



**TOWN COUNCIL MEETING**  
**Jamestown Town Hall**  
**Rosamond A. Tefft Council Chambers**  
93 Narragansett Avenue  
**Monday, December 2, 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**

- A) Presentation
  - 1) Recreation Study Presentation: Collins Center
- B) Resolution
  - 1) No. 2013-23 Establishing a Temporary Moratorium on Building and Demolition Permit Applications Concerning Structures, Districts and Sites Designated on the National Register of Historic Places in the Town of Jamestown, discussion and possible action

**IV. PUBLIC HEARINGS, LICENSES AND PERMITS**

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

- A) Licenses and Permits
  - 1) One Day Event/Entertainment License Applications
    - a) Applicant: Mark Baker  
Event: Jamestown Tree Lighting Ceremony  
Date: December 7, 2013  
Location: East Ferry
    - b) Applicant: Lisa Bryer  
Event: 8<sup>th</sup> Grade Fundraiser Yard Sale  
Date: December 7, 2013  
Location: Jamestown Fire Station
    - c) Applicant: Jamestown Chamber of Commerce  
Event: Polar Express - movie holiday showing

- Date: December 21, 2013
- Location: Jamestown Recreation Center
- d) Applicant: 1<sup>st</sup> Day Plunge Committee/Bob Bailey
- Event: Jamestown 1<sup>st</sup> Day Plunge
- Date: January 1, 2014
- Location: East Ferry Beach

**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
- B) 3<sup>rd</sup> Quarter 2013 GZA Monitoring Report

**VII. UNFINISHED BUSINESS**

- A) Recreation Study update/Inventory of recreational and cultural programs
  - 1) Collins Center proposal and costs – discussion and possible action
- B) Fort Getty landscape project Permitting Phase, subject to availability of funding
- C) Appointments/Reappointments/Interviews for Board/Commission/Committee vacancies discussion and possible actions

**VIII. NEW BUSINESS**

- A) Conanicut Island Sailing Foundation Summer 2014 Programs – Request for Council approval
  - 1) *Sea Adventure Camp* (marine/environmental science and sailing camp) for six (6) one-week sessions July 7 through August 15 at Fort Getty
  - 2) *Wednesday Night Free Sailing* for six (6) sessions July 9 through August 13 at Fort Getty
- B) Disbanding of Town Administrator Search Committee
- C) Fort Getty 2014 Season fees, rules and regulations, and season dates

**IX. ORDINANCES AND APPOINTMENTS**

**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) November 4, 2013 (regular meeting)
  - 2) November 18, 2013 (workshop)

- 3) November 18, 2013 (regular meeting)
- 4) November 21, 2013 (special meeting)
- B) Minutes from Boards, Commissions and Committees
  - 1) Jamestown Harbor Commission (10/09/2013)
  - 2) Jamestown Tree Preservation & Protection Committee (10/15/2013)
  - 3) Jamestown Zoning Board of Review (09/24/2013)
- C) Zoning Board of Review abutter notice:
  - 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing November 19, 2013 at the Jamestown Town Hall 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: application of Anthony W. Cofone, whose property is located at Catamaran Street and further identified as Assessor's Plat 3A, Lot 157 for a special use permit from Article 3, Section 82-314 (High groundwater table & impervious layer overlay district) to construct a two bedroom single family dwelling. Said property is located in a R40 zone and contains 7200 sq. ft.
- D) CRMC Notices
  - 1) Semi-Monthly Meeting Agenda for November 26, 2013
    - a) Map of proposed mussel farm
- E) Abatements/Addenda of Taxes
- F) Reappointments for Boards, Commissions, and Committees
  - 1) Conservation Commission – three (3) three-year terms ending December 31, 2016
    - a) Letters requesting reappointment
      - i) Ted Smayda
      - ii) George Souza
      - iii) Anne Kuhn-Hines
  - 2) Planning Commission – three (3) four-year terms ending December 31, 2017
    - a) Letters requesting reappointment
      - i) Richard Lynn
      - ii) Michael Smith
      - iii) Michael Cochran
  - 3) Quonset Development Corporation Board of Directors – one (1) three-year term ending December 31, 2017
    - a) Letter requesting reappointment
      - i) James Rugh
    - b) Letter of recommendation
      - i) Stephen King
  - 4) Tree Preservation and Protection Committee – two (2) three year terms ending December 31, 2016
    - a) Letter requesting reappointment
      - 1) John Collins
  - 5) Tree Warden – one (1) one year term (per State law)

- a) Letter requesting reappointment
  - 1) Steve Saracino

**XI. COMMUNICATIONS AND PETITIONS**

- A) Communications
  - 1) Letter of James J. Burgess re: Historic Zoning for Shoreby Hill

**XII. EXECUTIVE SESSION**

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

- A) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Discussion and establishment of performance objectives regarding the Town Administrator)
- B) The Town Council may meet in open session to discuss and establish performance objectives regarding the Town Administrator

**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](http://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 [cfenstrom@jamestownri.net](mailto:cfenstrom@jamestownri.net) not less than three (3) business days prior to the meeting.



## Town of Jamestown

# Resolution of the Town Council

No. 2013-23

**A RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON BUILDING AND DEMOLITION PERMIT APPLICATIONS CONCERNING STRUCTURES, DISTRICTS AND SITES DESIGNATED ON THE NATIONAL REGISTER OF HISTORIC PLACES IN THE TOWN OF JAMESTOWN**

The Town Council of the Town of Jamestown hereby ordains as follows:

**WHEREAS**, the Town Council (the “Council”) of the Town of Jamestown (the “Town”) has become aware of an unprecedented public concern regarding inappropriate alterations to structures, places and sites in the community which are listed on the National Register of Historic Places (the “National Register List”); and

**WHEREAS**, several applications for demolition and/or building alterations and modifications concerning the National Register List have been characterized by the members of the public as inappropriate and potentially harmful to the integrity and continued relevance of the National Register List; and

**WHEREAS**, the visual characteristics, mass and scale of development, redevelopment and new development affecting the National Register List is viewed by many people in the community as largely unregulated and/or ineffectively regulated to adequately preserve the Town’s historical heritage and sense of place; and

**WHEREAS**, according to findings of the Jamestown Planning Commission and many members of the community at large, the Town’s present regulations regarding the regulation of development, redevelopment and new development affecting the National Register List do not adequately regulate and/or protect the health, safety and/or welfare of the community from undesirable and damaging impacts associated with inappropriate development and alterations; and

**WHEREAS**, the character and integrity of the National Register List and, resultantly, the Town’s historical heritage, health, safety and welfare of its citizens will be negatively affected by the demolition, development, redevelopment and new development affecting the National Register List that is not subject to more thorough or contemporarily advanced regulations and permitting review controls; and

**WHEREAS**, the Town Council recognizes and finds that the existing Town regulations regarding the application, regulation and permitting review process for demolition, development, redevelopment and new development affecting the National Register List are antiquated, largely ineffective and require modernization.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council of the Town of Jamestown hereby declares the imposition of a temporary moratorium on the acceptance or issuance of any new permits from the date of passage of this resolution for demolition, additions, modifications and/or new development in the National Register List, as more specifically defined and set forth in the attached Exhibit A which is incorporated herein by reference as if set forth in its entirety.

1. This temporary moratorium is to remain in effect for six (6) months from the date of passage by the Town Council or upon the passage of a Town Ordinance amendment on the acceptance and/or permitting of applications and the review of or permitting for any and all demolition, development, redevelopment and/or new development in the National Register List, whichever comes first, unless affirmative action is taken by the Town Council to extend the moratorium period.

2. The Planning Commission is hereby requested to review the existing Zoning Ordinance provisions concerning demolition, development, redevelopment and new development in the National Register and provide any recommended ordinance amendments to the Town Council for their consideration to address regulating applications, design standards, location considerations and regulatory standards for demolition, development, redevelopment and new development in the National Register List, which should include provisions regarding the appropriate regulatory permitting procedure.
3. All appropriate town officials and employees are hereby instructed not to accept any new applications for demolition, development, redevelopment and new development in the National Register List for the length of this moratorium.
4. Any application(s) for demolition, development, redevelopment and new development in the National Register List presently filed with the Town shall not be affected by this moratorium if such application(s) complies with the provisions of R.I. General Laws 45-24-44, as amended, and Section 82-406 of the Jamestown Zoning Ordinance.
5. Any application for a building permit to undertake routine preventative maintenance and/or repairs, or emergency repairs to protect and stabilize the condition of any structure, place, or site, as determined and allowed for in the sole discretion of the Building Official.

This resolution shall take effect immediately upon passage.

By Order of the Jamestown Town Council

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Kristine S. Trocki, President

---

Mary E. Meagher, Vice President

---

Blake A. Dickinson

---

Eugene B. Mihaly

---

Thomas P. Tighe

IN WITNESS WHEREOF, I hereby attach my hand and the official seal  
of the Town of Jamestown this 2<sup>nd</sup> day of December, 2013.

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Cheryl A. Fernstrom, CMC, Town Clerk



## Office of the Town Planner MEMORANDUM

**TO:** The Honorable Town Council  
Ms. Kristine S. Trocki, Esq., President  
**FROM:** Michael Swistak, Chair, Jamestown Planning Commission  
**RE:** Request for Moratorium  
**DATE:** November 21, 2013

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At last night's Planning Commission meeting, the Commission voted unanimously to request a 6 month Moratorium on all demolition and significant building alterations and additions to all structures listed within a National Historic Register District or as a Historic Structure. The Planning Commission is currently deliberating amendments to the Zoning Ordinance that will protect historic structures and landscapes and the current language related to Buildings of Value has been deemed unenforceable by the Zoning Enforcement Officer. The Planning Commission is requesting a Moratorium to allow time to research and deliberate the appropriate course of action related to protecting the Town's historic structures worthy of preservation. The Planning Commission would like the Town Council to consider the following elements within any proposed Moratorium:

1. Exclusions for necessary emergency repairs, routine maintenance and time sensitive alterations, and;
2. An appeal process that may permit significant alterations and/or repairs to the included structures in particular cases of hardship.

I have attached a copy of the buildings and structures referenced above as listed by the National Park Service. The Planning Commission appreciates your consideration of this request as noted above at the next possible Town Council Meeting.



**THIRD QUARTER 2013  
ENVIRONMENTAL  
MONITORING REPORT  
FORMER JAMESTOWN LANDFILL  
JAMESTOWN, RHODE ISLAND**

**PREPARED FOR:**  
Town of Jamestown  
Jamestown, Rhode Island

**PREPARED BY:**  
GZA GeoEnvironmental, Inc.  
Providence, Rhode Island

November 2013  
File No. 32220.25

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**GZA**  
**GeoEnvironmental, Inc.**

*Engineers and  
Scientists*

November 18, 2013  
File No. 32220.25



Mr. Mark Dennen  
Rhode Island Department of Environmental Management  
Office of Waste Management  
235 Promenade Street, 3<sup>rd</sup> Floor  
Providence, Rhode Island 02908

Re: Third Quarter 2013 *Environmental Monitoring Report*  
Former Jamestown Landfill  
Jamestown, Rhode Island

530 Broadway  
Providence  
Rhode Island  
02909  
401-421-4140  
Fax: 401-751-8613  
<http://www.gza.com>

Dear Mr. Dennen:

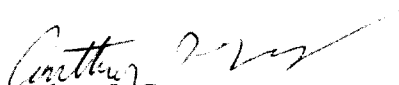
On behalf of our client, the Town of Jamestown, GZA GeoEnvironmental, Inc. (GZA) is pleased to submit this *Environmental Monitoring Report*. The report presents the results of the Third Quarter 2013 post-closure environmental monitoring round conducted at the former Jamestown Landfill (the Site) located on North Main Road in Jamestown, Rhode Island. A summary of our findings and conclusions from this monitoring round are presented on pages 8 through 10 of the report.

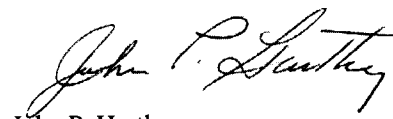
Groundwater and methane monitoring was conducted in accordance with the applicable requirements of RIDEM's January 1997 *Solid Waste Regulation No. 2* (Solid Waste Landfills) and the Site's *Revised Environmental Monitoring Plan* (EMP) dated October 4, 2004, as amended through November 2005. Additionally, as requested by the Town, GZA included monitoring locations GZ-1, GZ-8 and GZ-9 in the quarterly sampling and analytical program.


We trust that this report fulfills your present needs. Please feel free to call Anthony Gomez at (401) 427-2749 if you have any questions or comments.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

  
Anthony L. Gomez  
Project Manager

  
John P. Hartley  
Consultant/Reviewer

  
Edward A. Summerly, P.G.  
Principal

ALG/EAS:lal

cc: Mr. Michael Gray, Town of Jamestown (2 copies and PDF)

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## TABLE OF CONTENTS

	<u>Page</u>
1.00 INTRODUCTION	1
2.00 GROUNDWATER SAMPLING AND LANDFILL GAS SURVEY	1
2.10 GROUNDWATER SAMPLING	1
2.20 PERIMETER LANDFILL GAS SURVEY	2
3.00 GROUNDWATER SCREENING AND ANALYTICAL RESULTS	3
3.10 FIELD SCREENING PARAMETERS	3
3.20 INORGANIC ANALYTES	4
3.30 VOLATILE ORGANIC COMPOUNDS	4
3.40 WATER QUALITY PARAMETERS	5
3.50 QUALITY ASSURANCE/QUALITY CONTROL (QA/QC)	5
4.00 COMPARISON OF CURRENT RESULTS WITH PREVIOUS RESULTS	5
4.10 INORGANIC ANALYTES	7
4.20 VOLATILE ORGANIC COMPOUNDS	7
5.00 STATISTICAL DATA EVALUATION	8
6.00 CONCLUSIONS AND RECOMMENDATIONS	9

### TABLES

TABLE 1	SUMMARY OF STABILIZED GROUNDWATER SCREENING RESULTS
TABLE 2	SUMMARY OF DETECTED APPENDIX A GROUNDWATER ANALYTICAL RESULTS
TABLE 3	LOWER 95% CONFIDENCE LIMIT FOR COMPARING THE MEAN OF THE SAMPLE RESULT TO THE STANDARD

### FIGURES

FIGURE 1	LOCUS PLAN
FIGURE 2	GROUNDWATER CONTOUR PLAN SECOND QUARTER 2013



## **TABLE OF CONTENTS (Cont'd)**

### **APPENDICES**

**APPENDIX A LIMITATIONS**

**APPENDIX B LABORATORY CERTIFICATES OF ANALYSIS**

**APPENDIX C TIME SERIES PLOTS**

## 1.00 INTRODUCTION



This report describes the third quarterly round of post-closure groundwater and perimeter landfill gas monitoring for 2013 performed at the former Jamestown Landfill (Site) located off North Main Road in Jamestown, Rhode Island (see Figure 1 - *Locus Plan*). GZA GeoEnvironmental, Inc. (GZA) performed this monitoring on behalf of the Town of Jamestown for their submission to the Rhode Island Department of Environmental Management (RIDEM) to address applicable requirements of RIDEM's *Solid Waste Regulation No. 2* (Solid Waste Landfills) dated January 1997 and the Site's *Revised Environmental Monitoring Plan* dated October 4, 2004, as amended on November 29, 2005.

This round included the sampling of monitoring well GZ-1 as requested by the Town at a public workshop held on October 27, 2008. It also contains the laboratory results from samples collected from the two more recently installed monitoring wells; GZ-8 and GZ-9.

A summary of our findings and conclusions from this monitoring round is presented on pages 8 through 10 of this report. This report is subject to the limitations contained in Appendix A.

The purpose of this monitoring was to:

- Continue the assessment of groundwater quality at and in the vicinity of the Site including the detection and evaluation of contaminants (if any) derived from former waste disposal operations; and
- Evaluate the potential for off-Site migration of methane due to waste decomposition.

This report includes: well-specific field measurements; a summary of sampling and analytical results; methane monitoring results; a statistical evaluation of the data; and conclusions and recommendations.

## 2.00 GROUNDWATER SAMPLING AND LANDFILL GAS SURVEY

GZA personnel were on-Site to collect groundwater samples from the 11 program wells and perform the perimeter landfill gas survey (LGS) on September 3 and 4, 2013. The following paragraphs briefly describe our field procedures.

### 2.10 GROUNDWATER SAMPLING

On September 3, 2013, groundwater samples were collected from nine groundwater monitoring wells. The wells included GZ-1, GZ-2, GZ-3, GZ-5, GZ-6, GZ-7S, GZ-7D, GZ-8 and GZ-9. In previous sampling rounds, the sample from GZ-9 was turbid, which resulted, in our opinion, in elevated inorganic concentrations in the sample. To address this, monitoring well GZ-9 was purged for an extended period of time to remove solids. On September 4, 2013, the two remaining program wells, GZ-4 and POT-1/PWSW were sampled.



Groundwater well locations are shown on Figure 2, *Groundwater Contour Plan – September 2013*. Depth to groundwater was measured and recorded at all 11 program wells prior to purging and sampling; including those that were retained in the EMP for groundwater elevation contouring purposes. Table 1 summarizes the depth to groundwater, elevation data and field-screening results.

Groundwater sampling was conducted in general accordance with the United States Environmental Protection Agency's (USEPA) July 30, 1996 *Low Stress (low flow) Purging and Sampling Procedure* (Low Flow SOP), revised January 19, 2010. The samples were screened and/or analyzed for five field-screening parameters (pH, specific conductance, temperature, dissolved oxygen and turbidity), 15 metals employing EPA Method 6020A and 47 volatile organic compounds (VOCs) by EPA Method 8260C specified for detection monitoring in Appendix A of RIDEM's *Solid Waste Regulation No. 2*. The groundwater sample from the well on Lot 47, designated POT-1/PWSW was also analyzed for VOCs by EPA Method 524.2, for nitrate by Method 353.2 and total coliform bacteria by Method 9221B as required by the Site-wide EMP referenced above.

Samples were collected in preserved containers supplied by the laboratory and placed on ice for transport under chain-of-custody (attached in Appendix B) to Spectrum Analytical Inc. (formerly Mitkem) in North Kingstown, Rhode Island; a RI Department of Health certified laboratory, for testing (Certification # LAI00301).

## 2.20 PERIMETER LANDFILL GAS SURVEY

GZA conducted the perimeter landfill gas survey on September 4, 2013. The monitoring was conducted to evaluate the potential for migration of landfill gas (specifically methane) to off-Site receptors. The methane monitoring was conducted in general accordance with GZA's standard operating procedure (SOP) *4.5 Soil Gas Monitoring* and the EPA's guidance document number EPA 510-B-97-001 dated March 1997 titled *Expedited Site Assessment Tools For Underground Storage Tank Sites*.

The monitoring was performed at eight of the 14 permanent landfill gas monitoring locations (see Figure 2). Six LFG monitoring probes (SG-3, SG-6, SG-8, SG-10, SG-12 and SG-13) have been destroyed during landfill closure activities and installation of the engineered cap. New probes will be installed at these six locations upon completion of the landfill cap construction.

Soil gas was extracted and screened using a LANDTEC GEM 2000<sup>®</sup> infra-red gas analyzer. The instrument was field-calibrated prior to its use with a mixture of methane (100 parts per million [ppm]) in air. The following table presents the results of the landfill gas screening for this quarter.

**PERIMETER LANDFILL GAS SCREENING – SEPTEMBER 4, 2013**



<u>Location</u>	<u>% Methane (CH<sub>4</sub>)</u>	<u>% LEL</u>	<u>% Oxygen (O<sub>2</sub>)</u>	<u>% Carbon Dioxide (CO<sub>2</sub>)</u>
SG-1	<0.1	<0.1	20.6	<0.1
SG-2	<0.1	<0.1	20.5	0.3
SG-3	-	-	-	-
SG-4	<0.1	<0.1	20.6	0.2
SG-6	-	-	-	-
SG-7	0.1	2.0	20.2	0.8
SG-8	-	-	-	-
SG-9	<0.1	<0.1	20.8	<0.1
SG-10	-	-	-	-
SG-11	<0.1	<0.1	20.8	<0.1
SG-12	-	-	-	-
SG-13	-	-	-	-
SG-14	<0.1	<0.1	13.2	6.5
SG-15	<0.1	<0.1	20.7	<0.1

Note: 1. “-“ indicates not tested. Probes will be replaced upon completion of the landfill cap.  
 2. SG-5 was replaced with SG-15.

The monitoring data demonstrate that methane was detected in only one (SG-7) of the eight soil gas samples screened. RIDEM regulations require that all solid waste management facilities demonstrate that methane levels do not exceed 25% of the Lower Explosive Limits (LEL) at the facility’s property boundary. The data demonstrates that all monitoring results were compliant with this requirement.

**3.00 GROUNDWATER SCREENING AND ANALYTICAL RESULTS**

The results of field-screening and groundwater monitoring for the last four quarterly rounds are summarized in Tables 1 and 2. The laboratory Certificates of Analysis are provided in Appendix B. A discussion of these testing results follows.

**3.10 FIELD SCREENING PARAMETERS**

During this sampling round, dissolved oxygen (DO), specific conductance, turbidity and temperature were screened in the field prior to sample collection at each monitoring location (see Table 1). These field parameters serve as indirect measurements of water quality and are used to assess well stabilization under the low-flow purging and sampling protocol. The screening levels observed during this monitoring round are fairly typical for New England groundwaters, but suggest that the landfill has had some impact on groundwater quality.



### 3.20 INORGANIC ANALYTES

As shown in Table 2, nine of the 15 target inorganic analytes were detected in the groundwater samples collected during this sampling round. There were no exceedances of the *National Primary Drinking Water Regulation* Maximum Contaminant Levels (MCLs) in any samples collected during this round.

The USEPA has not established *National Primary Drinking Water Regulations* for all of the detected metals. Because of this, we have also listed USEPA's Regional Screening Levels (RSLs) for all detected parameters, from the four most recent monitoring rounds, as a point of comparison. As shown on Table 2<sup>1</sup>, the concentrations of cobalt in samples from monitoring wells GZ-2 (240 µg/L), GZ-5 (41 µg/L), GZ-6 (9.6 µg/L), GZ-7S (25 µg/L), GZ-8 (13 µg/L), and GZ-9 (8.4 µg/L) exceeded the RSL (4.7 µg/L).

Inorganic elements are naturally occurring; therefore, variability in concentrations across the Site are to some degree the result of natural variations in soil and bedrock characteristics, and the amount of suspended particles within individual samples. As noted above, low-flow/low-stress sampling methods were employed during this and all prior GZA sampling rounds to reduce the potential impact of suspended particles on sample results. Great care was taken during the purging and sampling of each location to minimize turbidity levels and achieve stabilized readings below 5 nephelometric turbidity units (NTUs) prior to sample collection. Turbidity in all groundwater samples collected during this round, other than the samples from GZ-8 (20 NTUs) and GZ-9 (28 NTUs), stabilized below the recommended 5 NTU level before sampling. These elevated turbidity levels are indicative of elevated suspended solids in the samples collected from GZ-8 and GZ-9 which are potentially responsible for the number of low level inorganic analytes detected during this round. Additional purging of these two locations had little effect on turbidity levels and consequently inorganic analytes. If inorganic levels increase to levels above the MCL/TTs we suggest taking split samples and submitting these samples to the laboratory for total inorganics and dissolved (field filtered) inorganics to evaluate the effect of suspended particles.

### 3.30 VOLATILE ORGANIC COMPOUNDS

As stated above, VOCs were analyzed by EPA Method 8260C for samples collected from monitoring wells, and by EPA Method 524.2 for the sample collected from POT-1/PWSW. The VOC sample results for the third round of 2013 show six individual VOCs detected in samples collected from all wells (*i.e.*, GZ-1 through GZ-9) and POT-1/PWSW. Sample concentrations were as follows:

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<sup>1</sup> In June 2011 EPA Region 9 Preliminary Remediation Goals (PRG) were combined with similar risk-based screening levels used by Regions 3 and 6 into a single table: "Regional Screening Levels (RSL) for Chemical Contaminants". This resulted in the change in the RBC for cobalt from 730 µg/L to 11µg/L. These RSLs were revised in April 2012 resulting in an RSL for cobalt of 4.7 µg/L.



Detected VOCs	RIDEM GA Groundwater Objective <sup>A</sup> /National MCLs <sup>B</sup> (µg/l)	Location	Result (µg/l)
1,1-Dichloroethane	None/None	GZ-2	0.79 J
1,4-Dichlorobenzene	75/75	GZ-2 GZ-8	0.73 J 2.2 J
Chlorobenzene	100/100	GZ-2 GZ-7S GZ-7D GZ-8	6.6 3.2 J 0.73 J 11.0
cis-1,2-Dichloroethene	70/70	GZ-1 GZ-2 GZ-3 GZ-4 GZ-6 GZ-7S GZ-7D GZ-8	0.62 J 0.73 J 0.58 J 0.66 J 0.52 J 1.7 J 1.2 J 0.77 J
Dichlorodifluoromethane	None/None	POT-1	1.62
Trichloroethane	5/5	GZ-1 GZ-2 GZ-3 GZ-4 GZ-5 GZ-6 GZ-7S GZ-7D GZ-8 GZ-9	2.5 J 2.4 J 2.5 J 2.5 J 1.7 J 2.0 J 2.0 J 2.0 J 1.8 J 1.6 J

Notes:

- A. Groundwater classified GA are those groundwater resources which the Director (RIDEM) has designated to be suitable for public or private drinking water use without treatment.
- B. MCL indicates the May 2009 National Primary Water Regulations maximum contaminant level.
- C. "J" indicates that the reported concentration was below the method quantitation limits (reporting limits) and is therefore an estimated value.

The data demonstrates that there were no exceedances of state or federal groundwater standards for VOCs during the third quarter sampling round of 2013.

For more detailed information on specific detections and their monitoring history, refer to Table 2, the laboratory certificates of analysis in Appendix B, and/or the time series plots in Appendix C.



### 3.40 WATER QUALITY PARAMETERS

The samples collected from POT-1/PWSW, were analyzed by EPA Method 353.2 and Standard Method SM9221B for nitrate/nitrite as (N) and total coliform bacteria, respectively.

Neither nitrate/nitrite nor total coliform were detected above their reporting limit (RL).

### 3.50 QUALITY ASSURANCE/QUALITY CONTROL (QA/QC)

To assess the potential for non-Site related or laboratory induced contaminants, GZA prepared and analyzed a trip blank concurrent with this round of samples. No organic analytes were detected in this blank. Method blanks were also prepared by the laboratory to provide quality assurance/quality control for the target inorganic compounds during analysis. There were no detected analytes in the method blank.

The laboratory prepared laboratory control samples (LCS), laboratory control sample duplicates (LCSD) during this sampling round. The laboratory also evaluated surrogate recoveries during this round. LCS, LCSD and surrogate recoveries were within acceptable limits for all parameters.

## **4.00 COMPARISON OF CURRENT RESULTS WITH PREVIOUS RESULTS**

Table 2 presents data for detected analytes from the four most recent sampling rounds (December 2012 through September 2013). This table also presents the applicable regulatory groundwater quality standards and EPA's RSLs for parameters where applicable water quality standards are not available.

As shown in Table 2, nine of the 15 target inorganic parameters were detected in groundwater samples collected during this round. All nine detected analytes were also found in groundwater samples collected during the three prior sampling rounds. The nine parameters detected in samples collected during this round (barium, beryllium, chromium, cobalt, copper, lead, nickel, vanadium and zinc) are likely naturally-occurring and are being detected frequently due to very low detection and reporting limits provided by the analytical method being employed; EPA Method 6020A.

Five of the six organic parameters detected in samples collected during this round (1,1-dichloroethane, 1,4-dichlorobenzene, chlorobenzene, cis-1,2-dichloroethene and dichlorodifluoromethane) were observed in one or more of the prior three rounds. Trichloroethene, detected during this round in all samples except POT-1, was not detected in samples from any other groundwater monitoring location prior. Bromomethane, detected during last round in the sample from POT-1 for the first time since monitoring began at this or any other location was not detected this round. Dichlorodifluoromethane was detected in the sample from POT-1/PWSW for the 15<sup>th</sup> consecutive round.



Time series plots were developed for each parameter detected during any of the four most recent monitoring rounds. These plots are provided in Appendix C.

#### 4.10 INORGANIC ANALYTES

The following key observations were noted from our review of inorganic analytes detected during the third round of 2013 as compared to historical results.



- There were no MCL exceedances during this round.
- Lead was detected in the sample collected from GZ-8 and GZ-9 during this round at concentrations below the MCL.
- Cobalt, as described above, was detected in samples from 9 of the 11 groundwater monitoring wells; all within historic concentration ranges. There were exceedances of the cobalt RSL in samples from six of the 11 monitoring wells. Note, the RSLs are not applicable groundwater quality criteria, but rather are provided as a point of reference for evaluation of detected parameters for which MCLs have not been established.

Although there have been fluctuations, refer to the trend analysis provided in Appendix C and described in the following section, inorganic constituent concentrations have remained relatively constant during the quarterly environmental monitoring program. We believe that much of the variation in metals concentrations is related to seasonal fluctuations in groundwater levels that impact the turbidity and suspended solids levels of samples as shown on Table 1.

#### 4.20 VOLATILE ORGANIC COMPOUNDS

The following observations were noted from our review of VOCs detected in samples collected during the third round of 2013 as compared to historical results.

- There were no MCL exceedances during this round.
- Chlorobenzene has been detected in groundwater samples collected from well GZ-2 during each of the last 47 quarterly sampling rounds (over the past 12 years).
- Chlorobenzene was also detected in the groundwater sample collected from well GZ-7S for the 9<sup>th</sup> consecutive time and in the sample from GZ-8 for the 5<sup>th</sup> consecutive round.
- The current observed chlorobenzene concentrations are within historic ranges in the samples from these locations.
- Cis-1,2-dichloroethene was detected in samples from eight of the 11 locations. Of the eight locations, cis-1,2-dichloroethene was detected for the first time in samples from GZ-2, -3, -4 and -5.
- Trichloroethene (TCE) was detected for the first time since sampling began in samples collected from 10 of the 11 samples collected during this round including the upgradient well GZ-1 and two cross-gradient wells (GZ-4 and GZ-5). TCE was reported in all but the sample from POT-1/PWSW, which was analyzed by a different method using a different instrument. We believe that it is unlikely that



TCE is now present in all Site wells, albeit at very low estimated concentrations. We contacted the analytical laboratory on September 19, 2013 and requested them to evaluate the QA/QC samples associated with the tests and confirm their results. Laboratory personnel evaluated the data, and indicated that they did not believe that the TCE detects were caused by external factors or are laboratory-related. TCE is not a common laboratory contaminant, and none of the samples analyzed before the subject samples contained TCE (so they were not carryover contamination). The only sample other than the subject samples analyzed in this batch did not contain any chlorinated compounds. Further, TCE was not detected on the QA/QC method blank. We will further evaluate the presence of TCE in Site wells during the next quarterly monitoring round in December 2013.

- Note that the cis-1,2-dichloroethene and TCE concentrations were detected below the reporting limit and are considered estimated values.
- Dichlorodifluoromethane was detected for the 15<sup>th</sup> consecutive time in the sample from POT-1/PWSW.

As was the case with inorganics, VOC concentrations have remained relatively constant during the quarterly environmental monitoring program.

## 5.00 STATISTICAL DATA EVALUATION

As stated in Section 5.10 of the EMP, a statistical analysis is required for all detected constituents (in groundwater) that are observed at concentrations above the EPA's Maximum Contaminant Levels (MCLs). A review of the third quarter 2013 results indicates that there were no detected parameters that exceeded their action levels (*i.e.*, TT or MCL). Two parameters (beryllium and lead) exceeded their MCL/TT during the December 2012 environmental monitoring round in the samples collected from the newly installed groundwater monitoring well GZ-9. At the time there were only two rounds of sampling results and insufficient data to perform a statistical evaluation for these two parameters that exceeded their MCL/TT. This is the fifth consecutive monitoring round and we now have sufficient data to perform a statistical evaluation.

Beryllium and lead were detected in the sample from GZ-9 at concentrations of 7 µg/L and 66 µg/L, respectively. The Action Level for beryllium and lead are 4 and 15 µg/L, respectively. Both lower 95% confidence limits (95% LCL) for comparing the means of the beryllium and lead results to the Action Levels were calculated as (< 1 µg/L) and indicated that the previous exceedances are not statistically significant, refer to Table 3.

Time series plots were generated for detected parameters from this and the three previous sampling rounds. These plots were evaluated for trends and outliers. Sen's Test for trends was performed to evaluate statistically significant trends in the data with respect to time. Ten VOCs, 12 inorganic analytes and one water quality parameter (nitrate/nitrite as N) were evaluated resulting in 75 time series plots that are presented in Appendix C.



Nine statistically significant trends in contaminant concentrations were identified by the Sen's Tests. They were all statistically significant decreasing trends. These trends were identified for:

- cobalt (in the samples from GZ-1, GZ-6),
- nickel (in the samples from GZ-1, GZ-2 and GZ-6),
- zinc (in the samples from GZ-6 and GZ-7S), and
- 1, 1-dichloroethane (in the sample from GZ-2).

Time series plots were also visually evaluated for seasonality and outliers. There do not appear to be significant seasonal fluctuations in concentrations for any of the detected analytes. Outliers were observed in the samples collected from GZ-8 and GZ-9 during the September 2013 monitoring round. These outliers were the concentration of chromium, cis-1,2-dichloroethene, lead and zinc in samples from GZ-8 and trichloroethene in the sample from GZ-9.

## 6.00 CONCLUSIONS AND RECOMMENDATIONS

Ten groundwater monitoring wells and the Lot-47 well (POT-1/PWSW) were field-screened and sampled. The samples were analyzed for 15 inorganics and 47 VOCs listed in RIDEM's *Solid Waste Regulations*. Additionally, nitrate/nitrite (as N) and total coliform bacteria analysis was performed on the samples collected from POT-1/PWSW.

The following conclusions were developed based on the results obtained from this and previous sampling rounds.

- Six organic and nine inorganic parameters were detected in the groundwater samples collected during this round of groundwater monitoring. There were no exceedances of *National Primary Drinking Water Regulations* (i.e., MCLs or TTs) during this sampling round. There were insufficient data at the time to perform the statistical analysis which needs four or more data points. Both lower 95% confidence limits (95% LCL) for comparing the means of the beryllium and lead results to the Action Levels were calculated as ( $< 1 \mu\text{g/L}$ ) and indicated that the previous MCL/Action Level exceedances are not statistically significant.
- Beryllium and lead were detected in the sample from GZ-9 at concentrations of  $7 \mu\text{g/L}$  and  $66 \mu\text{g/L}$ , respectively during the December 2012 monitoring round, the Action Level for beryllium and lead are  $4$  and  $15 \mu\text{g/L}$ , respectively.
- TCE was detected for the first time in samples collected from 10 of the 11 wells sampled during this round including the upgradient well GZ-1 and



two cross-gradient wells (GZ-4 and GZ-5). TCE was reported in all but the sample from POT-1/PWSW which was analyzed by a different method using a different instrument. We believe that it is unlikely that TCE is now present in all Site wells, albeit at very low estimated concentration. The analytical laboratory was requested to evaluate the QA/QC samples associated with the tests and confirm their results. Laboratory personnel indicated that they did not believe that the detects were caused by external factors or are laboratory-related, nor was it present in the method blank. We will further evaluate the presence of TCE in Site wells during the next quarterly monitoring round in December 2013.

- Time series plots and trend tests identified eight statistically significant decreasing trends and no statistically significant increasing trends in groundwater contaminant concentrations.
- Three target parameters were detected in the sample collected from POT-1/PWSW during this sampling round. All detected parameters were below their respective MCLs/TTs and/or health-based screening criteria (*i.e.*, RSLs). Note that the drinking water analytical method was used for the analysis of VOCs for the samples collected from this well.
- Eight of the 14 landfill soil gas monitoring locations were screened for methane during this round. As stated, six monitoring locations had been destroyed during on-going construction activities. Methane was detected at the instrument detection limit of 0.1% in one of the eight screened perimeter soil gas monitoring locations. Therefore, methane concentrations were all below RIDEM's regulatory limit (*i.e.*, <25% of the lower explosive limits (LEL) at the property boundary). Methane has never been detected above the instrument detection limit at the majority of screening locations around the perimeter of the Site.
- Based on groundwater analytical results for samples collected during this round of monitoring, it does not appear that recent construction activities performed at the Site have had any adverse effects on groundwater quality.
- Based on the findings presented herein, assessment monitoring is not required at this time.

The next round of groundwater and soil vapor monitoring will be conducted in December of 2013.

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## **TABLES**

**TABLE 1**

**SUMMARY OF STABILIZED GROUNDWATER SCREENING RESULTS  
DECEMBER 2012 TO SEPTEMBER 2013**

*Former Jamestown Landfill - Jamestown, Rhode Island*

Temperature	°C	11.6	8.7	11.9	15.9	13.2	11.3	13.1	14.3
pH	SU	5.4	5.6	5.4	5.4	6.1	6.2	6.1	6.2
Conductance	mS/cm	0.074	0.064	0.070	0.065	0.545	0.533	0.435	0.525
Dissolved Oxygen	mg/l	5.0	8.3	5.9	6.0	0.4	0.2	0.8	0.8
Turbidity	NTU	4	5	3	2	1	4	2	4
Depth to Water	FT	25.2	8.6	7.2	17.4	10.6	5.6	5.7	9.1
Temperature	°C	13.4	11	11.5	13.6	11.8	10.7	12.1	12.8
pH	SU	5.2	5.2	5.0	5.2	5.0	5.3	5.9	5.3
Conductance	mS/cm	0.138	0.261	0.190	0.186	0.099	0.081	0.092	0.079
Dissolved Oxygen	mg/l	5.0	5.2	5.0	5.4	5.5	7.9	6.8	6.3
Turbidity	NTU	2	2	4	4	0	2	5	5
Depth to Water	FT	11.7	5.5	6.2	10.0	15.5	4.6	4.7	NR <sup>3</sup>
Temperature	°C	12.8	11.5	12.2	14.1	11.6	9.4	11.6	16
pH	SU	5.5	6.1	6.1	6.1	5.7	5.5	5.5	5.5
Conductance	mS/cm	0.097	0.184	0.177	0.116	0.074	0.067	0.075	0.073
Dissolved Oxygen	mg/l	1.7	1.4	1.6	1.9	7.7	9.3	7.7	5.6
Turbidity	NTU	5	5	3	4	5	5	4	4
Depth to Water	FT	35.2	14.6	15.6	27.7	31.1	12.5	14.0	21.4

Notes:

1. Temperature, pH, Conductance and Dissolved Oxygen were measured in the field using a YSI Pro multimeter. Turbidity was measured in the field using a Lamotte 2000 Turbidity Meter.
2. Turbidity below 5 NTUs could not be achieved after 2 hours of well purging at a low flow rate (<0.4 L/min).
3. Depth to water not recorded due to damaged well.

**TABLE 1**

**SUMMARY OF STABILIZED GROUNDWATER SCREENING RESULTS  
DECEMBER 2012 TO SEPTEMBER 2013**

*Former Jamestown Landfill - Jamestown, Rhode Island*

Temperature	°C	11.6	8.7	12.3	12.7	12.2	12.2	12.3	12.5
pH	SU	5.4	5.6	6.1	6.2	6.0	6.1	6.0	6.1
Conductance	mS/cm	0.074	0.064	0.32	0.339	0.650	0.680	0.446	0.633
Dissolved oxygen	mg/l	5.0	8.3	0.2	0.4	0.2	0.3	0.4	0.4
Turbidity	NTU	4	5	2	5	3	2	2	5
Depth to water	FT	25.2	8.6	20.9	24.3	25.3	18.1	18.2	23.7
Temperature	°C	12.9	10.3	10.9	11.5	12.4	11.6	13	12.3
pH	SU	6.6	6.7	7.0	6.9	6.0	6.1	6.1	6.2
Conductance	mS/cm	0.214	0.193	0.192	0.205	0.660	0.617	0.480	0.590
Dissolved oxygen	mg/l	1.3	0.2	0.1	0.4	0.1	1.0	0.2	0.7
Turbidity	NTU	5	5	5	2	5	3	2	20 <sup>2</sup>
Depth to water	FT	28.3	11.7	10.8	19.0	36.5	27.1	26.7	32.8
Temperature	°C	12.1	11.2	14.5	14.2				
pH	SU	6.5	6.5	6.1	6.3				
Conductance	mS/cm	0.152	0.115	0.117	0.122				
Dissolved oxygen	mg/l	0.2	0.5	0.2	0.3				
Turbidity	NTU	>999 <sup>2</sup>	30 <sup>2</sup>	22 <sup>2</sup>	28 <sup>2</sup>				
Depth to water	FT	27.5	14.4	14.5	19.8				

Notes:

1. Temperature, pH, Conductance and Dissolved Oxygen were measured in the field using a YSI Pro multimeter. Turbidity was measured in the field using a Lamotte 2000 Turbidity meter
2. Turbidity below 5 NTUs could not be achieved after 2 hours of well purging at a low flow rate (<0.4 L/min).
3. EA-3 was retained to aid in groundwater contouring. Depth to water during each of the last four quarters was 22.7, 27.9, 7.5 and 16.1 feet.









Table 3

Lower 95% Confidence Limit for Comparing the Mean of the Selected Onsite Data to a Regulatory Standard

Constituent	Units	Location	Distribution	N	Mean	SD	Factor	95% LCL	Standard	Confidence
Beryllium	mg/L	GZ-9	normal	5	0.002	0.003	0.953	0.000	0.004	0.950
Lead	mg/L	GZ-9	normal	5	0.020	0.026	0.953	0.000	0.015	0.950

\* - Insufficient Data  
 \*\* - Significant Exceedance  
 LCL = Lower Confidence Limit  
 Nonparametric limits are for the median  
 Lognormal limits computed using Land's method (see Worksheet)  
 For lognormal dist, mean and sd are in natural log units



**EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT**  
JOHN W. MCCORMACK GRADUATE SCHOOL OF POLICY AND GLOBAL STUDIES  
UNIVERSITY OF MASSACHUSETTS BOSTON

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[collins.center@umb.edu](mailto:collins.center@umb.edu)

November 19, 2013

Mr. Kevin Paicos  
Town Administrator  
Town of Jamestown  
93 Narragansett Avenue  
Jamestown, RI 02835

Re: Proposal for Community Organizations Space Needs Survey

Dear Mr. Paicos:

The Edward J. Collins, Jr. Center for Public Management at the University of Massachusetts Boston is pleased to submit its proposal to survey the space needs of local community organizations for consideration during future planning efforts in the Town of Jamestown. This proposal builds upon the work the Center recently completed as part of the organizational study of the Jamestown Parks and Recreation Department.

I will serve as the project manager for this project. I will be assisted in this engagement by Ms. Monica Lamboy. Ms. Lamboy has over 25 years of planning, organizational development, and consulting experience.

If you have any questions, please do not hesitate to contact me via the contact information above or via e-mail at [stephen.mcgoldrick@umb.edu](mailto:stephen.mcgoldrick@umb.edu).

Respectfully,

A handwritten signature in black ink, appearing to read 'Stephen McGoldrick'.

Stephen McGoldrick  
Interim Director  
Edward J. Collins, Jr. Center for Public Management  
McCormack Graduate School of Policy and Global Studies  
UMass Boston

## **SCOPE OF SERVICES**

### **Summary**

The Town of Jamestown is currently in the process of planning for the renovation of the Country Club building at the Jamestown Golf Course, located at 245 Conanicus Avenue. As part of the design process, the Town wishes to consider the space needs of local community organizations to see how they might be accommodated in the design plan. Specifically, the Town would like to understand the unique space needs of sixteen community organizations that it has identified.

### **Proposed Work Approach**

This section provides the Collins Center's proposed task plan for completing the survey of community organizations.

Task 1. Prepare Survey Template – In consultation with the Town's architect, the project team will develop a survey template to be completed by each community organization. This template will seek to gather information on the organizations' operations, such as: number of rehearsals/performances/meetings/events per year and when they occur, number of indoor sporting events and practices per year and when they occur, and typical number of participants performing and in the audience, etc. The template will also gather information on specific space needs, such as: optimal size for performance space, type of equipment needed (e.g., lighting, amplification, etc.), square footage of storage needed and items that might need to be stored, parking needs, etc. A copy of the draft survey will be submitted to the Town for review.

Task 2. Distribution and Collection of Survey – With assistance of the Town, the Center will distribute the survey to a key contact person representing each group with a deadline for response.

Task 3. Follow Up – The Center will follow up to make sure that all organizations submit their surveys, or indicate they do not wish to be included, and will then schedule follow up conference calls or meetings where data is incomplete or additional questions arise based upon the response.

Task 4. Prepare Summary Report – The Center will summarize the information gathered in a spreadsheet format for ease of use by Town officials and will prepare a summary report that provides an overview of the data gathered. The Center's report will identify where organizational needs appear to align and where unique space requirements stand out.

Center staff will be prepared to make a presentation on the findings, if requested by the Town.

### **Cost Proposal**

The proposed cost for this effort will be \$3,850. This proposal includes a total of three on-site visits.

### **Project Timeline**

This effort can be completed within 4 weeks of receipt of a notice to proceed.

November 26, 2013

Ms. Lisa Bryer, AICP  
Town Planner  
93 Narragansett Avenue  
Jamestown. RI 02835

RE: Rembijas Pavilion Phase 2: Proposal for Design Development and Permitting.

Ms. Bryer,

GLA, a division of BETA is pleased to submit the attached proposal for Phase 2 services as requested by the Town Council during our most recent presentation on November 18<sup>th</sup>. It is our understanding the council wishes to proceed with limited site design and updates to the concept plan, as well as advance the project through the required permitting processes with the agencies having jurisdiction (CRMC, RIDEM) over the project. As such, we have identified the five Main Tasks in Phase 2 to be as follows:

**Task 1 Landscape and Site Design: \$ 7,130.00**

Landscape and Site Design: GLA/BETA will develop updates to the approved concept plans, addressing and refining grading, site improvements, and planting through the Design Development phase. In addition to the plans, a new cost estimate will be prepared (75% level) based on the work in this phase.

**Task 2 Stormwater Design \$ 17,065.00**

Stormwater Design: Based on the updated site and landscape design work, GLA/BETA will work to develop BMP design solutions that fit the site and address stormwater runoff. We will work with the town (backhoe) to conduct additional test pits to determine soil conditions, and will update the survey with detailed data collection as needed as well as engage in wetland delineation. With this added information GLA/BETA will complete the design of the BMPS and compile the necessary Stormwater Reports for agency submission.

**Task 3 CRMC Permitting \$ 5,130.00**

After attending a PD coordination meeting with CRMC, GLA/BETA will prepare the necessary CRMC permit documents. Based on our past experience with CRMC, our anticipated approach to addressing runoff will include working within the wetland buffer zone due to the constraints. We anticipate minor comments and thus adjustments may be required to secure the required Assent. Should extensive reworking of the documents be required, GLA/BETA reserves the right to adjust this proposal accordingly.



**Task 4 On-Site Wastewater Treatment System Design** **\$ 4,210.00**

Work in Phase 2 will include the design of a wastewater system to support the two new restrooms planned, sized accommodate the anticipated occupancy at peak events. The approved design will be coordinated with the stormwater design work and submitted for a permit with DEM.

**Task 5 RIDEM (RIPDES) Permitting** **\$ 4, 940.00**

Due to the project size (in excess of one (1) acre, the Town is required to have a RIPDES permit. Work will include the coordination, preparation and submission for this permit

**Total Phase 2 Design and Permitting Cost:** **\$ 38, 475.00**

**Deliverables:**

The deliverables for this project are Design Development Plans, Stormwater treatment/BMP design incorporated in these plans, a Stormwater report inclusive of the SWIPP and O&M requirements, an OWTS design for wastewater treatment, and an updated cost estimate for the work designed. We will submit all relevant work designed to both RIDEM and CRMC for the permits required to conduct this work with the anticipation of construction starting spring 2014.

I have attached a detailed person-hour backup sheet; please contact me should you have any questions or require additional information.

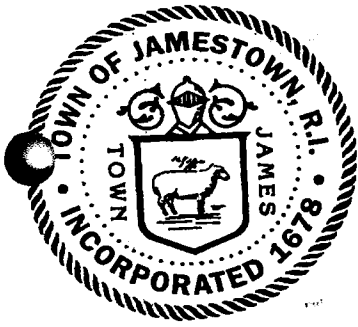
Sincerely



Arek W Galle, RLA, AICP

Senior Project Manager

GLA division of BETA



# TOWN OF JAMESTOWN

Town Clerk's Office  
93 Narragansett Avenue  
Jamestown, RI 02835  
(401) 423-7200 ~ fax (401) 423-7230  
jamestownri.net

## Memorandum

**TO:** Cheryl Fernstrom, CMC, Town Clerk  
**CC:** Kevin Paicos, Town Administrator  
Jamestown Town Council Members  
**FROM:** Heather Lopes, Assistant Clerk  
**DATE:** November 27, 2013  
**RE:** Committee Vacancies and Reappointment Requests

### Committee Vacancies w/Requests for Reappointment

Conservation Commission	3 openings (Ted Smayda & George Souza & Anne Kuhn-Hines)
Harbor Commission	1 opening (David Cain)
Juvenile Hearing Board (Alt. to Reg. member)	1 opening (Agnes Filkins)
Juvenile Hearing Board -Alternate	1 opening (Andrew Ford)
Planning Commission	3 openings (Richard Lynn, Michael Smith & Michael Corcoran)
Quonset Devel. Corp. Board of Directors	1 opening (James Rugh)
Tree Preservation & Protection	1 opening (John Collins)
Tree Warden	1 opening (Steve Saracino)
Zoning Board of Review -Regular Member	1 opening (Richard Boren)
Zoning Board of Review - (Alt to Reg. member)	1 opening (Richard Cribb)
Zoning Board of Review- Alternates	2 openings (Judith Bell & Richard Allphin)

### Committee w/New Requests for Appointment

Harbor Comm. -Non Riparian Recreational Boater	1 opening (Bruce Dickinson)
Jamestown Housing Authority	2 openings (Cheryl Main)
Library Board of Trustees	2 openings (Liz Brian & Paul Housberg)
Newport County Conven. & Visitors Bureau	1 opening (Robin Watters)* 2 <sup>nd</sup> choice
Planning Commission	(Abigail Campbell-King & Bernd Pfeiffer)
Quonset Devel. Corp. Board of Directors	(Robin Watters)* 1 <sup>st</sup> choice

Tree Preservation & Protection Committee	1 opening (Paula Samos)
Tree Warden	(Matthew Largess)
Zoning Board of Review –Alternate	1 opening (Terrence Livingston & Bernd Pfeiffer)

**Committee Vacancies awaiting response for request for Reappointment or Notice of Resignation**

Tree Preservation & Protection	1 opening (David Frank)
--------------------------------	-------------------------

**Committee Vacancies w/No Requests for Appointment – Duly Advertised**

Affordable Housing	1 opening
Beavertail State Park Advisory Board	1 opening
Juvenile Hearing Board – Alternate	1 opening
Tax Assessment Board of Review- Alternate	1 opening
Town Buildings & Facilities – Alternate	1 opening
Town Buildings & Facilities –Regular member	2 openings



13 NOV 21 AM 10:11  
TOWN OF GETTY

To: Kristine Trocki, Town Council President  
William Piva, Recreation Director  
Kevin Paicos, Town Administrator

From: Meg Myles  
Executive Director,  
Conanicut Island Sailing Foundation

November 20, 2013

Conanicut Island Sailing Foundation, Summer 2014, Request for Approval

Following a great year of growth and positive public feedback, CISF would like to run the following programs from Ft. Getty next summer:

- 1.) Six one-week marine/environmental science and sailing camps at Fort Getty, called *Jamestown Sea Adventure Camp*. Sea Adventure Camp will run from 9 am - 4 pm daily, Monday through Friday from July 7 through August 15.
- 2.) CISF would like to offer Free Sailing again on Wednesday evenings from 4:30-6:30 from the Ft. Getty boat ramp starting July 9 and continuing for six weeks until August 13. We plan to use our Hobie Wave catamarans, which, will already be on site if *Jamestown Sea Adventure Camp* is approved.

CISF will pay for a tent to be put up over the basketball court for *Sea Adventure Camp's* 'home base'. CISF's boats, 4 sixteen foot Hobie Wave catamarans, will launch daily from the boat ramp, while being sensitive to the comings and goings of the boat and car traffic using the ramp.

We would like to store our enclosed trailer on site as well, as we did last summer. It is approximately 8' wide and 16' long. This allows us to keep needed materials on hand for the camps, and have a secure storage area for life jackets, nets, boat gear, etc... Last summer, we were able to store the trailer next to the boats and this was a huge help!

Other details:

- CISF paid for two spaces to store two kayaks on the racks across from the boat ramp last summer and we intend to do that again this coming summer.

- The town allowed the camp staff to come into Fort Getty without having to buy a sticker. A list of employees was provided to the guard shack. Camp staff understood that this agreement was only good during camp hours. Continuing this would be fantastic if possible.
- The Town weed-whacks around the foundation where the tent is set-up (the basketball court). If they would do this again next summer, that'd be great.
- An inside classroom space is very much needed for *Sea Adventure Camp* for days when there is inclement weather. We would like to look into having an office trailer near the tent, perhaps in a former camper spot? Obviously, this cost would be incurred by CISF. Might this be approved?
- Storage – Storage of boats on trailers and our enclosed trailer is a major issue for CISF. Last year, CISF paid the Town \$150 to store our boats and trailers down at the far end of the Kit Wright Trail parking area for the months of May and June. CISF is looking to store 3 trailers with boats on them and 1 enclosed trailer. If we could come to an agreement again for May & June 2014, that would be great!

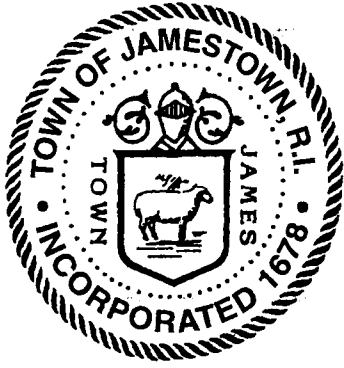
This will be *Jamestown Sea Adventure Camp's* third year operating at Fort Getty. CISF would respectfully ask the Town Council to consider a 5-year commitment to the camp program at Ft. Getty. This will allow us to work on some long-range programming. A yearly report and meeting with the Town Council will allow any issues or problems to be worked out with the Town. CISF will report to whomever the Town Council or Town Administrator deems appropriate annually.

Lastly, the issue of an indoor space and year round storage is something CISF would like to see permanently resolved in the near future. In that regard, CISF would like to discuss with the Town the possibility and costs of building a multi-use, year round structure at Fort Getty.

Thank you in advance for your time and consideration. Please feel free to contact me with any questions you may have or even just to discuss something further. I can be reached at 401-855-6643 or at [CISFSailing@gmail.com](mailto:CISFSailing@gmail.com).

Sincerely,

Meg Myles  
CISF Executive Director  
7 Felucca Avenue  
Jamestown, RI 02835  
[CISFSailing@gmail.com](mailto:CISFSailing@gmail.com)  
401-855-6643



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

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

## Memo

**Date:** 11/27/2013  
**To:** Mr. Kevin Paicos, Town Administrator  
**From:** William Piva, Recreation Director *WSP*  
**RE:** CISF Summer Camp

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Regarding the continuation of Conanicut Island Sailing Foundation use of Fort Getty for their Sea Adventure Camp, the Parks and Recreation Department can continue to provide the following:

- Allow camp staff to enter Fort Getty without purchasing a sticker or being charged a fee. A list of camp instructors should be given to the Ft Getty gate attendants.
- Recreation staff weed whack the foundation area where the tent is set-up as part of normal maintenance operations. We will also provide picnic tables for the camp.
- Allow storage of boats and trailers in the Kit Wright Trail parking area.

I would suggest CISF maintain the same level of Ft Getty use as the previous year. I would object to adding a trailer near the CISF tent or occupying any of the RV sites we recently eliminated. CISF is more than welcome to share the pavilion with Jamestown Recreation Summer Camp. The pavilion has been more than adequate for our camp during inclement weather days.

# Fort Getty

## 2013 Season

May 16 ~ September 16

### CAMPING RATES

Seasonal RV (non-resident)	\$4,500.00
Seasonal RV (resident)	\$3,700.00
Seasonal Boat	\$600.00
Transient RV	\$40.00 (2 wk min)
Tent/Night	\$25.00
Daily Parking	\$20.00
Guest Parking	\$5.00
Parking w/ Boat	\$30.00
Dump Station	\$20.00
Non-resident Seasonal Parking Pass	\$100.00

### PAVILION

Jamestown Residents can reserve a date after October 1, 2013. A \$150.00 deposit required to secure date.

Non-Residents can reserve a date starting April 1, 2014.

### **COST**

<u>Residents-</u>	\$300.00 Friday, Saturday or Sunday
	\$200.00 Monday thru Thursday
<u>Non-Residents-</u>	\$600.00 Friday, Saturday or Sunday
	\$400.00 Monday thru Thursday



**Town of Jamestown  
Department of Parks & Recreation  
41 Conanicus Avenue  
P.O. Box 377  
Jamestown, RI 02835  
Phone: (401) 423-7211 \* Fax: (401) 423-7229**

**Fort Getty RV and Tent Camping User Permit**

Welcome to the Town of Jamestown's Fort Getty Campground. To ensure that your stay is enjoyable and to respect other users of the campground, this user permit is issued to the holder on the condition that the holder, their guests and visitors are all subject to compliance with the Fort Getty rules for RV and Tent Camping, attached hereto and incorporated herein by reference. Failure to comply with the Fort Getty Rules by any person on a campsite will subject the campsite permit holder to loss of their camping privileges.

Permit Holder Information

Name:

Address:

Cell Phone::

E-mail:

Resident or Non-Resident:

Duration of Permit:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Campsite \_\_\_\_\_

Approved; Recreation Department: \_\_\_\_\_ Date: \_\_\_\_\_





**Town of Jamestown  
Department of Parks & Recreation  
41 Conanicus Avenue  
P.O. Box 377  
Jamestown, RI 02835**

**Phone: (401) 423-7211 \* Fax: (401) 423-7229**

**2014 Fort Getty Rules  
for  
RV Camping**

Welcome to the Town of Jamestown's Fort Getty Campground. To ensure that your stay is enjoyable and to respect other users of the campground, these rules must be followed at all times. Failure to comply with these rules by any person on a campsite will subject the campsite permit holder to loss of their camping privileges.

1. Any campsite permit holder or their guest(s) who fails to comply with these rules and are found to be in violation of any of the following camping rules shall be subject, at the sole discretion of the Jamestown Recreation Department (the "Department"), to consequences up to and including a requirement to vacate the premises immediately and to loss of their camping privileges for the season. Any permit holder who is ordered to surrender their camping permit may seek a review of that revocation by the Town Administrator, whose decision shall be final with no further administrative review or appeal.
2. RV campsite users shall either provide the Department with a phone number or email address at which they can be contacted should it be necessary to do so. Management may contact tenants in case of an imminent emergency, required evacuation or a violation of these rules. Prompt response (within 12 hours unless otherwise described herein) to Department's request is required.
3. All RV units must be completely mobile and able to evacuate the site upon notice. No park models, so-called, are allowed. The Town of Jamestown reserves the right to withdraw permission from the permit holder to use the RV campsite upon inspection of the unit for compliance with these guidelines.
4. The Fort Getty Campground is located in an exposed coastal area. Hurricane evacuations can and do occur. All RV units must be parked with the factory installed permanent hitch directly accessible from the road for ease in the case of emergency evacuation, and safe and reasonable distance must be maintained between units. The Department is the final authority on placement of RV units on any campsite.
5. The electric service at the Fort Getty Campground is rated at 30 amps maximum. The Department will not be responsible for equipment failures, loss of power or any damages incurred from the use of electrical equipment or appliances requiring higher than 30 amp

service. Your user permit includes electrical service, but abuse of this service will not be tolerated. If the Department determines that any high demand electrical device has been left on while an RV unit has been vacant for 24 hours, the Department may either inform the permit holder, who is then required to electrical device off within 6 hours of notification or the Department is then authorized to enter the RV unit to turn off the electrical device.

6. No refrigerator, freezer or any major appliance may be connected to the outside of any RV unit. No generator may be connected or used on any campsite.
7. Washing vehicles within the Fort Getty Campground is prohibited. Boat washing will be allowed at the location designated by the Department. However, periodic bans on outdoor water uses, including the washing of boats may be imposed. No water slides or sprinklers are allowed.
8. No person shall cause or permit the discharge of sewage or any type of grey water onto or into the ground. No open holding containers are permitted. Dump station rules are posted at the dump station.
9. Recycling is mandatory. Recyclables (paper, cans, bottles, plastic containers) may be mixed together in the bin provided and located at the designated areas for pickup by the Department.
10. No more than two vehicles are allowed to be parked at any campsite. Only two Seasonal Vehicle Passes will be issued per site and must be affixed to your vehicle. Seasonal Vehicle Passes are NOT TRANSFERABLE! (No stickers will be issued without a copy of the current registration.) Stickers for additional seasonal cars and trucks may be purchased at the gatehouse and those vehicles must park in the parking area designated for campers only. Any day visitors must pay the visitor parking fee to park in the dedicated parking area and must vacate the campground by 10:00 p.m.
11. No parking by campsite users or their guest or visitors is permitted in the easternmost transient vehicle or boat trailer area. Signs are erected designating the spaces for” campers only”, for “daily boat trailer parking only” and for “daily vehicle parking only”.
12. No all-terrain vehicles, golf carts or other such vehicles are allowed in the park. Vehicles for medical mobility are allowed in the park upon proof of medical need presented and confirmed by the Department.
13. No boats or dinghies are allowed on campsites. Boats shall either be moored, if issued a mooring permit, or stored in a boat rental site (A separate permit is required for boat rental.). Dinghies may be stored with the boat at a boat rental site or on the rack at the beach, with the required Jamestown rack permit. Kayaks are allowed to be stored at campsites.
14. Pets are allowed, but nuisance barking will not be tolerated, and all droppings must be picked up. Pets must be leashed at all times when outdoors and any leash must not extend beyond the campsite. No pet is to be left unattended.
15. There is no loitering or cooking allowed in or around the restrooms. Children under 8 (eight) must be accompanied by an adult when using the restrooms.

16. All decks or any exterior structure at a campsite must comply with the RI State Building Code in all regards. In appropriate instances a local building permit must be obtained to erect any outside structure on a campsite. The Department will review the appearance of all outside structures. In its sole discretion, the Department may order alterations (e.g. latticing to screen the underside) to improve appearance or may order the removal of the structure entirely. Any permit holder determined to be noncompliant may be required to improve the structure by the Department.
17. No disturbance or digging of the ground for any reason, including the planting of vegetable or flower gardens, is permitted. Flower boxes are permitted. No cutting of vegetation or trees is permitted.
18. Campfires must be kept under control, confined to the rings provided and extinguished by 10:00 p.m. Only untreated and unpainted wood may be burned. No fire may be left unattended.
19. Quiet hours are between 10:00 P.M. and 7:00 A.M. and are strictly enforced.
20. No commercial operation may be located at a campsite. This includes but is not limited to commercial fishing or shell-fishing, boat rental, or any commercial activity. No commercial equipment (e.g. traps, commercial fishing apparatus) may be stored at a campsite or anywhere in the Fort Getty Park.
21. No storing of gasoline on any site in the Park.
22. The use of firearms or any hunting equipment is prohibited. No aerial or ground fireworks are allowed.
23. There are no lifeguards stationed in the Park. Any swimming is at your own risk.
24. All platforms, decks and/or structures erected during the permit period must be removed at the end of the permit term.

By signing this form you acknowledge you have read these Rules, understand them and agree to abide by them. The undersigned agrees to comply with the Fort Getty camping agreement rules and regulations, and engage in lawful behavior at all times or permanently forfeit use of the campsite hereby granted, and all future camping privileges at Fort Getty. A set of these rules has been provided to you along with the campsite permit.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Campsite \_\_\_\_\_

**TOWN COUNCIL MEETING  
November 4, 2013**

**I. ROLL CALL**

Town Council Members present:

Kristine S. Trocki, President  
Thomas P. Tighe  
Eugene B. Mihaly  
Blake A. Dickinson

Town Council Members absent:

Mary E. Meagher, Vice President

Also present:

Kevin E. Paicos, Town Administrator  
Christina D. Collins, Interim Town Administrator/Finance Director  
Wyatt A. Brochu, Town Solicitor  
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 7:10 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**

None.

**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 motion was made by Eugene Mihaly with second by Blake Dickinson to convene as the Alcoholic Beverage Licensing Board and open the public hearing at 7:11 p.m. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

**COUNCIL SITTING AS THE 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 17<sup>th</sup> and October 24<sup>th</sup> editions)

**NEW LICENSE:**

**CLASS B - VICTUALER**

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

President Trocki announced that due a clerical error, the public hearing for the new license will be re-advertised and proper notice sent to abutters. The public hearing is rescheduled to Thursday, November 21, 2013 at 5:00 p.m. The Council apologizes for any oversight that occurred.

**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

There were no public comments or objections.

- 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.

**A motion was made by Blake Dickinson with second by Eugene Mihaly to grant the CLASS A (PACKAGE STORE) – RETAIL Liquor License renewals, subject to resolution of debts, taxes, appropriate signatures and State approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

- b) Request a motion to set the CLASS A (PACKAGE STORE) – RETAIL Liquor License Cap at TWO (2)

**A motion was made by Blake Dickinson with second by Eugene Mihaly to set the CLASS A (PACKAGE STORE) – RETAIL Liquor License Cap at TWO (2).**

**President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

2) **CLASS B – TAVERN**

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

There were no public comments or objections.

- 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, 2012 to November 30, 2013.

**A motion was made by Blake Dickinson with second by Eugene Mihaly to grant the CLASS B – TAVERN Liquor License renewal, subject to resolution of debts, taxes, appropriate signatures and State approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

- b) Request a motion to set the CLASS B – TAVERN Liquor Licenses Cap at ONE (1)

**A motion was made by Eugene Mihaly with second by Blake Dickinson to set the CLASS B – TAVERN Liquor License Cap at ONE (1). President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

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)

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

There were no public comments or objections.

- 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.

President Trocki noted the deficiency for Caddy Shack. Interim Town Administrator Collins informed the Council the doors that require replacement to pass inspection were ordered and will be installed prior to the November 30<sup>th</sup> deadline. The Portuguese American Citizens Club license is continued to the November 21<sup>st</sup> public hearing.

**A motion was made by Blake Dickinson with second by Eugene Mihaly to approve the CLASS B – VICTUALER liquor license renewals subject to resolution of debts, taxes, appropriate signatures and State approvals.**

Discussion. Council members stated in keeping with present policy all liquor license applications are on the agenda and will be granted. The applications require approvals by all department heads; due to deficiencies, some applications do not have all the required signatures. The majority of the applicants are in full compliance, which the Council appreciates. No licenses are issued until applicants are in full compliance. The question is whether we want to entertain the deficient license applications or continue them to a future agenda when there is compliance. There is too much of a chance something will slip through. Council members stated there has been enough time to fix deficiencies, they should not receive any application that is incomplete, and they are uncomfortable approving license applications with deficiencies. Discussion continued.

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

- b) Request a motion to set the CLASS B – VICTUALER Liquor Licenses Cap at EIGHT (8)

**A motion was made by Eugene Mihaly with second by Blake Dickinson to set the CLASS B – VICTUALER Liquor License Cap at EIGHT (8). President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

4) **CLASS D – FULL (CLUB)**

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

There were no public comments or objections.

- 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.

Councilor Mihaly recuses on this issue and files the appropriate Conflict of Interest form in compliance with RIGL §36-14-6.

**A motion was made by Blake Dickinson with second by Thomas Tighe to approve the CLASS D – FULL (CLUB) Liquor License renewal subject to resolution of debts, taxes, appropriate signatures and State approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Recuses; Councilor Dickinson, Aye.**

- b) Request a motion to set the CLASS D FULL (CLUB) Liquor License Cap at ONE (1)

**A motion was made by Blake Dickinson with second by Thomas Tighe to set the CLASS D – FULL (CLUB) Liquor License Cap at ONE (1). President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A motion was made by Blake Dickinson with second by Thomas Tighe to adjourn as the Alcoholic Beverage Licensing Board and reconvene the regular meeting at 7:21 p.m.**



## 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).

**A motion was made by Thomas Tighe with second by Blake Dickinson to grant the Victualing License with extended hours renewal application for Jamestown Mist, LLC subject to all conditions. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

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).

**A motion was made by Eugene Mihaly with second by Blake Dickinson to grant the Victualing License with extended hours for Cumberland Farms, Inc. subject to all Town conditions. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 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

This agenda item is continued to the November 21<sup>st</sup> special meeting.

- 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

The Conanicut Yacht Club multi-license was removed to be voted individually. Councilor Mihaly recuses on this issue and files the appropriate Conflict of Interest form in compliance with RIGL §36-14-6.

The Portuguese American Citizen's Club multi-license was continued to the special meeting of November 21<sup>st</sup>.

**A motion was made by Eugene Mihaly with second by Blake Dickinson to grant the Multi License applications for 1) BADA Bing, Inc. dba: House of Pizza; 3) ESJ, Inc. dba: Simpatico Jamestown; 4) Islandish, Ltd. dba: Chopmist Charlie's; 5) Jamestown Culinary Partners, LLC dba: Jamestown Fish; 6) Jamestown Town Council Meeting 11.04.2013**

**Restaurant Group dba: Narragansett Café; and 7) Plantation Catering, Inc. dba: Plantation at the Bay Voyage subject to resolution of debts, taxes, appropriate signatures and State approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A motion was made by Thomas Tighe with second by Blake Dickinson to grant the Multi License application for 2) Conanicut Yacht Club dba: Conanicut Yacht Club subject to resolution of debts, taxes, appropriate signatures and State approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Recuses; Councilor Dickinson, Aye.**

- 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**

President Trocki noted deficiencies for applicants 2), 5), and 10) will be addressed by November 30, 2013.

**A motion was made by Blake Dickinson with second by Eugene Mihaly to approve the Victualing License renewal applications 1) to 17) listed subject to resolution of debts, taxes, appropriate signatures and State approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- G) Entertainment License:
- 1) Jamestown Recreation Department  
41 Conanicus Avenue

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve the Entertainment License application subject to appropriate signatures and approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

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

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

The Portuguese American Citizen's Club holiday license is continued to the special meeting of November 21<sup>st</sup>.

I) One Day Event/Entertainment License Applications

- 1) Applicant: Conanicut Island Art Association  
Event: Holiday Craft Show  
Date: December 7, 2013  
Location: Melrose School

**A motion was made by Blake Dickinson with second by Thomas Tighe to approve the One Day Event/Entertainment License application of Conanicut Island Art Association for the Holiday Craft Show on December 7, 2013 subject to appropriate signatures and approvals. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 1) Applicant: Jamestown Community Chorus  
Event: Jamestown Community Chorus Concert  
Date: December 14, 2013  
Location: Recreation Center

**A motion was made by Blake Dickinson with second by Eugene Mihaly to accept the One Day Event/Entertainment License application of Jamestown Community Chorus for the Concert on December 14, 2013 subject to appropriate signatures and approvals. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

## V. OPEN FORUM

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

- A) Scheduled to Address.
- B) Non-scheduled to Address.

John Murphy of Hamilton Avenue introduced David Prior, here to speak about the incident that occurred on the Newport Pell Bridge that affected his family. Mr. Prior thanked the Council for the opportunity and spoke about the importance of bridge safety and the tragic accident that killed his brother, Kenny Prior, and his friend, Kathy Meunier. He has made bridge safety his goal and asked the Council to consider the

Resolution forwarded to them endorsing safety on the Newport Pell Bridge and requesting two things – that laws be enforced to protect us from bad driving and a center median barrier be installed on the Newport Pell Bridge. Bridge records indicate distracted driving and speeding occur too often on the bridge, and installation of a median would help. Industry standards adopted after the Newport Pell Bridge opened in 1969 require a median when there are over 20,000 cars that cross per day. There are over 27,000 cars that cross the Bridge per day, 15,000 of them commuters. He asks the Council to stand up for Kathy and Kenny and for safety on the Bridge.

On behalf of the Council President Trocki expressed condolences to Mr. Prior on the loss of his brother Kenny. She noted in order to address the Resolution it would have to be on the agenda for approval. Communication 5) from John Murphy and attached documents including the *Jamestown Press* insert, TIGER Grant application of 2009, and TIGER II Grant application of 2010 were referenced. The Citizens United for Bridge Safety, their website, and petition asking for a center median barrier on the Newport Pell Bridge were referenced. Mr. Prior thanked the Council for their consideration.

John Murphy noted his Communication on the agenda. The Council will place Mr. Murphy's communication and the Resolution on the November 18<sup>th</sup> agenda for action.

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

### **A) Town Administrator's Report.**

Interim Town Administrator Christina Collins.

Paperless Initiatives. Ms. Collins gave an update on the paperless meeting packet distributed electronically. Town staff is still working out issues and appreciates Council feedback to improve it. One device is on order, and one under consideration is in production. Town staff will assess where we are with the project by the end of the week with a report to Council.

Website. Ms. Collins reported the contract with Vision Internet Providers for website upgrade was signed last week after legal review. The initial payment is going out and the first steps should begin by the next meeting.

Councilor Mihaly noted his I-Pad problems continue, and this information will be forwarded to IT.

Councilor Dickinson asked about the website project time line, with the design scheduled for the end of the year, and requested an update. Ms. Collins stated an update will be on the next agenda.

Landfill Closure. Ms. Collins reports Public Works Department staff has been working on the landfill closure for eight months. As of Friday, capping was complete except for a small area where roll-off containers are temporarily stored. Areas that received fill and

topsoil are seeded, drainage collection and stormwater detention areas are complete, and the upper storage area is paved and being used for compost staging and DPW storage. Outstanding areas to complete the project:

- Final course paving for the transfer station area (fall 2013)
- New entrance gate installation (fall 2013)
- GZA completion report to RIDEM (winter 2013/2014)
- Trees and plantings around the perimeter and entrance (spring 2014)
- Grading and seeding of temporary roll-off storage area (spring 2014)
- Guardrail installation to separate storage and compost areas (spring/summer 2014)
- Hoop style DPW storage building (summer 2014)

Council members commented on the transformation. Kudos to Town staff for a job well done that saved taxpayer dollars in the process.

Town Administrator Kevin Paicos.

Town Staff. Mr. Paicos noted Tina is doing an outstanding job keeping the Town afloat. Other department heads are helpful and contributing, and making progress every day.

Recreation Study. Mr. Paicos reported on discussion regarding an inventory of all recreational and cultural programs that occur in Town, which the Collins Center may be equipped to perform. For a reasonable cost, they could take on that activity and merge it with the other component they completed (Recreation Study). This will be forwarded to the Recreation Study Steering Committee members for their input, with a report, a proposal, costs, and possible consideration at the November 18<sup>th</sup> meeting. Many groups want this expedited; we want to make a decision by mid winter regarding what needs to be done with the Golf Course.

President Trocki noted the Council looks forward to hearing from the Collins Center. Councilor Dickinson noted the Library reservation schedule is a good resource and an excellent place to start to compile information on cultural arts activities.

## **VII. UNFINISHED BUSINESS**

A) Fort Getty: 2013 Season update. Interim Town Administrator/Finance Director Christina Collins reported on the 2013 Fort Getty season, which went very well. The only issue was a low voltage electrical problem on humid days, and a search for remedies to the situation should continue. Of note:

- 83 seasonal campsites, with 5 vacancies; of the 78 seasonal campers, 3 were Jamestown residents
- The 5 vacant seasonal sites used as transient sites generated \$14,281 in revenue
- Tent reservations totaled \$31,518 in revenue with occupancy at or near capacity

- The Pavilion generated \$7,850 in revenue
- 19 non-resident seasonal passes sold

The Fort Getty Revenue Report for 2013 was reviewed. The 2013 season showed \$9,000 less overall revenue than last season, with a shorter season, 14 fewer campsites, and reduced and restricted seasonal parking. Discussion of revenues continued. Some revenue sources stayed the same and others improved. Total revenue for the 2013 Fort Getty season was \$432,861.62. Mackerel Cove parking and resident stickers had additional revenues of \$41,725.75, for a 2013 Season Total Revenue of \$474,587.37. Notification to campers for the 2014 Season begins in January. A copy of the 2012 Season report will be forwarded to Councilor Dickinson. Discussion continued.

B) Recreation Stickers purchase – clarification of information for citizens. Ms. Collins gave a report on the various permit stickers for Fort Getty, Mackerel Cove, Shores Beach, and Hamilton Avenue. Resident stickers for access to all locations are \$15.00. Non-resident stickers for Fort Getty are \$100 and for Shores Beach \$30. Recreation Stickers are required for the period May 15 to October 15 annually. An information training session for Town staff will be conducted prior to the 2014 season.

## **VIII. NEW BUSINESS**

A) Tick Task Force: budget consideration. Councilor Mihaly proposes a budget in case it is needed for advertisement (\$2,700) and educational materials (\$1,000) for a total budget of \$3,700 for operations of the Tick Task Force. Ms. Collins noted the emergencies and incidentals account could be used for funding. Councilor Mihaly reports the first of five newspaper articles will appear in the *Jamestown Press* beginning November 21<sup>st</sup>, with ads placed in between. Member David Fuquea is organizing several informational sessions. The TTF will come back to Council with recommendations for action. Discussion continued.

B) Town Council/Conservation Commission workshop. The Conservation Commission requested a workshop. Their regular meeting is November 12<sup>th</sup> with the Hull Cove issue on the agenda. The Conservation Commission has concerns for use of pesticides for lawn treatment on the TTF website (information provided by URI). Discussion ensued. President Trocki noted Conservation is an advisory board and does not set policy. They should conduct discussions on Hull Cove and tick management at their regular meeting and bring their findings and opinions to the Council. The Conservation Commission will be informed of the workshop with Council on November 18<sup>th</sup> at 7:00 p.m. to review Hull Cove and tick management issues. (Conservation Chair Maureen Coleman is in attendance)

## **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

**A motion was made by Thomas Tighe with second by Blake Dickinson to proceed to advertise for public hearing for amendment of the Jamestown Code of Ordinances on December 2, 2013.**

Discussion. This is procedural; the public hearing date was set by Council at the last meeting.

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

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.

**A motion was made by Eugene Mihaly with second by Thomas Tighe to proceed to advertise for public hearing for amendment of the Jamestown Comprehensive Harbor Management Plan on December 2, 2013.**

Discussion. How busy will this meeting be; this was the date chosen.

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

Sav Rebecchi of Sail Street commented on his work on various Boards, Commissions and Committees over the years. The one document that identifies how things operate in Jamestown is the Comprehensive Plan. He has seen committees take on responsibilities not part of the original charge and wanted to bring that to the Council's attention. Discussion continued. Mr. Rebecchi was thanked for his comments.

## **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 Blake Dickinson with second by Thomas Tighe to accept the Consent Agenda. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**



The Consent Agenda approved consists of the following:

- 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 motion was made by Thomas Tighe with second by Blake Dickinson to accept Communications 1), 2), 3), 4), and 6). President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

**A motion was made by Thomas Tighe with second by Blake Dickinson to place Communication 5) and Communication 7) on the next agenda. President Trocki, Aye; Vice President Meagher, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

The Communications accepted consists of the following:

- 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

Interim Town Administrator Collins reported we have confirmation the letter sent to CRMC with objections to the aquaculture project in the Shores Beach area was received. No hearing date has been set.

Councilor Dickinson noted he met with Town Administrator Paicos regarding the surveillance policy. He has a working copy, will make changes, reconvene with the Town Administrator, and move it forward with the group.

## **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, Absent; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

The regular meeting was adjourned at 8:16 p.m.

Attest:

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Cheryl A. Fernstrom, CMC, Town Clerk

Copies to:     Town Council (5)  
                  Interim Town Administrator  
                  Town Administrator  
                  Town Solicitor

**TOWN COUNCIL MEETING  
November 18, 2013**

**I. ROLL CALL**

Town Council Members present:

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

Also present:

Kevin E. Paicos, Town Administrator  
Christina D. Collins, Finance Director/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 8:10 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) Resolution No. 2013-22 Newport Pell Bridge Safety

**A motion was made by Mary Meagher with second by Eugene Mihaly to allow public comment at this time. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

John Murphy is here to remind us of the collision on the Newport Pell Bridge October 21, 2011 that killed Kenny Prior and Kathy Meunier, the result of speeding and distracted driving. The collision was predictable and could have been prevented if a center median barrier had been installed. The Resolution on the agenda was referenced. Jamestown residents Kathy Beaulieu and David Prior, Kenny's sister and brother, are in attendance.

David Prior referenced his appearance before the Council two weeks ago on this subject. The laws against speeding and distracted driving, particularly on bridges, are not  
Town Council Meeting 11.18.2013

enforced. The need for a center median barrier on the Newport Pell Bridge has been known for decades as evidenced by numerous safety studies and the TIGER and TIGER II grant applications submitted by the RI Turnpike and Bridge Authority. There are over 27,000 cars crossing the bridge daily, and Federal mandates require a center median barrier when there are over 20,000 bridge crossings daily. The current barriers are light weight and easy to install and will keep traffic from crossing the center lane. The time for action is now. Mr. Prior referenced their organization, Citizens United for Bridge Safety and their website and thanked the Council for their courtesy.

**A motion was made by Mary Meagher with second by Eugene Mihaly to support passage of this Resolution. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

Discussion ensued of distribution of the Resolution to other communities. As Jamestown is the hometown for the Prior family, they have started their efforts here.

**A motion was made by Mary Meagher with second by Thomas Tighe to forward a copy of the Resolution to the other thirty-eight (38) cities and towns in Rhode Island. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

Resolution No. 2013-22 was read by Town Council President Trocki. Town Administrator Paicos will forward this message to the RI City and Town Administrators and Managers at their association meeting next week. Mr. Paicos expressed his concern for this serious issue and why it has taken so long for a solution.

#### **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) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 82 Zoning Ordinance, Sec. 82-318 HISTORICAL AREA ZONING, Sec. 82-318.100 through Sec. 82-318.308 (add new) and amendment of the Jamestown Zoning Map to depict the Shoreby Hill Historic Overlay District; duly advertised in the *Jamestown Press* (August 29, September 5, and September 12 editions) and properly noticed, pursuant to RIGL §45-23-53, continued from September 16, 2013. The public hearing is reconvened at 8:26 p.m. Council President Trocki this is a continuation of the public hearing and no votes were taken at the September 16<sup>th</sup> public hearing except to continue. The Planning Commission has this on their next agenda and there are suggested alternatives under review.

**A motion was made by Mary Meagher with second by Blake Dickinson to continue the public hearing for another three months to the Town Council Meeting of February 3, 2014 at 7:00 p.m.**

Discussion. President Trocki opened the discussion for public comment prior to taking a vote.

Eleanor Burgess of Longfellow Road commented she thought there would be a query to residents of Shoreby Hill and how they felt prior to this meeting.

Councilor Mihaly noted as this is still under Planning Commission review, there is nothing to poll at this time.

Shelley Widoff of Standish Road asked what the Council is suggesting for alternative options.

Vice President Meagher explained that Zoning Ordinance amendments come through the Planning Commission and they are reviewing Buildings of Value for clarity. Town Administrator Paicos noted ongoing discussions with Shoreby Hill residents and discussion at the Planning Commission meeting.

Ms. Widoff expressed that it is her opinion residents from Shoreby with different opinions have not had any voice in this and there has been no communication among Lower Shoreby residents and the Trustees since the last meeting.

President Trocki noted that all Planning Commission and Town Council meetings are open to the public, and all citizens interested in this issue were invited to submit information or concerns to the Town Administrator or Town Clerk.

Ms. Widoff was concerned that February is not a good time, as many Shoreby residents are not here in the winter and she suggested the public hearing be continued to the spring.

Town Administrator Paicos noted members of the public can call his office to schedule an appointment to discuss this and other issues or call his cell phone to speak with him directly.

President Trocki explained this currently is being handled by the Planning Commission and we are unsure when this will be resolved. The Council wants this continued on the agenda so that it can be addressed or any updates reviewed. By keeping this on the agenda it can be continued without further advertising.

Councilor Dickinson stated he is comfortable with continuing the public hearing as it is not appropriate for the Council to make a decision without a clear direction going forward or without support from the community.

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

## **V. OPEN FORUM**

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

- A) Scheduled to address. None
- B) Non-scheduled to address. None

## **VI. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS AND REPORTS**

A) Town Administrator's Report.  
Interim Town Administrator/Finance Director Christina Collins. Website Project Update. Ms. Collins gave an update and stated the project would begin prior to the next Council meeting.

Paperless Agenda and Meeting Packets. The paperless packets have been distributed and hardware has been ordered and should arrive the first week in December. Once it arrives, a training session will commence, as well as development of a use policy.

The Council thanked Tina for her last Interim Town Administrator Report and a job well done. [applause]

Town Administrator Kevin Paicos. Mr. Paicos stated he is eternally grateful to Tina for the work she has done over the last three weeks while he transitioned. She is a tremendous asset to this community.

## **VII. UNFINISHED BUSINESS**

A) Improvements at Fort Getty: Presentation by Arek Galle of GLA/Beta, Inc. Public Works Director Michael Gray gave an overview of the project over the last two years, beginning with the Pavilion collapse in 2011. The site plan was referenced and displayed. The intention was to have the majority of the site work completed by Town staff. The add-ons for the granite benches and story circle option (\$60,000 estimated cost) were referenced. The Jamestown Lions Club raised funds for these options (\$40,000 to date).

GLA/Beta Landscape Architect Arek Galle displayed and explained the site plan for the 5,000 sq. ft. area. The plans include:

- organizing utilities, underground utilities
- site grading,
- new bathrooms and ISDS
- relocated volleyball courts
- road resurfacing
- additional parking spaces, including handicapped parking
- drainage and plantings (indigenous)

- lawn area
- horseshoe pits
- retaining wall
- outdoor seating area
- definition of spaces

Mr. Galle outlined and explained what would be included in Phase I for an estimated cost of \$284,000, minus electrical costs. Lengthy discussion ensued. Mr. Galle outlined and explained what would be included in Phase II (infrastructure) for an estimated cost of \$380,000, plus design services. A portion of the work would be performed by Town staff. Actual costs will not be known until there is a bid process. The cost for Phase I and Phase II is approximately \$14 per sq. ft. taking into consideration all costs for the landscape project. It is estimated the two phases would take 4 to 5 years.

Vice President Meagher referenced fundraising and donation allocation for memorial trees or memorial landscaping as other options. President Trocki noted any citizens who donated to the Lions Club (held in a designated town account) towards the story circle and granite benches originally proposed can make it known what portion of the project they would like their funds allocated to or they can request to have the funds returned. The project is taking longer than originally expected. Discussion continued.

Mr. Galle further explained infrastructure costs, including the restrooms (estimated at \$75,000), which are necessary for events such as weddings. This process proposes to bring the one acre area back to life and compliment the Pavilion and surrounding area.

President Trocki stated this is an exciting project, with a hefty price tag; fundraising opportunities were referenced. Mr. Galle reminded the Council of necessary permitting and CRMC and DEM involvement. Public Works Director Gray referenced the extensive infrastructure requirements and noted money available in the capital account for the crucial permitting phase. It would be beneficial to realign the parking area prior to the 2014 season opening, work on infrastructure (non-masonry) and site features (walkways, paths), work with National Grid to determine necessary electrical upgrades, and stormwater management. Tree Committee Chair Rugh referenced available grants for plantings. Keith Burgess commented on natural plantings, barriers and deer. Lengthy discussion ensued.

The next step is a recommendation to go forward with the permitting phase, with a vote.

**A motion was made by Mary Meagher with second by Eugene Mihaly to pursue the permitting, subject to budget information that will be available at the next Council meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

B) Fort Getty 2013 season update. Parks and Recreation Director Bill Piva referenced reports provided to Council with revenue and expense figures for the 2013 season with comparison to the 2012 season. The 2013 season netted an additional \$17,000, for \$332,861 net receipts. This year's seasonal camping rate of \$4,500 for non-residents for the 120-day season cost less per day than the Middletown campground. Review of the transient site rentals ensued. Mr. Piva commented on season successes, including the parking reconfiguration and proper signage that resulted in less congestion and confusion, creating a positive experience. The campers had no complaints with the new configuration and eliminated campsites, and the only issue was of an electrical nature during extremely hot and humid weather, the result of large campers on the 40-year old, 30 amp service addressed when it occurred. Restrooms continue to be an issue that needs to be addressed. Tent camping was successful with more than last year (fee is \$25 per night). The Pavilion was rented more, including weekend rentals, daily summer camps, and other activities. Reservations for next year are already being booked, and a fee schedule for the Pavilion needs to be adopted. The five seasonal sites need to be addressed for the upcoming season. The shorter season resulted in citizens walking their dogs as soon as the campers left and use of the volleyball courts continue into November. The fee schedule, rules, leases, and licenses should appear on the December 16<sup>th</sup> agenda. It was a successful season.

Architect Arek Galle commented the proposed Fort Getty landscape improvements will open flexible options and prices should be revised accordingly. Discussion continued. Mr. Piva was thanked for his report.

Maurice LaFlamme commented on rates for residents and non-residents and asked the Council to look at all fees and rates for Jamestown residents in a more comprehensive way. Mr. LaFlamme was encouraged to forward his suggestions to Town Administrator Paicos. The Council noted Solicitor Ruggiero is reviewing rules and lease agreements and a better methodology. This discussion will continue at the December 16<sup>th</sup> meeting. Discussion continued.

- C) Recreation Study update/Inventory of recreational and cultural programs
- 1) Collins Center proposal and costs – discussion and possible action. Town Administrator Paicos noted their proposal didn't arrive in time for this evening's meeting and will have to be continued to the next agenda.

## **VIII. NEW BUSINESS**

A) Council's Agenda Setting Policy. Town Administrator Paicos, President Trocki and Vice President Meagher will have a discussion of procedural issues. Changes will be brought back to the Council for review at the next meeting. The agenda deadline established is the Wednesday prior to the Council meeting. This is subject to change due to holidays.



B) Review, discussion and possible action re: Conservation Commission recommendations and objectives. The next step for Hull Cove is to get the project out to bid, and Council endorsement is desired.

**A motion was made by Eugene Mihaly with second by Mary Meagher to proceed to the bid process for Hull Cove. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Nay.**

The Tick Task Force website revisions will be addressed.

C) Open Meetings workshop: potential dates. The Council would like to invite all Board/Commission/Committee members to attend the workshop to cover Open Meeting, Access to Public Records, and Ethics. This will also be provided to staff at a later session. Anyone unable to attend can attend the staff session. Discussion ensued. The workshop is scheduled for Monday, December 2, 2013 at 5:30 p.m. in the Town Council Chambers. Notice will be sent by the Clerk to members of Boards/Commissions/Committees.

D) Agenda items for December 2, 2013. Councilor Dickinson referenced the video surveillance policy, and Solicitor Ruggiero will work with him on the policy, after review with Town Administrator Paicos. This will appear on a future agenda when it is ready.

- Fort Getty bid process
- Recreation Study proposal and costs
- Affordable Housing Trust Fund
- Agenda Setting Policy
- Town Council/School Committee Workshop on December 16<sup>th</sup>
- Board/Commission/Committee Appointments
- Board/Commission/Committee interview discussion re: scheduling of interviews on November 21<sup>st</sup>
- Disbanding Town Administrator Search Committee
- Newport County Visitor's Bureau appointment
- Recreation Report presentation
- Bid Process for permitting phase for Fort Getty, subject to financial information/availability of funds
- Fort Getty fee schedule, licenses, rules, and leases for 2014 on December 16<sup>th</sup>

## **IX. EXECUTIVE SESSION**

None.

## **IX. ADJOURNMENT.**

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

The regular meeting was adjourned at 10:03 p.m.

Attest:

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Cheryl A. Fernstrom, CMC, Town Clerk

Copies to:     Town Council (5)  
                  Town Administrator  
                  Interim Town Administrator  
                  Town Solicitor

**TOWN COUNCIL SPECIAL MEETING  
November 21, 2013**

**I. ROLL CALL**

Town Council members present:

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

Also in attendance:

Town Administrator Kevin E. Paicos  
Town Solicitor Peter D. Ruggiero  
Assistant Town Solicitor David R. Petrarca, Jr.  
Police Chief Edward A. Mello  
Town Clerk Cheryl A. Fernstrom

**II. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

President Trocki called the special meeting to order at 5:03 p.m. in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue and led the Pledge of Allegiance

**III. 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 motion was made by Eugene Mihaly with second by Mary Meagher to convene as the Alcoholic Beverage Licensing Board and open the public hearing at 5:04 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A) COUNCIL SITTING AS THE ALCOHOLIC BEVERAGE LICENSING BOARD**

- 1) **NOTICE** is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following application has been received by the Town Council for a **NEW LICENSE** under said Act, for the period November 21, 2013 to November 30, 2013 (duly advertised in the *Jamestown Press* November 7<sup>th</sup> and November 14<sup>th</sup> editions)

**NEW LICENSE:**

**CLASS B – VICTUALER**  
Portuguese American Citizens Club  
dba: Jamestown Bar and Grille

11 Pemberton Avenue  
Jamestown, RI 02835

- a) Request a motion to approve the **NEW** liquor license application upon resolution of debts, taxes, State approvals and appropriate signatures for the period November 21, 2013 to November 30, 2013

Public comment: Attorney John Murphy stated he is in attendance representing the PACC, an 87 year old, non-profit organization, the Holy Ghost Society. The management of the restaurant is returning to the Holy Ghost Society. Treasurer Donna Wood and President Joan Dupee will run the operation and are in attendance (Jamestown residents). Attorney Murphy referenced Police Chief Mello's recommended license conditions and stated he would like to review No. 6 and No. 8 imposed on the license as the result of conduct by the prior operator. The new managers would like patrons to have the opportunity to dine on the outdoor patio Sunday through Thursday until 10:00 p.m. and Friday and Saturday until midnight. Joan Dupee will be there constantly and lives adjacent to the location. Donna Wood is taking care of finances. Both of them are well known in this Town as upstanding citizens. Attorney Murphy asked the Council to allow the requested changes. He further stated there would be no outside bar or music; servers would bring food and alcohol from the inside restaurant to tables within the totally enclosed patio area, if granted by the Council. The operation would be returning to past practices. There are no objections to having those stipulations printed on the license.

President Trocki stated the Council will listen to all viewpoints.

Police Chief Mello stated the recommended conditions are the same as those attached to the prior license holder by the Council. Due to past issues he recommended using the same restrictions. President Trocki asked whether these conditions were still warranted. Chief Mello explained past issues and why the conditions were imposed relating to use of the patio and potential noise issues that disturb neighbors in close proximity. Condition 1 was reviewed; the service area needs to be defined. Chief recommends that any event outside of the specified area should come back before the Council for a permit.

Abutter Kellie Cunningham Toland of Lawn Avenue stated she has lived right behind the PACC since 1996. The previous operator was disrespectful and there was noise and other concerns. With young children she does not want to hear inappropriate language, which could be heard previously in her home with the windows closed. The expense incurred by she and her husband for installation of shrubbery barriers was referenced. She did not bring an attorney to this hearing, and does not want the restrictions removed. There was no outdoor patio or food service when she moved in; that was a recent addition in 2002. The reasonable parameters worked; this is a residential zone, not a commercial zone.

Abutter John Lawless of Pemberton Avenue stated he is in support of the PACC function hall and dinner service and is not trying to speak against them or shut them down. He is

here to speak on the noise issues. He expressed concern for late night noise and doesn't want a repeat of past performances. Unless proper conditions are put in place, the noise and other issues will continue. The conditions make the operation more harmonious with the surrounding area. Mr. Lawless noted the PACC held a Class D Club liquor license until 2002. In 2001 there was a question of whether there should have been a return to the Zoning Board for approval due to the non-conforming use in a residential zone, and the PACC was allowed to expand the use without Zoning Board review, which is not harmonious with the surrounding residential area. He asked the Council to consider this when granting a new license. He questioned why anyone had to be out on a week night drinking alcohol until 1:00 a.m.; it is unnecessary and does not promote good community values. Local licensing boards may set earlier closing times for local establishments as outlined in State law and suggested a 10:00 p.m. closing. He strongly agrees with the 8:00 p.m. closing on the patio.

President Trocki questioned Solicitor Ruggiero on the zoning issues. Solicitor Ruggiero stated the PACC is located in a residential zone and is a non-conforming use. Attorney Murphy stated the PACC was formerly in the commercial district until the lines were redrawn in order to allow the Pemberton Apartments to be built. Extensive hearings were referenced. The area was zoned commercial when the building was built in 1926. People built houses and moved to homes around an established club with a liquor license.

Solicitor Ruggiero noted by law the hours of operation allowed are 6:00 a.m. to 1:00 a.m. if the Council allows, unless otherwise approved.

Abutter Michael Swistak of Narragansett Avenue stated he has never had a noise issue and the PACC were good neighbors.

Abutter Robert Trout of Lawn Avenue referenced the letter to the Council he and his wife prepared. He feels the noise had gotten out of hand, including the music and noise from the car shows, and asked for consideration. In the past they were told that the PACC was here first and could do what they want. They heard plans for the new operation include soft dinner music followed by louder music for the bar after dinner. He requests the same restrictions placed on the PACC previously be continued.

Abutter Barbara Trout of Lawn Avenue stated they were aware of the PACC's existence when they purchased their home in 1991. They support their community involvement and the services provided by PACC, but believe it does not give them special privileges or allows them to impinge on their rights as neighbors and taxpayers. They are not objecting to the granting of a new liquor license, but feel their concerns and complaints of the past are relevant. They feel the operating restrictions placed on the Jamestown Tavern should continue to be enforced or even strengthened. Ms. Trout referenced past experiences that disrupted their lifestyles, including excessive noise, raised voices, offensive language, loudspeakers and music from the outdoor patio and parking lot. They were subjected to revving car engines and screeching tires, yelling and arguments past midnight, and many nights could not use their back deck. Often they could not keep their windows open, hear

television, or sleep due to the noise. There were times they couldn't play in the yard with their granddaughters because of the foul language. They have been subjected to threats and rude behavior from past PACC operators and had to call the Police on numerous occasions. The past Council listened to neighbors' concerns and imposed restrictions, including removal of the bar and restricted hours for the patio area. She hopes the Council will reinstate those restrictions so that we can live in harmony with the PACC.

Abutter Leonard Nihan of Pemberton Avenue stated he lives 60 yards away. Any noise generated in the parking lot can be heard clearly. He has school age children and the noise generated by past operators hampered their ability to study and sleep.

Holy Ghost Society President Joan Dupee noted her ownership of properties on North Road and Narragansett Avenue in Jamestown and stated she came back to the PACC by request. She referenced the previous quote that dinner music would be soft and then it would be louder for the bar. There are two televisions at the bar, so music would not get too loud, and she is 77 years old and doesn't like loud music. She told the employees not to tolerate bad language and to ask bad patrons to leave. The majority of the people who worked cleaning, painting, and improving the facility (especially the bathrooms) are over 70. They put a lot of work into this every day for two months, and plan on keeping it nice. There will be no loud music, as it is a family restaurant, with reasonable prices. There are two dining areas and the bar restaurant, with shuffleboard in the bar after 9:00 p.m. Anyone would be proud to bring children, the elderly, family and friends there. She stated it would be tuned up music, not loud, and she will do anything to help the neighborhood and will answer any questions. She offers to put up a stockade fence for their privacy. All will be pleased with what has been done, and it will be a lot different with a little old lady in charge.

Councilor Tighe asked how many patrons were proposed for the outside patio. Attorney Murphy stated 20 to 25. The old permit should have that number. Councilor Tighe asked if granted, how would noise and other issues be addressed? Ms. Dupee stated servers would call her and she would not let it get out of hand. The PACC just wants the hours of service on the patio a little longer. If it doesn't work, she would be the first to admit it. Attorney Murphy stated they request to extend operations from 8:00 p.m. weeknights to 10:00 p.m. and on weekends from 10:00 p.m. to midnight. Ms. Dupee asked for a chance to return to the way it was as the PACC. If it doesn't work, they will put it back. They will make it respectful and quiet, and can keep it under control.

Abutter Marianne Nihan of Pemberton Avenue commented they have good intentions, but the patio is the problem. One time there was only 7 people on the patio and it was too loud. Her family would like to continue to frequent the PACC. The area residents are great people and the neighborhood wonderful, and they need consideration after all they have been through.

PACC Member Joe Medeiros of Frigate Street stated he has respect for the neighbors and sympathizes for what has happened. He understands the need for quiet with children.

Joan will do an excellent job. He asked the Council to give them a chance and let Joan do her best.

Ms. Nihan referenced the noise from car shows, noted the Police Department had to be called, and gave examples of living next to the PACC. Mr. Medeiros stated he has tried to assist the neighbors the best he could and gave examples. He asked the Council to give the PACC a shot, and stated Joan will back this up.

Abutter Michael Toland of Lawn Avenue stated this is an awful lot to ask an elderly woman to police a bar crowd. These are the same issues since 2000, he has had to call the Police Department numerous times, and he has always gotten attitude from club members. The only help they received was when the restrictions were put in place. This is a residential area and he hopes the Council takes into consideration the restrictions recommended by Police Chief Mello.

Joan Dupee understands a permit is needed for car shows, the past problems with car shows, and stated there won't be any more car shows. John Lawless stated it is not an all or nothing situation. It is crafting a license that is a win/win situation.

President Trocki noted that is the Council's goal, we are sympathetic to all concerns, and it is nice to have an affordable venue in town. Vice President Meagher referenced outdoor lighting concerns, and it was noted the large parking lot light on the pole has been removed. Solicitor Ruggiero noted the Building Official could check to determine that there is no flow of light that has a direct impact on neighbors.

Chief Mello asked for the diagram of the seating areas and setting a seating capacity for the patio as a condition for granting the license. There is no outdoor bar allowed, only table seating. Discussion ensued of stipulating a time period for outdoor seating with a review period and testimony by the neighbors. PACC attorney John Murphy suggested Memorial Day to Columbus Day. Councilor Dickinson attested that Joan Dupee will do what she promises. The new operators should not be punished for past experiences. Ms. Dupee asserted that any problems will be brought to her attention immediately. She referenced the use of sound buffers and installing a 6 ft. stockade fence on the west property line.

Vice President Meagher proposed modifying the summer hours for outdoor seating on the patio Monday through Thursday to 9:00 p.m. and Saturday and Sunday to 11:00 p.m. Discussion ensued of Chief Mello's suggested hours of operation on the patio Monday through Thursday to 8:00 p.m. and Friday and Saturday to 10:00 p.m. and the need for a review period. Councilor Tighe noted the issue must be reviewed from all sides and restrictions are needed. Discussion ensued of kitchen hours (open until 10:00 p.m.) Council review of the operation should be scheduled for the first meeting in August.

Michael Toland asked why everyone gives into the PACC. The noise is there and it prevents neighbors from enjoying their decks and backyards in summer months due to

constant disruptions. He could live with the 8:00 p.m. weekday stipulation. He asks the Council to follow Chief Mello's recommended stipulations.

Leonard Nihan commented it is up to the PACC to come back with options. The past operator was a nightmare. He would like the new operation to be successful, but the patio is the problem. The Town owes it to the neighbors to address their concerns.

Mike Swistak referenced the Noise Ordinance. The police have the ordinance as a tool to work with; if the PACC is not compliant, the tool is there to regulate the activity.

John Lawless stated the noise only happens until the Police show up.

Discussion ensued of moving people inside after dinner and prohibiting smoking in the rear area adjacent to the patio. Town Administrator Paicos noted issues can be addressed at any time, including a show cause hearing, and the neighborhood is not held hostage. Any conditions imposed must be taken seriously. Discussion ensued of monthly Police Department reports and other monitoring.

Mike Toland would like the Council to stay with Chief Mello's stipulations, no amplifiers outside or lighting, and no smoking in the back.

Joan Dupee referenced the dedication of the PAC members who donate their time and don't get paid and the role they play in this community. Councilor Dickinson stated that it is nice to be able to dine outside in July and August, understands everyone's position, and is looking for a balance. He suggests operating hours for the patio to 10:00 p.m. Monday through Thursday and 11:00 p.m. Friday and Saturday for July and August, with a trial period, to be reviewed at the first Council meeting in August. Councilor Mihaly supports that suggestion. Attorney Murphy considers that reasonable and suggested there be no automatic review, with regular reports from the Police Department.

Chief Mello noted stipulations No. 6 and No. 8 were set for the previous licensee for the weekday closure to 8:00 p.m. and weekend closure to 10:00 p.m. for the patio area.

Mike Toland stated he spent \$6,000 for trees and shrubs as a buffer along his property line and reiterated that he wants the same restrictions on this operator as were placed on the prior operator. He would be happy with the stockade fence and noted restaurant staff has been very disruptive when leaving the facility at the end of the evening shift. Joan Dupee and Donna Wood stated the staff has been informed they can't park on the west side of the building, cannot leave through the west side exit, are to leave immediately and quietly, with no loitering, and this will be restaurant policy.

Discussion ensued of incorporating Chief Mello's recommendations, modifying No. 8. The west side is adjacent to Lawn Avenue, and that is where the stockade fence would be installed. The maximum number of seating allowed was reviewed and the prior seating questioned.



**A motion was made by Mary Meagher with second by Eugene Mihaly to grant the Class B-Victualer liquor license with the restaurant inside bar open until 1:00 a.m.; the outside patio will be open Sunday through Thursday until 8:00 p.m. until July 1<sup>st</sup> and be open Sunday through Thursday July 1<sup>st</sup> to Labor Day until 9:00 p.m.; and the outside patio will be open Friday and Saturday until 10:00 p.m. until July 1<sup>st</sup> and be open Friday and Saturday from July 1<sup>st</sup> to Labor Day until 11:00 p.m. with the following stipulations:**

- **No smoking in the patio area**
- **No music or amplifiers on the patio**
- **No bar on the patio**
- **Lighting will not spill into the adjacent properties**
- **Police will report to the Council each month**
- **PACC will construct a 6 ft. stockade fence with the good side facing the neighbors**
- **The PACC will enforce their policy of staff not parking on the west side nor leaving at the end of their shifts through the west side doors**
- **Maximum seating capacity of 24 for the patio**

Discussion. Chief Mello's Condition No. 8 is modified. The recommendation is for a 6 ft. stockade fence. A diagram should be provided with a seating capacity limit of 24 prior to the issuance of the license, six tables of four. (Short recess called. The Clerk was asked to check the files for past seating capacity limits.)

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

2) **RENEWAL:** Approval of License

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

- a) Request a motion to approve the liquor license **RENEWAL** application upon resolution of debts, taxes, State approvals and appropriate signatures for the year December 1, 2013 to November 30, 2014

**A motion was made by Mary Meagher with second by Eugene Mihaly to grant the liquor license renewal with the same terms and conditions as stipulated in these Minutes for the granting of the new license. President Trocki, Aye; Vice President**

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

**B) 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.*

- 1) **NEW** Multi-License application (November 21, 2013-November 30, 2013)
  - a) Portuguese American Citizen's Club dba: **Jamestown Bar and Grille**
    - i) Victualing License
    - ii) Entertainment License

**A motion was made by Mary Meagher with second by Thomas Tighe to grant the new Multi-License application for Victualing and Entertainment subject to all conditions.**

Discussion. The type of entertainment was questioned. PACC President Joan Dupee stated entertainment had not been determined, but there would not be any loud bands. There would be weddings with DJ's that take place in the Holy Ghost Hall.

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

- 2) Multi-License renewal application (December 1, 2013-November 30, 2014)
  - a) Portuguese American Citizen's Club dba: **Jamestown Bar and Grille**
    - i) Victualing License
    - ii) Entertainment License

**A motion was made by Blake Dickinson with second by Eugene Mihaly to grant the Multi-License renewal for Victualing and Entertainment subject to all conditions. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 3) **NEW** Holiday License (November 21, 2013-February 28, 2014):
  - a) Portuguese American Citizens Club dba: **Jamestown Bar and Grille**

**A motion was made by Blake Dickinson with second by Eugene Mihaly to grant the New Holiday License subject to all conditions. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A motion was made by Eugene Mihaly with second by Thomas Tighe to adjourn as the Alcoholic Beverage Licensing Board. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

C) APPOINTMENTS AND VACANCIES

1) Discussion of vacancies and appointments. The memorandum outlining applicants and vacancies was referenced. The recommendation of Andy Yates for the Tree Committee was referenced. The Clerk will contact Mr. Yates requesting him to submit an application form for that position.

2) Scheduling of interviews. The Council's schedule is full, and it is preferable to interview applicants prior to December 16<sup>th</sup>. It is Council consensus to interview new applicants rather than reappointments. There would be 10 interviews. Discussion continued.

There are two applicants for the Tree Warden position. The Council did not have any reservations with reappointing current members who have submitted applications for reappointment. Council members should review candidates and schedule interviews as needed. Discussion ensued of the Planning Commission, Zoning Board Alternate, and Tree Warden positions. Thomas Ginnerty has reached his maximum term limit. Appointments will be on the December 2<sup>nd</sup> agenda under Consent Agenda. Discussion continued.

#### IV. ADJOURNMENT

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

The special meeting was adjourned at 7:10 p.m.

Attest:

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Cheryl A. Fernstrom, CMC, Town Clerk

Copies to:     Town Council  
                  Town Administrator  
                  Finance Director  
                  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 October 9, 2013 Meeting of the Jamestown Harbor Commission  
*Approved: 11/13/2013*

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, October 9, 2013 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

Chairman deAngeli called the meeting to order at 7:00 PM with roll call:

Present:

Michael deAngeli, Chairman  
David Cain, Vice-Chairman  
Larry Eichler, Commissioner  
Ed McGuirl, Commissioner  
Chris Brown, Commissioner  
Patrick Bolger, Commissioner  
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  
September 11, 2013**

Vice-Chairman Cain moved to approve the minutes of the September 11, 2013 Jamestown Harbor Commission meeting. Chairman deAngeli seconded. So voted (6 ayes, 0 nays, 1 abstention (Harsch)).

**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 the season is almost over. The boats will be winterized and stored in the old highway barn. The buoy contract is set to expire in the spring of 2014; however, we are going to try and adjust the contract so that it expires when the buoys are installed and to have the conservation buoys included.

**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 were three permits not renewed; two permit holders have not been in contact and one is intending to appeal at the November meeting.

### **HARBORMASTER REPORT**

Harbormaster Paterson had nothing to report.

### **LIAISON REPORTS**

#### **Planning Commission Liaison**

Planning Commission Liaison seat is vacant.

#### **Town Council Liaison**

Town Council Liaison seat is vacant. Executive Director Chief Mello mentioned the Town Council meeting with the Jamestown Harbor Commission will be held October 21 at 6PM. Items to be discussed include the Harbor Management Ordinance and Comprehensive Harbor Management Plan and the budget.

#### **Conservation Commission Liaison**

Conservation Commission Liaison George Souza had nothing to report.

### **ONGOING BUSINESS**

#### **Budget**

Commissioner Brown had nothing to report.

#### **Facilities**

Commissioner Eichler had nothing to report.

#### **Mooring Implementation**

A discussion regarding Maple Avenue beach permit storage and parking ensued.

Executive Director Chief Mello stated he will evaluate the parking in the area of Maple Avenue.

#### **Harbor Management Ordinance / Comprehensive Harbor Management Plan**

Chairman deAngeli had nothing to report.

### **OLD BUSINESS**

#### **A. Qualified mooring inspector application**

Chairman deAngeli moved to accept this (Qualified mooring inspector) form as regular procedure. Commissioner Bolger seconded. So voted (7 ayes, 0 nays).

#### **B. Maximum number of beach permits to be issued at each location and maximum size of vessel allowed.**

This agenda item was discussed under Item 11C (Ongoing Business – Mooring Implementation).

### **NEW BUSINESS**

#### **A. Update of Comprehensive Harbor Management Plan – Shellfishing and aquaculture**

Commissioner McGuirl suggested including aquaculture in the Comprehensive Harbor Management Plan under "Issues and Implementation."

Executive Director Chief Mello mentioned the Jamestown Harbor Commission's goal to support aquaculture does not always mesh with planning and zoning regulations in Jamestown. Since aquaculture is offshore CRMC is the regulatory body.

Chairman deAngeli requested Commissioner McGuirl suggest language to be included in the Comprehensive Harbor Management Plan regarding aquaculture.

### **CORRESPONDENCE**

#### **A. John and Joan Regan – Re: Proposed oyster farm opposition; 9-9-2013**

#### **B. CRMC – Re: Proposed changes; 9-16-2013**

#### **C. CRMC – Re: October 2013 Calendar; 8-3-13**

Commissioner Cain moved to accept correspondence items 14A-C, Chairman deAngeli seconded. So voted (7 ayes, 0 nays).

### **OPEN FORUM – CONTINUED**

Edie Flynn, resident, questioned the zoning regulations, in regards to the Conanicut Marine expansion plans.

Executive Director Chief Mello responded that he is waiting to hear back from Town Solicitor, Peter Ruggiero, on the zoning issue.

Chairman deAngeli stated that we still do not have a formal application.

Commissioner Brown reminded the Jamestown Harbor Commission about the plan to add potable water to the town docks at East Ferry and West Ferry.

Commissioner McGuirl informed the Jamestown Harbor Commission that Dave Beutel, CRMC Aquaculture Specialist, has volunteered to attend the December meeting of the Jamestown Harbor Commission. If the Jamestown Harbor Commission would like, he is willing to give an informative presentation on aquaculture.

**ADJOURNMENT**

Vice-Chairman Cain moved to adjourn at 7:40 PM, Chairman deAngeli seconded. So voted; (7 ayes, 0 nays).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Devlin', with a horizontal line extending to the right.

Kim Devlin  
Jamestown Harbor Clerk

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

To: PRESIDENT, JAMESTOWN TOWN COUNCIL

From: JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS/ADDENDA OF TAXES FOR **DECEMBER 2, 2013** MEETING

**ABATEMENTS TO 2010 TAX ROLL**

#25-0024-50M Yeomans, John P. (est)	Motor Vehicle - 2006 Ford Reg. #BF 417 Uncollectible – deceased	\$27.72
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**ABATEMENTS TO 2012 TAX ROLL**

#03-1235-00M Cooper, Stephen M. (est)	Motor Vehicle - 2004 Toyota Reg. #NQ 733 Uncollectible – deceased	\$49.75
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**ABATEMENTS TO 2013 TAX ROLL**

#01-0048-50 Adams, James H. Trust Gregory, Richard H., Trustee	Plat 9, Lot 572 - Property transfer 11-13-13 To #01-0046-50	\$3,229.01
#01-0695-30 Aston-Pickett, Gretchen	Plat 9, Lot 146 - Property transfer 11-20-13 To #02-0442-74	\$2,633.18
#02-1364-00 Brothers, Lorraine	Plat 14, Lot 307 - Tax Appeal Reduced Grade - New Value \$397,300	\$191.63
#03-0065-00 Caldarone, Alena & Elaine, Trustee	Plat 4, Lot 55 - Property transfer 11-12-13 To #02-1775-70	\$5,814.25
#03-1235-00M Cooper, Stephen M. (est)	Motor Vehicle - 2004 Toyota Reg. #NQ 733 Uncollectible – deceased	\$42.90
#05-0006-13 Ruben, Michael & Easton, Kelly A.	Plat 9, Lot 801 - Property transfer 11-4-13 To #18-0286-50	\$7,051.98
#07-0130-50 Garnett, Jane Marvel	Plat 12, Lot 203 - Tax Appeal Reduced land value - New Value \$4,993,100	\$1,654.63
#07-0614-00 Gomes, Nancy Lee	Plat 9, Lot 100 - Property transfer 10-31-13 To #19-0676-49	\$2,678.15
#07-0673-00 Goodwin, C. Kim & Figueroa, Jose	Plat 2, Lot 120 - Property transfer 11-1-13 To #13-1633-00	\$10,971.50
#12-0448-15 Lentz, Josh A. & Rebecca A.	Plat 5, Lot 158 - Property transfer 11-14-13 To #03-0941-70	\$4,555.13
#13-0315-88M Malaki, Todd D.	Motor Vehicles – 2001 MB #571013, 2004 Jag #541189, 2011 Jeep #538767 & MALAKI Soldier/Sailor Exempt.	\$332.36
#19-1450-00 Stein, Josephine H. Trust, Amy, Trustee	Plat 8, Lot 23 - Property transfer 10-29-13 To #23-0442-90	\$4,621.11
#19-1450-00 Stein, Amy	Plat 16, Lot 23 - Property transfer 11-6-13 To #13-0971-01	\$2,786.75

#20-0301-60 Thibeault, David Albert & Dianne C.	Plat 8, Lot 465-D - Property transfer 11-1-13 To #19-0803-40	\$4,946.46
#22-0187-00 Vieira, Daniel Joseph Patrick	Plat 8, Lot 875 - Property transfer 10-30-13 To #22-0186-01	\$1,812.13
#23-0896-00 Wilkie, Dena E. (Est)	Plat 9, Lot 161 - Property transfer 10-18-13 to Account #12-0665-60	\$2,618.35

**ADDENDA TO 2013 TAX ROLL**

#01-0046-50 Adams, Christopher & Katherine P.	Plat 9, Lot 572 - Property transfer 11-13-13 From Account #01-0048-50	\$3,229.01
#02-0442-74 Bell, Eric & D.A. Curci Builders, LLC	Plat 9, Lot 146 - Property transfer 11-20-13 From #01-0695-30	\$2,633.18
#02-1775-70 Byrne, Thomas M. & Deborah A.	Plat 4, Lot 55 - Property transfer 11-12-13 From Account #03-0065-00	\$5,814.25
#03-0941-70 Claypool, William D. & Carol G.	Plat 5, Lot 158 - Property transfer 11-14-13 From Account #12-0448-15	\$4,555.13
#06-0382-50 FP-LP Jamestown, LLC	Plat 7, Lot 122 - New Construction - Prorated 61 Days New Value \$1,386,500	\$703.68
#12-0665-60 Lis, Robin L. & Pamela A.	Plat 9, Lot 161 - Property transfer 10-18-13 from Account #23-0896-00	\$2,618.35
#13-0971-01 McCaffrey, William K. & Glenna J.	Plat 16, Lot 23 - Property transfer 11-6-13 From Account #19-1450-00	\$2,786.75
#13-1633-00 Milott, J. Everett, Trustee	Plat 2, Lot 120 - Property transfer 11-1-13 From Account #07-0673-00	\$10,971.50
#18-0286-50 RH Properties, LLC	Plat 9, Lot 801 - Property transfer 11-4-13 From Account #05-0006-13	\$7,051.98
#19-0676-49 Sheehan, Kerry L.	Plat 9, Lot 100 - Property transfer 10-31-13 From Account #07-0614-00	\$2,678.15
#19-0803-40 Sierra, Christine A. & Edward	Plat 8, Lot 465-D - Property transfer 11-1-13 From Account #20-0301-60	\$4,946.46
#22-0186-01 Vieira, Patrick William	Plat 8, Lot 875 - Property transfer 10-30-13 From Account #22-0187-00	\$1,812.13
#23-0442-90 Weil, Mark S., Trustee	Plat 8, Lot 23 - Property transfer 10-29-13 From Account #19-1450-00	\$4,621.11

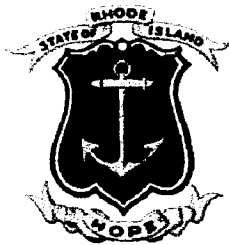
<b>TOTAL ABATEMENTS</b>	<b>\$56,016.99</b>
<b>TOTAL ADDENDA</b>	<b>\$54,421.68</b>

RESPECTFULLY SUBMITTED,

*Kenneth S. Gray*

KENNETH S. GRAY,  
TAX ASSESSOR





State of Rhode Island and Providence Plantations  
**Coastal Resources Management Council**  
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## **AGENDA**

**Semi-Monthly Meeting – Full Council**  
**Tuesday, November 26, 2013; 6:00 p.m.**  
Administration Building, Conference Room A  
One Capitol Hill, Providence, RI 02908

**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:**

- 2005-06-029 MALABAR HOLDING CORPORATION** -- Subdivide the existing authorized Marina Perimeter Limit. Located at plat 43, lot 5; 1 Little Harbor Landing, Portsmouth, RI.
- 2013-04-057 ADAM SILKES** -- Construct and maintain: a long line blue mussel farm of approximately 8.25 acres off of the west shore of Jamestown; West Bay Passage of Narragansett Bay.
- 2009-09-100 CAROL AND PAUL MERCURIO** – Construct and maintain a 20' x 32' single family dwelling, to be served by municipal water and sewer service, and permeable pavement driveway. The dwelling is proposed to be 8.2' landward of the bluff crest, requiring a 41.8' setback variance (84%) from RICRMP Section 140/150 (50' setback). Located at plat L, lot 178; Glenwood Avenue, Narragansett, RI.

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the September 24, 2013 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:03 p.m. The clerk called the roll and noted the following members present:

Thomas Ginnerty  
Richard Boren  
Joseph Logan  
David Nardolillo  
Dean Wagner  
Richard Cribb  
Richard Allphin  
Judith Bell

Also present: Brenda Hanna, Stenographer  
Pat Westall, Zoning Clerk  
Fred Brown, Zoning Officer  
Wyatt Brochu, Counsel

MINUTES

Minutes of May 28, 2013

A motion was made by Thomas Ginnerty and seconded by Joseph Logan to accept the minutes of the May 28, 2013 meeting as presented.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, David Nardolillo, and Dean Wagner, voted in favor of the motion.

Richard Cribb, Richard Allphin and Judith Bell were not seated.

CORRESPONDENCE

Nothing at this time.

NEW BUSINESS

Nunes

A motion was made by Joseph Logan and seconded by Thomas Ginnerty to grant the request of Robert F. Nunes et al, whose property is located at 7 and 11 Watson Ave., and further identified as Assessor's Plat 8, Lots 85 and 569 for a zoning variance allowing the reconfiguration of two non-conforming lots. Said lots are each occupied by a single family residence, and no change is being proposed to those residences. The current lot line separating the two lots bisects the house on lot 569. The applicant seeks, pursuant to Article 6 of the zoning ordinance, permission to obtain an Administrative Subdivision relocating that separating lot line approximately 10 ft. to the west. The result will be that each residence will be entirely located on its own lot. To do so will require dimensional relief from Article 3, sec. 82-300 c. and Table 3-2.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition:

That the decision of the Zoning Board and revised survey be recorded.

This motion is based on the following findings of fact:

1. Said lots are located in a CL zone and contain 10,700 sq. ft. of land.
2. Both lots are not in compliance with the zoning ordinance at present, so there is no way to separate these properties and still comply with the ordinance.
3. This is the least relief necessary to separate the properties.
4. There were no objectors.
5. The Planning Board recommendation is incorporated by reference.

The motion carried by a vote of 5 -0.

Thomas Ginnerty, Richard Boren, Joseph Logan, David Nardolillo, and Dean Wagner, voted in favor of the motion.

Richard Cribb, Richard Allphin and Judith Bell were not seated.

## Spinnakers

A motion was made by Richard Boren and seconded by Joseph Logan to grant the request of Regnum, LLC (owner) and Lucky Ridge, LLC, doing business as Spinnakers (tenant), whose property is located at 3 Ferry Wharf, and further identified as Assessor's Plat 9, Lot 791(D) for a special use permit as required by Table 3-1 of Section 82-302, to allow the existing restaurant to offer beer and wine service to its customers. The applicant also seeks a dimensional variance from Art. 12, Sec. 82-1203, Minimum off-street parking requirements. 9 spaces are required, and 3 are provided.

Regarding this request, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600

Regarding the request for a Variance, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 606, PARAGRAPHS 1 through 4, and SECTION 607, PARAGRAPH 2.

Regarding the request for a Special Use Permit, this Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 602.

This Variance is granted with the following restriction(s):

1. Service of alcohol shall be prohibited at the outdoor seating at the front of the building.
2. If a beer and wine license is issued, any further BYOB arrangement is prohibited.
3. If a beer or wine license is issued the alcohol service shall terminate by 10:00 p.m. and there shall be no music entertainment.
4. The outdoor area where consumption of alcohol is permitted will be clearly defined, marked, and strictly enforced.
5. Patrons shall be requested, if possible, to exit through the restaurant.
6. A railing shall be installed by Conanicut Marine as it meets the south boardwalk where the Spinnaker counter and stools are located.
7. Reasonably beyond, but within a short distance from the table and chairs on the boardwalk, there shall be installed a wooden narrowing of the passage way to differentiate and delineate the restaurant boundaries.

This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 9940 sq. ft.
2. The restaurant has seating for 68 patrons, 30 of which are inside, including the sunroom, and the balance are on the back deck and boardwalk, and front sidewalk.
3. The building occupies more the 50% of the lot.
4. Sec. 82-120B requires 1 space for 8 seats, i.e. 9 spaces.
5. There are 3 spaces directly in front of the condo complex.
6. There are additional parking spaces on Conanicus and Ferry Wharf.
7. There will be no change to the interior of the premises.
8. There will be no bar, but service will be from behind the counter.
9. Two people spoke in favor and one in general opposition to the town parking.

The motion carried by a vote of 4 - 1.

Thomas Ginnerty, Richard Boren, Joseph Logan, and Dean Wagner voted in favor of the motion.

David Nardolillo voted against the motion.

Richard Cribb, Richard Allphin and Judith Bell were not seated.

#### Solicitor's Report

Nothing at this time.

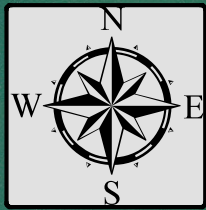
#### EXECUTIVE SESSION

Nothing at this time.

#### ADJOURNMENT

A motion was made and seconded to adjourn at 9:08 p.m.

The motion carried unanimously.

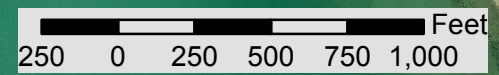


-71 23.615, 41 31.007

-71 23.646, 41 30.999

-71 23.443, 41 30.635

-71 23.475, 41 30.626



**Jamestown Tree Preservation and Protection Committee**  
October 15, 2013

MINUTES

The regular meeting was called to order at 6:50 p.m. Present: Jim Rugh, Tony Antine, John Collins, Lois Migneault David Frank and Pat Dricoll (liaison). Absent Lydia Thomas and Tree Warden Steve Saracino. The September meeting minutes were read. Mr. Antine moved approval and Mr. Collins seconded approval. The motion passed unanimously. There was no correspondence.

The Chairman reported that the Tree Warden is on vacation. In his place he reported that the Tree Nursery has been planted with this year's trees. Tee Jay Boudreau, the Rhode Island Urban and Community Forestry Program Coordinator, will be visiting the site in order to close out the grant.

The Chairman reported that Town Council was advised by letter that additional members are needed for the committee. In addition, since the focus of the committee has changed over the past few years with the creation of the town tree nursery the Council was urged to consider applications who have the time, interest and ability to assist with the operation of the nursery.

Mike Gray has indicated that due to site work taking longer than planned the DPW may be unable to plant the rear screen at the transfer station this fall. If this is the case, the work will be done in the spring.

The question of holding a cook out for the DPW was discussed. There was unanimous agreement that this was productive and should be held again this year. The Chairman mentioned that due to the extent of work facing the DPW the cookout will probably take place late November or early December.

A continued discussion about Norway Maples, an invasive tree, followed. The RI Tree Council advised the committee that they feel many new, sterile cultivars are excellent shade trees. The Chairman reported that arborists that are on the board of the RI Tree Council feel that the native Red Swamp Maple actually outcompetes the Norway Maple. According to published information: "Red Swamp Maple is far more abundant today than when Europeans first arrived in North America. It may have comprised a mere 5% of forest area and was confined mostly to riparian zones. The density of the tree in many of these areas has increased 6 to 7 fold and this trend seems to be continuing. A series of disturbances to the oak and pine forests since European arrival, such as the suppression of forest fires and global warming, are most likely responsible for this phenomenon." It was agreed that even though Red Swamp Maple is increasing it is still a desirable tree and the Town should continue to plant. The Chairman pointed out that the committee's position on the web site is to not plant Norway Maples. No action was taken.

Mr. Driscoll said that he was approached about the possibility of planting a memorial tree in the center of the public parking lot at Taylor Point. The Chairman noted that there is a formal Memorial Tree program in place and any such tree must be approved by the Town Council. He also said that a flowering cherry was planted in the location last year and while it is not in very good shape it is alive and will hopefully improve. He also noted that this might not be an ideal location for a memorial tree as it is generally "hidden" and there is a possibility that this area might be partially cleared and improved. This led to a general discussion of memorial trees and the fact that there are few good locations for such trees since they need to be in a public location, not on rights-of-way. It was felt that Ft Getty, as it is developed, would be a good location for memorial trees. The Chairman said he would send a letter to the Council regarding this.

Mr. Collins moved and Ms. Migneault seconded to adjourn the meeting at 7:45 p.m.

Approved November 19, 2012

13 NOV -4 AM 9:25

Town of Jamestown as an abutter.

Town property: Plat 16, Lot 248.

TOWN OF JAMESTOWN  
ZONING BOARD OF REVIEW  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE JAMESTOWN ZONING BOARD OF REVIEW WILL HOLD A PUBLIC HEARING November 19, 2013, AT THE JAMESTOWN TOWN HALL 93 NARRAGANSETT AVENUE, JAMESTOWN, RHODE ISLAND AT 7:00 P.M. UPON THE FOLLOWING:

Application of Anthony W. Cofone, whose property is located at Catamaran St., and further identified as Assessor's Plat 3A, Lot 157 for a special use permit from Article 3, Section 82-314 (High groundwater table & impervious layer overlay district) to construct a two bedroom single family dwelling. Said property is located in a R40 zone and contains 7200 sq. ft.

BY ORDER OF THE ZONING BOARD OF REVIEW  
THOMAS GINNERTY, CHAIRMAN  
Fred Brown, Zoning Officer

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



13 NOV 20 AM 9:17  
TOWN OF JAMESTOWN, RI

Town of Jamestown  
Planning Commission

November 20, 2013

RE: Historic Zoning of Lower Shoreby Hill

The town council meeting on Monday September 16, 2013 revealed a false assertion of power in the First Subdivision of Shoreby Hill, casually referred to as "Lower Shoreby Hill," "Lower Shoreby," and often simply referred to as "Shoreby Hill." Herein referred to by the abbreviation "LSH." The trustees of the LSH association assert by their actions and words that as trustees they are empowered to represent all property owners in LSH in all matters associated with LSH properties. They assert that the rules adopted to streamline the passage of association resolutions for maintenance of common roads and lands empower them to speak for me on matters that affect the value of my personal property.

I challenge that assertion. The bylaws of LSH do not support it. LSH does not hold elections of the form and format normal to public office in the United States. The trustees do not "run for office." There is no open and public discussion of their political leanings or philosophy of governance. There is no discussion of their legislative record. There has never been a discussion of the limits of their power. I have always believed the Trustees were individuals that kindly contributed time to the administration of routine but necessary matters. I have never regarded them as my political representatives. I have been rudely reminded that cynics often exploit naïve assumptions of good intent.

At the conclusion of the council meeting the council deferred to the trustees of "LSH" to formulate a plan for public use of roads on LSH. It is important that the planning commission understand that LSH association is not a government. The trustees are not the LSH political or legal representatives. The Historic Zoning Ordinance or any other enhanced zoning ordinance cannot be adopted based upon the statements of the Trustees of LSH. They do not represent all the people of LSH in matters pertaining to the administration of personal property. The power to govern personal property belongs to the property owners, and the town officials that administer and enforced zoning.

At the council meeting of November 18, 2013, the town administrator stated that he had been approached by "some folks from LSH." I urge the planning commission to understand that they are simply and only "some folks." They are individuals with a clear and active agenda to lock down local architecture in the style of 1900, and freeze the landscape "as-is." Not all property owners in LSH support that agenda.

James J Burgess  
29 Longfellow Road  
Jamestown, RI 02835  
973-727-7270

cc: Town Council  
Town Admin.