communities on Aquidneck Island.

Based on the findings of the in-depth inspections, data is provided regarding the bridge condition on the "Structure Inventory and Appraisal Sheet" ("SI&A") that is submitted to the FHWA. The corrosion and fatigue cracks observed during the last two cycles of inspection resulted in downgrades to the conditions noted on the SI&A. The structural condition rating of the superstructure was downgraded from a 7 (Good Condition) to a 5 (Fair Condition), and the structure evaluation was also downgraded from a 7 (Better than current minimum criteria) to a 5 (Somewhat better than minimum adequacy). The Sufficiency Rating for the Newport/Pell Bridge was also reduced from 59.5 to a 48.8 over the last two

inspection cycles. According to FHWA criteria, on a scale of 0 to 100, a Sufficiency Rating of 80 or less is required to qualify for federal rehabilitation funding, and a Sufficiency Rating of 50 or less qualifies a bridge for federal replacement funding.

The RITBA has historically adopted a Ten Year Renewal and Replacement Plan (TYP) for the Newport/Pell and Mount Hope bridges on an annual basis and has included estimated costs for improvements to the bridge structures as well as to the toll plaza and administration building. The RITBA has included steel repairs and installation of a new protective coating to the approach spans in the TYP.

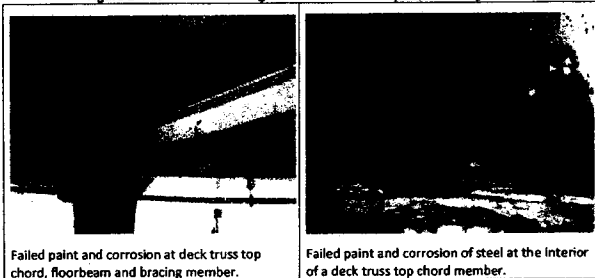
RITBA has also included the removal of loose concrete haunches in the TYP to be performed in conjunction with other projects that provide access to the haunch areas. Loose concrete haunches can range in size from a four inch cube to a foot long section of concrete that is 4 inches by 4 inches in cross section and can weigh up to 20 pounds. The loose haunches can pose a hazard to marine traffic and to workers below the bridge when they become dislodged under traffic vibrations and fall. The steel repair and protective coating project includes the removal of loose haunches in the approach spans.

In conformance with the TYP plan, the RITBA has completed the design and the preparation of contract documents is 80% complete for Contract 11-1 that includes steel repairs, installation of a protective coating system and removal of loose haunches in the approach spans of the Newport/Pell Bridge. The contract has not been advertised for bidding yet since funding has not been secured. If TIGER grant funding is provided, the construction can begin in the 4th quarter of 2011 and be completed in the 2nd quarter of 2015. This Contract is intended to return the approach spans to an NBIS condition rating of satisfactory and restore the roadway stringers to full live load capacity (state of good repair) and remove loose concrete haunches. The contract includes the following:

- Repair of corroded steel floor system elements in the approach spans.
- Repair/retrofit of fatigue cracking of gusset plates in the deck truss spans.
- Removal of loose concrete haunches in the approach spans.
- Full blast cleaning and installation of a three coat protective coating system for the deck truss, girder and stringer approach spans.

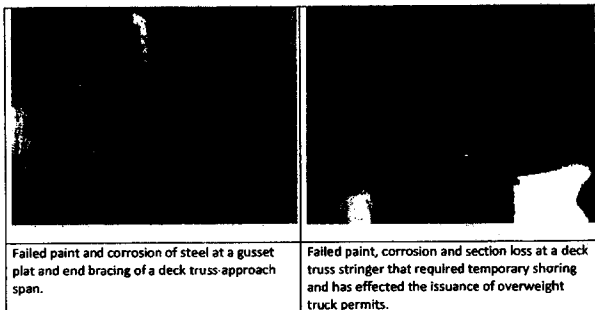
Photographs illustrating typical conditions that will be repaired as part of this work are included in Figures 1-4 through 1-6.

Figure 1-4 Corrosion and Fatigue Cracks on the Newport/Pell Bridge



Failed paint and corrosion at deck truss top chord, floorbeam and bracing member.

Failed paint and corrosion of steel at the interior of a deck truss top chord member.



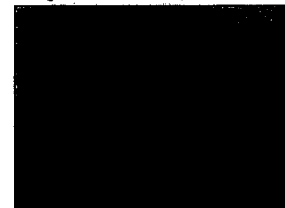
Failed paint and corrosion of steel at a gusset plate and end bracing of a deck truss-approach span.

Failed paint, corrosion and section loss at a deck truss stringer that required temporary shoring and has effected the issuance of overweight truck permits.

Figure 1-5 Concrete Haunch



Figure 1-6 Haunch Debris



The concrete haunch as shown in Figure 1-5 is a non-structural detail that was used for convenience during original construction to place the concrete deck at the proper elevation and grade. Figure 1-6 shows debris from a loose haunch removal project at the west approach spans of the Newport/Pell Bridge.

1.3 Median Barrier

Figure 1-7 Newport/Pell Bridge



The Newport/Pell Bridge currently has no median barrier (see Figure 1-7). It is a narrow bridge with a 48-foot wide roadway. The roadway is divided into four lanes, two in each direction, and opposing traffic is separated by double yellow lines. There are no shoulders.

The installation of a median barrier on the Newport/Pell Bridge is intended for safety measures. The primary concern for the RITBA is cross-over accidents and head-on collisions. The AASHTO Roadside Design Guide considers a median barrier warranted when the Average Daily Traffic (ADT) is greater than 20,000 vehicles per day and there is no median width provided between opposing traffic. The ADT on the Newport/Pell Bridge is 27,262, there is no median width, and there is a history of cross-over accidents and head-on collisions. According to the AASHTO Roadside Design Guide criteria noted above, these conditions warrant installation of a median barrier. The geometry of the bridge includes a steep (4.8%) grade with limited sight distance at the crest of the vertical curve and a 1667 foot horizontal curve at the east approach (shown in Figure 1-7 above) that add to the warrant for the safety improvement of a median barrier installation. The RITBA has included the installation of a median barrier in its TYP as a means of mitigating cross-over accidents and head-on collisions and upgrading the safety of the bridge.

The new barrier will mitigate head-on collisions with minimal effects to roadway geometry. The barrier planned for installation is a concrete reactive tension system movable barrier (CRTS) that can also be

utilized to enhance safety during lane closures for construction work on the bridge. The CRTS, similar to the barrier installed on the Tappan Zee Bridge, meets NCHRP crash test criteria and can be installed on the bridge cost effectively since the CRTS requires minimal anchoring to the bridge deck.

2 Project Parties

The Rhode Island Turnpike and Bridge Authority ("RITBA") was created in 1954 by the Rhode Island General Assembly with mandates to construct, operate, and maintain the Newport/Pell Bridge; construct a Turnpike; acquire, operate, and maintain the Mount Hope Bridge ("MH"); and, to construct additional facilities thereafter authorized by law. Since the construction of the Newport/Pell Bridge was completed in the 1960's the RITBA has been the responsible party for all maintenance to keep Newport/Pell and the Mount Hope bridges in a state of good repair. The RITBA's revenue base consists of the tolls collected for crossing the Newport/Pell Bridge. The RITBA would administer the federal funds and would be responsible for delivering the project. The RITBA has the ability to successfully manage federal funds as demonstrated by the port security initiative and EZ-Pass system projects that both received Federal grant awards.

The RITBA undertook a Fiscal Integrity Study in 2007. The study projected an estimated funding shortfall of \$223 million from FY07 through FY27. The shortfall is the difference between the estimated costs of the necessary capital maintenance and rehabilitation and the annual revenue.

3 Grant Funds

TIGER II grant funding of \$60 million is being requested to complete the funding of a \$75 million project that includes steel repairs, the application of a new protective coating system to the approach spans, the removal of loose concrete haunches, and the installation of a median barrier along the full length of the Newport/Pell Bridge. The RITBA is providing \$15 million in funding for these projects. The TIGER II grant funding would represent 80% of the total project funding with the remaining 20% of the funding being provided by the RITBA (Figure 3-1). All of the RITBA funding would come from toll revenue paid by the users of the bridge. The RITBA would administer the grant funds and be responsible for any cost over runs on the projects.

Figure 3-1 Project Cost and Funding

Project	Estimated Cost	Funding Sources	
		TIGER II Grant Funding	RITBA Funding
Approach Spans Steel Repairs and Protective Coating Application	\$69,000,000	\$55,200,000	\$13,800,000
		80%	20%
		\$4,800,000	\$1,200,000
Installation of a Median Barrier	\$6,000,000	\$4,800,000	\$1,200,000
		80%	20%
		\$60,000,000	\$15,000,000
TOTAL	\$75,000,000	80%	20%

The total project cost for the steel repairs, protective coating and haunch removal is estimated to be \$69 million and the total project cost for the median barrier is estimated to be \$6 million. The total cost for the steel repairs, protective coating and haunch removal is based on the engineer's cost estimate prepared as part of the final design for this work with the addition of professional costs for the construction inspection and supervision. The total cost for the median barrier is based on manufacturer's information and estimates of installation cost.

4 Selection Criteria

4.1 Selection Criteria: Primary

4.1.1 Long Term Outcomes

State of Good Repair: The RITBA has historically maintained its Newport/Pell and Mount Hope suspension bridges in a state of good repair and in a cost-effective and responsible manner, especially in comparison to other similar vintage bridge facilities elsewhere in the United States. For instance, through proactive maintenance, repairs, and preventive sealing with a protective silane/siloxane sealant system, the original Newport/Pell roadway deck continues to function at over 40 years of age, well beyond the 25 to 30 year expected service life of a bridge deck. Given its facilities' age and typical suspension bridge maintenance and replacement cycles, the RITBA is now facing additional capital needs. Some maintenance has also recently needed to be deferred in light of the slowing of traffic growth.

In response to flat revenues since approximately 2001, the Authority has had to defer some maintenance/repair projects. The deferrals were evaluated and implemented as a cost-effective approach to maintaining the condition of the bridges and deferring some of the more costly work. The RITBA adopted this approach while recognizing that the additional recommended work would be required to be performed at the point in the future when the cost-effectiveness of deferral of the capital repairs resulted in diminishing returns.

In order to keep their bridges in a state of good repair, RITBA has reviewed opportunities to reduce operating costs and implemented any cost savings available and has recently increased the tolls on the bridge. The toll increase, that went into effect September 8, 2009, increased the cost for a one-way crossing of a 2-Axe vehicle from \$2 to \$4 (with reduced rates for EZ-Pass users with Rhode Island Transponders and out of state frequent users remaining unchanged). The toll for trucks was increased from \$1 to \$2 per axle per one-way crossing. This toll increase on trucks is intended to maximize revenue from trucking through-traffic that has recently been diverted to the Newport/Pell Bridge due to the recent downgrading of the load rating of bridges on the alternate routes on Rhode Island's interstate system. This increased truck traffic on the Newport/Pell Bridge is also accelerating its rate of deterioration at a critical juncture, the point in its service life when it is most in need of stepped-up attention to the major maintenance issues of steel repairs and painting. Increases to the toll structure are considered carefully, particularly in light of the economic conditions in Rhode Island with a current estimated unemployment rate of 11.2%, almost two full points above the national unemployment rate and the third highest state unemployment rate in the nation.

Securing matching TIGER II Grant funds would allow the RITBA to complete the bridge rehabilitation scope of work and remove the safety hazard presented by loose concrete haunches using the TIGER II Grant Application

Recommended TYP timeline given by the RITBA's engineering consultant for maintaining the bridge in a state of good repair. Deferring the start of steel and protective coating repairs in the approach spans would result in additional costs associated with emergency repairs, additional inspections and additional repairs required estimated at over \$82 million over 20 years. The estimated cost directly related to performing the work in the suspended spans on a deferred schedule is approximately \$46 million (increasing the current estimated cost of \$69 million by 60%) over a ten year period. The additional costs are due largely to the cost of re-mobilizing for access and containment associated with a zone painting approach and the cost of additional steel repairs that would be required due to continued and accelerated corrosion.

Structural Evaluation:

In the most recent annual in-depth inspection report of the approach structures (2009), the major findings include extensive corrosion on the roadway stringer system. Another critical finding was that the paint system over the entire crossing is no longer functioning as intended. The Newport/Pell Bridge sufficiency rating was downgraded from 59.50 to 48.48 (on a scale of 0 to 100) from the 2007 inspection to the 2009 inspection. According to FHWA guidelines, a sufficiency rating below 50 makes the bridge eligible for federal funding for bridge replacement. Major recommendations in the 2009 inspection report included:

- Steel repairs to corroded stringers with reduced carrying capacity
- Retrofit of fatigue cracks at deck truss gusset plates
- A full abrasive-blast cleaning and protective coating program for the entire crossing in order to arrest further steel deterioration and more extensive and more costly steel repairs

Previous inspection reports recommended the evaluation of the roadway deck and roadway joints to determine their effectiveness to prevent leakage to the steel below. Based on this condition of the roadway deck and the roadway joints have been evaluated for the entire crossing, and resulted in repair Contract 08-4. The scope of this repair contract was a repair and replacement of roadway joints to arrest water leakage onto, and corrosion of, the steel support superstructure immediately below roadway joints; Contract 08-4 also included an aggressive roadway concrete patching program, abrasive deck cleaning and protective resealing with a silane/siloxane sealant (to retard chloride intrusion from roadway salts and corrosion of the roadway deck reinforcing steel); and a multi-year concrete roadway deck preventive patching program for subsequent spalled concrete. Resealing of the roadway deck, as was performed in 2008 in Contract 08-4 is recommended by the manufacturer of the sealant on a seven-year cycle to maintain the roadway deck in a state of good repair.

The RITBA performed this repair work under Contract 08-4 as a first priority to prevent further deterioration of the roadway deck and the steel superstructure below the roadway deck joints. Final design has been completed for the more comprehensive steel repairs, installation of protective coating, and concrete haunch removal at the approach spans under Contract 11-1 Steel Repairs and Protective Coating. These steel repairs and improvements are expected to maintain the structure of the bridge in a state of good repair for the next 40 years. The removal and replacement of the existing lead-based paint protective coating system is expected to maintain the bridge in a state of good repair for the next 15 years (the expected service life for protective coating systems).

If these repairs and improvements are not carried out, accelerated corrosion of the steel superstructure can be expected to occur. It is expected that if these repairs are not carried out, accelerated steel corrosion and fatigue cracking may cause sporadic lane outages for emergency repairs, or a reduction in

the allowable load rating of this vital crossing may occur within four years. Emergency repairs were performed on two deteriorated roadway support stringers on the bridge's east approach in 2008. A reduction in capacity due to emergency lane closures during peak morning and evening travel periods would result in traffic back-ups, voluntary detours, and loss of toll revenue. An emergency temporary full closure of the Newport/Pell crossing would result in a detour from Jamestown to Newport, Rhode Island of approximately 57 miles through Providence and Routes I-195 and Route 24 via the Sakonnet River Bridge, or a detour of approximately 59 miles through Providence and via Routes 103 and 114 and the Mount Hope Bridge. Due to the current 18-ton load and two-axle vehicle limit on the Sakonnet River Bridge and the overweight truck restriction and narrow lane widths on the Mount Hope Bridge, certain trucking loads would have no overland roadway access to Newport, Rhode Island and other communities on Aquidneck Island. Estimated losses in toll revenue due to temporary full bridge closure is approximately \$40,000 per 24-hour period. (See Figure 4-1 below)

Safety:

Travel distances: A restriction on the Newport/Pell crossing would result in additional truck traffic and vehicles miles traveled (VMT). The minimum detour distance for the Newport/Pell Bridge is 57 miles. (See Figure 4-1) This condition increases the probability of vehicle accidents; in 2008, there were 65 traffic fatalities in Rhode Island registered vehicles; the fatality rate for the state was approximately 0.79 per 100 million vehicle miles traveled. Additional traffic will result in a higher number of fatal and disabling accidents.

Installation of a median barrier: A median barrier reflects an important additional safety consideration. The installation of a median barrier on the Newport/Pell Bridge is intended to eliminate crossover accidents and reduce the total number of accidents. The increase in traffic since the construction of the bridge, particularly during rush hours and on weekends during the Newport tourist season has increased the occurrence and continued probability of cross over accidents that result in serious head-on collisions, and has increased the possibility of a truck being involved in one of these accidents. A review of the historical traffic accident data on the bridge shows that, from 2006 to 2009, 130 vehicles were involved in 72 accidents along this less than two mile long bridge. Eighteen of those accidents were vehicle crossovers. A review of the data for the ten previous years found that the annual number of accidents and crossovers is on an upward trend. The median barrier will redirect errant vehicles back into the proper traffic lane. The type of barrier identified for installation is designed to redirect vehicles most effectively, minimizing side-swap accidents with the barrier and with vehicles in the adjacent lane.

Median barriers usually fall into three groups based on their rigidity: flexible, semi-rigid and rigid. Flexible systems catch errant vehicles and prevent them from crossing over or bouncing back into same direction traffic. Rigid systems prevent crossovers but may result in the vehicle being redirected or bounced back into same direction traffic.

Figure 4-1 Detour Distances



A recent study conducted for the RITBA evaluated seventeen different barrier types and identified the best option for the bridge. This option is a proprietary barrier system that behaves in a range between the flexible and semi-rigid categories; with controlled deflection under impact. Under significant impact, the controlled deflection does not completely mitigate involvement of opposing traffic. However, these systems have superior redirection characteristics that will redirect a vehicle that would have migrated over the yellow lines while minimizing the possibility of involving a vehicle in the adjacent same direction lane. Studies conducted in many states; including Arizona, Colorado, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Utah, and Washington State, suggest that cable median barriers, a specific type of flexible barrier, are an effective mechanism for preventing fatal and disabling crashes. In addition, other studies have concluded that rigid concrete median barriers are also effective, although at a lesser degree, in mitigating highway accidents.

Steel Repairs: The performance of the priority steel repairs identified during recent in-depth inspections of the Newport/Pell Bridge and the installation of a new protective coating system to protect the repaired and existing steel from corrosion improve the safety of the bridge by returning the bridge to its full carrying capacity and arresting accelerated corrosion that leads to unpredictable local effects to roadway deck support elements.

Removal of Loose Concrete Haunches: The removal of loose concrete haunches is a significant safety improvement, particularly in the main suspension spans that are included in the grant request projects. These concrete elements can weigh up to 20 pounds and be dislodged unexpectedly from the underside of the bridge roadway deck, presenting a hazard to marine vessels that travel in this main navigation channel within the east passage of Narragansett Bay and to workers that access the catwalk and the anchorages.

Economic Competitiveness: As noted earlier in this application, the Newport/Bell Bridge is a vital connection for the region and economy. The bridge provides for a critical connection for daily commuters such as those who work at the Newport Naval Station, and tourists.

Commercial Trucks: In addition to the value derived from controlling the deterioration of the bridge through a targeted maintenance program that prevents larger, costly repairs if maintenance is deferred, benefits are derived from the reduction of over-weight restrictions at the bridge. Under the current conditions of the bridge, some overweight vehicles are not allowed to transit for safety reasons. Delaying repairs for 3 years will result in extending the restrictions for almost the entire duration of the delay period. The latest traffic figures show that, in average, there are 243 overweight commercial vehicle crossings of the Newport/Pell Bridge each month. Conservatively assuming no growth in overweight traffic for the following three years, it can be estimated that up to 2,916 business related trips per year could be affected by weight restrictions. The two other available detour options also restrict over-weight vehicle traffic. Therefore, the most probable outcome is for these potential users to distribute cargo over a larger number of trucks. This situation creates additional vehicle and driver based costs such as fuel, maintenance and repairs, insurance, wages and bonuses, etc. Although these additional costs would not directly affect the financial performance of the bridge administration, they could affect, directly or indirectly, the residents of Newport. These inefficiencies in transportation could be ultimately translated into higher end product costs or into lower margins for business owners.

fashion with redundant and repeated mobilization costs and higher cost per square foot of protective coating installation due to lower quantities included in each repair contract.

In 2009, the RITBA commissioned a study to evaluate and quantify the effects of deferring the repair and protective investments on the bridge. The study evaluated two alternative 20-year Renewal and Replacement plans; the first one assumed that all priority repair work required to bring the FHWA structural condition ratings from "Fair" to "Good" would be performed. The second option assumed that repairs and protective coating work on suspended and approach spans would be deferred; degrading the condition rating to "Poor" and affecting the load carrying capacity of the bridge.

The study concluded that postponement of work on approach spans; delaying approximately \$36 million for an average of 10 years, results in additional costs of approximately \$40 million. These results are translated into annualized returns to better value the benefits of advancing work and, consequently estimate expected savings of advancing work. The annualized returns of advancing approach span work is approximately 8%.

The Newport/Pell Bridge Improvements project is planned to be conducted over five years through October 2015. A study to estimate the specific economic effects of delaying, for three years, the repairs and protective coating work that have been included in the project has not been conducted. It was assumed, therefore, that project postponement costs would be compounded at a rate of 8% per year, the same as in the study conducted earlier this year for RITBA. The requested funding of \$60 million would allow the RITBA to fully finance the required repairs without delaying any work. Without TIGER II grant funds, the project would require deferral of up to ten years. Given the possibility of decreasing funding gaps through bond revenues after the first three years, it was conservatively assumed that, without the TIGER II grant funds, the repairs and protective coating work would be delayed only three years.

The value of the project derives, mainly, from advancing the repair and coating work and reducing accidents through the use of a median barrier. The annualized return of advancing repairs and coating work, three years in advance, is equivalent to the rate at which costs would otherwise accrue during that same period; approximately 8% per year. The total project cost for the steel repairs and protective coating is estimated to be \$69 million while the total project cost for the median barrier is estimated to be \$6 million. Based on the above indicated average annualized return, the \$60 million investment will derive benefits with a Present Value (PV) of \$ 67.3 million and represents a Net Present Value (NPV) of \$5.8 million.

The installation of a median barrier on the bridge is intended to eliminate crossover accidents as well as to reduce the total number and the severity of accidents. A review of the historical traffic accident data for the bridge shows that, from 2006 to 2009, 130 vehicles were involved in 72 accidents. Eighteen of those accidents were vehicle crossovers including significant property damage and injuries due to head-on collisions.

Median barrier rigidity is a key safety factor. As previously noted, median barriers usually fall into three categories: flexible, semi-rigid and rigid. Flexible systems catch errant vehicles and prevent them from crossing over or bouncing back into same direction traffic. On the other hand, rigid systems prevent crossovers but may result in the vehicle being redirected or bounced back into same direction traffic. The median barrier type that has been selected for the project is a proprietary system that, in terms of

Newport Naval Station: As noted previously, Newport is the Navy's premier site for training officers, officer candidates, senior enlisted personnel and midshipman candidates, as well as conducting advanced undersea warfare and development systems. These facilities position the United States to take a strategic advantage in naval and undersea warfare through the research and training programs.

Tourism: In 2010, the Rhode Island Tourism Division of the Newport Chamber of Commerce reported that tourism was the fourth largest employer in the state with Newport County being the main destination. For the same year, the Rhode Island Tourism Division reports that the state's travel and tourism visitors contributed \$1.63 billion to travel and tourism commodity expenditures supporting 1 out of every 10 Rhode Islanders job is contributed to tourism. Since the Newport/Pell Bridge is the direct route to Newport from the Interstate 95 corridor, lane closures for emergency repairs would negatively affect the tourism traffic that utilizes the Newport/Pell Bridge.

Liability: The RITBA has sought community participation in the planning process for long term funding of the large capital repair/rehabilitation projects that are included in the Ten Year Renewal and Replacement Plan (TYP). After performing a Fiscal Integrity Study to identify the revenue needs over a twenty year outlook the RITBA hosted five community forums to present the findings of the study and solicit participation from the communities that are the key users of the Newport/Pell and Mount Hope Bridges. The community forums were held in locations convenient to the key users of the bridges in Jamestown, Portsmouth, Bristol, Middletown, and Providence. The RITBA took the concerns raised by the local communities during these forums into consideration in their subsequent planning including the key goal to maintain the Newport/Pell and Mount Hope Bridges in good condition, minimize traffic delays and support commerce during the current condition of high unemployment in Rhode Island.

Sustainability: The projects included in the TIGER II grant include environmental and sustainability considerations including minimizing the amount of lead paint waste through a requirement to recycle the abrasive blasting grit and minimizing emissions through requiring the work to be performed from below the roadway with minimal lane closures. Given that some overweight vehicles are not allowed to transit the bridge for safety reasons, additional truck traffic is most probably generated. If funding is not obtained to fully cover the entire investment, this condition would be maintained throughout the delay period. Although it is difficult to estimate, with some level of confidence, how many additional trucks will be utilized and how many additional miles will be covered by these vehicles, it is evident that these restrictions would, most probably, result in more truck traffic and, consequently, more emission damages.

4.1.2 Evaluation of Expected Project Costs and Benefits

The Newport/Pell Bridge is at a point in its life cycle where maintenance and repair items, especially increased attention to painting and deck repairs, are required to maintain the continued structural integrity of the bridge. Deferred maintenance at this point in the life cycle of the bridge is not cost-effective since the result would be increased repair costs due to accelerated deterioration. The most recent inspections of the bridge have confirmed areas of accelerated corrosion that are consistent with the need to implement a more comprehensive capital repair program that includes full cleaning and painting of the bridge.

In addition, an approach of spreading the cost of performing steel repairs and applying protective coatings over a longer period of time, results in higher costs since the bridge is repaired in piecemeal

rigidity, behaves in a range between flexible and semi-rigid categories. The use of flexible barriers has been effective in preventing and mitigating vehicle accidents, with reductions as significant as 51% in the number of accidents¹. Further investigation suggests that other types of median barriers are less effective in reducing accidents, with reductions that approximate 13 %².

The selected median barrier is expected to behave in a range between the flexible and semi-rigid categories; a reduction of 32% in the total number of accidents (midpoint between 51% and 13%) has been assumed for this analysis. Historical data shows roughly 18 traffic accidents per year; a reduction of 32% would represent a decline of over 5 accidents per year. Using a conservative relative value of injuries of 1.55% the VSL (corresponding to moderate injuries), additional benefits of approximately \$507,000 per year³ can be reasonably expected from the application of a median barrier. Given the long service life of this safety improvement, this relatively modest annual benefit translates into a NPV of \$1.1 million at 7% and of \$5.7 million at 3%⁴.

As indicated in the previous section, under the current bridge conditions, some overweight vehicles are not allowed to transit due to safety concerns. Delaying repairs for 3 years will result in extending these restrictions for almost the entire duration of the delay period. The latest traffic statistics at the bridge show an average of more than 243 overweight commercial vehicles per month; these vehicles do not have the option of using a detour given that similar restrictions apply for the detour routes. Given this restrictive situation, the most probable responses from these commercial users are the operation of large trucks at sub-optimal utilization levels or the operation of a greater number of smaller trucks. In both cases, the increased direct and indirect costs associated with the larger number of shipments represents additional costs that could only be attributed to transportation inefficiencies derived from the bridge deteriorating conditions. This added traffic also potentially increases the frequency and costs of accidents as well as emission damages and vehicle operating costs. If the capital investment is not implemented, the condition of the bridge will further deteriorate over the 3-year delay period and heavier traffic will be restricted even more. This is a condition that will certainly lead to additional inefficiencies and costs.

4.1.3 Evaluation of Project Performance

The RITBA will evaluate the effectiveness of the median barrier installation through the collection and comparison of collision data pre-installation and post installation and would make the data available to USDOT.

4.1.4 Job Creation and Economic Stimulus

The Newport/Pell Bridge Rehabilitation project is expected to create significant near-term economic benefits for the Newport County area and the State of Rhode Island, in addition to other regions of the United States. Rhode Island's economic benefits from the project would be driven by an increase in construction spending in the region. These project expenditures would generate a short term increase in demand for engineering and technical services, as well as construction-related labor and materials.

¹ According to FHWA research publications, average annual disabling accidents in Washington State were reduced from 3.60 to 1.76 after implementation of cable median barriers

² According to Invention and Technology Magazine, Summer 2006, a study conducted by the University of California indicates that concrete median barriers decreased accidents resulting in injuries by 13 %

³ VSL = \$6 million

⁴ Assumes median barrier annual maintenance costs of \$300,000. NPV valuation conducted for a period of 40 years

To quantify the near-term economic benefits of this project an analysis was conducted utilizing Bureau of Economic Analysis (BEA) Regional Input-Output Modeling System (RIMS II) multipliers. RIMS II multipliers classify each capital cost category according to industrial sectors using North American Industry Classification System (NAICS) codes and can vary widely depending on the geographic region being analyzed. This particular analysis utilizes RIMS II data for the State of Rhode Island and Newport County³. The multipliers were used to determine the quantity and industry composition of benefits generated by the project resulting in estimations of short-term job creation, earnings, and economic output as a result of the project. The multipliers estimate two types of impacts:

- **Direct Impacts:** Direct impacts represent new spending, hiring, and production by civil engineering construction companies to accommodate the demand for resources in order to complete the project.
- **Indirect/Induced Impacts:** Indirect impacts result from the quantity of inter-industry purchases necessary to support the increase in production from the construction industry experiencing new demand for its goods and services. All industries that produce goods and services consumed by the construction industry will also increase production and, if necessary, hire new workers to meet the additional demand. The level of inter-industry trade within the area will determine the size of the indirect impact. Induced impacts stem from the re-spending of wages earned by workers benefiting from the direct and indirect activity within area. For example, if an increase in demand leads to new employment and earnings in a set of industries, workers in these industries will spend some proportion of their increased earnings at local retail shops, restaurants, and other places of commerce, further stimulating economic activity.

In addition to measuring the effects of the project on the Newport County economy, the economic impacts that will accrue to the rest of the state due to the project were also quantified. These impacts, referred to as "spillover" benefits, reflect the inter-county trade that occurs to supply industries in Newport County with the goods and services it needs to increase production.

For this project, the economic impacts were broken out into two categories: those impacts stemming from the bridge repair component of construction (approximately \$69 million in capital spending) and those impacts stemming from the installation of a median barrier (approximately \$6 million in capital spending). The results of the short term economic impacts are shown below in Figure 4-2:

³ RIMS II industry codes 7 (Construction), 16 and 47 (Professional, Scientific, and Technical Services) were utilized in this analysis.

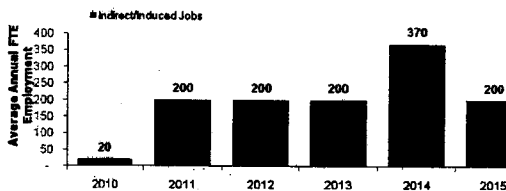
Figure 4-2: Summary of near-term economic impacts resulting from the project.

Direct Impacts	Bridge Repair		Total
	Bridge	Barrier	
Employment (Average Annual FTE Employment)	143	158	159
Earnings (2010 \$)	\$24,365,600	\$1,914,000	\$26,279,600
Output (2010 \$)	\$53,786,600	\$4,268,000	\$58,054,600
Indirect/Induced Impact:			
Employment (Average Annual FTE Employment)	107	118	118
Earnings (2010 \$)	\$13,742,400	\$1,091,000	\$14,833,400
Output (2010 \$)	\$72,597,000	\$5,753,000	\$78,350,000
Total Impacts:			
Employment (Average Annual FTE Employment)	250	276	277
Earnings (2010 \$)	\$38,108,000	\$3,005,000	\$41,113,000
Output (2010 \$)	\$126,383,600	\$10,021,000	\$136,404,600

Beginning in 2011, the Newport/Pell Bridge Rehabilitation project is expected to generate significant economic benefits for the region. In total, the project would generate \$136 million in real economic output (measured in 2010 dollars), with approximately \$13 million dollars of economic output generated in 2010 and 2015, \$26 million generated in 2011, 2012 and 2013 and \$35 million in 2014. Of that \$136 million the bridge repair component of the project will generate approximately \$126 million in economic output while the median barrier component will produce about \$10 million in economic output.

An estimated average of 277 jobs will be created annually by the project, including an average of 159 direct jobs per year. Figure 4-3 shows the profile of average annual full-time equivalent (FTE) employment generated by the project's expenditures. At the peak of spending, in 2014, approximately 535 FTE persons are employed as a result of the project, including 280 direct jobs.

Figure 4-3: Average Annual Employment per Year During Construction



In total, the project is projected to create 970 person years of employment, including 556 direct job person years. The bridge repair component on the project produces 901 person years of employment, including 516 direct person years of employment whereas the median barrier installation component produces 69 person years of employment, including 40 direct person years of employment. Figure 4-4, below, shows the number of persons directly employed on the project per quarter.

Figure 4-4: Direct (On-Project) Jobs by Quarter

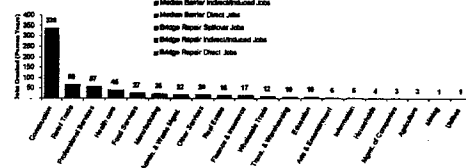
	2011				2012				2013				2014				2015			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2		
Direct	33	66	33	195	195	66	33	195	195	66	33	195	195	66	33	195	195	66		
Total	33	66	33	195	195	66	33	195	195	66	33	195	195	66	33	195	195	66		

	2014				2015			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Direct	195	66	33	195	195	66	33	195
Total	195	66	191	195	195	66	33	195

Figure 4-5 shows the breakdown of jobs created by industry and type of impact. As expected, the civil engineering construction industry is estimated to receive the largest increase in jobs from the project (339 person years), almost all of which are direct jobs created. The industries that will see the largest number of jobs created include retail trade (69 person years), professional services (57 person years),

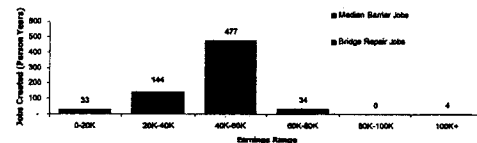
health care (45 person years), food services (27 person years), manufacturing (26 person years), administration and waste management (22 person years), and other services (20 person years).

Figure 4-5: Breakdown of Job Creation by Industry and Type of Impact



It is also important to consider the quality of the jobs that would be created by the project, which can be most easily measured by the number of jobs created at various levels of compensation. Figure 4-6 shows that the majority of jobs generated by both components of the project would receive compensation above \$40,000/year, which is above the average US per capita income. This indicates that the project would generate jobs that are above the average US per capita income. This will help stimulate the regional economy.

Figure 4-6: Breakdown of Job Creation by Earnings Range



The State of Rhode Island meets the federal definition of an Economically Distressed Area and is experiencing an unemployment rate of 11.2%, almost two full points above the national unemployment rate and the third highest state unemployment rate in the nation.

Equal Opportunity

The projects included in this TIGER II grant application will be performed under contracts that specify minority and women business enterprise participation goals. The Contractor's plan for meeting these goals and tracking of the goals are also requirements of the standard RITBA contract.

Job opportunities for low-income workers

The project will be procured and administered in accordance with all Federal and State requirements including those relating to the payment of the prevailing and/or living wage which provide higher wages than the mandated federal minimum wage, and the use of apprenticeship programs.

Maximum practicable opportunities for small businesses and disadvantaged business enterprises

The RITBA is committed to maximizing Disadvantaged Business Enterprise (DBE) and small business participation. This project will provide maximum practicable opportunities for small businesses and disadvantaged business enterprises, including disabled veteran-owned DBE firms. The project will adhere to all applicable Federal and Rhode Island requirements, including regulations regarding participation by DBE firms.

Project Schedule: The Steel Repairs and Protective Coating Contract 11-1 (including the removal of loose concrete haunches) design phase has been completed and contract documents are 80% complete, with only finalized repair quantities based on the most recent inspection to be incorporated into the documents and can be ready for advertisement for bidding within two months. The contract has not been finalized with quantities or advertised for bidding yet since funding has not been secured and repair quantities could change while waiting for funds. If TIGER grant funding is provided, the construction can begin in the 4th quarter of 2010 and be completed by the end of 2015.

The Median Barrier design is approximately 50% complete and final plans and specifications could be completed within three months. If TIGER grant funds are provided for this project, construction can be completed by the end of 2015.

Environmental Approvals: For Contract 11-1 Steel Repairs and Protective Coating approval and environmental monitoring requirements will apply regarding the removal and installation of a new protective coating system. For both Contract 11-1 and the installation of the Median Barrier, the RITBA will apply for a maintenance assent from the Coastal Resources Management Council. A summary of key permits or compliance with environmental agencies for the work included in this TIGER II grant application is provided in Figure 4-7 below.

Figure 4-7: Environmental Permits/Compliance Summary

Agency	Permits/Compliance Required	Status or Description	Anticipated Approval or Completion Date
FHWA	NEPA Categorical Exclusion	To be submitted	4 th Quarter 2010
Coastal Resources Management Council	Maintenance Assent	To be submitted	4 th Quarter 2010
United States Coast Guard	Approval of Marine Access Equipment in Navigation Channel	To be submitted by Contractor after project award	Spring, 2011
Environmental Protection Agency	Prove compliance with the Environmental Protection Agency, 40 CFR Part 745 "Lead; Requirements for Lead Based paint Activities."	To be submitted by Contractor after project award and tracked by RITBA	Ongoing monitoring throughout construction
Rhode Island Department of Environmental Management	(a) Air Pollution Control Regulation No. 5, "Fugitive Dust."	Compliance to be proved by Contractor and tracked by RITBA	Ongoing monitoring throughout construction
	(b) "Air Pollution Control Regulation No. 24, Removal of Lead Based Paint From Exterior Surfaces."		
	(c) "Rules and Regulations for Hazardous Waste Generation, Transportation, Treatment, Storage, and Disposal."		
	(d) "Rules and Regulations for Solid Waste Management Facilities."		

Legislative Approvals: The RITBA has authority to charge user fees and set toll rates as set forth in the original legislation that created the Rhode Island Turnpike and Bridge Authority. Title 24 Chapter 24-12, Section 24-12-9 "Powers of authority", Paragraph (9) reads:

"The authority is hereby authorized and empowered"..."To fix and revise from time to time, subject to the provisions of this chapter, and to charge and collect tolls for transit over the turnpike and the several parts or sections thereof, and for the use of the Newport Bridge, the Mount Hope Bridge, and any additional facility financed under the provisions of this chapter"

State and Local Planning: The projects included in this grant application have been included on the TYP's that are historically updated and approved by the RITBA Board of Directors annually. The items were

included in the 2007 TYP that was part of the "Fiscal Integrity Study" and are in the current 2009 Board Approved TYP. In the 2009 TYP these items are identified as:

- Item number 8 – Removal of Loose Haunches
- Item number 11 – Painting of Steel Structure
- Item number 12 – Steel Superstructure Repairs/Retrofit
- Item number 20 – Study/Implementation of Adding a Median Barrier.

The 2009 TYP is included as a link in Section 8.

Technically Feasible: For Contract 11-1 Steel Repairs and Protective Coating, the 80% contract documents were reviewed by the designer, Parsons Brinckerhoff, and by the owner, the RITBA, for technical feasibility and constructability. Final contract plans, specifications, and estimate are 80% complete and the contract will be ready to be advertised on RIVP (Rhode Island Vendor Information Program) for bidding when it is determined that funding is available. The Median Barrier Study Report recommended a proprietary steel barrier system that uses a tensioned steel cable for anchoring the barrier, with minimal anchoring to the existing structure. This system was chosen for its constructability and ease of installation on an existing structure. Installation of this type of barrier to improve overall bridge accident safety is technically feasible and constructible. Design is approximately 50% complete and final plans and specifications will be completed within three months' time.

Financially Feasible: The Newport/Pell Bridge project is financially feasible. The RITBA has included the projects in the current TYP. Toll collection from the users provides a reliable revenue stream to fund the TYP. Without TIGER funding, the projects would be delayed causing increased costs from the deferred maintenance. The RITBA was awarded a Federal grant for a port security initiative in partnership with the Rhode Island Economic Development Corporation and the Rhode Island Department of Environmental Management and separate federal grant for the EZ-Pass system. The RITBA complies with all Federal grant requirements and maintains an A rating from Standard and Poor's.

The RITBA revenue source is the toll collections for crossing the Newport/Pell Bridge. The annual toll revenue received by the RITBA has been approximately \$17 million over the past several years. The first toll increase since tolls were instituted on the crossing went into effect on September 8, 2009. This increase brings the cash toll for a two axle vehicle from \$2.00 per crossing to \$4.00 per crossing with discounted rates for EZ-Pass users with Rhode Island transponders and for frequent use remaining unchanged. The additional toll revenue from the recent toll increase is estimated by the RITBA to be \$2 million annually.

The RITBA annual operational and debt service costs total approximately \$10 million. After these costs, there is approximately \$6.2 million available out of the estimated \$17 million in toll revenue to fund projects on the Ten Year Renewal and Replacement Plan (TYP). The RITBA currently holds approximately \$18 million in reserves available for capital repairs to the two bridges. This level of reserves is required to be maintained by bond indenture, but a portion of the reserves can be used to help fund annual gaps between revenue and capital repairs.

The TYP outlines the financial needs for maintenance of the bridges and includes approximately \$184 million for work through June 2015. This \$184 million includes the steel repairs, protective coating, haunch removal, and the median barrier installation projects that are part of this TIGER II grant

application at \$75 million. The \$184 million also includes \$109 million in other necessary repair and rehabilitation projects on the Newport/Pell and Mount Hope Bridges.

The RITBA has also recently issued a \$50 million Bond to help finance capital repairs to the bridges. The bond revenue will not be sufficient to close the funding gap between the toll revenue and required priority repairs to the Newport/Pell Bridge and the Mount Hope Bridge. Revenue from this bond issuance will be applied towards funding the remaining \$109 million in other required projects included in the TYP through 2015 and work in later years of the TYP.

The \$6.2 million annual contribution to capital repairs available from toll revenues totals \$17.1 million between now and the end of 2012. This toll revenue will provide the \$15 million in funding to be contributed by RITBA to the completion of the steel repairs, protective coating, haunch removal and median barrier installation.

Given the large size of the funding gap compared to annual revenues, the steel repairs and protective coating to the approach spans and the installation of the median barrier at the Newport/Pell Bridge could not be performed without the aid of the TIGER II grant funds in the required expeditious manner to maintain the bridge in a state of good repair. Without TIGER II grant funds these projects would require deferral of up to ten years. As discussed in other sections of this application, deferring these repairs is not cost effective and will result in further accelerated deterioration of the structural integrity of the bridge. Deferring the installation of the median barrier also affects the safety of the users of the bridge.

4.2 Selection Criteria: Secondary

4.2.1 Innovation

Contract 11-1 Steel Repairs and Protective Coating uses several innovative strategies and contract approaches. The steel repairs and protective coating removal and replacement will be performed without any long-term lane closures, per contract requirements. Short-term lane closures for dropping off workers and materials at a task location are permitted (up to one hour). Lane closures, one-at-a-time, are allowed only outside of morning and evening peak travel periods and are allowed only for abrasive blasting and repainting of the steel bridge railing and maintenance walkway immediately adjacent to traffic. This strategy avoids congestion and additional pollution of idling motorists during peak morning and evening travel periods.

In order to minimize the amount of lead paint waste that must be disposed of as hazardous waste, Contract 11-1 requires that abrasive blasting grit be separated from the lead paint chipe and recycled for use. This not only reduces the volume of hazardous waste generated, but also reduces the cost of its disposal. To reduce painting life cycle costs long-term, the specifications require a three-coat paint system that is on the recommended listing of the Northeast Protective Coating Committee (NEPCOAT). Paints on the NEPCOAT recommended product list, tested to ASTM and other standards for slip resistance, salt fog, weather, abrasion, adhesion, and freeze-thaw stability by NITPEP (National Transportation Product Evaluation Program), have been proven to stand up to the environmental conditions encountered in the northeastern U.S.

The Median Barrier project will use a continuous concrete reactive tension system moveable barrier in order to reduce the number of anchoring points. This will reduce and possibly avoid unexpected field conditions during construction that may involve deteriorated concrete at anchor locations. It also avoids anchoring into the concrete over the support stringer positioned directly underneath the roadway crown. The reactive tension system moveable barrier will also deform elastically during impact and help redirect errant traffic, and then partly or fully reposition itself after impact, thereby reducing impact damage to the barrier as well as reducing maintenance repair costs.

4.2.2 Partnership

The RITBA is directed by a five member board of directors, four of whom are appointed by the governor and the fifth is the RIDOT Director. The creation of the RITBA by the Rhode Island General Assembly mandates the organization to operate and maintain the Newport/Pell and Mt. Hope bridges. To effectively manage their operations, the RITBA coordinates with the Rhode Island General Assembly and meets with the community to solicit input on the toll rate increases driven by the capital and operation and maintenance program.

The RITBA has ongoing cooperative relationship with the Rhode Island Department of Transportation ("RIDOT"). The Newport/Pell Bridge carries a RIDOT route over the bridge and RIDOT and RITBA share some responsibilities and costs to maintain the bridge roadway. For example, the RIDOT removes the snow from the bridge roadway while the RITBA purchases the equipment and weather sensing system to support those efforts.

4.2.3 Program-Specific Criteria

Bridge Sufficiency Rating: The Newport/Pell Bridge sufficiency rating was downgraded from 59.50 to 48.48 (on a scale of 0 to 100) from the 2007 inspection to the 2008 inspection.

Total Daily Truck and Non-Truck Traffic

ADT = 27,262 ADTT = 810

Load Restrictions – Some overweight vehicles. Overweight permit requests are reviewed based on the known as-inspected conditions.

Geometric Restrictions – 48 foot total horizontal clearance, 16'3" minimum vertical clearance

5 Federal Wage Rate Requirement

Certification that the RITBA will comply with Subchapter IV of Chapter 31 of Title 40 of the United States Code for all work included in this grant is included by link in Section 8.

6 NEPA Requirement

The work included in this TIGER II grant application is consistent with the requirements for a Categorical Exclusion. If TIGER II grant funds are provided, a NEPA categorical exclusion will be obtained.

7 Environmentally Related Federal, State, and Local Actions

All projects performed by the RITBA are reviewed by the Coastal Resources Management Council (CRMC) before construction. In addition, projects that have the potential for work over the East Passage navigation channel of Narragansett Bay are reviewed by the U.S. Coast Guard. Work in Contract 11-1 Steel Repairs and Protective Coating, involving lead-based paint removal, requires full negative-pressure

containment of the paint removal area, so that no lead paint, dust, debris, or abrasive blasting grit is emitted from the contained work area. The RITBA is currently completing lead remediation of soils underneath the Mount Hope Bridge and Newport/Pell Bridge, caused by deterioration of previously applied lead paint. All required permits and approvals for that work have been obtained and are current.

All contract work for Contract 11-1 requires review and approval from the Rhode Island Department of Environmental Management and the Rhode Island Department of Health. Contract documents will be submitted to the CRMC for Contract 11-1 prior to advertising the contract, since this approval is normally obtained prior to award of contractor Notice To Proceed (NTP). All other permits are normally applied for by the contractor after receiving NTP and submitting his proposed Work Methods for completing the scope of contract work. No permit applications for the Median Barrier project have been filed at this time. However, it is anticipated to submit plans for this contract to the CRMC during final design.

All contracts let by the RITBA include provisions in the contract specifications for protection of peregrine falcons, a species of raptor that lives in and around the bridge. While the peregrine falcon was removed from federal protection under the Endangered Species Act in 1999, populations are being monitored through a national de-listed species monitoring program begun jointly in 2001 by states and in coordination with the Fish and Wildlife Service; the monitoring program is expected to continue until 2015. Over the years, the RITBA has installed nesting boxes for the falcons at various locations on the bridge and has actively involved the United States Fish and Wildlife Service concerning monitoring the welfare of the peregrine falcon population and providing banding assistance at the Newport/Pell Bridge and the Mount Hope Bridge.

8 Index of Supporting Websites

Fiscal Integrity Report: <http://www.ritba.org/bulletins.html>

The 2009 Ten Year Renewal and Replacement Plan: <http://www.ritba.org/bulletins.html>

Federal Wage Rate Certification: <http://www.ritba.org/bulletins.html>



Rhode Island Turnpike and Bridge Authority

Newport/Pell Bridge Improvements

Grants for Transportation Investment Generating Economic Recovery (TIGER) Application

September 15, 2009

Submitted by:

Rhode Island Turnpike and Bridge Authority

Buddy Croft, Executive Director

buddy@ritba.org

(401) 423-0800

1 E Shore Rd

Jamestown, RI 02835-1621

OVERVIEW

The Newport/Pell Bridge Improvements project is a bridge rehabilitation project that improves the safety and reliability of the bridge while preserving the availability of a vital thoroughfare for daily commuters, tourists and commercial truck traffic. The project is located in Newport County, Rhode Island, a state with a currently estimated unemployment rate of 14.7%, second only to Michigan as the highest state unemployment rate in the nation. Newport County is home to 42 naval and defense commands and activities including the home of the Navy's most prestigious educational institution, the Naval War College and the home of the Naval Undersea Warfare Center. These United States Navy facilities combined make them the largest employer in the county whose employees account for much of the commuter traffic on the bridge.

The Newport/Pell Bridge is in an urban area of Rhode Island's 1st Congressional District. In order to complete the project, the Rhode Island Turnpike and Bridge Authority ("RITBA") is requesting a TIGER discretionary grant of \$40 million. The TIGER funding will complete a funding package that will allow the RITBA to move forward with the project. The RITBA was created in 1954 by the Rhode Island General Assembly as a body corporate and politic, with powers to construct, acquire, maintain and operate bridge projects as defined by law. The RITBA has no stockholders or equity holders. It is directed by a five member board of directors, four of whom are appointed by the governor. The RITBA is a component unit of the State of Rhode Island for financial reporting purposes.

The Newport/Pell Bridge Improvements project will:

- Repair corroded elements of the bridge found to be structurally deficient in a recent inspection that lead to overweight vehicle restrictions.
- Install a median barrier on the bridge to reduce cross-over collisions, head-on crashes, injuries, and fatalities. From 2006 to 2008, 89 vehicles were involved in 51 accidents along this less than two mile long bridge.
- Restore the protective coating system that is already 6 to 10 years beyond its service life. Delays in restoring the protective coating system will result in more costly repairs raising the costs to maintain the bridge and ultimately the fees to the users.
- Reduce restrictions on over-weight trucks. Presently overweight trucks need to use a detour of approximately 57-59 miles because of these restrictions increasing vehicle miles traveled and emissions from the detour. The importance of the project is underscored by the fact that the Newport/Pell Bridge provides the only option for overweight vehicles to access Newport and the other communities on Aquidneck Island since the regional alternative routes also have overweight vehicle restrictions on the Mount Hope Bridge and an 18-ton and 2-Axle vehicle limit on the Sakonnet River Bridge.
- Remove loose concrete haunches that create a safety hazard.
- Avoid future, costly inspections and emergency repairs if the project is not carried out.
- Improve the lives of the approximately 15,000 commuters who rely on the bridge daily as their only connection to reach their employment destinations by maintaining a safe route.

Table of Contents

1 PROJECT DESCRIPTION..... 1

1.1 Description of Newport/Pell Bridge 1

1.2 Structural Systems Restorations..... 3

1.3 Median Barrier 6

2 PROJECT PARTIES..... 7

3 GRANT FUNDS 7

4 SELECTION CRITERIA 8

4.1 Selection Criteria: Primary 8

4.1.1 Long Term Outcomes 8

4.1.2 Evaluation of Expected Project Costs and Benefits..... 12

4.1.3 Evaluation of Project Performance 15

4.1.4 Job Creation and Economic Stimulus 15

FIGURE 4-2: SUMMARY OF NEAR-TERM ECONOMIC IMPACTS RESULTING FROM THE PROJECT. 16

FIGURE 4-3: AVERAGE ANNUAL EMPLOYMENT PER YEAR DURING CONSTRUCTION..... 17

FIGURE 4-4: DIRECT (ON-PROJECT) JOBS BY QUARTER 17

FIGURE 4-5: BREAKDOWN OF JOB CREATION BY INDUSTRY AND TYPE OF IMPACT 17

FIGURE 4-6: BREAKDOWN OF JOB CREATION BY EARNINGS RANGE 18

FIGURE 4-7: BREAKDOWN OF STATEWIDE ECONOMIC OUTPUT GENERATED BY CONTRACT 18

4.2 Selection Criteria: Secondary 22

4.2.1 Innovation 22

4.2.2 Partnership..... 23

4.2.3 Program-Specific Criteria 23

5 FEDERAL WAGE RATE REQUIREMENT 23

6 NEPA REQUIREMENT 24

7 ENVIRONMENTALLY RELATED FEDERAL, STATE, AND LOCAL ACTIONS 24

8 INDEX OF SUPPORTING WEBSITES 24

Contact Information:

Buddy Croft, Executive Director
 buddy@ritba.org
 (401) 423-0800

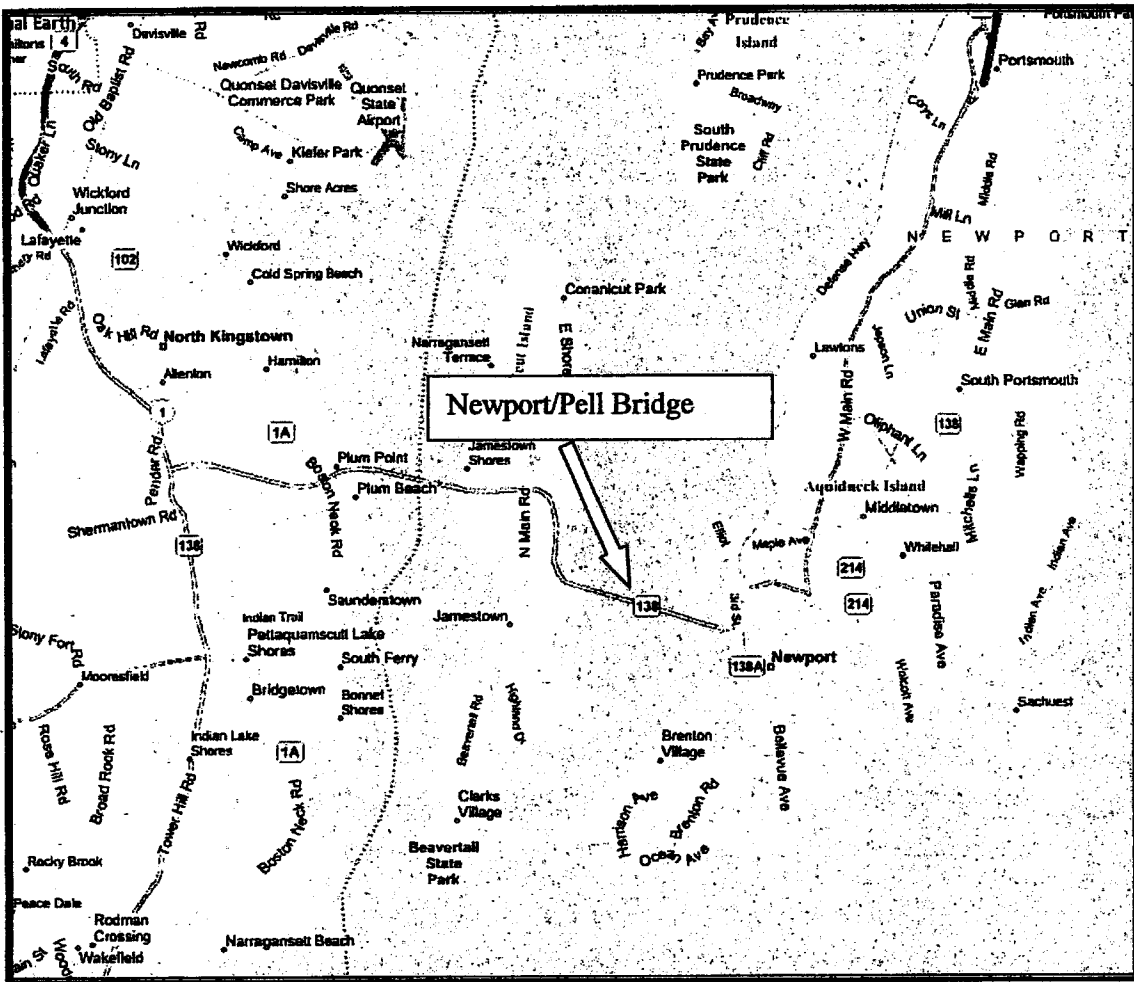
1 E Shore Rd
 Jamestown, RI 02835-1621

1 Project Description

1.1 Description of Newport/Pell Bridge

The Newport/Pell Bridge is a 4-lane structure linking Newport and Jamestown, Rhode Island on Route 138 over the East Passage of Narragansett Bay between Jamestown on Conanicut Island and Newport on Aquidneck Island, and was opened to traffic in June 1969 (see Figure 1-1).

Figure 1-1 Project Location



The Newport/Pell Bridge is 11,248 feet long and includes a suspension bridge section over the main channel that provides a vertical clearance of 205.8 feet above mean high water. The bridge is owned and operated by the Rhode Island Turnpike and Bridge Authority ("RITBA") which also owns and operates the Mount Hope Bridge, another landmark suspension bridge. The Newport/Pell Bridge Improvement project is comprised of two main features: structural systems restorations and the installation of a median barrier.

The Newport/Pell Bridge traffic volumes are: 27,270 Average Daily Traffic and 750 Average Daily Truck Traffic. A summary of traffic by axle is included below in Figure 1-2.

Figure 1-2 Traffic Summary

Newport/Pell Bridge Traffic Summary July 2008 through June 2009							
Total	2 Axle	3 Axle	4 Axle	5 Axle	6 Axle	Overweight	Buses
9,953,811	9,807,635	62,440	26,066	41,151	4,720	3,291	8,508

The Newport/Pell Bridge provides the only direct route between the counties of Washington and Newport in Rhode Island and provides the most direct access from the Route 95 Corridor to Newport, Rhode Island. The traffic on the bridge consists of a high percentage (approximately 80%) of local usage supporting local commerce through goods and service delivery and providing the only reasonable commuting access between Washington and Newport counties. The key industries supported by the bridge include the following:

Newport Naval Station: According to the United States Navy website for the Newport Naval Station, the 42 naval and defense facilities constitute the largest employer in Newport County. Many of the daily commuters on the Newport/Pell Bridge are the employees of these facilities. Newport is the Navy's premier site for training officers, officer candidates, senior enlisted personnel and midshipman candidates, as well as conducting advanced undersea warfare and development systems. Naval Station Newport's mission is to fulfill the diverse requirements of its tenant commands by providing the facilities and infrastructure that are essential to their optimum performance.

Newport is the home of the Navy's most prestigious educational institution, the Naval War College. As the oldest such institution in continuous existence anywhere in the world, the college is organized to pursue and integrate both academic and research endeavors. Each year, over 500 mid-career level officers of the Navy, all other U.S. services, civilian federal agencies and international naval officers come to Newport to pursue a rigorous 10-month course of post-graduate studies. Also located in Newport is the Naval Undersea Warfare Center (NUWC), a shore command of the U.S. Navy within the Naval Sea Systems Command Warfare Center Enterprise, which engineers, builds and supports America's Fleet of ships and combat systems.

Naval personnel assigned to Newport come from all parts of the United States and the world. Approximately 5,000 employees work at the 42 various commands located on Naval Station with an additional 9,300 students annually passing through one of the many schools on base. Naval Station Newport will be the future home of the Naval Supply Corps School and Center for Service Support currently in Athens, Ga. This command will be relocating to Newport sometime in FY 2010 as a result of 2005 Base Realignment and Closure ("BRAC") recommendations. The base overall will experience a net gain of more than 500 in population on base from the BRAC activities.

Tourism: Rhode Island is a regional tourist attraction. In 2006, the Newport Chamber of Commerce reported that tourism was the second largest employer in the state with Newport County being the main destination.

1.2 Structural Systems Restorations

Figure 1-3 The Newport/Pell Bridge



The Newport/Pell Bridge (Figure 1-3), at 40 years old, is at a point in its life cycle where maintenance and repair items, especially increased attention to steel repairs and protective coatings, are required to maintain the structural integrity of the bridge. The protective coating system on the main suspended spans steel is between 22 and 26 years old while the expected service life of the coating system is 15 years. This system is beyond its service life and no longer provides protection to

the steel resulting in accelerated corrosion of the steel with areas of significant section loss. The corroded areas require repair and a new protective coating system needs to be installed in order to maintain the structural integrity of the bridge. There are also fatigue related cracks in the Suspended Span roadway support stringers that require repairs on a priority basis. There have been two emergency repairs to roadway support stringers in the deck truss spans required due to heavy section loss from accelerated corrosion. Continued corrosion of the steel, particularly under expansion joints will likely result in loss of carrying capacity and more emergency repairs based on inspection findings.

Without repairs to the corroded steel and installation of a new protective coating:

- More frequent and costly in-depth inspections will be required in order to remain in compliance with National Bridge Inspection Standards and to ensure that compromised structural conditions due to accelerated corrosion are identified in a timely manner.
- Weight restrictions on commercial trucks will be required for safety reasons, thus diverting commercial trucks to other alternative routes and removing the only access for overweight trucks to Newport and the other communities on Aquidneck Island.

Based on the findings of the in-depth inspections, data is provided regarding the bridge condition on the "Structure Inventory and Appraisal Sheet" ("SI&A") that is submitted to the FHWA. The corrosion and fatigue cracks observed during the last two cycles of inspection resulted in downgrades to the conditions noted on the SI&A. The structural condition rating of the superstructure was downgraded from a 7 (Good Condition) to a 5 (Fair Condition), and the structure evaluation was also downgraded from a 7 (Better than current minimum criteria) to a 5 (Somewhat better than minimum adequacy). The Sufficiency Rating for the Newport/Pell Bridge was also reduced from 59.5 to a 48.8 over the last two

inspection cycles. According to FHWA criteria, on a scale of 0 to 100, a Sufficiency Rating of 80 or less is required to qualify for federal rehabilitation funding, and a Sufficiency Rating of 50 or less qualifies a bridge for federal replacement funding.

The RITBA has historically adopted a Ten Year Renewal and Replacement Plan (TYP) for the Newport/Pell and Mount Hope bridges on an annual basis and has included estimated costs for improvements to the bridge structures as well as to the toll plaza and administration building. The RITBA has included steel repairs and installation of a new protective coating to the suspended spans in the TYP.

RITBA has also included the removal of loose concrete haunches in the TYP to be performed in conjunction with other projects that provide access to the haunch areas. Loose concrete haunches can range in size from a four inch cube to a foot long section of concrete that is 4 inches by 4 inches in cross section and can weigh up to 20 pounds. The loose haunches can pose a hazard to marine traffic and to workers below the bridge when they become dislodged under traffic vibrations and fall. The steel repair and protective coating project includes the removal of loose haunches in the main suspension spans.

In conformance with the TYP plan, the RITBA has completed the design and preparation of contract documents for steel repairs, installation of a protective coating system and removal of loose haunches in the suspension spans of the Newport/Pell Bridge. The contract has not been advertised for bidding yet since funding has not been secured. If TIGER grant funding is provided, the construction can begin in the 2nd quarter of 2009 and be completed before February of 2012. This Contract is intended to return the suspended spans to an NBIS condition rating of satisfactory and restore the roadway stringers to full live load capacity (state of good repair) and remove loose concrete haunches. The contract includes the following:

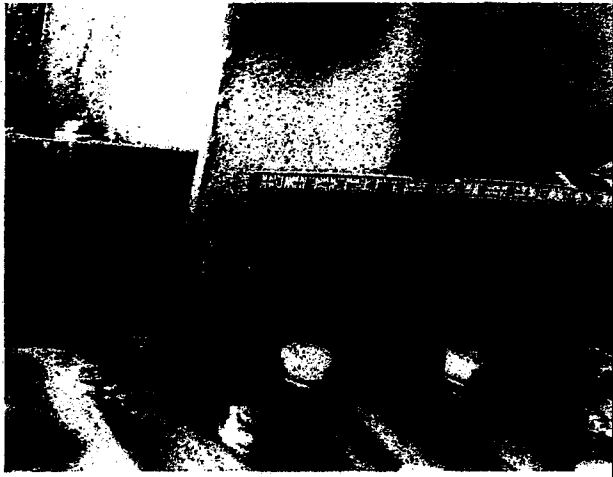
- Repair of corroded steel floor system elements in the suspended spans.
- Repair/retrofit of fatigue cracking of roadway stringers in the suspended spans.
- Removal of loose concrete haunches in the suspended spans.
- Full blast cleaning and installation of a three coat protective coating system for the following suspended span elements:
 - Below roadway deck elements: Roadway framing, stiffening trusses, floor trusses, cable bents, compression links, and wind locks
 - Above roadway deck elements: Bridge railings, suspender ropes from sockets to 20' above roadway deck
 - Substructure elements: Bottom 20' of suspended span Towers

Photographs illustrating typical conditions that will be repaired as part of this work are included in Figures 1-4 through 1-6.

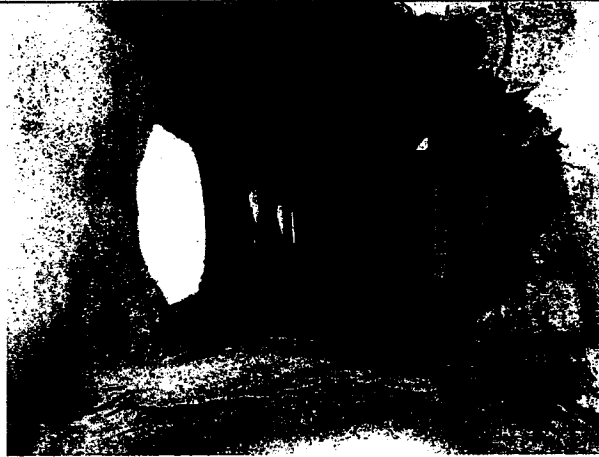
Figure 1-4 Corrosion and Fatigue Cracks on the Newport/Pell Bridge



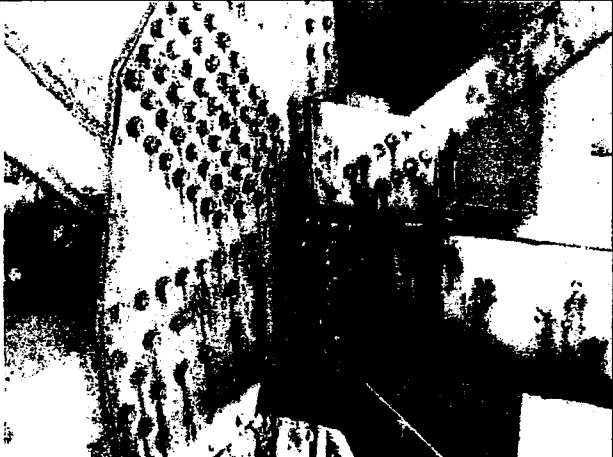
Corrosion and Fatigue Crack at Suspended Span Stringer



Corrosion and Fatigue Crack at Suspended Span Stringer



Failed paint and corrosion of steel at the interior of a stiffening truss chord member



Failed Paint and corrosion of steel at a gusset plate, and end bracing of the stiffening truss

Figure 1-5 Concrete Haunch

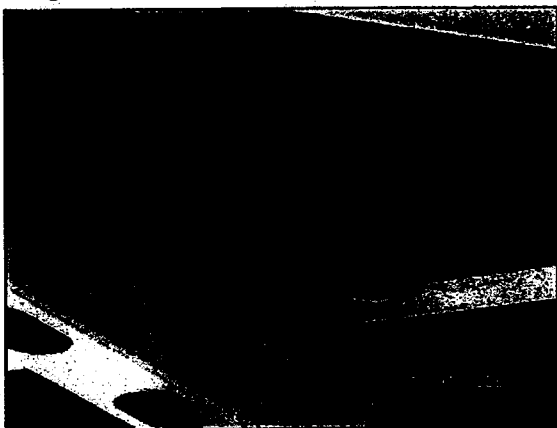
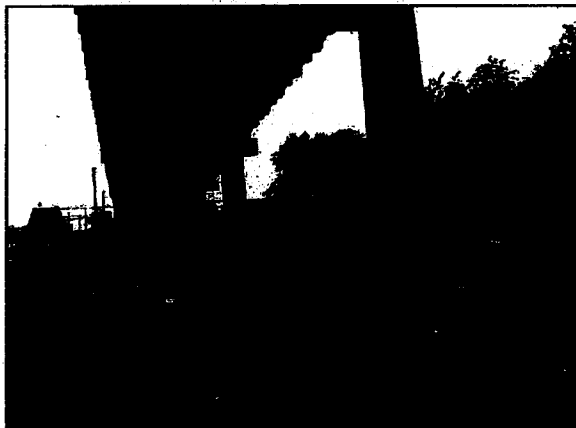


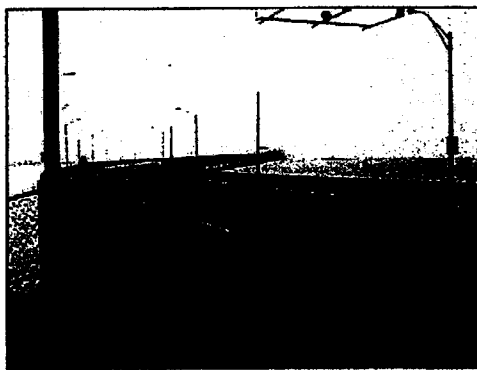
Figure 1-6 Haunch Debris



The concrete haunch as shown in Figure 1-5 is a non-structural detail that was used for convenience during original construction to place the concrete deck at the proper elevation and grade. Figure 1-6 shows debris from a loose haunch removal project at the west approach spans of the Newport/Pell Bridge.

1.3 Median Barrier

Figure 1-7 Newport/Pell Bridge



The Newport/Pell Bridge currently has no median barrier (see Figure 1-7). It is a narrow bridge with a 48-foot wide roadway. The roadway is divided into four lanes, two in each direction, and opposing traffic is separated by double yellow lines. There are no shoulders.

The installation of a median barrier on the Newport/Pell Bridge is intended for safety measures. The primary concern for the RITBA is cross-over accidents and head-on collisions. The AASHTO Roadside Design Guide considers a median barrier warranted when the Average Daily Traffic (ADT) is greater than 20,000 vehicles per day and there is no median width provided between opposing traffic. The ADT on the Newport/Pell Bridge is 27,270, there is no median width, and there is a history of cross-over accidents and head-on collisions. According to the AASHTO Roadside Design Guide criteria noted above, these conditions warrant installation of a median barrier. The geometry of the bridge includes a steep (4.8%) grade with limited sight distance at the crest of the vertical curve and a 1667 foot horizontal curve at the east approach (shown in Figure 1-7 above) that add to the warrant for the safety improvement of a median barrier installation. The RITBA has included the installation of a median barrier in its TYP as a means of reducing cross-over accidents and head-on collisions and upgrading the safety of the bridge.

The new barrier will reduce head-on collisions with minimal effects to roadway geometry. The barrier planned for installation is a concrete reactive tension system movable barrier (CRTS) that can also be

utilized to enhance safety during lane closures for construction work on the bridge. The CRTS, similar to the barrier installed on the Tappan Zee Bridge, meets NCHRP crash test criteria and can be installed on the bridge cost effectively since the CRTS requires minimal anchoring to the bridge deck.

2 Project Parties

The Rhode Island Turnpike and Bridge Authority ("RITBA") was created in 1954 by the Rhode Island General Assembly with mandates to construct, operate, and maintain the Newport/Pell Bridge; construct a Turnpike; acquire, operate, and maintain the Mount Hope Bridge ("MH"); and, to construct additional facilities thereafter authorized by law. Since the construction of the Newport/Pell Bridge was completed in the 1960's the RITBA has been the responsible party for all maintenance to keep Newport/Pell and the Mount Hope bridges in a state of good repair. The RITBA's revenue base consists of the tolls collected for crossing the Newport/Pell Bridge. The RITBA would administer the federal funds and would be responsible for delivering the project. The RITBA has the ability to successfully manage federal funds as demonstrated by the port security initiative and EZ-Pass system projects that both received Federal grant awards.

The RITBA undertook a Fiscal Integrity Study in 2007. The study projected an estimated funding shortfall of \$223 million from FY07 through FY27. The shortfall is the difference between the estimated costs of the necessary capital maintenance and rehabilitation and the annual revenue.

3 Grant Funds

TIGER grant funding of \$40 million is being requested to complete the funding of a \$52.6 million project that includes steel repairs, the application of a new protective coating system to the main suspension spans, the removal of loose concrete haunches, and the installation of a median barrier along the full length of the Newport/Pell Bridge. The RITBA is providing \$12.6 million in funding for these projects. The TIGER grant funding would represent 76% of the total project funding with the remaining 24% of the funding being provided by the RITBA (Figure 3-1). All of the RITBA funding would come from toll revenue paid by the users of the bridge. The RITBA would administer the grant funds and be responsible for any cost over runs on the projects.

Figure 3-1 Project Cost and Funding

Project	Estimated Cost	Funding Sources	
		TIGER Grant Funding	RITBA Funding
Suspension Spans Steel Repairs and Protective Coating Application	\$47,300,000	\$35,760,000	\$11,540,000
		76%	24%
Installation of a Median Barrier	\$5,300,000	\$4,240,000	\$1,060,000
		80%	20%
TOTAL	\$52,600,000	\$40,000,000	\$12,600,000
		76%	24%

The total project cost for the steel repairs, protective coating and haunch removal is estimated to be \$47.3 million and the total project cost for the median barrier is estimated to be \$5.3 million. The total cost for the steel repairs, protective coating and haunch removal is based on the engineer's cost estimate prepared as part of the final design for this work with the addition of professional costs for the construction inspection and supervision. The total cost for the median barrier is based on manufacturer's information and estimates of installation cost.

4 Selection Criteria

4.1 Selection Criteria: Primary

4.1.1 Long Term Outcomes

State of Good Repair: The RITBA has historically maintained its Newport/Pell and Mount Hope suspension bridges in a state of good repair and in a cost-effective and responsible manner, especially in comparison to other similar vintage bridge facilities elsewhere in the United States. For instance, through proactive maintenance, repairs, and preventive sealing with a protective silane/siloxane sealant system, the original Newport/Pell roadway deck continues to function at over 40 years of age, well beyond the 25 to 30 year expected service life of a bridge deck. Given its facilities' age and typical suspension bridge maintenance and replacement cycles, the RITBA is now facing additional capital needs. Some maintenance has also recently needed to be deferred in light of the slowing of traffic growth.

In response to flat revenues since approximately 2001, the Authority has had to defer some maintenance/repair projects. The deferments were evaluated and implemented as a cost-effective approach to maintaining the condition of the bridges and deferring some of the more costly work. The RITBA adopted this approach while recognizing that the additional recommended work would be required to be performed at the point in the future when the cost-effectiveness of deferral of the capital repairs resulted in diminishing returns.

In order to keep their bridges in a state of good repair, RITBA has reviewed opportunities to reduce operating costs and implemented any cost savings available and has recently increased the tolls on the bridge. The toll increase, that went into effect September 8, 2009, increased the cost for a one-way crossing of a 2-Axle vehicle from \$2 to \$4 (with reduced rates for EZ-Pass users with Rhode Island Transponders and out of state frequent users remaining unchanged). The toll for trucks was increased from \$1 to \$2 per axle per one-way crossing. This toll increase on trucks is intended to maximize revenue from trucking through-traffic that has recently been diverted to the Newport/Pell Bridge due to the recent downgrading of the load rating of bridges on the alternate routes on Rhode Island's interstate system. This increased truck traffic on the Newport/Pell Bridge is also accelerating its rate of deterioration at a critical juncture, the point in its service life when it is most in need of stepped-up attention to the major maintenance issues of steel repairs and painting. Increases to the toll structure are considered carefully, particularly in light of the economic conditions in Rhode Island with a current estimated unemployment rate of 14.7%, second only to Michigan as the highest state unemployment rate in the nation.

Securing matching TIGER Grant funds would allow the RITBA to complete the bridge rehabilitation scope of work in Contract 09-1 Steel Repairs and Protective Coating and remove the safety hazard presented

by loose concrete haunches using the Recommended TYP timeline given by the RITBA's engineering consultant for maintaining the bridge in a state of good repair. Deferring the steel and protective coating repairs for Contract 09-1 (at the suspension spans) would result in a domino effect of deferring the repairs and protective coating installation at the east and west approaches of the bridge. The total additional costs of deferring all steel repairs and protective coating work that would be initiated by the deferment of the work in the suspension spans is estimated at over \$72 million over 20 years. The estimated cost directly related to performing the work in the suspended spans on a deferred schedule is approximately \$36 million (increasing the current estimated cost of \$47.3 million by 76%) over a ten year period. The additional costs are due largely to the cost of re-mobilizing for access and containment associated with a zone painting approach and the cost of additional steel repairs that would be required due to continued and accelerated corrosion.

Structural Evaluation:

In the most recent annual in-depth inspection report of the main suspended spans (2008) and the bridge approach structures (2007), the major findings include extensive corrosion and cracking on the suspended roadway stringer system. Another critical finding was that the paint system over the entire crossing is no longer functioning as intended. The Newport/Pell Bridge sufficiency rating was downgraded from 59.50 to 48.48 (on a scale of 0 to 100) from the 2007 inspection to the 2008 inspection. According to FHWA guidelines, a sufficiency rating below 50 makes the bridge eligible for federal funding for bridge replacement. Major recommendations in the 2007 and 2008 inspection reports included:

- A program of steel repairs to the stringers in the suspended spans and, to lesser extent on the approaches
- A full abrasive-blast cleaning and protective coating program for the entire crossing in order to arrest further steel deterioration and more extensive and more costly steel repairs
- Evaluate the effectiveness of the roadway joints in order to prevent leakage and corrosion of the steel superstructure beneath joints, and repair/replace joints as needed.
- Evaluate the condition of the concrete roadway deck and repair it as needed

The condition of the roadway deck and the roadway joints have been evaluated for the entire crossing, and resulted in repair Contract 08-4. The scope of this repair contract was a repair and replacement of roadway joints to arrest water leakage onto, and corrosion of, the steel support superstructure immediately below roadway joints; Contract 08-4 also included an aggressive roadway concrete patching program, abrasive deck cleaning and protective resealing with a silane/siloxane sealant (to retard chloride intrusion from roadway salts and corrosion of the roadway deck reinforcing steel); and a multi-year concrete roadway deck preventive patching program for subsequent spalled concrete. Resealing of the roadway deck, as was performed in 2008 in Contract 08-4 is recommended by the manufacturer of the sealant on a seven-year cycle to maintain the roadway deck in a state of good repair.

The RITBA performed this repair work under Contract 08-4 as a first priority to prevent further deterioration of the roadway deck and the steel superstructure below the roadway deck joints. Final design has been completed for the more comprehensive steel stringer repairs, installation of protective coating, and concrete haunch removal at the suspended spans in Contract 09-1 Steel Repairs and Protective Coating. Repairs to the roadway stringer system will include the addition of stringer web stiffeners, which will mitigate the out-of-plane bending that has caused the fatigue cracking in the

stringer webs. These steel repairs and improvements are expected to maintain the structure of the bridge in a state of good repair for the next 40 years. The removal and replacement of the existing lead-based paint protective coating system is expected to maintain the bridge in a state of good repair for the next 15 years (the expected service life for protective coating systems).

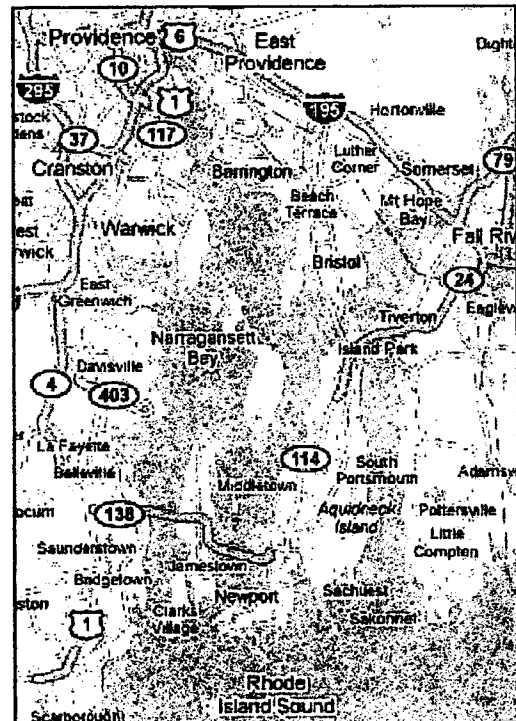
If these repairs and improvements are not carried out, the propagation of existing fatigue cracks and initiation of new cracking in the steel stringers and accelerated corrosion of the steel superstructure can be expected to occur. It is expected that if these repairs are not carried out, accelerated steel corrosion and fatigue cracking may cause sporadic lane outages for emergency repairs, or a reduction in the allowable load rating of this vital crossing may occur within four years. Emergency repairs were performed on two deteriorated roadway support stringers on the bridge's east approach in 2008. A reduction in capacity due to emergency lane closures during peak morning and evening travel periods would result in traffic back-ups, voluntary detours, and loss of toll revenue. An emergency temporary full closure of the Newport/Pell crossing would result in a detour from Jamestown to Newport, Rhode Island of approximately 57 miles through Providence and Routes I-195 and Route 24 via the Sakonnet River Bridge, or a detour of approximately 59 miles through Providence and via Routes 103 and 114 and the Mount Hope Bridge. Due to the current 18-ton load and two-axle vehicle limit on the Sakonnet River Bridge and the overweight truck restriction and narrow lane widths on the Mount Hope Bridge, certain trucking loads would have no overland roadway access to Newport, Rhode Island and other communities on Aquidneck Island. Estimated losses in toll revenue due to temporary full bridge closure is approximately \$40,000 per 24-hour period. (See Figure 4-1 below)

Safety:

Travel distances: A restriction on the Newport/Pell crossing would result in additional truck traffic and vehicles miles traveled (VMT). The minimum detour distance for the Newport/Pell Bridge is 57 miles. (See Figure 4-1) This condition increases the probability of vehicle accidents; in 2007, there were 69 traffic fatalities in Rhode Island registered vehicles; the fatality rate for the state was approximately 0.80 per 100 million vehicle miles traveled. Additional traffic will result in a higher number of fatal and disabling accidents.

Installation of a median barrier: A median barrier reflects an important additional safety consideration. The installation of a median barrier on the Newport/Pell Bridge is intended to eliminate crossover accidents and reduce the total number of accidents. The increase in traffic since the construction of the bridge, particularly during rush hours and on weekends during the Newport tourist season has increased the occurrence and continued probability of cross over accidents that result in serious head-on collisions, and has increased the possibility of a truck being involved in one of these accidents. A review of the historical traffic accident data on the bridge shows that, from 2006 to 2008, 89 vehicles were involved in 51 accidents along this less than two mile long bridge. Sixteen of those accidents were vehicle crossovers. A review of the data

Figure 4-1 Detour Distances



for the ten previous years found that the annual number of accidents and crossovers is on an upward trend. The median barrier will redirect errant vehicles back into the proper traffic lane. The type of barrier identified for installation is designed to redirect vehicles most effectively, minimizing sideswipe accidents with the barrier and with vehicles in the adjacent lane.

Median barriers usually fall into three groups based on their rigidity: flexible, semi-rigid and rigid. Flexible systems catch errant vehicles and prevent them from crossing over or bouncing back into same direction traffic. Rigid systems prevent crossovers but may result in the vehicle being redirected or bounced back into same direction traffic.

A recent study conducted for the RITBA evaluated seventeen different barrier types and identified the best option for the bridge. This option is a proprietary barrier system that behaves in a range between the flexible and semi-rigid categories; with controlled deflection under impact. Under significant impact, the controlled deflection does not completely mitigate involvement of opposing traffic. However, these systems have superior redirection characteristics that will redirect a vehicle that would have migrated over the yellow lines while minimizing the possibility of involving a vehicle in the adjacent same direction lane. Studies conducted in many states; including Arizona, Colorado, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Utah, and Washington State, suggest that cable median barriers, a specific type of flexible barrier, are an effective mechanism for preventing fatal and disabling crashes. In addition, other studies have concluded that rigid concrete median barriers are also effective, although at a lesser degree, in mitigating highway accidents.

Steel Repairs: The performance of the priority steel repairs identified during recent in-depth inspections of the Newport/Pell Bridge and the installation of a new protective coating system to protect the repaired and existing steel from corrosion improve the safety of the bridge by returning the bridge to its full carrying capacity and arresting accelerated corrosion that leads to unpredictable local effects to roadway deck support elements.

Removal of Loose Concrete Haunches: The removal of loose concrete haunches is a significant safety improvement, particularly in the main suspension spans that are included in the grant request projects. These concrete elements can weigh up to 20 pounds and be dislodged unexpectedly from the underside of the bridge roadway deck, presenting a hazard to marine vessels that travel in this main navigation channel within the east passage of Narragansett Bay and to workers that access the catwalk and the anchorages.

Economic Competitiveness: As noted earlier in this application, the Newport/Bell Bridge is a vital connection for the region and economy. The bridge provides for a critical connection for daily commuters such as those who work at the Newport Naval Station, and tourists.

Commercial Trucks: In addition to the value derived from controlling the deterioration of the bridge through a targeted maintenance program that prevents larger, costly repairs if maintenance is deferred, benefits are derived from the reduction of over-weight restrictions at the bridge. Under the current conditions of the bridge, some overweight vehicles are not allowed to transit for safety reasons. Delaying repairs for 3 years will result in extending the restrictions for almost the entire duration of the delay period. The latest traffic figures show that, in average, there are 243 overweight commercial vehicle crossings of the Newport/Pell Bridge each month. Conservatively assuming no growth in overweight traffic for the following three years, it can be estimated that up to 2,916 business related

trips per year could be affected by weight restrictions. The two other available detour options also restrict over-weight vehicle traffic. Therefore, the most probable outcome is for these potential users to distribute cargo over a larger number of trucks. This situation creates additional vehicle and driver based costs such as fuel, maintenance and repairs, insurance, wages and bonuses, etc. Although these additional costs would not directly affect the financial performance of the bridge administration, they could affect, directly or indirectly, the residents of Newport. These inefficiencies in transportation could be ultimately translated into higher end product costs or into lower margins for business owners.

Newport Naval Station: As noted previously, Newport is the Navy's premier site for training officers, officer candidates, senior enlisted personnel and midshipman candidates, as well as conducting advanced undersea warfare and development systems. These facilities position the United States to take a strategic advantage in naval and undersea warfare through the research and training programs.

Tourism: In 2006, the Newport Chamber of Commerce reported that tourism was the second largest employer in the state with Newport County being the main destination. For the same year, the Rhode Island Tourism Division reports that the state's travel and tourism visitors contributed \$2.78 billion to travel and tourism commodity expenditures supporting 57,837 jobs and \$1.08 billion in wages and benefits. Since the Newport/Pell Bridge is the direct route to Newport from the Interstate 95 corridor, lane closures for emergency repairs would negatively affect the tourism traffic that utilizes the Newport/Pell Bridge.

Livability: The RITBA has sought community participation in the planning process for long term funding of the large capital repair/rehabilitation projects that are included in the Ten Year Renewal and Replacement Plan (TYP). After performing a Fiscal Integrity Study to identify the revenue needs over a twenty year outlook the RITBA hosted five community forums to present the findings of the study and solicit participation from the communities that are the key users of the Newport/Pell and Mount Hope Bridges. The community forums were held in locations convenient to the key users of the bridges in Jamestown, Portsmouth, Bristol, Middletown, and Providence. The RITBA took the concerns raised by the local communities during these forums into consideration in their subsequent planning including the key goal to maintain the Newport/Pell and Mount Hope Bridges in good condition, minimize traffic delays and support commerce during the current condition of high unemployment in Rhode Island.

Sustainability: The projects included in the TIGER grant include environmental and sustainability considerations including minimizing the amount of lead paint waste through a requirement to recycle the abrasive blasting grit and minimizing emissions through requiring the work to be performed from below the roadway with minimal lane closures. Given that some overweight vehicles are not allowed to transit the bridge for safety reasons, additional truck traffic is most probably generated. If funding is not obtained to fully cover the entire investment, this condition would be maintained throughout the delay period. Although it is difficult to estimate, with some level of confidence, how many additional trucks will be utilized and how many additional miles will be covered by these vehicles, it is evident that these restrictions would, most probably, result in more truck traffic and, consequently, more emission damages.

4.1.2 Evaluation of Expected Project Costs and Benefits

The Newport/Pell Bridge is at a point in its life cycle where maintenance and repair items, especially increased attention to painting and deck repairs, are required to maintain the continued structural integrity of the bridge. Deferred maintenance at this point in the life cycle of the bridge is not cost-

effective since the result would be increased repair costs due to accelerated deterioration. The most recent inspections of the bridge have confirmed areas of accelerated corrosion that are consistent with the need to implement a more comprehensive capital repair program that includes full cleaning and painting of the bridge.

In addition, an approach of spreading the cost of performing steel repairs and applying protective coatings over a longer period of time, results in higher costs since the bridge is repaired in piecemeal fashion with redundant and repeated mobilization costs and higher cost per square foot of protective coating installation due to lower quantities included in each repair contract.

Earlier this year, the RITBA commissioned a study to evaluate and quantify the effects of deferring the repair and protective investments on the bridge. The study evaluated two alternative 20-year Renewal and Replacement plans; the first one assumed that all priority repair work required to bring the FHWA structural condition ratings from "Fair" to "Good" would be performed. The second option assumed that repairs and protective coating work on suspended and approach spans would be deferred; degrading the condition rating to "Poor" and affecting the load carrying capacity of the bridge.

The study concluded that, under the deferred repair plan, less than half of the required work would be performed during the first ten years, but costs would be only 2% lower than doing all the required work for that 10-year period. The study also concluded that, at the end of the 20 year period, the deferred plan option would result in a 25% increase in total costs; approximately \$73 million more than the first option. A more nuanced review of the study shows that deferring different portions of the work has different economic consequences; postponement of repairs and protective coating work on suspended spans has the highest impact on costs. For example, delaying approximately \$15 million in suspended span work, for an average of 7 years, results in additional costs of approximately \$33 million. Postponement of work on approach spans is less costly; delaying approximately \$36 million for an average of 10 years, results in additional costs of approximately \$40 million. These results are translated into annualized returns to better value the benefits of advancing work and consequently estimate expected savings of advancing work. The annualized returns of advancing suspended and approach span work are approximately 18% and 8% respectively. The weighted average annualized return of advancing all the repair work is approximately 10% in a 9-year period.

Given that the point of diminishing returns, in the life cycle of the bridge, has been reached, the annual rate at which postponement costs accrue over years should be very similar for delays shorter than 9 years. In other words, costs would accrue following a progression that is similar to compounding 10% in additional costs every year.

The Newport/Pell Bridge Improvements project is planned to be conducted in three years through June 2012. A study to estimate the specific economic effects of delaying, for three years, the repairs and protective coating work that have been included in the project has not been conducted. It was assumed, therefore, that project postponement costs would be compounded at a rate of 10% per year, the same as in the study conducted earlier this year for RITBA. The requested funding of \$40 million would allow the RITBA to fully finance the required repairs without delaying any work. Without TIGER grant funds, the project would require deferment of up to ten years. Given the possibility of decreasing funding gaps through bond revenues after the first three years, it was conservatively assumed that, without the TIGER grant funds, the repairs and protective coating work would be delayed only three years.

The value of the project derives, mainly, from advancing the repair and coating work and reducing accidents through the use of a median barrier. The annualized return of advancing repairs and coating work, three years in advance, is equivalent to the rate at which costs would otherwise accrue during that same period; approximately 10% per year. The total project cost for the steel repairs and protective coating is estimated to be \$47.3 million while the total project cost for the median barrier is estimated to be \$5.3 million. Based on the above indicated average annualized return, the \$47.3 million investment will derive benefits with a Present Value (PV) of \$ 51.8 million and represents a Net Present Value (NPV) of \$4.5 million. Using a discount rate of 3%, the \$47.3 million investment represents a NPV of \$ 10.8 million

The installation of a median barrier on the bridge is intended to eliminate crossover accidents as well as to reduce the total number and the severity of the accidents. A review of the historical traffic accident data for the bridge shows that, from 2006 to 2008, 89 vehicles were involved in 51 accidents. Sixteen of those accidents were vehicle crossovers including significant property damage and injuries due to head-on collisions.

Median barrier rigidity is a key safety factor. As previously noted, median barriers usually fall into three categories: flexible, semi-rigid and rigid. Flexible systems catch errant vehicles and prevent them from crossing over or bouncing back into same direction traffic. On the other hand, rigid systems prevent crossovers but may result in the vehicle being redirected or bounced back into same direction traffic. The median barrier type that has been selected for the project is a proprietary system that, in terms of rigidity, behaves in a range between flexible and semi-rigid categories. The use of flexible barriers has been effective in preventing and mitigating vehicle accidents, with reductions as significant as 51% in the number of accidents¹. Further investigation suggests that other types of median barriers are less effective in reducing accidents, with reductions that approximate 13 %².

The selected median barrier is expected to behave in a range between the flexible and semi-rigid categories; a reduction of 32% in the total number of accidents (midpoint between 51% and 13%) has been assumed for this analysis. Historical data shows roughly 17 traffic accidents per year; a reduction of 32% would represent a decline of over 5 accidents per year. Using a conservative relative value of injuries of 1.55% the VSL (corresponding to moderate injuries), additional benefits of approximately \$507,000 per year³ can be reasonably expected from the application of a median barrier. Given the long service life of this safety improvement, this relatively modest annual benefit translates into a NPV of \$1.1 million at 7% and of \$5.7 million at 3%⁴.

The total NPV derived from the total \$52.6 million asset improvements is then \$5.6 million at 7% and \$16.5 million at 3%. These values only capture, however, the most tangible benefits of the investment. In addition to the value derived from conducting repairs earlier and reducing accidents, benefits could be derived from relaxing or eliminating traffic restrictions on the bridge.

¹ According to FHWA research publications, average annual disabling accidents in Washington State were reduced from 3.60 to 1.76 after implementation of cable median barriers

² According to Invention and Technology Magazine, Summer 2006, a study conducted by the University of California indicates that concrete median barriers decreased accidents resulting in injuries by 13 %

³ VSL= \$6 million

⁴ Assumes median barrier annual maintenance costs of \$30,000 . NPV valuation conducted for a period of 40 years

As indicated in the previous section, under the current bridge conditions, some overweight vehicles are not allowed to transit due to safety concerns. Delaying repairs for 3 years will result in extending these restrictions for almost the entire duration of the delay period. The latest traffic statistics at the bridge show an average of more than 240 overweight commercial vehicles per month; these vehicles do not have the option of using a detour given that similar restrictions apply for the detour routes. Given this restrictive situation, the most probable responses from these commercial users are the operation of large trucks at sub-optimal utilization levels or the operation of a greater number of smaller trucks. In both cases, the increased direct and indirect costs associated with the larger number of shipments represents additional costs that could only be attributed to transportation inefficiencies derived from the bridge deteriorating conditions. This added traffic also potentially increases the frequency and costs of accidents as well as emission damages and vehicle operating costs. If the capital investment is not implemented, the condition of the bridge will further deteriorate over the 3-year delay period and heavier traffic will be restricted even more. This is a condition that will certainly lead to additional inefficiencies and costs.

4.1.3 Evaluation of Project Performance

The RITBA will evaluate the effectiveness of the median barrier installation through the collection and comparison of collision data pre-installation and post installation and would make the data available to USDOT.

4.1.4 Job Creation and Economic Stimulus

The Newport/Pell Bridge Rehabilitation project is expected to create significant near-term economic benefits for the Newport County area and the State of Rhode Island, in addition to other regions of the United States. Rhode Island's economic benefits from the project would be driven by an increase in construction spending in the region. These project expenditures would generate a short term increase in demand for engineering and technical services, as well as construction-related labor and materials.

To quantify the near-term economic benefits of this project an analysis was conducted utilizing Bureau of Economic Analysis (BEA) Regional Input-Output Modeling System (RIMS II) multipliers. RIMS II multipliers classify each capital cost category according to industrial sectors using North American Industry Classification System (NAICS) codes and can vary widely depending on the geographic region being analyzed. This particular analysis utilizes RIMS II data for the State of Rhode Island and Newport County⁵. The multipliers were used to determine the quantity and industry composition of benefits generated by the project resulting in estimations of short-term job creation, earnings, and economic output as a result of the project. The multipliers estimate two types of impacts:

- **Direct Impacts:** Direct impacts represent new spending, hiring, and production by civil engineering construction companies to accommodate the demand for resources in order to complete the project.
- **Indirect/Induced Impacts:** Indirect impacts result from the quantity of inter-industry purchases necessary to support the increase in production from the construction industry experiencing new demand for its goods and services. All industries that produce goods and services consumed by the construction industry will also increase production and, if necessary, hire new workers to meet the additional demand. The level of inter-industry trade within the area will determine the size of the indirect impact. Induced impacts stem from the re-spending of wages

⁵ RIMS II industry codes 7 (*Construction*), 16 and 47 (*Professional, Scientific, and Technical Services*) were utilized in this analysis.

earned by workers benefiting from the direct and indirect activity within area. For example, if an increase in demand leads to new employment and earnings in a set of industries, workers in these industries will spend some proportion of their increased earnings at local retail shops, restaurants, and other places of commerce, further stimulating economic activity.

In addition to measuring the effects of the project on the Newport County economy, the economic impacts that will accrue to the rest of the state due to the project were also quantified. These impacts, referred to as "spillover" benefits, reflect the inter-county trade that occurs to supply industries in Newport County with the goods and services it needs to increase production.

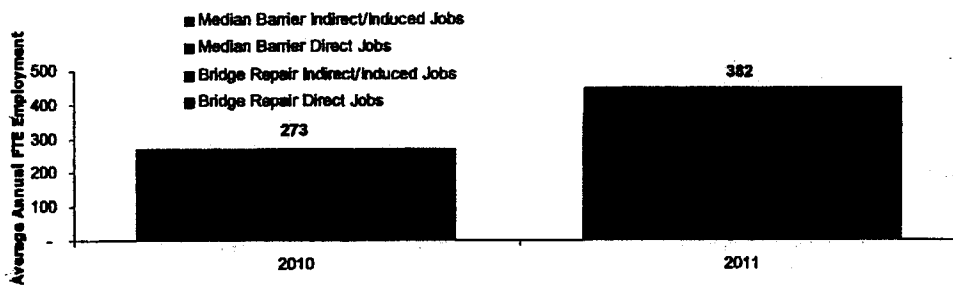
For this project, the economic impacts were broken out into two categories: those impacts stemming from the bridge repair component of construction (approximately \$47.3 million in capital spending) and those impacts stemming from the installation of a median barrier (approximately \$5.25 million in capital spending). The results of the short term economic impacts are shown below in Figure 4-2:

Figure 4-2: Summary of near-term economic impacts resulting from the project.

Direct Impacts				Bridge Repairs	Median Barrier	Total
Employment (Average Employment)	(Average	Annual	FTE	204	158	227
Earnings (2009 \$)				\$17,404,000	\$1,914,000	\$19,318,000
Output (2009 \$)				\$38,419,000	\$4,268,000	\$42,688,000
Indirect/Induced Impacts						
Employment (Average Employment)	(Average	Annual	FTE	153	118	169
Earnings (2009 \$)				\$9,816,000	\$1,091,000	\$10,907,000
Output (2009 \$)				\$51,855,000	\$5,753,000	\$57,608,000
Total Impacts						
Employment (Average Employment)	(Average	Annual	FTE	357	277	396
Earnings (2009 \$)				\$27,220,000	\$3,006,000	\$30,225,000
Output (2009 \$)				\$90,274,000	\$10,022,000	\$100,296,000

Beginning in 2010, the Newport/Pell Bridge Rehabilitation project is expected to generate significant economic benefits for the region. An estimated average of 396 jobs will be created annually by the project, including an average of 227 direct jobs per year. Figure 4-3 shows the profile of average annual full-time equivalent (FTE) employment generated by the project's expenditures. At the peak of spending, in the third quarter of 2011, approximately 764 FTE persons are employed as a result of the project, including 437 direct jobs. Of those 764 FTE persons employed, 277 FTE can be attributed to the median barrier installation while 488 can be attributed to the bridge repair, with 158 FTE direct persons employed for the median barrier installation and 279 FTE direct persons employed for the bridge repair, respectively.

Figure 4-3: Average Annual Employment per Year During Construction



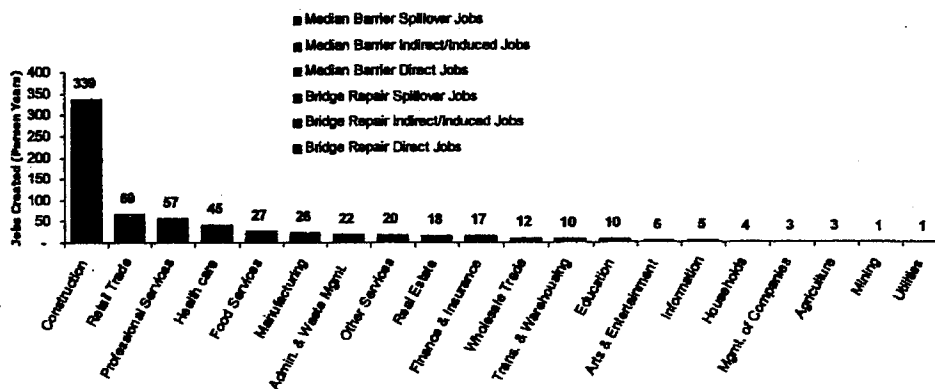
In total, the project is projected to create 693 person years of employment, including 397 direct job person years. The bridge repair component on the project produces 624 person years of employment, including 357 direct person years of employment whereas the median barrier installation component produces 69 person years of employment, including 40 direct person years of employment. Figure 4-4, below, shows the number of persons directly employed on the project per quarter.

Figure 4-4: Direct (On-Project) Jobs by Quarter

	2010				2011		
	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Bridge Repairs	33	279	279	279	37	279	242
Median Barrier	-	-	-	-	-	158	-
Total	33	279	279	279	37	437	242

Figure 4-5 shows the breakdown of jobs created by industry and type of impact. As expected, the civil engineering construction industry is estimated to receive the largest increase in jobs from the project (339 person years), almost all of which are direct jobs created. The industries that will see the largest number of jobs created include retail trade (69 person years), professional services (57 person years), health care (45 person years), food services (27 person years), manufacturing (26 person years), administration and waste management (22 person years), and other services (20 person years).

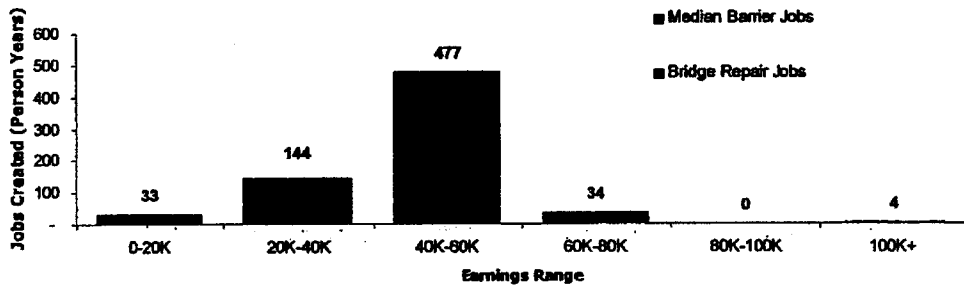
Figure 4-5: Breakdown of Job Creation by Industry and Type of Impact



It is also important to consider the quality of the jobs that would be created by the project, which can be most easily measured by the number of jobs created at various levels of compensation. Figure 4-6 shows that the majority of jobs generated by both components of the project would receive compensation

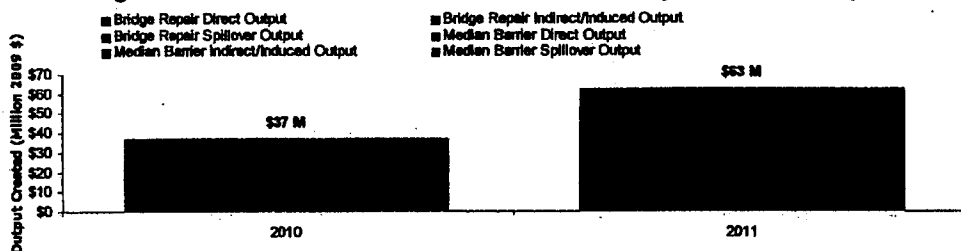
above \$40,000/year, which is above the average US per capita income. This indicates that the project would generate jobs that are above the average US per capita income. This will help stimulate the regional economy.

Figure 4-6: Breakdown of Job Creation by Earnings Range



The amount of short-term economic activity generated by the project is shown in Figure 4-7. In total, the project would generate \$100 million in real economic output (measured in 2009 dollars), with over \$37 million dollars of economic output generated in 2010. Of that \$100 million the bridge repair component of the project will generate approximately \$90 million in economic output while the median barrier component will produce about \$10 million in economic output. The majority of economic activity would be generated in 2011.

Figure 4-7: Breakdown of Statewide Economic Output Generated by Contract



Newport County does not meet the federal definition of an Economically Distressed Area, however the State of Rhode Island is experiencing an unemployment rate of 14.7% second only to Michigan as the highest. The Newport County 24 month unemployment rate is 7%, 0.7% higher than the U.S. average (6.3%)^{6,7}

Equal Opportunity

The projects included in this TIGER grant application will be performed under contracts that specify minority and women business enterprise participation goals. The Contractor's plan for meeting these goals and tracking of the goals are also requirements of the standard RITBA contract.

⁶ <http://data.bls.gov/PDO/outside.jsp?survey=la>

⁷ <http://www.bls.gov/data/#unemployment>

Job opportunities for low-income workers

The project will be procured and administered in accordance with all Federal and State requirements including those relating to the payment of the prevailing and/or living wage which provide higher wages than the mandated federal minimum wage, and the use of apprenticeship programs.

Maximum practicable opportunities for small businesses and disadvantaged business enterprises

The RITBA is committed to maximizing Disadvantaged Business Enterprise (DBE) and small business participation. This project will provide maximum practicable opportunities for small businesses and disadvantaged business enterprises, including disabled veteran-owned DBE firms. The project will adhere to all applicable Federal and Rhode Island requirements, including regulations regarding participation by DBE firms.

Project Schedule: The Steel Repairs and Protective Coating Contract 09-1 (including the removal of loose concrete haunches) design phase has been completed and contract documents are ready for advertisement for bidding. The contract has not been advertised for bidding yet since funding has not been secured. If TIGER grant funding is provided, the construction can begin in the 2nd quarter of 2009 and be completed before February of 2012. .

The Median Barrier design is approximately 50% complete and final plans and specifications could be completed within three months. If TIGER grant funds are provided for this project, construction can be completed by June, 2011.

Environmental Approvals: For Contract 09-1 Steel Repairs and Protective Coating approval and environmental monitoring requirements will apply regarding the removal and installation of a new protective coating system. For both Contract 09-1 and the installation of the Median Barrier, the RITBA will apply for a maintenance assent from the Coastal Resources Management Council. A summary of key permits or compliance with environmental agencies for the work included in this TIGER grant application is provided in Figure 4-8 below.

Figure 4-8: Environmental Permits/Compliance Summary

Agency	Permits/Compliance Required	Status or Description	Anticipated Approval or Completion Date
FHWA	NEPA Categorical Exclusion	To be submitted	2 nd Quarter 2009
Coastal Resources Management Council	Maintenance Assent	Application Submitted September, 2009	October, 2009
United States Coast Guard	Approval of Marine Access Equipment in Navigation Channel	To be submitted by Contractor after project award	Spring, 2010
Environmental Protection Agency	Prove compliance with the Environmental Protection Agency, 40 CFR Part 745 "Lead; Requirements for Lead Based paint Activities."	To be submitted by Contractor after project award and tracked by RITBA	Ongoing monitoring throughout construction
Rhode Island Department of Environmental Management	(a) Air Pollution Control Regulation No. 5, "Fugitive Dust."	Compliance to be proved by Contractor and tracked by RITBA	Ongoing monitoring throughout construction
	(b) "Air Pollution Control Regulation No. 24, Removal of Lead Based Paint From Exterior Surfaces."		
	(c) "Rules and Regulations for Hazardous Waste Generation, Transportation, Treatment, Storage, and Disposal."		
	(d) "Rules and Regulations for Solid Waste Management Facilities."		

Legislative Approvals: The RITBA has authority to charge user fees and set toll rates as set forth in the original legislation that created the Rhode Island Turnpike and Bridge Authority. Title 24 Chapter 24-12, Section 24-12-9 "Powers of authority", Paragraph (9) reads:

"The authority is hereby authorized and empowered"..."To fix and revise from time to time, subject to the provisions of this chapter, and to charge and collect tolls for transit over the turnpike and the several parts or sections thereof, and for the use of the Newport Bridge, the Mount Hope Bridge, and any additional facility financed under the provisions of this chapter"

State and Local Planning: The projects included in this grant application have been included on the TYP's that are historically updated and approved by the RITBA Board of Directors annually. The items were

included in the 2007 TYP that was part of the "Fiscal Integrity Study" and are in the current 2009 Board Approved TYP. In the 2009 TYP these items are identified as:

- Item number 8 – Removal of Loose Haunches
- Item number 11 – Painting of Steel Structure
- Item number 12 – Steel Superstructure Repairs/Retrofit
- Item number 20 – Study/Implementation of Adding a Median Barrier.

The 2009 TYP is included as a link in Section 8.

Technically Feasible: For Contract 09-1 Steel Repairs and Protective Coating, the contract documents were reviewed by the designer, Parsons Brinckerhoff, and by the owner, the RITBA, for technical feasibility and constructability and have been signed and sealed. Final contract plans, specifications, and estimate are complete and the contract is ready to be advertised on RIVIP (Rhode Island Vendor Information Program) for bidding when it is determined that funding is available. If TIGER grant funding is provided, construction will be completed on this project before February, 2012. The Median Barrier Study Report recommended a proprietary steel barrier system that uses a tensioned steel cable for anchoring the barrier, with minimal anchoring to the existing structure. This system was chosen for its constructability and ease of installation on an existing structure. Installation of this type of barrier to improve overall bridge accident safety is technically feasible and constructible. Design is approximately 50% complete and final plans and specifications will be completed within three months' time. If TIGER grant funding is provided, construction can be completed on this project by June, 2011.

Financially Feasible: The Newport/Pell Bridge project is financially feasible. The RITBA has included the projects in the current TYP. Toll collection from the users provides a reliable revenue stream to fund the TYP. Without TIGER funding, the projects would be delayed causing increased costs from the deferred maintenance. The RITBA was awarded a Federal grant for a port security initiative in partnership with the Rhode Island Economic Development Corporation and the Rhode Island Department of Environmental Management and separate federal grant for the EZ-Pass system. The RITBA complies with all Federal grant requirements and maintains an A rating from Standard and Poor's.

The RITBA revenue source is the toll collections for crossing the Newport/Pell Bridge. The annual toll revenue received by the RITBA has been approximately \$12 million over the past several years. The first toll increase since tolls were instituted on the crossing went into effect on September 8, 2009. This increase brings the cash toll for a two axle vehicle from \$2.00 per crossing to \$4.00 per crossing with discounted rates for EZ-Pass users with Rhode Island transponders and for frequent use remaining unchanged. The additional toll revenue from the recent toll increase is estimated by the RITBA to be \$2 million annually.

The RITBA annual operational and debt service costs total approximately \$8.3 million. After these costs, there is approximately \$5.7 million available out of the estimated \$14 million in toll revenue to fund projects on the Ten Year Renewal and Replacement Plan (TYP). The RITBA currently holds approximately \$18 million in reserves available for capital repairs to the two bridges. This level of reserves is required to be maintained by bond indenture, but a portion of the reserves can be used to help fund annual gaps between revenue and capital repairs.

The TYP outlines the financial needs for maintenance of the bridges and includes approximately \$94.7 million for work through June 2012. This \$94.7 million includes the steel repairs, protective coating,

haunch removal, and the median barrier installation projects that are part of this TIGER grant application at \$52.6 million. The \$94.7 million also includes \$40.1 million in other necessary repair and rehabilitation projects on the Newport/Pell and Mount Hope Bridges.

The RITBA has also recently received approval from the State Legislature to pursue the issuance of a \$50 million Bond to help finance capital repairs to the bridges. The bond revenue will not be sufficient to close the funding gap between the toll revenue and required priority repairs to the Newport/Pell Bridge and the Mount Hope Bridge. Revenue from this bond issuance will be applied towards funding the remaining \$40.1 million in other required projects included in the TYP through 2012 and work in later years of the TYP.

The \$5.7 million annual contribution to capital repairs available from toll revenues totals \$17.1 million between now and the end of 2012. This toll revenue will provide the \$12.6 million in funding to be contributed by RITBA to the completion of the steel repairs, protective coating, haunch removal and median barrier installation.

Given the large size of the funding gap compared to annual revenues, the steel repairs and protective coating to the suspended spans and the installation of the median barrier at the Newport/Pell Bridge could not be performed without the aid of the TIGER grant funds in the required expeditious manner to maintain the bridge in a state of good repair. Without TIGER grant funds these projects would require deferment of up to ten years. As discussed in other sections of this application, deferring these repairs is not cost effective and will result in further accelerated deterioration of the structural integrity of the bridge. Deferring the installation of the median barrier also affects the safety of the users of the bridge.

4.2 Selection Criteria: Secondary

4.2.1 Innovation

Contract 09-1 Steel Repairs and Protective Coating uses several innovative strategies and contract approaches. The steel repairs and protective coating removal and replacement will be performed without any long-term lane closures, per contract requirements. Short-term lane closures for dropping off workers and materials at a task location are permitted (up to one hour). Lane closures, one-at-a-time, are allowed only outside of morning and evening peak travel periods and are allowed only for abrasive blasting and repainting of the steel bridge railing and maintenance walkway immediately adjacent to traffic. This strategy avoids congestion and additional pollution of idling motorists during peak morning and evening travel periods.

In order to minimize the amount of lead paint waste that must be disposed of as hazardous waste, Contract 09-1 requires that abrasive blasting grit be separated from the lead paint chips and recycled for use. This not only reduces the volume of hazardous waste generated, but also reduces the cost of its disposal. To reduce painting life cycle costs long-term, the specifications require a three-coat paint system that is on the recommended listing of the Northeast Protective Coating Committee (NEPCOAT). Paints on the NEPCOAT recommended product list, tested to ASTM and other standards for slip resistance, salt fog, weather, abrasion, adhesion, and freeze-thaw stability by NTPEP (National Transportation Product Evaluation Program), have been proven to stand up to the environmental conditions encountered in the northeastern U.S.

The steel roadway support stringer system repairs in the scope of work for Contract 09-1 have been designed to remove and replace the cracked and corroded stringer webs and bottom flanges without removing the top flange of the stringers and adjacent diaphragms. The stringer and diaphragm top flanges are embedded in the underside of the roadway deck, and repair details that would have required the removal of the stringer and diaphragm top flanges as part of the repair would have been more costly, more time-consuming, and less efficient. Standard details were used that can apply to many different field conditions to reduce "one-of-a-kind" repairs to merely four standard weld repair types.

The Median Barrier project will use a continuous concrete reactive tension system moveable barrier in order to reduce the number of anchoring points. This will reduce and possibly avoid unexpected field conditions during construction that may involve deteriorated concrete at anchor locations. It also avoids anchoring into the concrete over the support stringer positioned directly underneath the roadway crown. The reactive tension system moveable barrier will also deform elastically during impact and help redirect errant traffic, and then partly or fully reposition itself after impact, thereby reducing impact damage to the barrier as well as reducing maintenance repair costs.

4.2.2 Partnership

The RITBA is directed by a five member board of directors, four of whom are appointed by the governor and the fifth is the RIDOT Director. The creation of the RITBA by the Rhode Island General Assembly mandates the organization to operate and maintain the Newport/Pell and Mt. Hope bridges. To effectively manage their operations, the RITBA coordinates with the Rhode Island General Assembly and meets with the community to solicit input on the toll rate increases driven by the capital and operation and maintenance program.

The RITBA has ongoing cooperative relationship with the Rhode Island Department of Transportation ("RIDOT"). The Newport/Pell Bridge carries a RIDOT route over the bridge and RIDOT and RITBA share some responsibilities and costs to maintain the bridge roadway. For example, the RIDOT removes the snow from the bridge roadway while the RITBA purchases the equipment and weather sensing system to support those efforts.

4.2.3 Program-Specific Criteria

Bridge Sufficiency Rating: The Newport/Pell Bridge sufficiency rating was downgraded from 59.50 to 48.48 (on a scale of 0 to 100) from the 2007 inspection to the 2008 inspection.

Total Daily Truck and Non-Truck Traffic

ADT = 27,270 ADTT = 750

Load Restrictions – Some overweight vehicles. Overweight permit requests are reviewed based on the known as-inspected conditions.

Geometric Restrictions – 48 foot total horizontal clearance, 16'3" minimum vertical clearance

5 Federal Wage Rate Requirement

Certification that the RITBA will comply with Subchapter IV of Chapter 31 of Title 40 of the United States Code for all work included in this grant is included by link in Section 8.

6 NEPA Requirement

The work included in this TIGER grant application is consistent with the requirements for a Categorical Exclusion. If TIGER grant funds are provided, a NEPA categorical exclusion will be obtained.

7 Environmentally Related Federal, State, and Local Actions

All projects performed by the RITBA are reviewed by the Coastal Resources Management Council (CRMC) before construction. In addition, projects that have the potential for work over the East Passage navigation channel of Narragansett Bay are reviewed by the U.S. Coast Guard. Work in Contract 09-1 Steel Repairs and Protective Coating, involving lead-based paint removal, requires full negative-pressure containment of the paint removal area, so that no lead paint, dust, debris, or abrasive blasting grit is emitted from the contained work area. The RITBA is currently completing lead remediation of soils underneath the Mount Hope Bridge and Newport/Pell Bridge, caused by deterioration of previously applied lead paint. All required permits and approvals for that work have been obtained and are current.

All contract work for Contract 09-01 requires review and approval from the Rhode Island Department of Environmental Management and the Rhode Island Department of Health. Contract documents have been submitted to the CRMC for Contract 09-1, since this approval is normally obtained prior to award of contractor Notice To Proceed (NTP). All other permits are normally applied for by the contractor after receiving NTP and submitting his proposed Work Methods for completing the scope of contract work. No permit applications for the Median Barrier project have been filed at this time. However, it is anticipated to submit plans for this contract to the CRMC during final design.

All contracts let by the RITBA include provisions in the contract specifications for protection of peregrine falcons, a species of raptor that lives in and around the bridge. While the peregrine falcon was removed from federal protection under the Endangered Species Act in 1999, populations are being monitored through a national de-listed species monitoring program begun jointly in 2001 by states and in coordination with the Fish and Wildlife Service; the monitoring program is expected to continue until 2015. Over the years, the RITBA has installed nesting boxes for the falcons at various locations on the bridge and has actively involved the United States Fish and Wildlife Service concerning monitoring the welfare of the peregrine falcon population and providing banding assistance at the Newport/Pell Bridge and the Mount Hope Bridge.

8 Index of Supporting Websites

Fiscal Integrity Report: <http://www.ritba.org/bulletins.html>

The 2009 Ten Year Renewal and Replacement Plan: <http://www.ritba.org/bulletins.html>

Federal Wage Rage Certification: <http://www.ritba.org/bulletins.html>

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TOWN OF JAMESTOWN
13 OCT 10 AM 11:07

You Could Be the Next Person Killed on the Pell Bridge

A Report on the October 21, 2011 Fatal Crash

By H. David Prior

Nearly two years ago, two people were killed on the Pell Bridge. Their deaths could have been prevented. A reckless driver killed them. Certain public officials sworn to protect us swept the case under the rug. They trivialized the victims' deaths and excused the reckless driving. They need to be held accountable for their misbehavior and their failure to protect us. The truth needs to be revealed. That is why I have written this report for the citizens of Jamestown and ask for your help.

My brother Kenny was afraid to cross the Pell Bridge on his way to work and back. He frequently told me the bridge was "scary", people drove too fast on it and there was no escape from "crazy" drivers. Unfortunately, Kenny was right. On the night of October 21, 2011, Kenny was on his way home to Jamestown from his job at the Navy base. He and his friend and co-worker Kathy Meunier, who was driving him home, were hit head-on by James MacKenzie, a teenage driver from Middletown. MacKenzie was returning home from a football game around 10:20 pm with his twin brother Chris. Kathy Meunier was killed instantly. Kenny was critically injured. The first responders and doctors made heroic efforts to save him. He was transferred by helicopter to Rhode Island Hospital in

Providence where he died a few hours later. The MacKenzie twins were also badly injured, but they survived the crash and graduated from Bishop Hendricken High School in June 2012. Two active cell phones belonging to the two boys, containing numerous text messages, were taken from the front seat of their car by the Rhode Island State Police the night of the crash. The phones were still buzzing and ringing when the RISPS seized them.



After the horrific crash which killed my brother and his friend, we contacted the Rhode Island authorities asking for an explanation and a copy of the official accident report. We talked to several eyewitnesses to the crash and conducted our own investigation with the help of our lawyer John Murphy of Jamestown. Several months later we finally met with Jay Sullivan of the Attorney General's office in Providence. We were shown a video of the crash and were told that the Rhode Island State Police and the Attorney General's Office were still investigating. Sullivan promised to provide us with a full accident report on the crash.

After months of delay and stonewalling, the Attorney General decided not to bring criminal charges for reckless driving despite all the evidence to the contrary. The driver eventually pled guilty to traffic violations of speeding and driving on the wrong side of the bridge in late March of 2011. He was fined \$385 for driving over 63 mph in a posted 40 mph zone and his license was suspended for 6 months. Immediately after the driver pled guilty, the



Attorney General's office reneged on its agreement to provide us with the full accident report, including the evidence of cell phone use and texting. We were forced to go to court several times last year to obtain two separate court orders requiring the Attorney General and the State Police to produce the evidence we were promised and entitled to by law.

Based upon both eyewitness accounts and the evidence we now have, here is what we know: We know James MacKenzie was traveling in excess of 63 mph. That is what the video shows and that is what he pled guilty to before a RI Traffic Tribunal judge in a pre-arranged plea worked out by his lawyer and the prosecutor Jay Sullivan. We know that both the driver and his twin brother had active cell phones in their car. It is illegal for a teen under the age of 18 to use a cell phone in a car while driving. It is also illegal in Rhode Island and in most states to text while

driving. We know based upon the police report that the boys both used each other's phone interchangeably and there was texting going on during their ride home before the crash. In fact, texts continued to be sent to the boys after the crash. We know that drugs and alcohol and vehicle malfunction were ruled out by the RISP. The video taken from the tower of the bridge shows that the driver drove his car straight across a double yellow line and two lanes of opposing traffic, far in excess of the speed limit, without slowing or stopping. He never swerved or even applied his brakes. He drove head on into Kathy Meunier's car and completely demolished it, killing two innocent people. Kathy Meunier was driving her car lawfully in the far right lane, within the speed limit. She and my brother were simply returning home from work that night. The same thing could happen to you, your brother, son, wife or mother, the next time any one of you crosses the Pell Bridge.

Kenny's survivors included his elderly mother with whom he lived his entire life and his twin sister Kathy and me. Kenny was 65. He was handicapped and had special needs. He never drove a car. Kathy Meunier was doing a good deed by driving him home after work as she had many times before. Kathy Meunier's survivors included her husband Richard and her seven year old daughter Honor. Their loss is tremendous. Kathy was the love of Richard's life and Honor has lost her mother and will never know her. Kathy was only 48. She was a special person who was a decorated National Guard veteran. She was going to school, working several jobs and volunteering to help others less fortunate when she was killed. She was buried with full military honors in the Rhode Island Veteran's Cemetery. Both Kenny and Kathy are missed tremendously by their families every single day.

The Pell Bridge was completed and opened in June 1969. It was built without a median barrier to protect its patrons who pay RITBA's tolls to cross Narragansett Bay. It replaced the Jamestown Ferry and became the only practical way to travel east from Jamestown. It was built years before strong lightweight materials were available to make the median barriers that are prevalent and used to protect people crossing bridges today. It was opened when far fewer cars crossed the bridge every day. It was built before cell phones were invented and texting while driving became the serious danger and curse it has become today. It was built before the Age of Distracted Driving when Texts Can't Wait and law enforcement selectively enforces the ban on using cellphones and texting while driving.

Bridges connect places and people. The Pell Bridge connects Jamestown and Newport. Ironically, the social service agency which helped my family take care of Kenny is called Bridges. Bridges, a nonprofit corporation, was founded by Lisa and Jim Rafferty of Jamestown over 25 years ago to take care of handicapped people with special needs.

My brother Kenny had special needs, but he also had special gifts. He worked for 37 years at the Navy base. He was an avid and accomplished woodworker despite his handicap. He made wooden birdhouses, planters, toys and crafts that reside in the homes of his many friends in Jamestown and elsewhere. Kenny feared being driven over the bridge, but he had good reason. He knew the bridge was not safe. He had compassion and empathy for those who drove to work and back with him and he worried about his safety and his future. He worried every day about what would happen to him and to us. I believe that he had a premonition about the bridge because he knew better than we did that the bridge was unsafe.

Kenny said to me shortly before he was killed, "Bridges wants me to be a role model. How can I be a role model?" His social workers at Bridges in Jamestown were probably thinking about how Kenny could teach their other handicapped clients woodworking. I think Kenny and Kathy Meunier can be another kind of role model now. Kenny and Kathy can and should be a catalyst for safety on the bridge. Their unfortunate deaths are a lesson for all of us. Their deaths should not be in vain. We need to demand that the Rhode Island Turnpike and Bridge Authority install a median barrier on the Pell Bridge now. Buddy Croft, the Executive Director of RITBA, was quoted by the Jamestown Press in August of 2012 as saying "One death on the roadway is too many." What does RITBA consider two deaths to be? It is time for RITBA to act now.

RITBA has been aware of the cross-over crashes and need for a barrier for decades and they have done nothing. RITBA's own records show that there have been numerous collisions on the bridge. In fact, there have been 49 crossover crashes since 1996. There have also been numerous "side swipes" or near misses. RITBA is clearly aware that the volume of traffic on the bridge has increased dramatically since the bridge opened. They have used historic traffic volume and projected increases in the traffic to sell bonds to their investors in public offerings. RITBA is also aware of the high rate of speed people travel over the bridge, the woeful lack of enforcement of the 40 mph speed limit on the bridge and the selective enforcement of the ban on texting while driving. The mounted cameras on the bridge show clear evidence of this law enforcement failure. RITBA also knows the bridge would be safer and more stable in high winds, including hurricane-force winds, with a median barrier. Their own engineering experts, Parsons Brinckerhoff, told them so after doing a study in 2009.

Sadly, RITBA has not made your safety in crossing the bridge a priority. RITBA has had a median barrier in its capital budget and 10 year renewal and replacement plan for years. In fact, it cites the number of cross-over crashes as the need for a median barrier.

RITBA has paid for engineering studies which confirm the need and demonstrate that the bridge would actually be safer and more structurally sound. RITBA has estimated the total cost of a median barrier at about \$6 million. It is still in their plans, they know it is needed and they have not installed it despite the cross-over history putting their patrons at risk.

A time line of RITBA's delay in acting is informative. In October 2006, RITBA hosted the fall conference of the International Bridge Tunnel and Turnpike Association in Newport. Besides a tour of the Pell Bridge by boat and a clam bake, the conference featured a program on barrier systems for bridges and the new barrier technology recommended by the National Transportation Safety Board. In August 2007, RITBA announced it was studying median barriers for the bridge and designs and bids for the barriers would be due soon. This was reported on the front page of the Jamestown Press under the headline "Bridge authority looking to separate highway lanes with median barriers." In February 2009, NBC 10 reported on a nine car crash on the bridge. Buddy Croft was quoted as saying he wanted to know if something could have been done to prevent the accident. In June 2009, WPRI reported that two people were recovering from serious injuries after a head-on crash on the bridge.

RITBA continued to study putting a barrier on the bridge. They applied in 2009 for a federal TIGER grant to install a barrier. The application made a case for public safety. Presumably, it included the long history of cross-over crashes which preceded Kathy and Kenny's deaths. In 2010, RITBA did a bond issue for capital improvements. The offering document for the bonds disclosed that RITBA intended to install a median barrier and had applied for a TIGER grant. It represented that if the TIGER grant was not awarded, RITBA would fund the barrier as soon as funds were available. RITBA did not get a TIGER grant and did not apply for one later. By then, RITBA had decided to build a new office building. Public safety took a back seat to their own comfort and personal needs.

In 2010, RITBA hired an architect to renovate its existing office building. In March 2011, the Jamestown Press reported that RITBA had voted to proceed with plans for a new office building which would be, in the words of RITBA's Chairman David Darlington, "safer and more comfortable for the employees and toll payers who work and visit the building." On October 21, 2011, when my brother and Kathy Meunier were killed on the bridge, RITBA was still studying the need for a barrier and had a barrier in its plans. RITBA's new office building was underway. Instead of installing the barrier, RITBA had a beautiful new office building and luxurious new board room designed and built for its own comfort and safety.

On August 1, 2012, my family, represented by our lawyer John Murphy of Jamestown, met with the RITBA board and staff. We had the full support of Richard Meunier and his family in the request we presented to the RITBA board. RITBA was meeting for the very first time that day in its new building. We asked RITBA to install a median barrier on the bridge. We said that the crash that killed Kathy and Kenny could have happened to anyone crossing the bridge at any time and a barrier may have saved their lives. The Jamestown Press and Newport Daily News both covered this presentation and reported on the meeting and our request. Well over a year has passed since then. No barrier has been installed and we have had no encouragement from RITBA that one will be anytime soon.

We believe a barrier could have saved Kathy and Kenny's lives. We think a barrier could save your life the next time you cross the bridge.

When we met with Jay Sullivan, the Assistant Attorney General and prosecutor assigned to the MacKenzie case, he said two things to us that were deeply disturbing.

First, by way of excusing the teen's reckless driving, Sullivan said "Everybody speeds on the bridge."

Kathy Meunier was not speeding. Careful and lawful drivers do not speed over the bridge.

If most drivers do speed on that narrow, four lane bridge separated only by a double yellow line, and they are not fined, that is a serious law enforcement problem.

Second, by way of minimizing evidence of cell phone use and texting while driving, Sullivan said "I haven't looked at the cell phones or texts. They may have been deleted or tampered with." This was said months after the crash and belies the Attorney General's statement to Joe Baker of the Newport Daily News in March 2012 that he was taking his time because he was doing a careful job. The phones had been in the possession of the RISP since the night of the crash. Sullivan refused to let us see the texts or permit us to have the phones inspected for months and months despite two court orders. He vowed we would never see what was on the phones. We finally got access to them after months of further excuses and stalling in March of 2013.

According to the National Highway Safety Administration, driving a car while texting is six times more dangerous than driving while intoxicated. Sending or receiving or looking at a text takes a driver's eyes off the road for an average of 4.6 seconds - when traveling at 55 mph - it is like driving the length of an entire football field while blindfolded.

Texting in cars and trucks causes over 3,000 deaths and 330,000 injuries a year according to a Harvard Center for Risk Analysis study.

Texting while driving now has replaced drinking while driving as the leading cause of accidents and deaths of teenage drivers and texting drivers are 23 times more likely to be involved in a crash than non-texting drivers.

The Rhode Island ban on texting while driving has been the law since 2009. Sadly, the law is not being enforced. A Providence newspaper reported in February 2013 that Rhode Island's law against texting while driving is proving wholly ineffective despite the fact that distracted driving and texting is now one of the greatest dangers facing drivers on our roads. In fact, only a mere handful of texting drivers have been ticketed and fined in Rhode Island.

So who will protect you when you cross the bridge again? You may be a safe driver, but you are not in control. You are at the mercy of the other driver who is speeding and texting while driving with impunity. A reckless driver can kill two people in Rhode Island and get away with it. The double yellow line on the bridge will not save you and lax and selective state law enforcement will not protect you.

If you cross other bridges in your travels, you will see many variations of strong, lightweight median barriers throughout the United States. Barriers are now made of modern materials and can be installed at a reasonable cost to save lives. In San Francisco a few years ago, there was a serious problem with head-on collisions on the iconic Golden Gate Bridge. Law enforcement had failed to adequately enforce the speed limit on the Golden Gate and no barriers protected drivers who were being killed with increased frequency. The citizens of the Bay area finally organized a campaign called Citizens for a Safe Golden Gate Bridge to change things. They got the speed limit on the Golden Gate lowered and strictly enforced and they demanded that barriers be installed to protect people using the bridge. And what happened? The laws are now enforced rigorously, movable lightweight barriers are being installed and fatalities on the Golden Gate have dropped dramatically.

So what can each of you do to save lives on the Pell Bridge? You can and should do several things:

Demand that RITBA, the RISP and the Attorney General rigorously enforce the speed limit on the bridge. It is not that hard. With today's technology, a transponder can track the speed of every car crossing the bridge. Anyone speeding can be ticketed and fined just like toll evaders can. RITBA has the technology to do this.

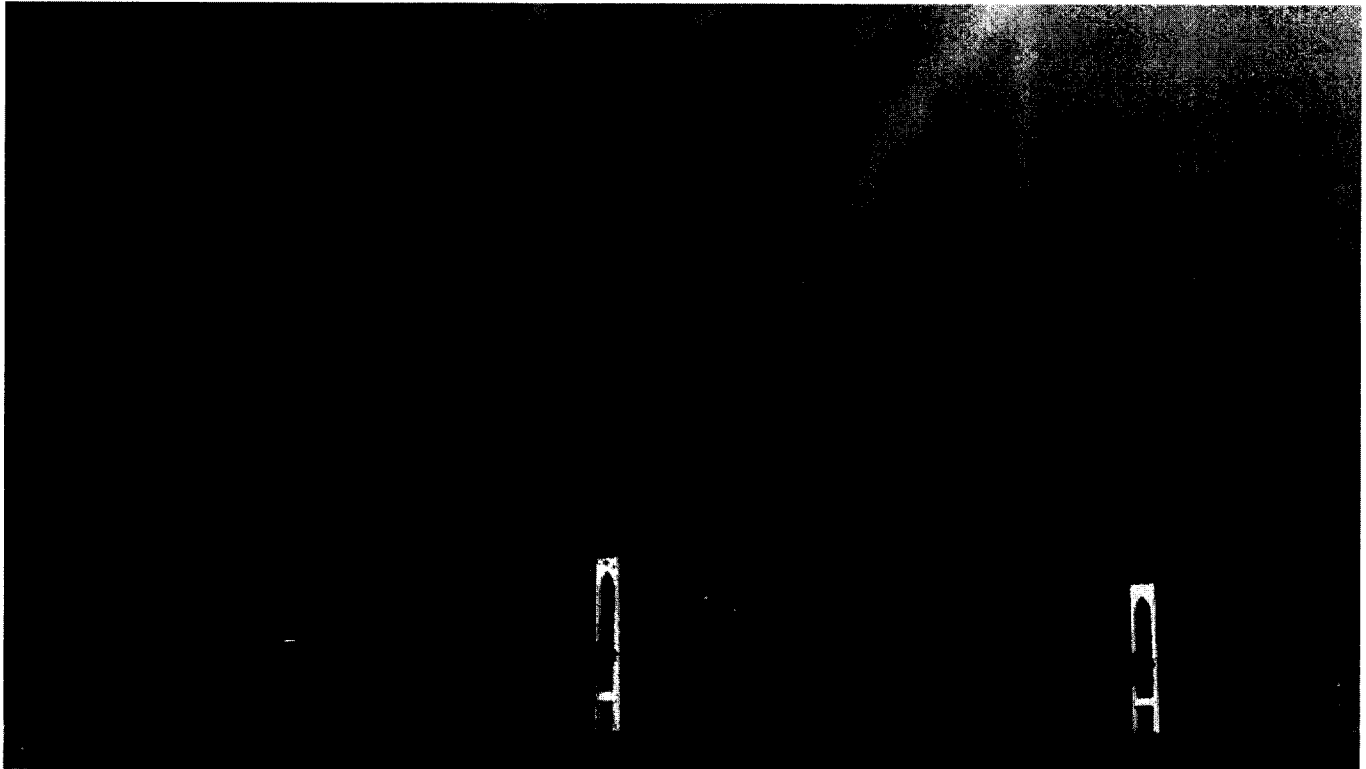
Demand that RITBA, the RISP and the Attorney General rigorously enforce the laws banning texting while driving. The public relations campaign to “Stop the Texts, Stop the Wrecks” needs to be more than simply lip service.

Demand that RITBA stop stalling and install a median barrier on the bridge. Now!

Please consider joining in a campaign against distracted driving, and make sure your loved ones understand the terrible harm that a distracted driver can cause.

You can make a difference by writing to RITBA and the others responsible for our safety and making your voice heard.

You can start by writing to David Darlington, the Chairman of RITBA, and Buddy Croft, the Executive Director, at One East Shore Road, Jamestown, Rhode Island 02835. Better yet, email them immediately at ddarlington@ritba.org and buddy@ritba.org. Please do not delay. Do it today. The life you save could be your own.



The contents of this article are the sole responsibility of the author, and not of The Jamestown Press or its publisher.

H. David Prior
Tel: 215.864.8500
Fax: 215.864.8999
prior@ballardspahr.com

October 24, 2013

Tim Reil
Editor
Jamestown Press
Narragansett Avenue
Jamestown, RI

Re: Pell Bridge Barrier

Dear Tim:

Thank you for publishing my report "You Could be the Next Person Killed on the Pell Bridge." The families of Kenny Prior and Kathy Meunier also appreciate your continuing to report on the serious safety hazards on the Pell Bridge and the need for a median barrier.

The citizens of Jamestown should all know what is contained in the two TIGER grant applications filed by RITBA in 2009 and again in 2011. As reported by the Press, they depict in RITBA's own words and with their own statistics the compelling need for a barrier on the bridge.

David Darlington's excuses for the continued delay in installing a barrier do not make sense. Facts are stubborn things, but here are a few:

- RITBA said in its 2009 TIGER grant application "The Median Barrier design is approximately 50% complete and final plans and specifications could be completed within three months. If TIGER grant funds are provided for the project, construction can be completed by June 2011." (Emphasis added).
- If the barrier had been installed by June 2011, Kenny Prior and Kathy Meunier could be alive today. They were both killed on October 21, 2011.
- RITBA said in its 2010 bond offering if it did not receive a TIGER grant for a barrier, it would spend its own bond funds for one. It did not. It built a new office building for its own "comfort and safety" (Mr. Darlington's words) instead.
- RITBA said in both grant applications it needed a barrier to protect the 5,000 people who work at the Navy base in Newport. A barrier could have protected Kenny Prior and Kathy Meunier. They both worked at the Navy base.

Tim Reil
October 24, 2013
Page 2

- RITBA said in its 2010 application that a median barrier was “mandated” by AASHTO industry standards which require a barrier on a bridge with over 20,000 vehicles crossing daily. RITBA has ignored these standards because over 27,000 vehicles a day, including 15,000 daily commuters, use the Pell Bridge. They are all at serious risk.
- RITBA said in its 2010 application that from 2006 to 2009, 130 vehicles were involved in 72 accidents and 18 of these accidents were head-on collisions caused by vehicle cross overs.
- RITBA said in its 2010 application that “the annual number of accidents and crossovers is on an upward trend. The median barrier will redirect errant vehicles most effectively, minimizing sideswipe accidents with the barrier and with vehicles in the adjacent lane.”
- RITBA said in its 2010 application, that it had studied 17 different barrier types and had identified the best option for the bridge. It cited studies done in nine other states.
- RITBA had Parsons Brinckerhoff, its engineering firm, complete a study that concluded that the bridge would be safer with a barrier and more stable and structurally sound even in high winds, including hurricane force winds. RITBA paid over \$300,000 for the study.

Mr. Darlington’s excuses, published in the Jamestown Press on October 24, 2013 and provided piecemeal for other news media, simply do not hold water.

For Mr. Darlington to say that RITBA never intended to install a barrier, even if it obtained a TIGER grant, until 2015 is, at the very least, insensitive to the victims’ families and demonstrates an arrogant disregard for the safety of everyone who crosses the bridge every day. His statement is also in flat contradiction to what RITBA represented to the federal government in 2009.

The time for excuses is over. We need a barrier on the bridge now before another person is killed or crippled by RITBA’s intentional indifference to public safety.

Very truly yours,

H. David Prior

HDP/lak

STATE PLANNING COUNCIL
STATEWIDE PLANNING PROGRAM
RHODE ISLAND DEPARTMENT OF ADMINISTRATION

NOTICE OF RULEMAKING

Pursuant to the provisions of section 42-11-10 and Chapter 42-35 of the Rhode Island General Laws, the State Planning Council hereby gives notice of its intent to amend its *Rules of Procedure* (ERLID # 5205) originally adopted in 1985.

The purpose for the amendments is to revise the Rules in order to 1) add a new rule to cover the Comprehensive Plan Review Process; 2) reflect an accumulation of changes to State law and/or Federal regulations; 3) reflect changes to agency organization and standards; and 4) eliminate unnecessary or outdated rules. In the development of the amended rules, consideration was given to: 1) alternative approaches; 2) overlap or duplication with other rules; and 3) significant economic impacts on small businesses. No alternative approach, duplication, or overlap was identified based on available information.

Copies of the proposed rules along with a concise summary of all non-technical amendments being proposed are filed with the Secretary of State's Office. They are available for review at the Rhode Island Division of Planning, Third Floor, One Capitol Hill, Providence, RI between 8:30 a.m. and 4:00 p.m., Monday through Friday or online at www.planning.ri.gov. If you have any questions, please contact Kevin Nelson at 222-2093 or kevin.nelson@doa.ri.gov.


All interested parties are invited to submit written comments concerning the proposed Rules by November 21, 2013 to Kevin Flynn, Secretary of the State Planning Council at

R.I. Department of Administration
Division of Planning
William Powers Building
One Capitol Hill
Providence, RI 02908

In addition, the State Planning Council will conduct two public hearings on the proposed rules on Thursday, November 21, 2013. The first will be held at 10:30 a.m. in Conference Room C, Second Floor; the second will be held at 5:00 p.m. in Conference Room A, Second Floor, both at the above address.

At these hearings, all persons may present their comments in person or by providing a written statement.

Any individual requiring a reasonable accommodation in order to participate in this hearing should contact James A. Pitassi, Jr. at 222-6395 (voice) or #711 (R.I. Relay) at least three (3) business days prior to the hearing.


Kevin M. Flynn, Secretary
State Planning Council

October 18, 2013
Date

RECEIVED
TOWN OF PROVIDENCE
13 OCT 28 AM 11:45

To: Jamestown Town Council

From: Richard Adams and Barbara VonVillas

Date: October 22, 2013

Re: Comparative High School Data

Overview:

The attached spreadsheet reflects comparison data related to the Newport County high schools, North Kingstown High School, and a MA model regional high school. Middletown, Newport, Portsmouth, and Tiverton high schools are represented individually. North Kingstown High School is included because Jamestown tuitions its students to that high school. Little Compton students attend Portsmouth High School.

The spreadsheet is ordered by increased enrollment – the school with the smallest enrollment appears first, the largest last.

The first section reflects the results of state assessments – the New England Common Assessment program (NECAP) and Massachusetts Comprehensive Assessment program (MCAS). NECAP assesses Reading and Writing separately; MCAS assesses ELA comprehensively. Math results are categorized similarly. MCAS assessed Science in 2013; Rhode Island reported 2012 results.

SAT and AP assessments reflect 2011-2012 results.

Observations:

In all categories of state testing , the MA model surpasses the RI compared districts in proficiency.

Portsmouth and North Kingstown are competitive with the MA model in SAT Reading and Writing.

The MA model surpasses all compared districts in Advanced Placement performance.

The MA model surpasses all RI compared districts in the 4 year graduation rate.

The MA model has the lowest per pupil costs for substantially higher student performance with a larger student/teacher ratio. *(MA allows districts to charge participation fees. Notwithstanding such fees, the per pupil costs would still be substantially lower than its lowest Rhode Island competitor.)*

**Actual MA Regional High School
Career-Related Offerings and Upper School Partnership Program**

Classes in bold type are conducted at the high school for college credit at Anna Maria College, Assumption College, Clark University, Mount Wachusett Community College, Northeastern University, and Quinsigamond Community College.

Note: Classes in bold type are required; credits must total 15 for the Partnership Major

<p>BUSINESS</p> <p><u>Marketing Major</u> Computer Tools for Business Introduction to Business Keyboarding Accounting I Economics Marketing I Marketing II</p> <p><u>Accounting Major</u> Computer Tools for Business Introduction to Business Keyboarding Marketing I Accounting I Honors Accounting or Money & Banking Economics</p> <p><u>General Business Courses</u> Bank Internship</p> <p>CRIMINAL JUSTICE</p> <p><u>Criminal Justice Major</u> Criminal Justice I Criminal Justice II Criminal Justice Internship Psychology I Psychology II AP Psychology Sociology</p> <p>FAMILY & CONSUMER SCIENCE</p> <p><u>Culinary Arts Major</u> Foods for a Healthy Living Restaurant Management I Restaurant Management II</p> <p><u>Early Childhood Education Major</u> Child Study I Preschool Child Study II Preschool Internship Child Study II Seminar</p>	<p><u>Health Sciences Major</u> Science of Health and Wellness Human Bodyworks Survey of Medical & Allied Health Careers Psychology I Sociology</p> <p><u>Fashion and Textiles Major</u> Textile Arts Introduction to Fashion Fashion Merchandising and Marketing Art Foundations Marketing I Graphic Communications</p> <p>TECHNOLOGY ENGINEERING PROGRAM/</p> <p><u>Architecture Major</u> Exploring Residential Home Design Introduction to Engineering Computer Aided Drafting and Design I Computer Aided Drafting and Design II Architectural Design I I Architectural Design II</p> <p><u>Engineering Major</u> Introduction to Engineering Computer Aided Drafting and Design I Computer Aided Drafting and Design II Applied Physics and Engineering Engineering CAD/CAM</p> <p><u>Automotive Technology Major</u> Automotive Technology I Automotive Technology II</p> <p><u>Graphic Communications Major</u> Graphic Communications 1 Graphic Communications 2 Digital Illustration Digital Photography Commercial Art I Computer Tools for Business Introduction to Marketing Fashion Merchandising and Marketing</p>
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