



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Tuesday, March 22, 2016
5:30 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. EXECUTIVE SESSION

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

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) collective bargaining (union negotiations with NAGE 69); discussion and/or potential action and/or vote in executive session and/or open session
- B) Pursuant to RIGL §42-46-5(a) Subsection (2) pending litigation (Tarbox et al. v. Jamestown Zoning Board of Review); discussion and/or potential action and/or vote in executive session and/or open session

OPEN SESSION RESUMES AT 6:30 P.M.

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, RESOLUTIONS AND PROCLAMATIONS

- A) Acknowledgements
 - 1) Alcina Blair
 - 2) Michael Brown
 - 3) Charlotte Richardson
- B) Eagle Scout Service Project Presentation by Josh Neronha, Troop 1 Jamestown: Erosion Control at Conanicut Battery; request for Town approval to proceed with proposed project; review and discussion and/or potential action and/or vote
 - 1) Jamestown Historical Society Letter of Support
- C) Resolution; review and discussion and/or potential action and/or vote
 - 1) No. 2016-01: Authorizing Issuance of Refunding Bonds

V. 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.

VI. 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

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

- A) Administrator's Report: Town Administrator Andrew Nota
 - 1) Statistical Revaluation
 - 2) Town Council meeting schedule/calendar

VIII. UNFINISHED BUSINESS

- A) Town Council Rules and Procedures; review and discussion and/or potential action and/or vote

IX. NEW BUSINESS

- A) FY 2016-2017 Harbor Operating Budget; review and discussion and/or potential action and/or vote
- B) Town/Fire Department Sub Committee – Five (5) members; review and discussion and/or potential action and/or vote
- C) Approval of Recreation Trails Program Grant request for Big Boulder Trail Rehabilitation at Conanicut Battery and Authorization for signing by Town Council President Trocki; review and discussion and/or potential action and/or vote

X. ORDINANCES AND APPOINTMENTS AND VACANCIES

- A) Appointments & Vacancies
 - 1) Jamestown Conservation Commission (Two vacancies; one vacancy with an unexpired three-year term ending date of December 31, 2016 and one vacancy with an unexpired three-year term ending date of December 31, 2018); duly advertised
 - a) Letters of interest
 - i) Joyce Antonello
 - ii) Philip Larson
 - 2) Jamestown Juvenile Hearing Board – Alternate (One vacancy with a two-year term ending date of December 31, 2016; duly advertised)
 - a) Letters of interest
 - i) Judith DiBello
 - ii) Susan Heffner
 - iii) Christian Infantolino
 - 3) Jamestown Zoning Board of Review – 3rd Alternate (One vacancy

with a one-year term ending date of December 31, 2016); duly advertised

XI. CONSENT AGENDA

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

- A) Adoption of Council Minutes
 - 1) March 7, 2016 (regular meeting)
 - 2) March 7, 2016 (executive session)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Affordable Housing Committee (08/19/2015)
 - 2) Jamestown Affordable Housing Committee (09/01/2015)
 - 3) Jamestown Affordable Housing Committee (12/17/2015)
 - 4) Jamestown Charter Review Committee (02/17/2016)
 - 5) Jamestown Harbor Commission (02/10/2016)
 - 6) Jamestown Planning Commission (12/02/2015)
 - 7) Jamestown Planning Commission (01/06/2016)
 - 8) Jamestown Planning Commission (01/20/2016)
 - 9) Jamestown Planning Commission (02/03/2016)
 - 10) Jamestown Planning Commission (02/17/2016)
 - 11) Jamestown Traffic Committee (02/18/2016)
- C) Abatements/Addenda of Taxes
 - Total Abatements: \$1,497.87 Total Addenda: \$619.87
 - 1) Properties – Abatements to 2015 Tax Roll
 - Account/Abatement Amount**
 - a) 12-0236-01 \$878.00
 - b) 16-0209-00 \$619.87
 - 2) Properties – Addenda to 2015 Tax Roll
 - Account/Addenda Amount**
 - a) 04-0775-75 \$619.87
- D) One Day Event/Entertainment License Applications
 - 1) Applicant: Elaine Barone
Event: Wedding
Date: July 3, 2016
Location: Fort Getty Pavilion
 - 2) Applicant: Jane Caldwell
Event: Wedding
Date: July 15, 16, & 17, 2016
Location: Fort Getty Pavilion
 - 3) Applicant: Jamestown Historical Society
Event: Jamestown Windmill Day
Location: Windmill
Date: July 16, 2016
 - 4) Applicant: Paul and Patricia Jutras
Event: Dance Party

- Location: Fort Getty Pavilion
 - Date: July 24, 2016
- 5) Applicant: John Littlefield
 - Event: Wedding
 - Location: Fort Getty Pavilion
 - Date: July 23, 2016
- 6) Applicant: Robert Dutson
 - Event: Family Reunion
 - Location: Fort Getty Pavilion
 - Date: July 30, 2016
- 7) Applicant: Marcia Sallum
 - Event: Wedding
 - Location: Fort Getty Pavilion
 - Date: August 6, 2016
- 8) Applicant: Save The Bay
 - Event: 40th Annual Save The Bay Swim
 - Location: Bridge Authority Lawn
 - Date: August 13, 2016
- 9) Applicant: Kathleen Banks
 - Event: Marriage Celebration
 - Location: Fort Getty Pavilion
 - Date: September 3, 2016
- 10) Applicant: Marianne Kirby
 - Event: Wedding
 - Location: Fort Getty Pavilion
 - Date: September 9, 2016
- 11) Applicant: Richard Smith
 - Event: Wedding
 - Location: Fort Getty Pavilion
 - Date: September 10, 2016
- 12) Applicant: Brendan Crawford
 - Event: Wedding
 - Location: Fort Getty Pavilion
 - Date: September 16, 2016
- 13) Applicant: Colinslaw.org, Inc.
 - Event: Colinslaw.org Benefit Road Rally Buffet
 - Location: Fort Getty Pavilion
 - Date: October 1, 2016
- E) Holiday License Application
 - 1) KM Caicos, LLC dba: Jamestown Outdoors (new)
 - Location: 35 Narragansett Avenue

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

A) Communications

- 1) Email of Robert Rodgers requesting a Town Council Resolution in Support of House Bill 7243 Relating to Criminal Offenses - Weapons
- B) Resolutions and Proclamations of other Rhode Island cities and towns
 - 1) Resolution of the Warren Town Council “Relative to Transportation Categorical Aid to Regional Districts”

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

XIV. 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.gov.

ALL NOTE: This meeting location is accessible to the physically challenged. If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to cfernstrom@jamestownri.net not less than three (3) business days prior to the meeting.

Josh Neronha
7 Ranger Court
Jamestown, RI 02835

March 17, 2016

Town Council
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

Dear Councilors,

My name is Josh Neronha, and I am a Life Scout with Troop 1 Jamestown, RI. I am working with the Jamestown Historical Society on my Eagle Scout Service Project at the Conanicut Battery. The project will work to control erosion at the steep hill of the Great Boulder Trail and will be funded by a grant from the Rhode Island Department of Environmental Management.

The project takes place at the town-owned Conanicut Battery. As a result, I request that the Jamestown Town Council vote to approve my project proposal at the Battery.

Respectfully,

A handwritten signature in cursive script that reads "Josh Neronha".

Josh Neronha
Life Scout, Troop 1 Jamestown

Cheryl Fernstrom

From: Rosemary Enright [rxenright@gmail.com]
Sent: Friday, March 18, 2016 9:03 AM
To: Cheryl Fernstrom
Subject: Support of Eagle Scout Project

To: Jamestown Town Council
From: Rosemary Enright, Jamestown Historical Society President

The Jamestown Historical Society supports Josh Neronha's Eagle Scout project to rehabilitate the upper portion of the Big Boulder Trail in Conanicut Battery Historic Park. The JHS Battery Committee has worked with Josh in the development of his plans and in his application for a DEM Trail grant. The JHS Board as agreed to monitor expenditures under the grant and to provide funds, if necessary, to complete the project.

Town Council approval of the activity and Council President signature on the grant request is needed for this project, which will greatly improve park accessibility, to go forward.



Town of Jamestown
Resolution of the Town Council

No. 2016-01

RESOLUTION AUTHORIZING ISSUANCE OF REFUNDING BONDS

RESOLVED THAT:

Section 1. Pursuant to Section 45-12-5.2 of the General Laws of the State of Rhode Island, the Town Council hereby authorizes the issuance of bonds in an amount not to exceed \$5,200,000 to refund all or a portion of (1) the presently outstanding principal of and interest on a \$1,650,000 portion of the \$3,300,000 General Obligation Bonds dated April 1, 2007 being those maturing April 1, 2018 through April 1, 2027 inclusive; and (2) a \$3,220,000 portion of the \$4,900,000 General Obligation Bonds dated June 15, 2008 being those maturing June 15, 2019 through June 15, 2033 inclusive, including payment of costs of issuance of the refunding bonds.

Section 2. Bonds issued pursuant to the authority hereof shall be signed by the Finance Director and counter-signed by the President of the Town Council, and such counter-signature shall be conclusive evidence to all holders of such bond or bonds of the consent and approval of the Town Council to the borrowings evidenced thereby. All terms and conditions of the bonds authorized herein including the manner of sale, amount, denominations, maturities and conversion or registration privileges and the designation of a securities depository and paying agent, not fixed by provisions of law, may be fixed by the Finance Director. The Finance Director is hereby authorized to execute and deliver on behalf of the Town such additional agreements as are necessary to effect the refunding, including but not limited to a refunding escrow agreement, the due authorization thereof being conclusively demonstrated by his or her execution and delivery of such agreements. Without limiting the generality of the foregoing, the Finance Director is authorized to designate The Depository Trust Company (DTC), New York, New York, to act as securities depository for the refunding bonds and to select a paying agent (the "Paying Agent") for the refunding bonds authorized herein and as refunding trustee (the "Refunding Trustee") for a portion of the proceeds of the refunding bonds authorized herein pursuant to the terms of a refunding trust agreement to be entered into between the Town and said Refunding Trustee.

Section 3. The Finance Director is hereby specifically authorized to make a finding that the refunding will result in a financial benefit to the Town. The Finance Director is hereby authorized to deliver such bonds to the purchasers thereof and said officer is authorized and instructed to take all actions, on behalf of the Town, necessary to insure that the interest on the bonds will be excludable from gross income for federal income tax purposes, and to refrain from all actions which would cause interest on the bonds to be subject to federal income taxes. The Finance Director is authorized to deem the bonds, and to the extent not deemed to be, to designate the Bonds as "qualified tax-exempt obligations" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986 as amended. The Finance Director is hereby authorized to take such action as to comply with Rule 15 c 2 – 12 (b) (5) of the Securities and Exchange Commission and is authorized to execute and deliver a Continuing Disclosure Certificate.

SECTION 4. This Resolution shall take effect upon its passage.

By Order of the Jamestown Town Council

Kristine S. Trocki, President

Mary E. Meagher, Vice President

Blake A. Dickinson

Michael G. White






Thomas P. Tighe

IN WITNESS WHEREOF, I hereby attach my hand and the official
seal of the Town of Jamestown this 22nd day of March, 2016.

Cheryl A. Fernstrom, CMC, Town Clerk

March





All meetings are held in the Town Hall Council Chambers unless otherwise noted. (BLM)=Beavertail Museum; (CR)=Conference Room; (JPD)=Jamestown Police Department; (JPL)=Jamestown Philomenian Library; (MS)=Melrose School; (PA)=Pemberton Apartments

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2 Town Council Agenda & Bills Deadline @ noon Probate Court: 2 pm Planning Commission: 7 pm	3 School Committee: 7 pm (MS)	4	5
6	7 Water & Sewer: 6:30 Town Council: 7 pm FY 2016-17 Budget Submittal	8 Ordinance Review Committee: 3 pm (CR) Conservation Commission: 7 pm (CR)	9 Housing Authority: 6 pm (PA) Harbor Commission: 7 pm	10	11	12
13 	14 Assessment Hearings Begin+ Library Board of Trustees: 5 pm (JPL)	15 Library Renovation Committee: 5:30 pm (JPL) Town Council Meeting: 6 pm Tree Committee: 6:45 pm (JPL)	16 Town Council Agenda & Bills Deadline @ noon Charter Review: 4:30 pm Planning Commission: 7 pm	17 Ordinance Review: 3 pm Traffic Committee: 6 pm School Committee: 7 pm (MS) 	18	19
20 	21	22 Town Council: 5:30 pm Executive Session 6:30 pm Open Session Zoning Board of Review: 7:30 pm	23 Town Council Capital Budget Work Session: 6 pm Juvenile Hearing Board: 6:30 pm (JPD)	24 Town Council/School Committee OPEB Presentation and Budget Work Session: 5 pm	25 	26
27 	28 Town Operating Budget Work Session: 6 pm	29	30 Town Council Agenda & Bills Deadline @ Noon Probate Court: 2 pm	31	2016	

*Tentative – if needed +Assessment Hearings 9:00 a.m. – 4:00 p.m. 3/14/2016 – 3/25/2016 in the Town Hall Conference Room (additional dates to be added as needed)

April

All meetings are held in the Town Hall Council Chambers unless otherwise noted. (BLM)=Beavertrail Museum; (CR)=Conference Room; (JPD)=Jameson Police Department; (JPL)=Jameson Philomenian Library; (MS)=Melrose School; (PA)=Pemberton Apartments

Sum	Mon	Tue	Wed	Thu	Fri	Sat
			No Probate Court Session in April			
3	4 Water & Sewer: 6:30 pm Town Council: 7 pm	5	6 Planning Commission: 7 pm	7 School Committee: 7 pm (MS)	8	9 Rabies Clinic 12-1 pm 
10	11 Town Operating Budget & Outside Agency Contribution Requests Work Session: 6 pm	12 Library Board of Trustees: 5 pm (JPL) Town Council Special Meeting: 6 pm Conservation Commission: 7 pm (CR)	13 Town Council Agenda & Bills Deadline @ Noon Housing Authority: 6 pm (PA) Harbor Commission: 7 pm	14 Council Budget Review: 6 pm* School Committee: 7 pm (MS)	15	16
17	18	19 Town Council: 5:30 pm FY 2016-17 Budget Adoption Tree Committee: 6:45 pm (JPL)	20 Planning Commission: 7 pm	21 Traffic Committee: 6 pm School Committee: 7 pm (MS) CIAA drop off	22 Earth Day 	23 
24	25	26 Zoning Board: 7 pm Presidential Preference Primary	27 Town Council Agenda & Bills Deadline @ Noon	28	29 	30

2016

*Tentative – if needed + Assessment Hearings 9:00 a.m. – 4:00 p.m. 3/14/2016 – 3/25/2016 in the Town Hall Conference Room (additional dates to be added as needed)

Rule 4

Developing the Agenda

- 4.1 In anticipation of the first meeting of the month, *understood to be the Town Council's regular meeting during which most of its business is conducted*, the Clerk of the Town Council shall prepare and/or cause to be prepared a docket or agenda on which there will be a definite statement or summary of all ordinances, resolutions, orders, reports, communications and other business to be considered at each meeting of the Town Council.

On the *Tuesday following the third Monday* of a month, the Town Council may also meet for which a docket or agenda as described above, shall be prepared. Included on this agenda is the opportunity for Town Councilors to propose items for the agenda of the next regular meeting, held on the first Monday of the following month. A Councilor may place a specific item on the next agenda, if they make such request with no public discussion. If public discussion is requested, based on the Open Meetings Act (OMA) regulations, RIGL §42-46-6, Councilors are required to have the agenda item listed on the posted agenda.

Town Councilors may also propose items for the agenda, but must do so to the Town Clerk and Town Administrator, at least five (5) business days prior to the next meeting.

- 4.2 Memos for Town Council review or requests for action from any Board, Committee, or Commission of the Town or from any Department Head shall be listed under New or Unfinished business to be distinguished from simple correspondence or minutes. These items are subject to the deadlines described below.
- 4.3 Letter from constituents (*residents of Jamestown*) shall be the first items of correspondence included under the agenda heading of Correspondence, followed by requests for action from other communities in Rhode Island or state agencies or officials.
- 4.4 No ordinance, resolution, order, report, communication, and other business shall be considered as having been introduced unless notice has been filed with the Clerk, and said ordinance, resolution, order, report, communication or other business appears on the prepared docket. The Clerk shall cause a copy of the docket to be posted in accordance with the RIGL §42-46-6 governing the Open Meetings Act Requirements for meeting postings.

2016/2017 JHC OPERATING BUDGET

Approved by the JHC 3/9/2016

Account Number & Description		2014-2015 Actual Revenues	2014-2015 Approved Budget	2015-2016 Approved Budget	2016-2017 Approved Budget
40400051	Resident Moorings	\$ 64,730.43	\$ 64,000.00	\$ 70,400.00	\$ 70,400.00
40400052	Commercial Moorings	\$ 103,726.91	\$ 99,000.00	\$ 110,000.00	\$ 110,000.00
40400053	Non-Resident Moorings	\$ 17,190.70	\$ 14,500.00	\$ 17,600.00	\$ 17,600.00
40400054	West Ferry Outhauls	\$ 4,895.00	\$ 4,800.00	\$ -	\$ 9,600.00
40400055	Ft. Getty Outhauls	\$ 11,148.00	\$ 11,000.00	\$ -	\$ 11,000.00
40400056	Beach Permits	\$ 9,574.00	\$ 7,000.00	\$ -	\$ 7,000.00
40400057	Ft. Getty Dock	\$ 1,400.00	\$ -	\$ -	\$ 3,500.00
40400058	Misc Rev. Admin/Late fee	\$ 4,580.00	\$ 6,000.00	\$ 4,500.00	\$ -
40400059	Wait List Fees	\$ 3,385.00	\$ 3,500.00	\$ 4,180.00	\$ 3,700.00
40400060	Club Moorings	\$ 8,685.00	\$ 8,680.00	\$ 9,548.00	\$ 8,685.00
	WF Dingy Dock				\$ 4,500.00
40400061	Enforcement Fines	\$ -	\$ -	\$ -	
Harbor Mgmt Operating Revenue		\$ 229,315.04	\$ 218,480.00	\$ 216,228.00	\$ 245,985.00
Account Number & Description		2014-2015 Actual Expenditures	2014-2015 Approved Budget	2015-2016 Approved Budget	2016-2017 Approved Budget
70000214	Administrative Fees To Town	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
70000220	Legal Fees	\$ -		\$ -	
70000252	Worker's Compensation	\$ 3,500.00	\$ 4,500.00	\$ 4,000.00	\$ 4,000.00
70000257	Boat & Liability Ins.	\$ 2,750.00	\$ 3,000.00	\$ 3,300.00	\$ 4,000.00
70002220	Office Supplies	\$ 1,828.22	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
70700100	Unemployment	\$ 7,004.00	\$ 11,000.00	\$ 8,000.00	\$ 4,550.00
70700200	Harbormaster Salary	\$ 30,619.26	\$ 32,261.00	\$ 33,068.00	\$ 30,000.00
70700201	Harbormaster Asst Salary	\$ 3,725.40	\$ 9,692.00	\$ 9,935.00	\$ 10,000.00
70700209	Harbor Clerk Salary	\$ 31,029.52	\$ 32,052.00	\$ 34,353.00	\$ 20,000.00
70700221	Office Equip Purchase	\$ 1,498.26	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
70700222	Gas for Harbor Car	\$ 656.70	\$ 1,100.00	\$ 1,000.00	\$ 2,000.00
70700250	FICA	\$ 4,889.37	\$ 5,661.38	\$ 5,918.00	\$ 5,500.00
70700251	Blue Cross/Dental	\$ 4,929.81	\$ 5,500.00	\$ 5,000.00	\$ 5,500.00
70700253	Retirement	\$ 9,215.68	\$ 9,000.00	\$ 9,500.00	\$ 10,000.00
70700267	WF Floating Docks	\$ 11,542.00	\$ 10,000.00	\$ 15,000.00	\$ 7,600.00
70700263	Car Repair	\$ 7,380.57	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00
70702220	Boat Dockage	\$ 1,782.00	\$ 2,000.00	\$ 2,000.00	\$ -
70702221	Boat Fuel	\$ 942.98	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00
70702222	Contingency Fund		\$ 8,613.62	\$ 5,804.00	\$ 6,885.00
70702223	Training & Dues	\$ 170.00	\$ 1,000.00	\$ 750.00	\$ 750.00
70702225	Uniforms	\$ 99.45	\$ 500.00	\$ 500.00	\$ 2,500.00
70702226	Boat Maint/Repairs	\$ 2,157.06	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00
70702227	Printing & Mailing	\$ 2,564.66	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
70702228	Mooring Database Maintenance	\$ -	-	\$ -	\$ -
70702230	Telephone	\$ 958.96	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00

2016/2017 JHC OPERATING BUDGET

Approved by the JHC 3/9/2016

Account Number & Description		2014-2015 Actual Expenditures	2014-2015 Approved Budget	2015-2016 Approved Budget	2016-2017 Approved Budget
70706257	Channel Markers & Buoys	\$ 10,547.93	\$ 15,000.00	\$ 12,500.00	\$ 15,000.00
70706260	Maint Docks & Harbor	\$ 4,043.49	\$ 10,000.00	\$ 8,000.00	\$ 48,700.00
70706269	Pumpout Maintenance/WF Restroom	\$ 1,379.87	\$ 2,500.00	\$ 4,500.00	\$ 4,500.00
70706271	Patrol Craft Purch/Fixtures	\$ -	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00
70706299	Data Package	\$ 320.08	\$ 600.00	\$ 600.00	\$ 1,000.00
	Old Ferry Landing	\$ 4,573.89		\$ -	\$ -
	Uniform Maintenance		\$ 500.00	\$ 500.00	\$ -
	Boat Capitalization Fund		\$ 15,000.00	\$ 15,000.00	\$ 25,000.00
	Outhaul Repairs	\$ 110.34			\$ -
	Ft. Getty Pier Road	\$ 15,115.00			\$ -
Harbor Mgmt Operating Expense		\$ 180,334.50	\$ 218,480.00	\$ 216,228.00	\$ 245,985.00

Conanicut Battery Committee
Jamestown Historical Society
P. O. Box 156
Jamestown, RI 02835

March 15, 2016

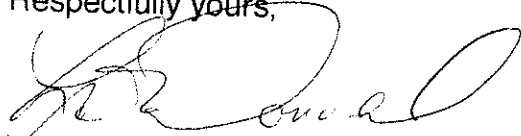
Town Council
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

Dear Councillors:

The Battery Committee of the Jamestown Historical Society is applying for a grant from the Rhode Island Department of Environmental Management to fund the rehabilitation of the Big Boulder Trail by prospective Eagle Scout Josh Neronha.

The grant requires the signature of the Chief Elected Official of the Town. Therefore, we request the Town Council vote to approve the attached grant application and that the Town Council President sign it.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Larry McDonald", written over a large, stylized circular flourish.

Larry McDonald
Chair, Conanicut Battery Committee

**State of Rhode Island
Department of Environmental Management and Department of Transportation**

Recreational Trails Program Grant Request

Project Name: Big Boulder Trail Rehabilitation, Conanicut Battery, Jamestown

Grant Amount requested: \$876.00

A. Type of grant:

Category A, maintenance and restoration of existing trails:

Category B, development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails:

Category C, purchase and lease of recreational trail construction and maintenance equipment:

Category D, construction of new recreational trails:

Category E, acquisition of easements and fee simple title to property:

B. Grant funds will be used for (check all that apply):

Trail maintenance, restoration, rehabilitation, or relocation including maintenance and restoration of trail bridges, or providing appropriate signage along a trail:

Extensive repairs needed to bring a facility up to standards suitable for public use (not routine maintenance):

Equipment to construct and maintain recreational trails:

Construction of new recreational trails:

Acquisition of easements and fee simple title to property:

C. Applicant Information:

Applicant: *Jamestown Historical Society, Battery Committee*

Contact Person: *Dennis Webster*

Address: *8 Mount Hope Avenue
Jamestown, RI 02835*

E-mail: *dennishwebster@hotmail.com*

Telephone: *401-423-1808*

Fax:

Federal Employer Identification Number (FEIN): *05-6017148*

D. Trail Description Project Location (attach locus map):

Trail name: *Big Boulder Trail, part of the network of trails at the Conanicut Battery Historic Park*

Trail location (city/town and nearest road) *Jamestown, off South Battery Lane*

Total length of the trail: *400 feet*

Length of trail to be created or improved: *115 feet*

User groups (hikers, equestrian, mountain biking, etc.) that the trail will benefit? *Hikers, walkers and those interested in history.*

Are there any restrictions on public access or limitations to public use?

Yes No If yes, please explain: *Conanicut Battery Historic Park is open from sunrise to sunset. Bicycles are not allowed, both to protect the trails from erosion and to prevent damage to the Conanicut Battery, the Revolutionary War earthwork that is the centerpiece of the park. Alcohol and fires are also prohibited.*

Are fees charged for use:

Yes No If yes, amount

E. Planning Consistency

Has this trail project been identified in:

1. A Greener Path: Greenspace and Greenways for Rhode Island's Future (State Guide Plan Element 155, 1994), Yes No

2. Ocean State Outdoors: Rhode Island's Comprehensive Outdoor Recreation Plan (State Guide Plan Element 152, 2003), Yes No

3. Community Comprehensive Plan Yes No

4. Other Yes No

(Identify the Plan(s): *Historic Preservation and Treatment Plan for Conanicut Battery on Prospect Hill, Jamestown, Rhode Island, prepared by Landscapes LLC, 1999*

F. Project Description:

What is the purpose of this project? *To rehabilitate a steep section of the trail that has experienced considerable erosion (up to 7 inches) since it was constructed in 2001.*

What will be done? *This project will restore the trail to its original condition, with the following improvements to help prevent future erosion: (1) re-grade the trail so that water runs off the side of the trail rather than straight down it; (2) install two water bars and three French drains, to divert water off the trail (3) improve drainage along the lower parts of the trail so that water diverted from the trail higher up does not return to erode the trail lower down.*

What will the grant funds be used for? *(1) Purchase of materials (timber, PVC pipe, and other materials) for construction of water bars and French drains. (2) Rental of a walk-behind front-end loader to move gravel from stockpile to construction site. (3) Purchase of a Pullerbear (similar to the no-longer-manufactured Weed Wrench) for pulling invasive Morrow Honeysuckle shrubs for installation of new drainage alongside trail; this tool will see long-term use at the Conanicut Battery to remove invasive trailside vegetation after this project is complete.*

What is the timeframe for completion? *Project will start in April 2016, finish in August 2016*

How will the 20% share be provided? *A combination of volunteer hours and construction materials donated by the Town Public Works Dept.*

Who will maintain the Trail? *Volunteers from the Jamestown Historical Society's Battery Committee, with as-needed assistance from the Jamestown Public Works Department, have maintained the trails since 2001 and will continue to do so.*

G. Budget (Detailed budget is on next page)

Items not listed in the budget will not be eligible for reimbursement

Task	Amount	Timeline
<i>Purchase of "Pullerbear Grip XL" to remove invasive shrubs</i>	<i>\$116</i>	<i>April</i>
<i>Purchase of construction materials</i>	<i>\$267</i>	<i>July</i>
<i>Rental of construction equipment and purchase of fuel</i>	<i>\$493</i>	<i>July</i>
Total	876	

**Detailed Budget
Big Boulder Trail Rehabilitation
Conanicut Battery, Jamestown, RI**

To Be Funded by Recreational Trails Grant:

Materials to be purchased with grant funds:

2 pieces 4" x 10" x 10' treated lumber, for water bar construction @ \$74.00 each	\$148.00
1 piece 3/4" reinforcing bar, 20' long, to hold water bars in place	28.00
4 pieces 1 1/2" PVC pipe, 10 feet long, fittings, and PVC cement, for French drains	33.00
Tarpaulin, 20' x 20'	30.00
Rope, 1/2" x 50'	8.00
Material for signs	<u>20.00</u>
TOTAL:	\$267.00

Equipment to be rented with grant funds:

Dingo (small front-loader) from Taylor Rental, to move gravel, 2 days @ \$230/day=	\$460.00
15 gal gasoline for Dingo @ \$2.20/gal =	<u>33.00</u>
TOTAL:	\$493.00

Hand tool to be purchased with grant funds:

Fullerbear Grip XL (similar to the no-longer-manufactured Weed Wrench) for pulling invasive Morrow Honeysuckle shrubs for installation of new drainage along lower part of trail. \$150.00 Canadian, \$116 US, based on March 3, 2016 exchange rate. This tool will see long-term use at the Conanicut Battery to remove trailside invasive vegetation after this project is complete.	<u>\$116.00</u>
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TOTAL Estimated Grant Funds Required: \$876.00

Matching in-kind support for the project:

Materials to be donated by Jamestown Public Works Department:

3 pieces of geotextile, 4' x 12', for French drains (donated by Town)	\$24.00
1/2 cu yd 3/4" crushed rock for French Drains (donated by Town)	20.00
15 cu yds 3/4" (-) gravel to re-build eroded trail (donated by Town)	<u>315.00</u>
TOTAL:	\$359.00

Volunteer time: 130 estimated volunteer hours x \$23.07 per hour \$3000.00

Jamestown DPW time
(2 men and equipment for 2 hours to deliver materials) \$140.00

TOTAL value of in-kind support: \$3499.00


H. Design & Permitting.

Please describe any anticipated design & permitting work as a result of this proposal. Include wetlands, archeological, engineering and/or design.

This is an Eagle Scout project. Design is being done by the prospective Eagle Scout with mentoring by an experienced member of the Battery Committee. The Scout will present his proposal to the Battery Committee and the Jamestown Town Council to get permission to do the project. The project will cause limited ground disturbance and is not in or adjacent to a wetland. The Historic Preservation and Treatment Plan for Conanicut Battery on Prospect Hill, prepared in 1999, did not identify any archeological resources or rare species at the immediate construction site. An historic concrete in-ground fire control station, constructed c. 1916, is within 15 feet of the project and will be protected from damage during construction. The erosion-control portion of this project will contribute to the long-term protection of the fire control station.

I. Project Assurances

By signature of its authorized representative below, the applicant certifies that if awarded a Recreational Trails Grant for this project, it will comply with the program requirements: 1) Diligently manage and execute the project to deliver the specified results within the project period and budget. 2) Operate and properly maintain all public-use facilities developed pursuant to the project. 3) Not discriminate in the availability and usage of any public facilities developed pursuant to the project.



Authorized Representative

15 May 2016

Date

Municipal Project Endorsement (if applicable)

By signature of its authorized representative, the City or Town certifies its endorsement of and support for this project, and agrees to assume responsibility for the Project Assurances made under the item above, should the applicant fail to perform or comply with same.

I certify that there is sufficient funding available to complete this grant project in advance of State Reimbursement.

Chief Elected Official

Date

TOWN COUNCIL MEETING
March 7, 2016

I. ROLL CALL

Town Council Members present:

Kristine S. Trocki, President
Mary E. Meagher, Vice President
Blake A. Dickinson
Michael G. White
Thomas P. Tighe

Also in attendance:

Andrew E. Nota, Town Administrator
Christina D. Collins, Finance Director
Lisa Bryer, Town Planner
Michael Gray, Public Works Director
Cathy Kaiser, School Committee Chair
Edward E. Mello, Police Chief
Andrew Wade, Parks & Recreation Director
Peter D. Ruggiero, Town Solicitor
Wyatt A. Brochu, Town Solicitor
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, 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) Request for a motion that the application listed below will be in order for hearing at a meeting of the Town Council sitting as the Alcoholic Beverage Licensing Board on Monday, April 4, 2016 at 7:00 p.m. and advertised in the *Jamestown Press*, as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, for a NEW LICENSE under said Act, for the period April 4, 2016 to November 30, 2016:

CLASS BT (TAVERN) LICENSE

Bay Voyage, LLC
dba: Bay Voyage
150 Conanicus Avenue
Jamestown, RI 02835

A motion was made by Councilor White with second by Councilor Dickinson to convene as the Alcoholic Beverage Licensing Board at 7:07 for the Town of Jamestown. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A motion was made by Councilor Tighe with second by Vice President Meagher to proceed to advertise for public hearing for a new Class B (Tavern) Liquor License at the April 4, 2016 Council meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A motion was made by Vice President Meagher with second by Councilor Dickinson to adjourn as the Alcoholic Beverage Licensing Board at 7:08 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Council determined the agenda order will be revised and VII. B) is the next item addressed.

VII. UNFINISHED BUSINESS

B) Town Policy/Procedure for Fort Getty Pavilion expense reimbursement; review and discussion and/or potential action and/or vote

President Trocki referenced recently adopted Pavilion fees for 2016. Mr. Nota stated this item is on the agenda for clarification as waivers were not addressed when the Pavilion fees were adopted. When Pavilion rental fees are waived, the Town still incurs an expense for restrooms, supplies, clean-up, and personnel, based on the size of the event. There are eight to ten requests for waiver of the Pavilion fee from non-profit, charitable organizations annually. The 2016 fee schedule is based on peak and non-peak times and reflects increased rental fees over the previous \$300 flat rate Pavilion rental fee. The new restrooms may save citizens money, as they will no longer have to rent port-a-johns.

Town Council members agreed: the Pavilion is an amenity for the Town, improved Pavilion amenities are provided over past seasons, fee waiver should continue for non-profits, a record of the costs incurred for fee-waived events should be compiled, and an analysis of the costs incurred during the 2016 season should be performed and reviewed prior to next season. This discussion puts the public on notice the policy may be revised to include expense reimbursement for the 2017 season. Discussion ensued of costs incurred for set-up, clean-up, restroom maintenance, staffing, and breakdown for events - which range from minimal to significant based on event size.

A motion was made by Vice President Meagher with second by Councilor White to waive the Pavilion rental and expense reimbursement for non-profits for 2016 and make this a policy. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IV. PUBLIC HEARINGS, LICENSES AND PERMITS, continued

B) Licenses and Permits

- 1) One Day Event/Entertainment License Applications; review and discussion and/or potential action and/or vote; subject to future adoption of policy/procedures for expense reimbursement by non-profit entities granted Pavilion rental fee waivers

- a) Applicant: Quononoquott Garden Club
Event: Annual Plant Sale
Date: May 14, 2016
Location: Fort Getty Pavilion

Additional Request for: Waiver of Pavilion Rental Fee

A motion was made by Vice President Meagher with second by Councilor White to approve the One Day Event/Entertainment License for the Quononoquott Garden Club and use of the Pavilion for May 14th and waive the Pavilion rental fee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- b) Applicant: Payton Elizabeth Watson Memorial Foundation
Event: Payton's Pace 5K Run/Walk
Date: May 15, 2016
Location: Fort Getty Pavilion and streets of Jamestown

Additional Request for: Waiver of Pavilion Rental Fee

A motion was made by Vice President Meagher with second by Councilor White to approve the One Day Event/Entertainment License for Payton's Pace and use of the Pavilion for May 15th and waive the Pavilion rental fee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- c) Applicant: Rotary Club of Jamestown
Event: Rotary Club Spring Picnic
Date: May 28, 2016
Location: Fort Getty Pavilion

Additional Request for: Waiver of Pavilion Rental Fee

A motion was made by Vice President Meagher with second by Councilor Dickinson to approve the One Day Event/Entertainment License for the Rotary Club Spring Picnic and use of the Pavilion for May 28th and waive the Pavilion rental fee.

President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

Rotary Club President Win Reed thanked the Council for their generosity.

- d) Applicant: Jamestown Parent/Teacher Organization
 - Event: PTO Drink & Dabble Benefit Event
 - Date: June 2, 2016
 - Location: Fort Getty Pavilion
- Additional Request for: Waiver of Pavilion Rental Fee**

A motion was made by Vice President Meagher with second by Councilor Dickinson to approve the One Day Event/Entertainment License for the Jamestown PTO Drink & Dabble event and use of the Fort Getty Pavilion for June 2nd and waive the Pavilion rental fee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

President Trocki thanked the applicants for coming out this evening, supporting their organizations, and all that they do on behalf of Jamestown. Garden Club member Pat Newman thanked the Council for the fee waiver. Liz Watson expressed appreciation for the Council's generosity and noted Payton's Pace will have extra port-a-johns for their event. President Trocki stated Parks and Recreation Director Andy Wade will assist the groups with their rental experience.

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.

Cathy Kaiser of Knowles Court, School Committee Chair, commented Budget season is upon us and the two bodies have enjoyed a good working relationship. The School Committee would like to challenge the Town Council to a Trivia Night at the Ganney. President Trocki thanked the School Committee for the invitation and will take it under advisement.

A motion was made by Vice President Meagher with second by Councilor Dickinson to move up the Fort Getty presentation before the Town Administrator's Report. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

VII. UNFINISHED BUSINESS

A) Fort Getty Up-date; review and discussion, and/or potential action and/or vote

- 1) Pavilion
- 2) Programming Improvements

Town Administrator Nota introduced the update on Fort Getty facility improvements and timeline to be presented by Public Works Director Gray, summer programming improvements and enhancements to be presented by Parks and Recreation Director Wade, and visions for the future to be reviewed by Town Planner Bryer.

Public Works Director Gray presented a slide show demonstrating improvements to the Pavilion area. Road construction, drainage improvements, parking area reconfiguration and landscaping performed prior to last season were noted. This winter DPW employees constructed two handicapped accessible bathrooms (men/women) and the 5,000 gallon tank (bid awarded last month) is set for delivery tomorrow; due to soil quality and water levels pumping will be required (location noted). RIDEM approval was granted for the project, which was designed with a 5 gallon capacity allocated per person, which should be adequate for weekend activities. The majority of amenities on the plan are proposed in the budget. The dumpster pad, retaining wall faced in stone with landscaping, grading, and horseshoe pits were noted. The stone pavers, stone seat, western wall, and two rooms on the Pavilion with hard scaping were noted and explained. The future outdoor chimney and fireplace with hanging grills on either side, was noted. Perhaps donations by local groups would assist with the outdoor wall. Discussion ensued of access and parking for catering and service trucks and utilities improvements (next season). Discussion ensued of overflow parking with proper signage, two-way traffic, traffic calming devices for special events, and additional plantings. The existing walkways will be finished with shells for this season. Vice President Meagher commented on the attractiveness of the facility.

Town Administrator Nota commented the 2016-2017 capital improvement budget includes an additional \$100,000 for redesign and replacement of the gatehouse and a combined small storage, office, restroom, and shower facility for tent campers. The goal is to convert the current restrooms into a storage area for equipment and supplies for the campground. The final component, to be completed over several years, is a fully modernized main restroom and shower facility closer to the waterfront with possible program space for extended season use. These are major improvements and a considerable investment. The Pier will also be reviewed, with Harbor Commission input, to balance the recreation and commercial uses.

John Murphy inquired about the status of the benches (funded by the Lions Club). He was informed they were delivered a few weeks ago, and their location needs to be determined.

Parks and Recreation Director Wade thanked DPW for their efforts and commented Fort Getty is a beautiful place and very important to the community. The department's goal is to bring the community to Fort Getty during the camping season. Pavilion scheduling has been a priority, with 15 weekend dates still available, and planning for summer activities

is underway with a brochure ready for Memorial Day weekend. Some Fort Getty activities include summer concerts, family movie nights, storytelling, small acoustic concerts, trivia night, bingo, and similar activities. In addition Jamestown Day and other events could be brought back. Vice President Meagher inquired how the Story Circle would be managed. Mr. Wade stated a facilities request form would be submitted to reserve the space and an insurance binder provided by users; residents would be allowed to use the fire pit. Mr. Nota proposed a small kiosk to inform people of reservations, how to access the reserved area, and where to park for an event. Discussion ensued of providing firewood for a fee (perhaps by the new gatehouse), community and family activities, and various groups that would use the Pavilion facility and fire pit. Council members comment on various activities and look forward to the season ahead.

Town Administrator Nota noted Town Planner Bryer in attendance, who has been active in the planning and vision for the Park, and Finance Director Collins, who has been managing the finances. Police Chief Mello is confident the area can be managed effectively and efficiently. Discussion ensued of year-round use of the Fort Getty Pavilion and area. This is a well-built outdoor space and residents may want to use it off-season; any interested parties should contact Director Wade for information on use of the facility and facilities use request forms and reservations.

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

- A) Town Administrator's Report Town Administrator Andrew E. Nota
 - 1) Meeting Schedule/Calendar.

Mr. Nota reviewed dates for future discussions on outdoor parks and recreation facilities, including grant opportunities. The second Council Meeting of each month would be a good place to add discussions, beginning on April 19th or May 16th, focused on outdoor facilities, to include Lawn Avenue, Eldred Avenue, and Playground. The second meeting on recreation facilities, May 16th or June 21st, to include on the Recreation Center, Ft. Wetherill, Fort Getty or the future of the EMS facility. The final meeting, this summer or in September, would focus on recreation programs and senior services.

Council members review the dates and schedules, and prefer not to meet in June, July or August. Discussion of the golf course ensued, and future lease negotiations and a potential RFP could be reviewed on an upcoming agenda. Town Administrator Nota referenced the Ordinance Review Committee Meeting tomorrow at 3:00 p.m. with Short Term Rental Properties, Noise Ordinance/Construction Ordinance, and Peddler's License on the agenda. Additional meetings for public input will be needed. Several other ordinances will be reviewed in the future, including animal control and an alcohol policy for public properties.

VII. UNFINISHED BUSINESS, continued

- C) Policy for outside agency requests for funding; review and discussion and/or potential action and/or vote.

Town Administrator Nota stated this covers health related organizations and local non-profit agencies requesting Town funding. Discussion ensued of inviting them to the April 11th budget work session or set a budget threshold amount for appearance before the Council. Mr. Nota does not anticipate requests over \$5,000, with a majority between \$500 and \$1,000. Council members would like the agencies to provide information to validate their activities and agencies seeking an increase should appear in person. Town Administrator Nota will contact the agencies to request written backup and inform them an appearance is not required (unless they seek an increase).

VIII. NEW BUSINESS

- A) FY 2016-2017 Budget; submission to Town Council.

Town Administrator Nota delivered the proposed FY 2017 budget. The budget proposal of \$23.5 million dollars represents an increase of \$485,000 or 2.1% and a tax rate decrease of 11 cents from \$8.78 to \$8.67. The budget represents early projections on State aid and hotel tax, which will not be known until the end of the current fiscal year. Expenditure items could fluctuate for both Town and School. Revaluation notices went out with an impact to be realized by residents of the village area. More information is forthcoming.

There are a number of items reflecting the capital improvements increase, including North Road improvements (\$200,000 increase), recreation projects at the Lawn Avenue complex, and Playground. The total budgeted capital program is \$1,388,500. Police Department, Fire Department, and Public Works personnel transitions were noted. The Town Council meets with the School Committee on March 24th for an OPEB presentation and budget review. The Council thanked Town Administrator Nota and Town staff for their budget preparation efforts.

IX. ORDINANCES AND APPOINTMENTS AND VACANCIES

- A) Ordinances

- 1) Amendment of the Jamestown Code of Ordinances Chapter 38 Offenses and Miscellaneous Provisions, Article V. Weapons, Sec. 38-112. Definitions (add new), Sec. 38-113 Shooting Prohibited (add new), Sec. 38-114 Use of Weapons in Self-Defense (add new) and Sec. 38-115 Enforcement (add new); review and discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* for public hearing on April 4, 2016

President Trocki noted the ordinance has been vetted through the Ordinance Review Committee. Discussion ensued of advertising and potential dates.

A motion was made by Councilor Dickinson with second by Councilor Tighe to proceed to advertise for public hearing for amendment of the Code of Ordinances

Chapter 38 for April 4, 2016.

Discussion. This topic may require a separate session to cover the discussion. April 12th at 6:00 p.m. is slated for a budget session.

A motion was made by Councilor Dickinson with second by Councilor Tighe to change the public hearing date for amendment of the Code of Ordinances Chapter 38 from April 4th to April 12th at 6:00 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- B) Appointments & Vacancies
- 1) Jamestown Conservation Commission (One vacancy with an unexpired four year-term ending date of December 31, 2016); duly advertised; no applicants
 - 2) Jamestown Juvenile Hearing Board (One vacancy with a two-year term ending date of December 31, 2017) duly advertised; no applicants
 - 3) Jamestown Zoning Board of Review – 3rd Alternate (One vacancy with a one-year term ending date of December 31, 2016) duly advertised; no applicants

President Trocki noted the vacancies and urged members of the public in attendance to apply for the vacancies, urge others to apply, and urge past applicants to apply.

X. CONSENT AGENDA

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

A motion was made by Vice President Meagher with second by Councilor White to approve and accept the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
- 1) February 16, 2016 (special meeting)
 - 2) February 16, 2016 (executive session)
 - 3) February 16, 2016 (regular meeting)
- B) Minutes from Boards, Commissions and Committees
- 1) Jamestown Charter Review Committee (02/10/2016)
 - 2) Jamestown Ordinance Review Committee (07/22/2015)
 - 3) Jamestown Ordinance Review Committee (11/30/2015)
 - 4) Jamestown Philomenian Library Board of Trustees (01/12/2016)
 - 5) Jamestown Tax Assessment Board of Review (02/10/2016)
 - 6) Jamestown Zoning Board of Review (01/26/2016)

- C) Zoning Board of Review Abutter Notification
 - 1) Notice of Administrative Decision: Application of David and Kathleen Maurice whose property is located at 130 Frigate Street and further identified as Assessor's Plat 16 Lot 28, for an Accessory Family Dwelling from Article 14, Section 1404, A.1 Notice Requirements, to allow an in-law kitchen for parents where no exterior changes are needed. Said property is located in a R-40 Zone and contains 21,759 sq. ft. An Accessory Family Dwelling will be granted unless valid written objection is received within 10 days of the mailing of such notice.
- D) CRMC Notices
 - 1) March 2016 Calendar
 - 2) Semi-Monthly Meeting Agenda (03/08/2016)
- E) Abatements/Addenda of Taxes

Total Abatements: \$44,932.29 Total Addenda: \$44,932.293.14

 - 1) Properties/Tangibles – Abatements to 2015 Tax Roll

	<u>Account/Abatement Amount</u>	
a)	01-0470-50	\$ 2,843.04
b)	01-0471-00	\$ 2,618.00
c)	02-0227-50	\$ 9,645.51
d)	03-0115-00	\$ 236.18
e)	03-0115-00	\$ 4,307.27
f)	04-0992-50	\$ 7,690.35
g)	06-0149-90	\$ 2,946.37
h)	07-0025-00	\$ 2,748.86
i)	11-0534-35	\$ 2,840.14
j)	19-0055-40	\$ 3,501.27
k)	21-0054-00	\$ 5,555.30
 - 2) Properties – Addenda to 2015 Tax Roll

	<u>Account/Addenda Amount</u>	
a)	02-0621-10	\$ 2,618.00
b)	03-1237-51	\$ 2,946.37
c)	04-0542-20	\$ 5,555.30
d)	06-0375-50	\$ 3,501.27
e)	06-0375-50	\$ 4,307.27
f)	06-0375-50	\$ 236.18
g)	07-0689-90	\$ 2,748.86
h)	08-0650-50	\$ 9,645.51
i)	13-0268-00	\$ 2,843.04
j)	21-0001-12	\$ 2,840.14
k)	21-0054-01	\$ 7,690.35
- F) Finance Director's Report
- G) Licenses and Permits
 - 1) Marine Vessel Beverage License – Class G (Renewal)
 - a) Conanicut Marine Services
dba: MV The Jamestown

- Location: East Ferry Wharf
 - b) Conanicut Marine Services, Inc.
dba: MV The Katherine
Location: East Ferry Wharf
- 2) Holiday License Renewal
 - a) Ace's Pizza, Inc. dba: Ace's Pizza
Location: 1 Clarke Street
 - b) Cumberland Farms, Inc. dba: Cumberland Farms Store #1108
Location: 41 North Road
 - c) Zeek's Bait & Tackle, Inc. dba: Zeek's Bait & Tackle
Location: 194 North Road
- 3) One Day Event/Entertainment License Applications
 - a) Applicant: TRIMOM Productions, LLC
Event: Jamestown Bridge 10K and 5K
Date: April 3, 2016
Location: Route 138 and streets of Jamestown
 - b) Applicant: Arnold-Zweir Post 22 American Legion
Event: Memorial Day Parade
Date: May 30, 2016
Location: Lawn Avenue, Watson Avenue, North Road,
Narragansett Avenue to Veterans' Square
 - c) Applicant: Jane Mead
Event: Miller-Fossner Wedding
Date: June 11, 2016
Location: Fort Getty Pavilion
 - d) Applicant: James Chaves
Event: Chaves Wedding
Date: June 18, 2016
Location: Fort Getty Pavilion
 - e) Applicant: William Richard
Event: Memorial Celebration
Date: June 25, 2016
Location: Fort Getty Pavilion

XI. COMMUNICATIONS, PETITIONS AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RI CITIES AND TOWNS

A motion was made by Vice President Meagher with second by Councilor Tighe to receive the Communications and Resolutions. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Communications, Petitions and Proclamations and Resolutions from other RI Cities and Towns received consists of the following:

- A) Communications

- 1) Invitation of Newport Mayor Napolitano to Jamestown Town Council members to participate in the 60th Annual Saint Patrick's Day Parade and festivities on Saturday, March 12, 2016
 - 2) Letter of Armenian National Committee of RI re: Observance of April 24, 2016 as "Armenian Genocide Remembrance Day" to commemorate the Armenian Genocide of 1915 to 1923 in honor of Armenian Americans
 - 3) Letter of RI Housing announcing their application for US Department of Agriculture Section 533 Housing Preservation Grants for FY 2016 for deferred loans to conduct rehabilitation on rental properties with 5 or more units for low-income households
- B) Resolutions and Proclamations from other Rhode Island cities and towns
- 1) Resolution of the Foster Town Council Supporting the Formation of a Coalition among Rhode Island's Regional School Districts

XII. ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

None.

XIII. EXECUTIVE SESSION

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

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) collective bargaining (union negotiations with NAGE 69); discussion and/or potential action and/or vote in executive session and/or open session

A motion was made by Councilor Dickinson with second by Councilor White to enter into Executive Session at 8:43 p.m. pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining.

Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining the following vote was taken: President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Jamestown Town Council reconvened the regular meeting at 11:09 p.m. President Trocki announced that no votes were taken in the Executive Session.

A motion was made by Vice President Meagher with second by Councilor White to seal the Minutes of the Executive Session. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

XIV. ADJOURNMENT

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

The regular meeting was adjourned at 11:10 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Solicitor

Approved As Written

Affordable Housing Committee Minutes

August 19, 2015

JamestownTown Hall
Conference Room
93 Narragansett Ave

5:30p.m

I. Call to Order

The meeting was called to order at 5:30 p.m. and the following members were present:
Bill Dawson, Judith Sutphen, Bill Reardon, Barbara Szepatowski, Jerry Scott, Lisa Bryer
Also present:
Christian Belden, Sam Shuford, Cinthia Reppe – Planning Assistant

II. Approval of Minutes from April 13, 2015 and May 11, 2015

A motion was made by Barbara Szepatowski and seconded by Bill Dawson to accept the minutes of April 13, 2015 as written. All in favor
A motion was made by Barbara Szepatowski and seconded by Judith Sutphen to accept the minutes of May 11, 2015 as written. All in favor

A motion was made by Barbara Szepatowski and seconded by Judith Sutphen to go into Executive Session. All in Favor

A motion was made by Barbara Szepatowski and seconded by Judith Sutphen to exit Executive Session. All in Favor

Lisa Bryer noted that there were no votes taken during Executive Session.

A motion to seal the minutes was made by Bill Dawson and seconded by Judith Sutphen. All in Favor.

The PAC property is before the Planning Commission tonight for pre-application, they have gone down to 19 units and will use the Comprehensive Permit process hat allows the Planning Commission to grant all planning and zoning approvals. We have seen a site plan but no architectural plans yet. 5 of the 19 proposed will be affordable; 2 at 120%, 2 at 100% and 1 at 80%. There will be a 30 year deed restriction. TheTRC met

yesterday. Bill Reardon asked the 5 will be affordable and the rest will be market rate? Yes. The property is zoned R-20 not CL but they might want to ask for a re-zoning. Are the 5 units that are affordable in the separate building? We do not know yet.

III. Election of Chair, Vice Chair

A motion was made by Jerry Scott to nominate Barbara Szepatowski for chair. Bill Reardon seconded. Barbara said she thinks that Bill Dawson would be great to run the committee too and maybe they can do it jointly. Lisa Bryer noted that is the purpose of having a Chair and Vice Chair and she recommended that instead of two chairs. Judith is not attached to being vice chair. Can we wait until the next meeting to vote asked Barbara? She thinks that the two members that are not present need to be voting too. Jerry withdraws the motion until the next meeting.

IV. Survey Results

Lisa Bryer would like to do a summary with the results and have the Jamestown Press do an article. The response was tremendous, but unfortunately many that answered the survey were not “qualified as affordable” and therefore did not weigh in. The majority of respondents wanted single family housing and not necessarily in favor of multi-family but did feel that design needs to be considered. Lisa will work with the PRes unless someone else would like to do it. Judith wants Lisa to emphasize that 40% of Jamestowners qualify for affordable housing. Bill Dawson thinks we should have something in the press monthly.

V. CDBG

We started very late this year but the timeframe is dictated by the state. We do not necessarily have an official role but we generally make a recommendation to the Town Council on the priority list. We have 6 applications so far and we will look at them. We do not have the full list yet. This will be on the council agenda on the 8th. The 5million set aside is a rolling fund for the whole state of Rhode Island.

Any recommendations or thoughts on prioritizing what we have now.

Housing Authority

Housing Development

CCHC- operating costs

Womens Resource Center

Housing Hot Line

East Bay Community Action

McKinney Shelter Coop Shelter

A motion was made by Barbara Szepatowski and seconded by Jerry Scott to send this list of priorities and recommendation to the town council. All in Favor.

A motion to adjourn at 6:55 p.m. was made by Barbara Szepatowski and seconded by Judith Sutphen. All in Favor.

Attest:

Antonia S. Reppe

Cynthia L. Reppe

Approved As Written

Affordable Housing Committee Minutes

September 1, 2015

Jamestown Town Hall
Conference Room
93 Narragansett Ave

6:00 p.m

I. Call to Order

The meeting was called to order at 6:00 p.m. and the following members were present: Bill Dawson, Jerry Scott, Debra Murphy, Barbara Szepatowski, Judith Sutphen, Bill Reardon, Lisa Bryer

Not present:
Heather Lopes

Also present:
Cinthia Reppe

II. Approval of Minutes - Continued until next meeting

III. Election of Chair, Vice Chair – continued until the next meeting

IV. CDBG – Review of Priority List

Ms. Bryer received some information on how many Jamestown's are serviced by the Boys and Girls Club. She put this at the bottom since most of the other things are for more Jamestown residents. We put the Jamestown Senior center at number 2 since it services so many Jamestown's.

A motion was made by Judith Sutphen and was seconded by Barbara Szepatowski to accept the list as presented. All in Favor.

A motion was made to go into Executive Session by Barbara and seconded by Judith. All in Favor.

A motion was made to seal the minutes of the Executive Session by Bill Dawson and seconded by Judith Sutphen. All in Favor.

A motion to adjourn at 6:45 p.m. by Barbara Szepatowski and seconded by Bill Reardon. All in favor.

Attest:

Cynthia L. Reppe
Planning Assistant

Approved As Written

Affordable Housing Committee Minutes

December 16, 2015

Jamestown Town Hall
Conference Room
93 Narragansett Ave
5:00 p.m

I. **Call to Order**

The meeting was called to order at 5:00 p.m. and the following members were present:

Bill Dawson, Bill Reardon, Heather Lopes, Judith Sutphen, Barbara Szepatowski, Jerry Scott, Lisa Bryer

Also present: Cinthia Reppe, Douglas DeSimone

II. **Approval of Minutes**

- **August 19, 2015**

A motion was made by Bill Dawson and seconded by Barbara Szepatowski to accept the minutes as written. So unanimously voted.

- **September 1, 2015**

A motion was made by Bill Dawson and seconded by Barbara Szepatowski to accept the minutes as written. So unanimously voted.

III. **Jamestown Village Condominiums, Property Owner: Holy Ghost Society, Applicant: Douglas Enterprises, LTD., A.P. 8 Lot 79, 138 Narragansett Avenue, Application for Major Land Development Project , 16 Units (4 income restricted Low-Moderate Income units), 2 buildings, Multi-Family Development Project proposal, Comprehensive Permit per Zoning Article 17, Zoning Variances and Special Use Permit – review & possible recommendation of master plan**

Douglas DeSimone represented the application. said he is a for profit developer which for the first time is happening in Jamestown. He built 15 of affordable units in South Kingstown and was part of an affordable development in Westerly.

There will be 16 units, the land is just shy of an acre. Mr. DeSimone said when you read the zoning it is ambiguous regarding density. He believes they meet the density requirement. There will be 2 buildings, the front one has 4 units and the back building has 12 units which are all designed to be converted to handicap accessible units.

The project will have four price restricted units; 3 that will be 1 bedroom each and one will be two bedroom. Mr. DeSimone said he can possibly make it 2 and 2. If the planning commission wants more 2 bedrooms than 1bedrooms he can do that. They have selected the Narragansett Housing authority for the monitoring agent for the affordable units. The price point for the 1 bedroom is ultimately determined by RI Housing at \$180,000. The condo fee will be about \$250.00 per month. That was already calculated into the figures assuming the price points are in the 180-200 thousand range. He has received phone calls from people that are interested in the affordable units. He feels the 1 bedroom units will be marketable as affordable units. He can change that with very little difficulty. Heather Lopes asked about changing the 1 bedroom's into 2 bedrooms. He is very amenable to change them into 2's. He can check with RI housing. Bill Dawson asked what will the sales price be for the 2 bedroom's? He thinks around \$202,000. The market rate units will sell for \$450,000.

The market rate units are identical square footage as the affordable ones. Lisa asked about the phasing of it. The small building will be built first. Judith Sutphen asked how many affordable units are in each building? There will be 1 in the smaller front building and 3 in the back building. Jerry Scott asked about subsidizing and about how much for the project. About \$600,000.00.

He said the template that they have for the deed is from RI Housing. Unit cannot be sold for profit and RI Housing won't let them rent it. You can make a profit but it is equity limited.

Barbara Szepatowski would like to see as many of the 2 bedrooms as possible. If someone needs to have an office or someone to help them out if they become ill then two bedrooms are a must. Construction costs will be the same if they change to a 2 bedroom. This committee can make a recommendation to the Planning Commission on this.

A motion was made by Heather Lopes and seconded by Judith Sutphen to send the Planning Commission a memo recommending they approve this project. So unanimously voted.

A motion was made by Heather Lopes and seconded by Barbara Szepatowski to make two of the 1 Bedrooms in Building A into 2 Bedrooms. Motion carries by a vote of 5 Ayes-1 Nay.

IV. Election of Chair, Vice Chair

Affordable Housing Committee Minutes

December 16, 2015

Page 3

Jerry Scott nominated Barbara Szepatowski for chair, this was seconded by Bill Dawson. Heather Lopes nominated Bill Dawson, he asked for the nomination to be withdrawn. So voted 5- Yay, 1-Nay.

Vice Chair Jerry nominated Judith to continue as Vice Chair and Bill Dawson seconded. Barbara nominated Heather for Vice Chair
The Vice Chair will be decided at the next meeting. Both motions were withdrawn.

A motion to adjourn was made by Barbara Szepatowski and seconded by Heather Lopes at 5:37 p.m. So unanimously voted.

Attest:


Cinthia Reppe

Approved: 3/16/16

Charter Review Committee
Town of Jamestown, Rhode Island
Minutes of the February 17, 2016 Meeting

The meeting of the Jamestown Charter Review Committee was held at the Jamestown Town Hall, in the Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue, Jamestown, RI. The Committee Chairman, Arlene Petit, called the meeting to order at 4:36 PM.

I. ROLL CALL

The Chairman called the roll and noted the following members were present:

Arlene D. Petit, Chairman
James Rugh, Co-Chairman
Anthony Antine
John Pagano
Mary Lou Sanborn
Edward Gromada, Secretary
Mary E. Meagher (Ex Officio Member)

Blake Dickinson was absent.

II. MINUTES

A motion was made by Jim Rugh and seconded by Mary Lou Sanborn to accept the amended minutes from the meeting of February 10, 2016. Tony Antine, Ed Gromada, John Pagano, Arlene Petit, Jim Rugh and Mary Lou Sanborn voted in favor of the motion. Time of motion 3:42 PM.

III. OLD BUSINESS

- A) The following Sections were reviewed by the Committee:
- a. Section 417. Had no revisions necessary. This Section was decided at the February 2, 2016 meeting
 - b. Section 206. The Committee decided to retain the changes made earlier and this Section was identified as an important section to pass forward to the Town Council.
 - c. Section 216. The Committee decided to retain the changes made earlier but this Section was identified as less important and it may not pass forward to the Town Council.

- d. Section 301. This Section deals with generally accepted professional standards for Town department managers and it may be combined with other like Sections.
- e. Section 404. This Section deals with generally accepted professional standards for Town department managers and it may be combined with other like Sections.
- f. Section 405. The Committee decided to retain the changes made earlier and this Section was identified as an important section to pass forward to the Town Council.
- g. Section 406. The Committee decided to retain the changes made earlier and this Section was identified as an important section to pass forward to the Town Council.
- h. Section 418. The Committee decided to retain the changes made earlier and this Section was identified as an important section to pass forward to the Town Council.
- i. Section 421. This Section deals with generally accepted professional standards for Town department managers and it may be combined with other like Sections.
- j. Section 422. The Editor's Note will be removed from this Section.
- k. Section 503. The Committee decided to retain the changes made earlier but this Section was identified as less important and it may not pass forward to the Town Council.
- l. Section 805. The Committee decided to retain the changes made earlier and this Section was identified as an important section to pass forward to the Town Council.
- m. Section 1002. The Committee decided to retain the changes made earlier and this Section was identified as an important section to pass forward to the Town Council.
- n. Section 1101. Had no revisions necessary. However, the Committee decided to change the resolution it drafted at the February 10, 2016 meeting to make the wording more precise. The new wording is as follows:

"The Charter Review Committee strongly recommends the installation of a paper ballot to approve the Town, School and combined budgets and warrant items exceeding fifty thousand dollars whether through a Financial Town Meeting or through an all-day Referendum."

A motion was made by Mary Lou Sanborn and seconded by John Pagano to forward the Resolution to the Town Council. The motion was approved by Arlene Petit, Anthony Antine, Ed Gromada, John Pagano, Jim Rugh and Mary Lou Sanborn at 5:34 PM.

- o. Section 1102. Had no revisions necessary
 - p. Section 1103. Had no revisions necessary
 - q. Section 1104. Had no revisions necessary
 - r. Section 1105. Had no revisions necessary
 - s. Section 1106. Had no revisions necessary
- B) To summarize the work completed at this meeting there were 13 Sections reviewed that may be grouped as follow:
- a. There are 6 important Sections to pass on the Town Council:
 - i. Section 206. Special Meeting
 - ii. Section 405. Board of Assessment Review
 - iii. Section 406. Town Moderator
 - iv. Section 418. Fire

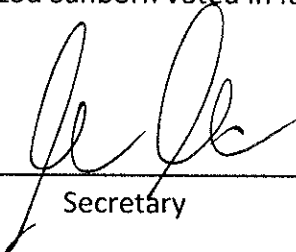
- v. Section 805. Elected Officials
- vi. Section 1002. Membership and Terms
- b. There are 2 Sections the Committee felt were less important:
 - i. Section 216. Procedure for Adapting Ordinance
 - ii. Section 503. Vacancies
- c. There are 3 Sections with similar changes that the Committee felt should be combined into overall change for all town departments:
 - i. Section 301. Appointment and Qualifications
 - ii. Section 404. Tax Assessor
 - iii. Section 421. Town Planner
- d. There are 2 Sections that had administrative changes:
 - i. Section 422. Library Trustees
 - ii. Section 1101. Proposed Budget

IV. NEW BUSINESS

A) The next meeting of the Committee will be held on Wednesday, March 16, 2016 at 4:30 PM.

V. ADJOURNMENT

A motion was made by Mary Lou Sanborn, and seconded by Jim Rugh to adjourn the meeting. Anthony Antine, Blake Dickinson, Edward Gromada, John Pagano, Jim Rugh, Arlene Petit and Mary Lou Sanborn voted in favor of the motion. The meeting adjourned at 5:39 PM.



Secretary



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the February 10, 2015 Meeting of the Jamestown Harbor Commission
Approved: 3/9/2016

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, February 10, 2016 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

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

Present:

David Cain, Chairman
Bruce Dickinson, Commissioner
William Harsch, Commissioner
Clifford Kurz, Commissioner
Joseph McGrady, Commissioner
Wayne Banks, Commissioner

Absent:

Dan Wurzbacher, Commissioner

Also in attendance:

Chief Edward Mello, Executive Director
George Souza, Conservation Commission Liaison
Kim Devlin, Harbor Clerk & Recording Secretary

II. APPROVAL OF MEETING MINUTES

A. Wednesday, January 13, 2016

Commissioner Harsch moves to accept the minutes of the December 7, 2015 Jamestown Harbor Commission meeting, Commissioner Dickinson seconded. So voted; (4 ayes, 0 nays, 1 abstention (McGrady)).

B. Wednesday, December 9, 2015

Commissioner Harsch moved to approve the minutes of the December 9, 2015 Jamestown Harbor Commission meeting. Commissioner Dickinson seconded. So voted (4 ayes, 0 nays, 1 abstention (McGrady)).

III. OPEN FORUM

A. Scheduled Requests to Address

No Scheduled requests to address.

B. Non-scheduled Requests to Address

No Non-Scheduled requests to address.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT

Executive Director Mello reported that we took possession of the new harbormaster vessel. The vessel was inspected by a marine surveyor and the engine was evaluated by an Evinrude dealer and both reports concluded the vessel was fine. The vessel was winterized and shrink wrapped.

Executive Director Chief Mello reported that the Harbormaster job posting is open until the 19 (February) and we are receiving applications.

The Town Council approved the harbor rates as recommended, but we did not present the operating budget. Executive Director Chief Mello talked to Town Administrator Andy Nota and decided we will wait until the leases are finalized and we will re-approve the budget. The lease will be signed in the near future.

Executive Director Chief Mello reported that there has been an administrative discussion on the East Ferry parking lot, curbs, sidewalks, railings, etc. which need repairs. There will be some overlap in the project between the town and harbor. Public Works Director Mike Gray and Town Administrator Andy Nota plan on making a proposal to start the improvements. An example of the overlap is that the railings would be paid for by harbor and the balance of the project will be paid for by the town.

V. MARINE DEVELOPMENT FUND BUDGET

A. 2015/2016 MDF YTD Budget

The Marine Development Fund budget was presented to the Jamestown Harbor Commission.

VI. HARBOR CLERK REPORT

Harbor Clerk Devlin reported that the wait list renewals will be closed on the 15th of February. .

VII. SUB-COMMITTEE REPORTS

A. Budget

Commissioner Kurz had nothing to report.

B. Facilities

Executive Director Chief Mello reminded the Jamestown Harbor Commission of the principle we follow when handling projects. Projects costing \$10,000 and under will be completed using funds from the operating budget and projects over \$10,000 are capital projects.

Executive Director Chief Mello presented the Jamestown Harbor Commission with the list of small projects to work from. The list consisted of the following small project options:

- West Ferry – Water line to the touch and go
- West Ferry – Grinder pump replacement
- West Ferry – Electricity to the touch and go
- West Ferry – Pumpout line check
- West Ferry – Repairs to two pilings
- West Ferry – Additional touch and go
- Ft. Getty – Safety repairs
- Ft. Getty – Kayak racks
- Head's Beach – Railing addition
- Head's Beach – Additional kayak/dinghy racks
- East Ferry – Railing repairs

Executive Director Chief Mello went through the list item by item to explain the reason these small projects are being presented to the Jamestown Harbor Commission as options.

C. Mooring Implementation

Chairman Cain had nothing to report.

D. Traffic Committee

Chairman Cain reported that the next Traffic Committee meeting will be held on February 18 at 6:00PM.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison

Conservation Commission Liaison Souza reported that the Conservation Commission is supportive of conservation moorings, but are also concerned about eelgrass beds. The Conservation Commission is asking Jamestown Boat Yard to be sensitive of this issue in light of their approval for additional commercial moorings.

Regarding aquaculture, the Conservation Commission agrees that shellfish are beneficial to water quality, but also wanted to point out that aquaculture also increases human activity.

IX. OLD BUSINESS

There was no Old Business to discuss.

X. CORRESPONDENCE

A. Chief Mello – Memo Re: Commercial Mooring Request

B. Harry & Gail Chase – Re: CRMC File #2014-12-056 Pinheiro Aquaculture; 1-12-2016

C. CRMC – Re: February Calendar

Vice-Chairman Harsch moved to accept Correspondence Items A, B, and C; Commissioner Dickinson seconded. So voted; (6 ayes, 0 nays).

XI. NEW BUSINESS

A. Commercial mooring requests – Conanicut Yacht Club, Dutch Harbor Boat Yard, Clark’s Boat Yard; potential approval of additional mooring permits

Chairman Cain recused himself, based on his membership with the Conanicut Yacht Club.

Executive Director Chief Mello reported that the approval of the additional commercial mooring permits is permissible based on CRMC regulations. As a condition of the approval the commercial moorings may be granted with the following provisions: CRMC approval, Army Corps approval, the submission to the Town of the exact coordinates of the proposed moorings, the capacity for each mooring, and the submission of a parking plan to the Town. The final determination and assessment will be based on the Harbormaster’s final approval.

Commissioner Dickinson moved to approve the additional commercial moorings under Executive Director Chief Mello’s conditions for approval; Vice-Chairman Harsch seconded. So voted; (6 ayes, 0 nays).

B. Long Range Infrastructure Plan

Executive Director Chief Mello reviewed the Long Range Infrastructure Plan with the Jamestown Harbor Commission.

A discussion ensued, regarding the level of involvement the Town Council would like the Jamestown Harbor Commission to have in the determination of the use of the Ft. Getty pier.

Executive Director Chief Mello stated he could ask the Town Council how they would like the Jamestown Harbor Commission to proceed.

Commissioner Kurz moved to request the Chief ask the Town Council how they want the Jamestown Harbor Commission to interact with the Ft. Getty improvements; Commissioner Dickinson seconded. So voted; (6 ayes, 0 nays).

Executive Director Chief Mello requested the Jamestown Harbor Commission review the Long Range Infrastructure Plan before the next meeting so the final determination will be made at the March meeting.

The item will be continued to the March meeting.

XII. OPEN FORUM – CONTINUED

XIII. ADJOURNMENT

Vice-Chairman Harsch moved to adjourn at 8:15 PM, Commissioner Dickinson seconded. So voted; (6 ayes, 0 nays).

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk

Approved As Amended
PLANNING COMMISSION MINUTES
January 6, 2016
7:00 PM
JamestownTown Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

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

Duncan Pendlebury – Vice Chair	Rosemary Enright – Secretary
Mick Cochran	Bernie Pfeiffer

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Christian Infantalino - Attorney
Douglas DeSimone – Douglas Properties
David Presbrey – Architect
Matt Cotta – American Engineering
Donald Powers – Union Studios, Architect
Eric Busch – Rustpoint Advisory
Brenda Hanna stenographer
Catherine Maxwell
Carolyn Rufo
Bob Trout
Michael Swistak
Michael Smith

II. Approval of Minutes December 2, 2015

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

A motion was made by Commissioner Enright and seconded by Commissioner Cochran for the Planning Commission to sit as the local review board. So unanimously voted.

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to open the Public Hearing. So unanimously voted.

III. Old Business

The Planning Commission Sitting as the Local Review Board pursuant to RIGL 45-53 Low and Moderate Income Housing Act

Master Plan Informational Meeting

1. Jamestown Village Condominiums, Property Owner: Holy Ghost Society, Applicant: Douglas Enterprises, LTD., A.P. 8 Lot 79, 138 Narragansett Avenue, Application for Major Land Development Project , 16 Units (4 income restricted Low-Moderate Income units), 2 buildings, Multi-Family Development Project proposal, Comprehensive Permit per Zoning Article 17, Zoning Variances and Special Use Permit.

Commissioner Pendlebury reviewed what will be done at this public hearing. Town Planner Lisa Bryer stated we have hired 2 consultants Don Powers from Union Studios for architectural review and Eric Busch from Rustpoint Advisory LLC. This has been duly advertised and abutter notification has been met.

Commissioner Pendlebury stated the applicant Douglas Enterprises, LTD's experts will make each a presentation after each expert has presented at that time the local review board will ask questions and the public can then comment, this may take 2 nights.

Attorney Christian Infantolino attorney for the applicant and gave an update of what this application is for the audience. The site proposed is the former PAC site.

Attorney Infantolino listed the variances and special use permits they will be asking for. Mr. Infantolino also named the experts that will be testifying for Douglas Enterprises, LTD.

Joseph D Lombardo, Land Use Planning Consultant
Dan Cotta, American Engineering
George Gifford, The Gifford Design Group, Landscape Architect
Mr. Paul Bannon, RAB Professional Engineers, Inc. P.E. Transportation Planning

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to accept Mr. Lombardo as an expert witness.

Mr. Lombardo introduced himself and gave his professional background information. He was sworn in to testify as an expert.

Mr. Lombardo gave his opinion based on per person capita and impact to the town, he also stated he relies heavily on the census information and town budget data. He figured 1.8 persons per household according to the census information.

The municipal and school budget, and Police, Fire and EMS would be impacted. The cost per student is relatively high but that is because of the relatively low number of people for Jamestown. These are 1 & 2 bedroom units He went over how he arrived at his figures. He is

expecting 31 residents and 1 would be a school age child. There is a strong likelihood that these may be seasonal units. He got projections from DeSimone of what the market rate units would be and the affordable rate which is dictated by the state.

Commissioner Pendlebury asked about the census information and is the 1.8 influenced by owner vs. renters? No it is not. There were no questions from audience.

Paul Bannon Traffic Engineer was sworn in by Brenda Hanna stenographer.

Mr. Bannon president at RAB Engineering gave his background and resume to the Planning Commission.

A motion to accept Mr. Bannon as an expert witness was made by Commissioner Enright and seconded by Commissioner Cochran. So unanimously voted.

Mr. Bannon did a traffic impact study and they reviewed site plans and observed traffic operations. They also did a traffic count in a 24 hour period. This is a predominately residential area. They did the traffic counts in October 2015. School time from 2-3 was the busiest with 204 cars being observed. The future condition with this proposal will generate 7 trips in morning and 9 in the evening. Narragansett Ave will handle this with no problem the traffic will not have a detrimental effect on public health and safety.

Commissioner Enright asked in terms of using the October figures the traffic in that area is busier in the summer months. They figured 25% more in the summer. Just to clarify for everyone these are trips per hour stated Commissioner Pendlebury and also based on the type of land use which is condominium.

Commissioner Cochran asked when you calculate the averages for Narragansett Ave. and that particular part with the four corners he did calculate those numbers based on that.

Catherine Maxwell – 170 Narragansett Ave. Jamestown - She thinks the total number of cars seems correct and a point of clarification to the scope of the analysis it does not look at pedestrian or bicycle traffic. Bicycle traffic in that area is quite heavy because of school children. The public safety official has asked for a Pemberton Ave. exit too. And the applicant is agreeable to this. This issue came up at a TRC meeting and it was brought up by police and fire and they would like a second access of exit only onto Pemberton Ave. Enright in terms of pedestrian access one of our consultants has asked about it and the site engineer can talk about this. Their concerns first then ours.

Dan Cotta American Engineering was sworn in by Brenda Hanna, stenographer.

Dan Cotta has previously been approved by this board.

Mr. Cotta explained the site from an engineering standpoint as he has done previously. A discussion ensued about storm drains and where they are located in the street.

Carolyn Rufo- 148 Narragansett Ave.- she lives on the corner of Lawn and Narragansett. There is a river down Narragansett Ave and Lawn Ave. when it rains. Are you saying less water will come off the site and where will it impact, DOT is constantly there to get the sand out of the drains, Cotta said we cannot fix the problem on Narragansett Ave. but it will be less.

Is the town aware of this? Maybe a complaint brought to someone else she thinks it is all coming to Narragansett Ave and she hopes its less.

Commissioner Pendlebury said is the river in front of this site and it comes down to the corner of Lawn Ave. If Mr. Gray is aware of it that is a good thing.

Bob Trout - 14 Lawn Ave.- Lawn Ave is like the Mississippi at times and it has not changed in 25 years, he drives by Narragansett Ave and it is minimal compared to Lawn Ave he thinks it will be a help with the project.

Mike Swistak - 143 Narragansett – In earlier sessions there was talk of cisterns to capture the runoff? No they will not be requiring them.

Flood Zone A does it encroach the front of the property? Do you have to build above? So the edge of the zone will be where the building footprint is? Naturally it has to be above will it be a little taller then what is shown on the plans. The flood plane is about 1 foot deep. You have to take in consideration where the edge of the zone is. These elevations may need to be raised then Mr. Swistak said.

Commissioner Pendlebury asked what would be the grade of the floodwater?Mike Smith said it is 16 feet above MLW He explained the flood zones. What is the first floor grade?

Swistak asked will the elevation certificate be available and a requirement? It should be noted and this is part of a building permit.

George H. Gifford - Gifford Design Group was sworn in by Brenda Hanna
He has previously been accepted as an expert witness.

The engineer did a good job at explaining the current impervious site and he shows on his plan the additional greenspace that will be added. In late October Mr. DeSimone had a meeting with the neighbors who have asked about incorporating some sort of vegetative barrier along the west property line. They have agreed to that and in addition he put some street trees along Pemberton Ave. A minor challenge he said because there was not enough room to put street trees, the existing sidewalk that would be place there once all the pavement was removed it would have to be on private property. A curved sidewalk is proposed. One of the comments at the public meeting addressed the idea of creating a gathering space a sitting area, one abutter said it might be too successful and too much gathering will go on there. Center of the parking lot is good location for a shade tree. The privet hedge is not owned by this property. Norway maple he wants to keep but it is unfortunately in a state of disrepair. It will be removed from the east property line and it will be replaced by an evergreen hedge. The European Beech they will try to preserve.

Ms. Bryer said we received correspondence from abutter requesting 3 trees and a fence.

Mr. Gifford addressed the evergreen hedge he refers to it as a green wall they are more effective for creating a screen then a fence (softer texture) He prefers to let the evergreens along the property line additionally this spot along western property line does not provide much lateral space if wetry to tuck 3 large shade trees along building he would be concerned about the growth affecting the building and additional shade to the evergreens that would cause them to thin out.

Commissioner Pendlebury asked “What are you proposing for the evergreens?” They are proposing Arborvitae’s which are dense to the base and we don’t want it to take up lateral and not encroach it would be an arborvitae the giant is much more tolerant and the deer do not like them as much. Upright Ewe but they grow slowly compared to the arborvitae.

Commissioner Cochran asked about the number of big trees along the driveway they may have to go to something else in a shaded area. He wants to get past the concept stage. Is the client going to maintain both sides of the plants? He cannot go onto private property, Mr. DeSimone said. Commissioner Enright asked if they have a maximum height? 6 or 7 feet is what the height is. It is not appropriate to place them close together. Initially there will be clear spots in the gaps.

Katherine Maxwell – she is concerned about a screen of the view of the parking on the Narragansett Ave entrance the one aspect lacking is the Narragansett Ave entrance the visual impact will be of parked cars. She thinks additional landscaping on Narragansett Ave. It looks like it is there.

Don Powers, Architect, Union Studios was sworn in.
Commissioner Enright made a motion seconded by Commissioner Cochran to accept Mr. Powers as an expert witness. So unanimously voted.

Donald Powers - 71 Grinnell St. - he was asked to provide peer review comments. Mr. Powers is also a resident of Jamestown. His firm prepared the design guidelines that Jamestown Planning Department uses and it is traditional patterns most lots here have hedges fences for lot lines. He showed in his drawing a boundary with green and taking that across the Narragansett Ave. side. That would screen the parking. They recommended that building A continue the sidewalk to Pemberton Ave. They also propose a genuine pedestrian entry onto Pemberton Ave. It is reasonable that this will be people walking too. This is an element from an urban design point of view additional egress onto Pemberton but it disperses the car traffic and finally a matter of aesthetics they take a conservative approach he does not care for the serpentine sidewalk. In general they agree with how the buildings are oriented no large parking fields it is appropriately faced to the streets. Later on there will be comments about the architecture itself.

David Presbrey with David Presbrey Architects was sworn in.
He introduced himself to the Planning Commission with his background. A motion to accept Mr. Presbrey as an expert witness was made by Commissioner Cochran and seconded by Commissioner Enright. So unanimously voted.

The initial application the building has been shrunk from the original proposal but not since the application that was presented on Nov 16th. A discussion ensued regarding how many affordable units there will be in each building and what the make-up of the buildings will be. There are 3 affordable units in building B and 1 in building A. The design of the roof line was discussed after a question from Commissioner Cochran. This was one of Union Studios comments. At the TRC we discussed the possibility of 2 twos and 2 ones. Doug DeSimone said he likes his buildings entry ways but if the Planning Commission finds that they want another 2 bedroom unit it can be done. The planning Commission and Mr. Presbrey discussed the floor plans.

Commissioner Pendlebury said the mix of bedrooms for the affordable rate matches the marketable rate he says and he would like to see more 2 bedrooms. Ms. Bryer said she wants to read into the record that The project was reviewed by the AHC and they made two motions one of them making more 2 bedrooms.

Catherine Maxwell – She thinks this is a very attractive building. She is a planner and also a neighbor. She reviewed the Comp Plan and the Affordable Housing plan we need to provide 150 more affordable houses. She thinks this site is great for affordable housing and also said she thinks more 2 bedrooms are much better for Jamestown than the 1 bedrooms this site is within minutes of both schools, library, playground, shopping and the beach. Do not strictly reduce the opportunities for families. This offers an opportunity for affordable units. Commissioner Pendlebury asked Don Powers to go over his review of the buildings.

Before he makes specifics he said his general opinion is it is an appropriate style and completely consistent of the other buildings and styles in Jamestown. He only has a few suggestions for tweaks. Consider a technique that creates more of a consistent portion by adding panels to the windows so they look more consistent. Central gable is undersized and the peak should be added in the front of back building. Eave details should be aligned. Minor comments to building B.

Commissioner Pendlebury said at one time we talked about a porch on the building that is close to Narragansett Ave. and trying a balcony and then tying a porch into it. Minor comments about alignment that sometimes when they are computer generated drawings the windows don't line up. Mr. Powers thinks that the buildings themselves are a great design. His comments on the site plan to mirror this building on the bay on Pemberton, it is a minor issue and a matter of mirroring the building he personally would do it. Mr. Presbrey agreed but the parking could be an issue.

Commissioner Pendlebury asked if your comments are implemented would it bring the building more into the spirit of our design guidelines for the village? Certainly but this is good recognition of all the principals of the general guidelines. The guidelines are just that guidelines. Mr. Powers said this is a good effort to bring this into traditional language.

Christian Infantolino said that Mr. Ed Pimentel was unavailable for this meeting. The applicant asked if he can present at the next meeting Mr. Infantolino also asked that their entire application be admitted as exhibits. Commissioner Pendlebury would like the applicant to provide a list of the exhibits. Infantolino does not have another witness for today.

Commissioner Pendlebury asked if the relief requested on 12/9/15 “is this the relief you are still asking for?” We need this information before the next meeting. The applicant is required to present a proforma of the costs and the Planning Commission and town hired Mr. Busch to comment on it to be sure that it balances with the overall requirements and construction costs.

Mr. Eric Busch was sworn in.

He gave the Planning Commission and the audience his background information.

He is our expert so no motion is needed.

Mr. Busch said he thinks in general he was looking at reasonable costs. He found the pro forma is very reasonable and thorough. He at the request of the commission looked at hard and soft costs and benchmarking. When bedrooms are added it may change the numbers.

Commissioner Pendlebury said it is all in the proforma, at the end of the day the developer can make adjustments in order to balance it. There would be a detriment to the pro forma if you ask for all 2 bedrooms for the affordable units as you make the 2 bedrooms affordable It would be the additional cost of the 2 bedrooms.

Catherine Maxwell – asked what kind of income limitation would apply?

Mr. Busch read from the 2015 HUD guidelines.

Mr. Douglas DeSimone - 25 Buckell Cove Narragansett was sworn in.

He does not believe he can do all 2's, if the board would like he can do 3- 2s and 1- 1. He can do it and not have it significantly impact his proforma.

Commissioner Pendlebury would like these things to be formally addressed at the next meeting. The change in the 2 bedrooms correct me if I am wrong but it is entirely within your province to say how you want it. Mr. DeSimone does not know if once the hearing has been opened can he amend his application conditions are typically imposed. This process they have tried their best to work with all the neighbors. Mr. DeSimone said the comment for the fence he does not agree with, everything else the neighbors have said he is in agreement.

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to continue the public hearing to January 20th2016 at 7:00 p.m. So unanimously voted.

The applicant asked if they need their professionals back for the next meeting. No he was answered.

A motion to close the public hearing was made by Commissioner Cochran and seconded by Commissioner Enright. So unanimously voted.

Town Planner Lisa Bryer discussed a future agenda item, she has been working with the owner of the mall building who has been doing research for development to find appropriate use they are submitting an application to EDC to create micro flex units in rear and retail in front and having the town help out with proposals for the building. She would like to be on the next available agenda.

IV. Adjournment

A motion to adjourn was made at 9:35 by Commissioner Enright and seconded by Commissioner Cochran. So unanimously voted.

Attest:

Cynthia L. Reppe

Cynthia L. Reppe

This meeting was recorded

Approved As Amended
PLANNING COMMISSION MINUTES
January 20, 2016
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

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

Duncan Pendlebury – Vice Chair	Rosemary Enright – Secretary
Mick Cochran	Bernie Pfeiffer

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Christian Infantalino - Attorney
Douglas DeSimone – Douglas Properties
Mr. Edward Pimentel, AICP Pimentel Consulting Inc.
Robert Trout
Michael Swistak

II. Approval of Minutes January 6, 2016

A motion to approve the minutes was made by Commissioner Enright and seconded by Commissioner Cochran with the following amendments:

Page 1 –under Also present - Eric Busch – Rustpoint Advisory

Page 2 - Lisa Bryer stated we have hired 2 consultants Don Powers from Union Studios for architectural review and Eric Busch from Rustpoint Advisory LLC.

So unanimously voted.

III. Old Business

A motion was made by Commissioner Cochran and seconded by Commissioner Enright for the Planning Commission to sit as the Local Review Board. So unanimously voted.

Master Plan Informational Meeting

1. Jamestown Village Condominiums, Property Owner: Holy Ghost Society, Applicant: Douglas Enterprises, LTD., A.P. 8 Lot 79, 138 Narragansett Avenue, Application for Major Land Development Project , 16 Units (4 income restricted Low-Moderate Income units), 2 buildings, Multi-Family Development Project proposal, Comprehensive Permit per Zoning Article 17, Zoning Variances and Special Use Permit – Continued

A motion was made by Commissioner Cochran and seconded by Commissioner Enright to reopen the public hearing. So unanimously voted.

Mr. Edward Pimentel was sworn in and gave his background and handed in his CV. He has been a municipal planner and started consulting about 15 years ago. He has worked on about a dozen comprehensive permit applications.

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to accept Mr. Pimentel as an expert witness. So unanimously voted.

Mr. Pimentel looked at the proposed development, density and what type of affordable housing is being proposed. He does a thorough analysis.

Commissioner Pendlebury questioned Mr. Pimentel on his report on page 5. Pendlebury said because of the way our zoning is written he feels his statement is reverse logic. Pendlebury noted that there is no argument that there is increased density in the area this is being proposed but our zoning does not say this density is permitted and it should be stated as such and in addition just because there is increased density that does not warrant that this is where it should be. That is a significant distinction over what was stated in the report.

Commissioner Pendlebury asked if any member of the audience has a question of Mr. Pimentel. Attorney Infantolino said the application team is done with their presentation. Commissioner Pendlebury asked for some dates regarding exhibits. Commissioner Pendlebury would like to go through the attachments.

Mr. DeSimone said he is providing 25% affordable housing which is more than the 20% our ordinance says is required. There are conflicts between ordinances and the enabling act Mr. Brochu said this comes up a lot. Bryer clarified that in order to be reviewed under the State Law for comprehensive permits you need to provide 25%.

DeSimone said after the application there was some confusion with regards to the ordinances and the open space requirements. Commissioner Pendlebury asked town planner Lisa Bryer and it has been determined that the relief required is twice what originally thought: it requires 2 square feet per square foot of gross floor area for multi-family dwelling projects (more than one building).

Michael Swistak – 143 Narragansett Ave. – I am an abutter and I have some thoughts related to density. He feels the density being requested is too much for the area. He appreciates all the work

that has gone into this application. It is an R-20 lot and when you allow this density it becomes a CL or CD lot. He understands compromises have to be made for our affordable housing. Prior to the re-write for the zoning ordinance the town was adamant about not expanding the commercial district. He thinks it should be a 12 unit proposal which would require less relief. When done it should be as close to R-20 as possible. Please probe a little deeper he asked. At the end of the day he feels it is not the right site for this project.

Commissioner Pendlebury would like to go over the draft motion.
Edits were made to the draft motion.

Attorney Infantolino said the density based on this application is pursuant to article 11, based on parking. Mr. Infantolino explained their interpretation of 82-1110 – Parking and Density Calculations. Commissioner Pendlebury said in his experience this clause refers to not allowing more than the parking that you are able to provide and this is based on not only Jamestown but other municipalities.

Mr. DeSimone was sworn in.

He said from his perspective his concern is simply that if this board ultimately approves this application at Master Plan he want his “subsidy” to be clear and it is a building permit fee waiver. It was clarified that that is requested for the affordable units only. The units cannot be counted towards the affordable housing stock unless there is a subsidy. He would like both a fee waiver and density then, he does not want to get tied up in it after the fact. Commissioner Pendlebury understands what he is saying.

Commissioner Pendlebury said we have heard various discussion by the experts on this application. He thinks it would be helpful if the thoughts of the board are put on the table. We are being asked to approve this application.

Commissioner Pfeiffer said the amount of relief is very large, 10x the actual size allowed, seems like a very large number but we have had many experts provided by the applicant **and by the town for the Planning Commission** that conclude that the size of the project is not outside of what the area can take.

Commissioner Cochran said he agrees with what Commissioner Pfeiffer said, this is an exceptional request. He thinks the past use shouldn't happen currently there and he thinks with the CL adjacent to this property this contribution to low cost housing is beneficial and he is leaning on the side of approving the project.

Commissioner Enright said affordable housing is necessary, and for seniors on the island this type of housing is needed. She thinks the relief is a lot and would like to see 12 units instead of 16, she ran the numbers herself, but realizes it is unrealistic to ask the developer to accept such a low profit. She would be very upset if there were only 1 bedroom units for affordable. She would like to see more two-bedroom units.

Commissioner Pendlebury gave a quick review of the items the applicant has agreed to incorporate Don Powers suggestions.

Commissioner Enright would like to see all 2 br. units. He can convert two of the 1-bedroom units in the larger building to two-bedroom units. The ~~small~~ building cannot accommodate another 2 bedroom unit due to its size and this is why DeSimone said he needs to keep 1 -1 bedroom. If they want another 2 br. the building is going to have to grow. Commissioner Cochran does not feel strongly about it, neither does Commissioner Pfeiffer, and Pendlebury agrees.

Commissioner Pendlebury said we have heard a lot and he feels it is enough to go forward with the motion as amended.

Mr. Swistak asked if he could give a last final comment on a new topic. The Vice Chair permitted it.

Swistak the last thing he is thinking about when Mr. Busch was here was is it appropriate to ask the applicant at this time what the back-up plan will be if this does not happen.

Mr. DeSimone explained how he is going to go about building, starting the small building first. Pendlebury does not think it is within their purview to tell him how to sell his units.

DiSimone also said it is against the law to even attempt to sell these units before anything has been approved. Mr. DeSimone said he has had several phone calls already.

Bob Trout – 14 Lawn Ave. – he is an abutter to the property he is a licensed RE appraiser and if he were asked to appraise his house he would look at it as if the project does not go ahead he thinks it would have a negative impact on his house and the value. He wants to see residential and not commercial. He is fine with the 16 units.

Town Planner Lisa Bryer added as a condition of approval the offer by the developer to construct off ~~side~~ site improvements consisting of sidewalks. They would continue along the corner of Narragansett Avenue and Pemberton Avenue and along Narragansett Avenue to Lawn Avenue. DiSimone said he agreed to extend it. Also we have added to the motion the document that notes all the exhibits.

A motion was made by Commissioner Pendlebury, seconded by Commissioner Cochran at the January 20, 2016 Jamestown Planning Commission meeting, the Local Review Board voted unanimously: To grant Comprehensive Permit/Master Plan approval for the project titled “Jamestown Terrace” in accordance with the Town of Jamestown Zoning Ordinance including Article 17 – *Low and Moderate Income Housing* and Subdivision Regulations, RIGL 45-23-37 and the plans entitled:

- 1) **"Site Plan for Jamestown Terrace located at 138 Narragansett Avenue, Jamestown, Rhode Island, Sheets 1 and 2 of 2, dated 10-14-15** by American Engineering, Inc., 400 South County Trail – Suite A 201 Exeter, Rhode Island 02822;
- 2) **Elevations Drawing No. A1, A4 and A101, Owner Jamestown Village, printed 11/9/2015** by David Presbrey Architects, 610 Eddy Street, Providence, Rhode Island 02905-4808;

- 3) **Concept Landscape, Master Plan, Drawing 1 dated November 2015**, by The Gifford Design Group, Inc., Landscape Architecture, Environmental Planning, 4096 Mendon Road, Cumberland, Rhode Island 02864.

This approval is based on the following Procedural History, Project Description, Findings of Fact and is subject to the following Conditions of approval:

A. PROCEDURAL HISTORY

1. An application for Comprehensive Permit was received on November 16, 2015 and, subsequent to additional checklist items being submitted on December 9, 2015 the receipt of the Letter of Eligibility on July 9, 2010, the application was certified as complete on December 15, 2015. The application is for 16 condominium dwelling units located in 2 buildings; 12 in one building and 4 in another. The project is entitled "Jamestown Terrace".
2. The applicant, Douglas Enterprises, Ltd. is a for-profit developer. The applicant controls the site by virtue of a purchase and sales agreement dated May 12, 2015. Douglas Enterprises, Ltd. is eligible to pursue a Comprehensive Permit pursuant to R.I. Gen. Laws § 45-53 and a letter dated October 26, 2015 from Eric Shorter, Director of Development, Rhode Island Housing which states that Douglas Enterprises, Ltd. is "eligible to pursue a Comprehensive Permit application in the Town of Jamestown to develop 138 Narragansett Avenue. Modifications to this proposed development resulting from the local review process do not require an additional letter of eligibility."

Other materials entered into the record through application to the Local Review Board include and submitted by reference as exhibits include:

Exhibit 1: Letter to Lisa Bryer, Town Planner, dated November 16, 2015.

Exhibit 2: Letter to Jamestown Planning Commission, dated November 16, 2015.

Exhibit 3: Subdivision and Land Development Application and Supplementary checklist

Exhibit 4: Relief requested amended 12-9-2015

Exhibit 5: Major Land Developments and Major Subdivisions Master Plan Checklist #5

Exhibit 6: Letter of Eligibility from Rhode Island Housing, dated October 26, 2015.

Exhibit 7: Deed Restriction Template.

Exhibit 8: Financial Pro Forma

Exhibit 9: Fiscal Impact Study prepared by JDL Enterprises

Exhibit 10: Application for Comprehensive Permit Pursuant to Section 82-1701 of the Jamestown Zoning Ordinance and RIGL Title 45, Chapter 53 as amended and Planning Report prepared by Edward Pimentel

Exhibit 11: Summary of Qualifications for Edward Pimentel of Pimentel Consulting, Inc.

Exhibit 12: Master Plan landscape plan dated November 15 and prepared by The Gifford Design Group, Inc.

Exhibit 13: 1,000 foot Radius Plan, dated 10/14/2015 prepared by American Engineering, Inc.

Exhibit 14: Site Plan for Jamestown Terrace dated 10/14/2015 prepared by American Engineering, Inc.

Exhibit 15: Narrative for Jamestown Terrace

Exhibit 16: Open Space Use Plan submitted 12-9-2015

Exhibit 17: Warranty Deed recorded in the Jamestown Land Evidence Records at Book 82 Page 943 that reserves the existing driveway right of way submitted 12-9-2015

Exhibit 18: CV for Joseph Lombardo

Exhibit 19: CV for George Gifford

Exhibit 20: CV for Paul Bannon

Exhibit 21: Comprehensive Permit application

Exhibit 22: Abutter list

Exhibit 23: Traffic Study by RAB Professional Engineers, Inc.

Exhibit 24: Memo dated December 13, 2015 including Site Plan and architectural recommendations from Donald Powers, Principal, Union Studio

Exhibit 25: Memo dated December 15, 2015 from Eric Busch, Principal, Rustpoint Advisory, LLC.

3. The application states that four of the 16 dwellings will be low and moderate income units that will remain affordable through a deed restriction. These units are proposed to consist of one 2-bedroom and three 1-bedroom units. The ownership condominiums will provide ownership opportunities to households whose incomes do not exceed 100% area median income.
4. This application was heard by the Local Review Board for pre-application on September 16, 2015 and October 7, 2015. A Master Plan Informational Public Meeting was held on January 6, 2015 and closed on January 20, 2015: The Planning Commission sat as the Local Review Board for this application pursuant to RIGL 45-53 Low and Moderate income Housing Act. Notice of the public hearing was sent to the abutters within the required notice area, published in the December 3 and December 24, 2015 Jamestown Press, posted at the Town Hall, the Police Station and the Jamestown Philomenian Library and also posted on the Town of Jamestown web site and the RI Secretary of State's public meeting web site.
5. Christian S. Infantolino, Esq. of Morneau and Murphy appeared as legal counsel on behalf of the Applicant.
6. During the Local Review Board meetings and Public Hearing, the Board received comments and reports from the Town Planner. The Planning Commissions legal counsel, Wyatt Brochu advised the Board as well.
7. The Town of Jamestown hired Architect Donald Powers, Union Studio to review and comment on the building architecture and site design. The Town also hired Eric J. Busch, Rustpoint Advisory, LLC to review the financial pro forma for the application.
8. Neighbors (abutters) were also present at the public hearing and submitted additional information to the Board for their consideration. The concerns of the abutters were discussed by the Board and given consideration during the review process and included:
 - a. Additional trees along Narragansett Avenue and adjacent to the direct abutter to the west on Narragansett Avenue.;

- b. Addition of a fence along the west property line in addition to the proposed evergreen hedge;
 - c. recommendation that all the affordable condos are 2 bedroom;
 - d. Having an additional vehicular access point to Pemberton Avenue
 - e. Reducing the entrance at Narragansett Avenue and add landscaping
 - f. Identify areas for trash receptacles and recycling
 - g. No parking on Narragansett Avenue and along the right-of-way
 - h. Bike rack
 - i. Construction Plan?
 - j. Lower condo fees for the affordable units
 - k. Too dense
9. The Master Plan application was reviewed at a Technical Review Committee (TRC) Meeting on December 9, 2015 and a proceeding of that meeting dated December 9, 2015 was prepared (Exhibit 22)

B. PROJECT DESCRIPTION and FINDINGS OF FACT

1. The proposed project is described on the plans by American Engineering, Inc. as indicated above, and made a part of the record. The Applicant has submitted architectural renderings by David Presbrey Architects, as indicated above and made a part of the record. The applicant has submitted a landscaping plan by Gifford Design Group, as indicated above, and made part of the record.
2. The property on which the project is proposed is located at 138 Narragansett Avenue and shown on Assessor's Map 8 Lot 79. The property contains approximately 41,055 square feet (.94 acres) and is presently developed with the Portuguese American Citizens Club building, built in approximately 1945.
3. The property is cleared with several trees present and is gently sloping to the south. It is located in an R-20 district where 20,000 s.f. is required for a single family house and 200,000 s.f. is required for multi-family dwellings. The Zoning directly across Pemberton Avenue to the east and south is CL – Commercial Limited. Zoning to the north and west is R-20.
4. The proposed development is consistent with local needs as identified in the Jamestown Comprehensive Plan - Affordable Housing Element which states the following:

Goal: *Create a diversity of housing types (such as homeownership, rental, employee preference, etc.) to meet the needs of Jamestown's low-moderate income residents, employees, and special populations while maintaining Jamestown's unique mixture of village and rural character.*

Policy 3: *Identify potential locations for affordable housing development: recommended actions.*

Action Item a: Target appropriate parcels for Infill development of affordable housing.

4. The local concerns do not outweigh the State and Local need for affordable housing. The Local Review Board conceptually approves granting the necessary Zoning Ordinance relief as follows.
The applicant has requested the following Zoning Relief:
 - a. Special Use Permit for Multi Family Dwellings in R-20 Zone; Table 3-1 permitted uses
 - b. Deviation from (formerly Dimensional (variance)) from Article 3, Section 82-302, Table 3-2, minimum lot size for multifamily project within the R-20 zone of the Village Special Development District.
Minimum Required – 200,000 square feet, existing = 41,055 sq. ft.
Relief requested = 361,945 square feet
 - c. Deviation from front yard setback pursuant to Table 3-2
Setback required = 30 feet, setback provided = 22.5 feet
Relief requested = 7.5 feet
 - d. Deviation from Article 10, Section 82-1006.5. Open Space Requirements
Required Open Space 39,352 square feet
 - 2 sq. ft. per sq. ft. of gross floor area
9,838 s.f. x 2 floors = 19,676 total sq. ft.
19,676 total s.f. x 2 s.f. per s.f. of gross floor area = 39,352Provided Open Space: 19,974 sq. ft.
Relief Requested: 19,378 sq. ft.
5. The application, as described in the plans, is for 16 multi-family dwelling units in two buildings on one lot. All units will be offered for purchase and 4 of those units will be for sale as “affordable units” with a permanent deed restriction to remain affordable. The two buildings are proposed to be 2.5 story units, both within the 35 foot height requirement per the Zoning Ordinance. The 12 market rate units will have two-bedrooms each and the applicant has proposed 3 1-bedroom and 1 2-bedroom affordable units but has agreed to modify the Low-Moderate Income (LMI) units to consist of 3 two-bedroom units with 1 one-bedroom unit remaining. The units are compatible in scale to the existing senior housing on Pemberton Avenue and are compatible in architectural style to the surrounding units in the neighborhood.
6. The Local Review Board has been presented with no facts evidencing significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions of approval. The Technical Review Committee reviewed the plans at a meeting on December 9, 2015. They had no outstanding environmental issues or objection with the application as proposed. The applicant has indicated that the first floor elevation will be above 33 feet, the identified X-zone on this site.
7. There will not be significant negative impacts on the health and safety of current or future residents of the community. The proposed development has a reduction in impervious cover over what exists today on site. The applicant has indicated that stormwater runoff

will be further mitigated by roof leaders and underground infiltrators. The stormwater system will be designed at the Preliminary stage.

8. All lots in the subdivision will have adequate and permanent physical access to a public street in accordance with the requirements of § 45-23-60(5). Narragansett Avenue and Pemberton Avenue are the public roads to which the project will have access. Narragansett Avenue is a State Road and is listed in the RI Transportation Improvement Program for paving and sidewalk replacement. Pemberton Avenue is a local road in Jamestown and is in adequate condition to service the project. The proposed dwelling units will have access to said public roads via driveway access.
9. The proposed development will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. The buildings have been designed by David Presbrey Architects specifically for this lot.
10. All subdivision lots have adequate water for the intended use and adequate provision for wastewater disposal. The Applicant proposes public water and sewer for all dwelling units and will be required to receive approval for such hook-ups from the Jamestown Board of Water and Sewer Commissioners.
11. The required subsidy for this affordable housing development is proposed by the developer to include:
Local Subsidy: Building Permit Fee waivers for LMI units only
12. The local review board makes the following findings as required per RIGL45-53-4, on each of the following standard provisions, where applicable:
 - a. The proposed development is consistent with local needs as identified in the local comprehensive community plan with particular emphasis on the community's affordable housing plan and/or has satisfactorily addressed the issues where there may be inconsistencies.

The Jamestown 2015 Comprehensive Plan notes that all affordable housing is in need but in particular family, elderly, special need and workforce housing are particular needs. The developer intends to target empty nesters. This could mean elderly. But with two bedrooms and proximity to the schools and the village, the affordable units would be attractive to small families or single parent households also. The Comp Plan Housing Element states:

Island Families: It is a priority of the Town to provide housing opportunities that allow for the intergenerational continuity of island families. However, with escalating housing prices, people who grew up in Jamestown often cannot afford to live there as adults.

It is especially difficult for young families to find starter housing in Jamestown. With single-family home prices so high, rental housing is the only alternative for many families. Average rents in Jamestown are beyond what many working families can afford to pay.

Island Elderly: With fixed incomes and specific housing needs, it can be a challenge to provide appropriate housing for the elderly. Jamestown's elderly population is growing, which places demands on the housing market for smaller homes, condominiums and townhouses, and one level homes, all of which are scarce on the island. The population of residents over 65 years of age has increased by 344, or 35 percent between 1990 and 2010 and has increased 166, or almost 17 percent in the ten year span between 2000 and 2010, during a time that our overall population decreased by 217 persons.

The 2000 CHAS data indicate that there are 114 low-income elderly households with housing problems in Jamestown. For many elderly homeowners, staying in their large homes is no longer an option, for financial and/or maintenance reasons. Skyrocketing property values have created property-tax burdens elderly homeowners cannot afford. These residents could downsize, but there is not enough appropriate housing available. There are no assisted-living facilities in Jamestown. The Jamestown Housing Authority has a 2-to-5 year wait for its 47 subsidized elderly-housing units.

- b. The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance and subdivision regulations, and/or where expressly varied or waived local concerns that have been affected by the relief granted do not outweigh the state and local need for low and moderate income housing.

The property is zoned R-20 permitting various residential, government, education, institutional, water related and home office uses. The proposed use (multi-family) is permitted by special use permit and requires 200,000 square feet for the use (3-12 units). This parcel is 41,055 square feet and does not comply with the size requirement. The Local Review Board has determined that the relief requested outweighs the local concerns, which have been meaningfully addressed through design, and the state and local need for low and moderate income housing.

- c. All low and moderate income housing units proposed are integrated throughout the development; are compatible in scale and architectural style to the market rate units within the project; and will be built and occupied prior to, or simultaneous with the construction and occupancy of any market rate units.

The LMI units are integrated throughout the development with one in the 4 unit building and 3 units in the 12 unit building. According to Architect Donald Powers "Given the prior use on the site (PAC) and the mixed pattern of single family and multi-family already existing on

Pemberton, this intensity of use seems reasonable. Further, based on professional and personal experience with the community and a general understanding of the challenges to affordability, the stated desires of a large part of the community (Jamestown Visions) the specific needs of this housing market, and cost of services as they relate to housing type, the proposed use seems warranted. Furthermore the site plan and ratio of open space to lot coverage seems acceptable.”

- d. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.

Flood Zone X occurs on the south-west corner of the subject site. A portion of Building B is located within the X Zone and will require special design considerations. On site stormwater drainage will be handled at the Preliminary Stage of review.

- e. There will be no significant negative impacts on the health and safety of current or future residents of the community, in areas including, but not limited to, safe circulation of pedestrian and vehicular traffic, provision of emergency services, sewerage disposal, availability of potable water, adequate surface water run-off, and the preservation of natural, historical or cultural features that contribute to the attractiveness of the community.

Health and Safety is of primary concern to the Town of Jamestown. The following elements have been reviewed, discussed, and addressed to the satisfaction of the Local Review Board and it has been determined that there will be no significant negative impacts to the health and safety to current or future residents of the community:

- Vehicular circulation and traffic
- Pedestrian traffic through and by the proposed development
- Emergency Services
- Sewerage disposal
- Availability of potable water

- f. All proposed land developments and all subdivisions lots will have adequate and permanent physical access to a public street in accordance with the requirements of § 45-23-60(5).

See Finding of Fact #8 above.

- g. The proposed development will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, unless created only as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.

- h. See Finding of Fact #9 above.

C. CONDITIONS OF APPROVAL

1. The approval is for a total of 16 condominium units; 12 market rate and 4 affordable (LMI);
2. That payment of a fee in-lieu-of land dedication shall be required for the market rate units of this development as required by Article IIID of the Jamestown Subdivision Regulations;
3. The monitoring agent for this affordable housing development will be the Narragansett Housing Authority;
4. The applicant has agreed that the LMI units will consist of 1 one-bedroom unit and 3 two-bedroom units;
5. All the design and site recommendations from Donald Powers, Union Studio will be incorporated, as attached to this approval, at the Preliminary submittal stage; Exhibit 24.
6. The applicant shall receive approval from the Jamestown Board of Water and Sewer Commissioners for a change of use for the 16 units prior to the Preliminary Approval;
7. A vehicular, exit only egress will be provided to Pemberton Avenue;
8. Once approved by the Local Review Board this approval shall be recorded by the applicant with the Office of the Town Clerk and the Planning Office shall post the approval outside the Planning Office within 30 days of the date of approval; and,
9. This Master Plan approval shall expire one year from the date of approval by the Local Review Board unless Preliminary Approval is granted or an extension is granted per Article V. C. 4. i. of the Subdivision Regulations.
10. A landscape maintenance agreement and schedule, including the “open space” shall be provided and approved at the Preliminary stage of review.
11. The applicant has agreed that none of the condominium units will be rented for a period of less than 30 days and this restriction shall appear in the deed language.
12. Cisterns shall be considered as an element for landscape maintenance and stormwater mitigation.
13. The areas for storage and collection of trash and garbage shall be identified at the preliminary stage of design and buffered as required 82-1006.6C.
14. Building in the Flood Zone is regulated by the Building Code and shall be reviewed to during the building permit phase of this project.

15. The applicant has agreed to off site improvements which consist of continuing sidewalks along Pemberton Avenue to Narragansett Avenue and along Narragansett Avenue to Lawn Avenue.

So unanimously voted:

Duncan Pendlebury – Aye

Mick Cochran - Aye

Rosemary Enright – Aye

Bernie Pfeiffer - Aye

Motion carries 4-0

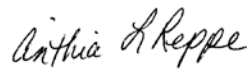
A motion was made by Commissioner Cochran and seconded by Commissioner Enright to close the public hearing. So unanimously voted.

A motion was made by Commissioner Pendlebury and seconded by Commissioner Cochran to dismiss the Planning Commission as the local review board. So unanimously voted.

IV. Adjournment

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Pfeiffer at 8:45 p.m. So unanimously voted.

Attest:



Cinthia L. Reppe

Approved As Written

PLANNING COMMISSION MINUTES

February 3, 2016

7:00 PM

Jamestown Town Hall

93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:05 p.m. and the following members were present:

Duncan Pendlebury – Vice Chair Rosemary Enright – Secretary
Mick Cochran arrived at 7:25 p.m. Bernie Pfeiffer
Michael Smith

Not present: Michael Swistak – Chair

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Douglas DeSimone
Daniel Cotta – American Engineering, Inc.

II. Approval of Minutes January 20, 2016

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

Page 3, 6th paragraph - but we have had many experts provided by the applicant **and by the town for the Planning Commission** that conclude that the size of the project is not outside of what the area can take.

Page 4, 1st paragraph - The ~~small~~ building cannot accommodate another **2** bedroom **unit** due to its size

Page 4, 6th paragraph - construct off ~~side~~**site** improvements consisting of sidewalks.

III. Correspondence – nothing at this time

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

V. Reports

1. Town Planner's Report – Lisa Bryer told the Planning Commission that a BBQ restaurant is being proposed at 35 Narragansett Ave. the current car wash site.
2. Chairpersons report
3. Town Committees
4. Sub Committees

VI. Old Business nothing at this time

VII. New Business

1. Earnshaw/Douglas Enterprises – Plat 14, Lot 301 - Deck St. - Zoning Ordinance Section 314 Sub District A Review, High Ground Water Table Impervious Overlay District 314 – Recommendation to Zoning Board

Dan Cotta- American Engineering presented the application. The site is located on Deck St. on the northerly side. Presented as a 2 bedroom to DEM, it meets the setbacks, a shallow rain garden is proposed because of the depth to water table. Abutting properties are higher than this lot. Minimal grading proposed. DEM required they survey the property because of the encroachment on the lot.

Commissioner Enright asked about the well in the northwest corners, they tried to separate as much as possible so they would not need a variance. The septic required a variance from DEM but Pendlebury wants to see it because he said it is not signed or stamped by DEM.

Town Planner Lisa Bryer asked Mr. Cotta what the standards are for rain gardens in terms of depth. Rain gardens are typically the best we have to work with infiltrating water in these areas. Ideally they would like 2 foot water tables but that would require fill on a site such as this.

Mr. DeSimone said when it was originally submitted there were no drainage calculations and because of comments from abutters DEM asked for this information.

A motion was made by Commissioner Smith and seconded by Commissioner Enright to recommend to the Jamestown Zoning Board, approval of the application Donald and Marcella Earnshaw/Douglas Enterprises, LTD – Assessor's Plat 14 Lot 301; being reviewed under Zoning Ordinance Section 314 - High Groundwater Table and Impervious Overlay District Sub-district A review in accordance with the plan entitled **Town Submission, For Donald and Marcella Earnshaw, located at Pole #4Deck Street, Jamestown, RI, dated 10/1/15, Sheet 1 of 1**. The recommendation for approval is based on the following findings of facts as amended:

Findings of Fact Section 314

The applicant is proposing to construct a two bedroom 24' x 30' dwelling on Lot 301 totaling 7,200 square feet.

1. Applicant has obtained RI DEM approval for an ISDS/OWTS for a two-bedroom dwelling. This approval includes a deed restriction requirement, limiting the dwelling to no more than two bedrooms and an approved variance for groundwater clearance.
2. The applicants OWTS permit from RIDEM and the Town of Jamestown Worksheet for Zoning Section 314 indicates the OWTS is a Septi-tech to Bottomless Sand Filter.

3. The applicant's representative Dan Cotta, PE, President of American Engineering has submitted expert testimony before the Planning Commission on 2/3/16 as an expert witness with regards to OWTS Design and evidence that the proposed project meets the design requirements of Zoning Ordinance 82-314 High Ground Water Table and Impervious Overlay District as documented in a report prepared by American Engineering dated January 8, 2016.
4. The applicant has submitted proposed plantings and rain garden "notes" in the rain garden detail.
5. Jamestown Public Works Director Michael Gray, PE and Jamestown Environmental Scientist Justin Jobin provided correspondence to Lisa Bryer, Town Planner dated January 14, 2016 regarding the Earnshaw application with respect to Zoning Section 314 (attached) which notes that, the proposal in their opinion, meets the requirements of the Ordinance as follows:
 - a. The applicant meets the allowable impervious coverage limit of 10%.
 - b. The proposed 2 bedroom Septi-tech and bottomless sand filter OWTS provides advanced treatment, and meets the requirements of this ordinance. The applicant has enclosed a copy of the RIDEM OWTS Approval dated 12-9-15. A two bedroom deed restriction is required for this lot per RIDEM;
 - c. The proposed 791.5 C.F rain garden exceeds the criteria of the Ordinance to accommodate the increase in runoff for a 10 year storm.
6. There are no wetlands on the subject property nor are there any wetlands within 150 feet from the applicable components of the OWTS per Zoning Ordinance Section 82-308 per the testimony of Engineer Dan Cotta on February 3, 2016.
7. Based on soil evaluation reports, the subject lot is in sub-district A of the High Groundwater Table and Impervious Overlay District.

Conditions of Approval

1. The Operation and Maintenance (O & M) requirements for pervious driveway, stormwater mitigation (rain garden) and OWTS shall be recorded in the Office of the Town Clerk with the Zoning Approval and evidence of such shall be provided to the Zoning Enforcement Officer.
2. The proposed driveway, shall be maintained as a pervious surface and not be paved at any time in the future. The O & M shall indicate that driveway shall remain pervious in perpetuity. Any change in this requirement will require additional approval by the Zoning Board of Review.
3. An as-built plan shall be provided by the Engineer to ensure constructed grades match the approved development plan.
4. The property corners shall be marked by permanent bounds as placed by a Registered Land Surveyor.

So unanimously voted by:

Duncan Pendlebury
Bernie Pfeiffer

Rosemary Enright
Michael Smith

VIII. Adjournment

A motion was made to adjourn the meeting at 7:26 p.m. by Commissioner Enright and seconded by Commissioner Smith. So unanimously voted.

Attest:



Cynthia L. Reppe

Approved As Written
PLANNING COMMISSION MINUTES
February 17, 2016
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:05 p.m. and the following members were present:

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

Not present: Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant
Andy Nota – Town Administrator

II. Approval of Minutes February 3, 2016

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to accept the minutes as written. So unanimously voted. 1 Abstention

III. Correspondence

1. FYI – Memo to Zoning Board Earnshaw/Douglas Enterprises. Received

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

V. Reports

1. Town Planner's Report – She noted that budget season has begun and the hearing schedule will be released soon. We have a new Planning Commission member that was appointed last night. We will be holding a TRC tomorrow with 3 items on the agenda. Preppy Pig, is a proposed restaurant, to be located in the car wash. Beaverhead Farm subdivision and Ocean Avenue subdivision are both creating a new lot. Friday the TRC will be hearing an Accessory Family Dwelling Unit proposal. It will be our first detached structure proposal and will not have to come to the Planning Commission because it meets all the standards.

2. Chairpersons report
3. Town Committees
4. Sub Committees

VI. Old Business

1. Sustainable Jamestown – Review of Request for Proposal

The Planning Commission last discussed this at a meeting in October and wanted to see the scope of the project as the next step. Ms. Bryer is looking for the planning commission to review this and asked if there are any significant gaps in what we are looking for. Commissioner Pendlebury would like to see the word resilience along with sustainability.

The Planning Commission's roll is to facilitate this project.

Initially a workshop will be held to see what topics the residents feel are important, for instance water, sea level rise, energy which the state is requiring now, etc. Once we complete that we can start planning our process more. A facilitator will help the workshop process.

When asked how the town will pay for this consultant Town Planner Lisa Bryer said this will be paid for out of the Planning capital budget. There is a revolving budget item for planning and development documents.

Chair Swistak noted that at the end of this process we will have identified targeted areas to focus on from the action plan of the Comp Plan. Is this completely a planning commission project? The Town council has expressed interest in this issue but will this will be going to the council after us or will it be for their approval and most likely we will be dealing with another Town Council too.

Town Administrator Andy Nota clarified Swistak's concern to be that the Planning Commissions involvement with this project may change if a new Town Council is seated. Nota noted that this is an exhaustive scope with targeted topics, he can understand Mike Swistak's concern because Swistak would like to be involved from start to finish. Town Planner Lisa Bryer said that as a planning project, this sits appropriately with the Planning Commission. For example the Comp Plan targets this project to be completed by the Planning Commission with the town council as a resource. As of now this is the Planning Commissions project but this is not to say that we will not involve the Town Council in a significant manner. This process may also include some zoning amendments and code amendments that will require the Town Council so their involvement along the way will be important.

Commissioner Cochran said locally grown food should be part of a sustainability plan for Jamestown. For instance growing food and using it at the local schools for example. Ms. Bryer said as an island we should be more interested in sustainability and resiliency even more so than some other communities. Commissioner Swistak said how do we get this launched? Bryer said we have to gauge what the interests are of the community.

Lisa was asked if she is aware of consultants locally that do this type of work. Yes she said, she has talked to several. Bryer noted that the Town Council will award the bid. Swistak suggested that instead of involving the community to come up with the elements let the Planning Commission do it since there is a mix of opinions that would more than likely represent public input. Bryer still recommended that we need the public's input and will be looking to the Consultant to come up with creative ways to get that accomplished. Commissioner Pendlebury said we do not often get a lot of public participation but it would be nice to have a consultant that may come up with some new ideas on how to do that.


A discussion ensued regarding the scope of work and how it will drive the cost. Bryer will try to narrow the scope a little and the Planning Commission will see it again briefly before it goes out. We use the City of Newport's bidding website to advertise all our RFP/RFQ's. It has been successful.

VII. New Business – nothing at this time

VIII. Adjournment

A motion to adjourn the meeting was made by Commissioner Cochran and seconded by Commissioner Enright at 7:47 p.m. So unanimously voted.

Attest:


Cynthia L. Reppe

Approved As Written
PLANNING COMMISSION MINUTES
December 2, 2015
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

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

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

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Cinthia Reppe – Planning Assistant

II. Approval of Minutes November 18, 2015

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

III. Correspondence – nothing at this time

IV. Citizen’s Non Agenda Item – nothing at this time

V. Reports

1. Town Planner’s Report
2. Chairperson’s report – Annette Bournefrom Grow Smart RI has been sending emails to the planning commission regarding workshops and training sessions. If any commissioners are interested in attending they are free and please sign up.
3. Town Committees
4. Sub Committees

VI. Old Business

1. **Proposed Zoning Ordinance Changes related to Conservation Development – Sections 82-103, 82- 300-302, 82-310, 82-1600-1609 – Recommendation to Town Council**

Commissioner Swistak said the planning commission has looked at this multiple times. Ms. Bryer, Town Planner said these are the zoning ordinance changes that we have gone over. Procedurally, this will now go to the Town Council and then the Town Council will review this, hold a public hearing and vote on it. Peter Ruggerio, Town Solicitor has reviewed this.

Commissioner Swistak made a motion seconded by Commissioner Cochran to send the Proposed Zoning Ordinance Changes related to Conservation Development – Sections 82-103, 82- 300-302, 82-310, 82-1600-1609 to the Town Council for advertising and a hearing. The schedule of this will be at staff discretion. So unanimously voted.

Commissioners Swistak and Smith recused and left the table.

The Planning Commission Sitting as the Local Review Board pursuant to RIGL 45-53 Low and Moderate Income Housing Act

2. Jamestown Village Condominiums, Property Owner: Holy Ghost Society, Applicant: Douglas Enterprises, LTD., A.P. 8 Lot 79, 138 Narragansett Avenue, Application for Major Land Development Project , 16 Units, 2 buildings, Multi-Family Development proposal, Comprehensive Permit per Zoning Article 17, Zoning Variances and Special Use Permit. Discussion and potential action related to Technical Assistance for this project related to 82-410

Vice Chair Commissioner Pendlebury said he will entertain a motion to sit as the local review board for this issue, the motion was made by Commissioner Enright and seconded by Commissioner Cochran. So unanimously voted.

Commissioner Pendlebury explained that tonight we are only discussing a potential action of hiring technical assistance for this matter.

Town Planner Lisa Bryer stated there are 2 areas that we need assistance in, the first being architectural and the other is review of the financial pro forma for building and construction costs which relates to the density issue. When the developer says we need 16 units to make it work financially, the pro forma is what we have to look at. She provided a section of the ordinance that explains the cost review – 82-410. Ms. Bryer said we might postpone the TRC until next week if the board decides to go forward with this we can have the assistance needed at the meeting.

Commissioner Enright said she would definitely like someone to take a look at the pro forma. Commissioner Pfeiffer agrees with Enright with regards to the pro forma. Cochran defers to Ms. Bryer and if we need staff to review he agrees. Pendlebury agrees with this and would like someone that has been involved in projects like these to take a look at this application. He personally thinks the review assistance was very helpful when we did the fire station project. Pendlebury thinks it helped move the process.

Commissioner Pendlebury made a motion to authorize Town Planner Lisa Bryer to pursue hiring 2 consultants, one for architectural review and one to review the financial pro forma that has current

experience in these applications. Commissioner Cochran seconds the motion. So unanimously voted.

The master plan is not deemed complete yet said Ms. Bryer due to comments by the Department Heads.

Commissioner Pendlebury made a motion to go back to being the Planning Commission, Commissioner Cochran seconded the motion. So unanimously voted.

VII. New Business – nothing at this time

VIII. Adjournment

A motion to adjourn at 7:19 p.m. was made by Commissioner Pendlebury and seconded by Commissioner Cochran. All in favor.

Attest:



Cynthia L. Reppe
Planning Assistant

JAMESTOWN TRAFFIC COMMITTEE
Thursday, February 18, 2016

A regular meeting of the Jamestown Traffic Committee was called to order at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue at 6:00 PM by Chairman Thomas P. Tighe.

The following members were present:

Thomas Tighe, Chairman
Mary E. Meagher, Vice-Chairman
David Cain
William Munger
Timothy Yentsch

Also present:

Police Chief Edward Mello
Kim Devlin, Clerk

Absent:

Melissa Mastrostefano, Member
Vincent Moretti, Member

READING AND APPROVAL OF MIUNTES

A) January 21, 2016 (regular meeting)

Motion was made by Vice-Chairman Meagher, seconded by Chairman Tighe to accept the January 21, 2016 minutes. So voted; (5 ayes, 0 nays).

OPEN FORUM

A) Scheduled to Address

- 1) Christian Infantolino: Amendment to the Code of Ordinances Chapter 70 Traffic and Vehicles Sec. 70-55 Restrictions on Certain Streets - Columbia Avenue**

Mr. Infantolino was unavailable so the committee will revisit the item when he is available.

- 2) Elena McCarthy: Amendment to the Code of Ordinances Chapter 70 Traffic and Vehicles Sec. 70-55 Restrictions on Certain Streets -**

Narragansett Avenue in front of the "Theatre"

Ms. McCarthy explained to the committee that she is requesting fifteen (15) minute parking spaces in front of her property due to new tenants leasing space for a painting and framing shop. There will be a number of people going in and out carrying awkward and heavy items that would necessitate available parking spots close by.

The item will be added to the agenda under New Business for the next meeting.

1) Christian Infantolino: Amendment to the Code of Ordinances Chapter 70 Traffic and Vehicles Sec. 70-55 Restrictions on Certain Streets - Columbia Avenue

Mr. Infantolino stated he is representing McQuades Marketplace and would like the opportunity to be heard by the committee on how the traffic ordinance creates hardships for his client.

The item will be added to the agenda under New Business for the next meeting.

3) Susan Sherwood: Posted speed limit on North Road - 25 mph

Ms. Sherwood is not in attendance. Chief Mello requested the item be placed on the agenda for the next meeting, and also stated that he would like to wait until the construction project planned for North Road is completed to make any decisions.

B) Non-Scheduled to Address

UNFINISHED BUSINESS

A) Parking Restrictions in the Jamestown Shores area north of Spirketing Street

Chief Mello stated that these are the final recommendations we are moving forward on and the changes will be detailed and voted on individually.

Member Yentsch mentioned that there are certain areas of the shores where the lots are small and have very little frontage to accommodate a driveway that will satisfy parking needs for some families.

A discussion on the challenges of parking in the shores ensued.

Chief Mello reminded the committee of the comments made by Fire Chief Jim Bryer at the last meeting.

Chairman Tighe reminded the committee that they have to be consistent with the restrictions the committee sets.

1) No parking on either side of Seaside Drive north from Spirketing Street to Capstan Street

Vice-Chairman Meagher moved that there be no parking on either side of Seaside Drive north from Spirketing Street to Capstan Street; Member Cain seconded. So voted; (4 ayes, 1 nays (Yentsch)).

2) No parking on either side of Beacon Avenue from Route 138 North to Neptune Street to Frigate Street

Vice-Chairman Meagher moved that there be no parking on either side of Beacon Avenue from Route 138 North to Neptune Street; Member Cain seconded. So voted; (5 ayes, 0 nays).

3) No parking on either side of Frigate Street from Seaside Drive east to North Road

Member Cain moved that there be no parking on either side of Frigate Street from Seaside Drive east to North Road; Vice-Chairman Meagher seconded. So voted; (5 ayes, 0 nays).

4) No parking on Capstan Street from Seaside Drive east to North Road

Vice-Chairman Meagher moved that there be no parking on Capstan Street to North Road; Member Cain seconded. So voted; (5 ayes, 0 nays).

5) No parking on either side of Bark Street north to dead end

Vice-Chairman Meagher moved that there be no parking on either side of Bark Street (Avenue) north to the dead end; Member Cain seconded. So voted; (5 ayes, 0 nays).

6) No parking on either side of Brigg Street north to dead end

Member Cain moved that there be no parking on Brigg Street north to the dead end; Vice-Chairman Meagher seconded. So voted; (5 ayes, 0 nays).

7) No parking on the even number side of all other streets from Nautilus Street north to Capstan Street and no overnight parking without a resident permit

Vice-Chairman Meagher moved that there be no parking on the even numbered side of all other streets from Nautilus Street north to Capstan Street and no overnight parking without a resident permit; Member Munger seconded. So voted; (5 ayes, 0 nays).

8) No parking on either side of the Boat Ramp at Head's Beach except in the designated parking space in the Boat Ramp area

Chief Mello explained the intention is to have no parking on either side of the access road to the boat ramp at Head's Beach (the dirt road) and no parking in the parking area except in spots designated by signage.

Mm, moved for language as Chief Mello described, Member Cain seconded. So voted; (5 ayes, 0 nays).

Mr. Jack Hawkins stated he would like the chance to address the committee under Open Forum, but the item was skipped.

OPEN FORUM

B) Non-scheduled Requests to Address

Mr. Jack Hawkins, from the Conanicut Yacht Club, is requesting a crosswalk be placed across Bayview Avenue. Mr. Hawkins is asking to be placed on the agenda for the next meeting

UNFINISHED BUSINESS

B) Review of Parking in West Ferry area

Vice-Chairman Meagher stated there have been complaints about parking on the south side of Narragansett Avenue (leading to West Ferry) because there is not a sidewalk. There have also been concerns regarding parking at the pier.

Chief Mello stated that Dutch Harbor Boat Yard was just approved for ten (10) additional moorings.

Vice-Chairman Meagher suggested going through another summer season and seeing how it goes. There may or may not be a need to reevaluate.

Member Cain mentioned that the increase in moorings at Dutch Harbor are intended for use as transient moorings, which would be via sea and not require parking.

C) Conanicus Avenue Crosswalk

Member Munger stated that he thought at last meeting the committee would discuss a common sense approach to help with pedestrian traffic. Member Munger stated that he does not favor more signs directing people to the crosswalk and he will work with dot to correct the situation. Member Munger stated he had hoped the commission (Traffic Committee) would see the larger picture as to how the crosswalk could work better for the community.

Vice-Chairman Meagher asked Member Munger if the "common sense" way is to move it (the crosswalk).

Member Munger stated yes, that every day he watches people use the crosswalk and they take the natural path.

Member Cain questioned why the crosswalk was moved and stated that he grew up with crosswalk going from the recreation center to the corner. As a community we could make a request to DOT (Department of Transportation).

Vice-Chairman Meagher asked if we hadn't already made the request.

Chairman Tighe stated that when DOT reviewed the location, according to their criteria, there is a bad line of sight so they are saying that the crosswalk should be moved. We can ask DOT to revisit, but he is not sure the town wants responsibility if something happens.

Discussion of sending letter to DOT.

Chief Mello stated that basically the town would be requesting a study. DOT would look at pedestrian traffic, line of sight, etc. and he would remind them to do so during an appropriate season.

Vice-Chairman Meagher moved to request the Chief ask the state to re-study the crosswalk at Conanicus Avenue; Member Cain seconded. So voted; (5 ayes, 0 nays).

NEW BUSINESS

A) Speed limit on North Road from Sloop Street north to Summit Avenue

Chief Mello stated the way speed limits are set is by the 85% Rule. Traffic flow in the area is studied and the speed limits are set based on the speed 85% of drivers abide by.

This item will be on the agenda for the next meeting.

B) Concerns at Stop at Narragansett Avenue and Southwest Avenue and speed limit enforcement on Southwest Avenue

Chief Mello stated that there are four signs for the length of the road (Southwest Avenue) and is appropriate and clearly marked.

Chief Mello stated he has asked DOT to install crosswalk at High Street and Southwest Avenue. The crosswalk is on list of DOT projects for the town and has been approved and this will impact and slow traffic down.

Chief Mello stated that there were 122 traffic stops on that road (Southwest Avenue) for speeding for the last year. It will be up to the committee to decide

how to proceed. If we request that DOT conduct a study, they will use the 85% rule and they would raise the speed limit. From an engineering standpoint the speed is low.

A discussion on options to reduce speeding on Southwest Avenue ensued.

Chairman Tighe requested that Chief Mello get a price for a blinking speed limit sign.

Vice-Chairman Meagher moved that Traffic Committee recommends to the Town Council to purchase electric signs for Southwest Avenue. Member Yentsch seconded. So voted; (5 ayes, 0 nays).

Chief Mello stated the committee already made that motion at the last meeting.

ADJOURNMENT

There being no further business before the Committee, motion was made by Committee Member Munger and seconded by Committee Member Meagher to adjourn the meeting at 7:00 PM. So unanimously voted.

Attest:

Kim Devlin
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 **MARCH 22, 2016** MEETING

REAL PROPERTY ABATEMENTS TO 2015 TAX ROLL

#12-0236-01 Laurie Family Trust	Plat 11, Lot 2 - Tax Appeal - Assessment reduced by Tax Board based on storm damage	\$878.00
#16-0209-00 Parravano, Teresa	Plat 3, Lot 328 - Property transfer 2-29-16 to Account #04-0775-75	\$619.87

REAL PROPERTY ADDENDUM TO 2015 TAX ROLL

#04-0775-75 Douglas Enterprises, Ltd.	Plat 3, Lot 328 - Property transfer 2-29-16 from Account #16-0209-00	\$619.87
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TOTAL ABATEMENTS	\$1,497.87
TOTAL ADDENDA	\$619.87

RESPECTFULLY SUBMITTED,

Kenneth S. Gray

KENNETH S. GRAY,
TAX ASSESSOR

From: Robert Rodgers [<mailto:rrodgers@uri.edu>]
Sent: Thursday, March 10, 2016 3:02 PM
To: cfernstrom@jamestownri.net
Subject: Rodgers request for agenda item

Cheryl:

I am requesting to be placed on the agenda for the next available Town Council meeting, Tuesday March 22.

The purpose is to ask the Council for their endorsement of a resolution whose purpose is to lend support to a current bill, H7243, now before the R.I. House and soon to be introduced to the R.I. Senate.

The bill is intended to close a loophole in current R.I. law. The loophole allows any private citizen with a concealed carry permit to bring a gun onto school grounds. Passage of the bill would close that loophole, but still allow the carrying of firearms onto school grounds in an official capacity, such as by law enforcement officers.

This resolution has been drafted by the Rhode Island Coalition Against Gun Violence (RICAGV), and has already been endorsed by the Rhode Island League of Cities and Towns, but additional endorsements by individual cities and towns would strengthen legislative support for the bill.

In addition, 39 states have passed laws forbidding concealed carry on school grounds. Rhode Island can join them with passage of this bill.

Thank you.

Robert L. Rodgers
RICAGV Representative
57 Clinton Avenue
Jamestown

From: Robert Rodgers [mailto:rrodgers@uri.edu]
Sent: Thursday, March 10, 2016 4:28 PM
To: Cheryl Fernstrom; Nan Heroux
Subject: Re: Rodgers request for agenda item

Cheryl:

I have attached three documents:

1. The resolution itself.
2. The bill banning concealed carry on school grounds, and
3. Talking points.

Please let me know if you need anything else.

Also, I just found out that the Jamestown School Committee already endorsed this resolution. Is it possible that the Town Council already has as well? If so, then of course I would not need to be put on the agenda after all. But if not, then I would ask you to put me on, either for the next meeting or, if it is too late for that, then for the following one.

Thanks.

Bob

Municipal Resolution On Gun Free Schools

WHEREAS: Current state law allows Concealed Carry Permit (“CCP”) holders to carry firearms onto school grounds; and

WHEREAS: The vast majority of states do not permit firearms on school grounds; and

WHEREAS: A study by the Violence Policy Center, a Washington D.C. gun safety organization, found, from May 2007 to February 2015, that in research involving 722 deaths in 544 concealed-carry shootings in 36 states and the District of Columbia, the vast majority of those killings were deemed not to be self-defense and only 16 cases were eventually ruled lawful self-defense; and

WHEREAS: A two year comprehensive Final Report of the Sandy Hook Advisory Commission, consisting of school administrators, teachers, law enforcement, psychiatrists, law makers and legal professionals, dated February 2015, made findings including “Safe School Climate” and “Safe School Design and Operations Strategies” that specifically did not include the use of firearms or the of arming teachers or non-law enforcement civilians in schools; and

WHEREAS: The Rhode Island League of Cities and Towns believes that students must have safe and supportive climates and learning environments that support their opportunities to learn and that are free of abuse, violence, bullying, weapons, and harmful substances including alcohol, tobacco, and other drugs; and

WHEREAS: The Rhode Island Association of School Committees’ Executive Board has voted to support banning concealed weapons on school grounds, except for duly authorized members of law enforcement;

WHEREAS: The Rhode Island School Superintendents’ Association has adopted the School Superintendents Association “AASA Position Paper on School Safety: A response to the Tragedy at Sandy Hook Elementary,” which specifically denounces “efforts to bring more guns into our schools by teachers and administrators,” and reminds us that “schools remain the safest place for children”; and

WHEREAS: The Rhode Island Association of School Principals Executive Board has voted to endorse and support the ban on concealed weapons on school grounds, except for authorized members of law enforcement, holding to its core belief that school environments should be devoid of all conditions that may compromise the safety of students and staff;

WHEREAS: Rhode Island municipal leadership has carefully considered and monitored regularly audited school and district-wide building safety plans and emergency protocols inclusive of first-responders, local law enforcement, and the school community;

NOW, THEREFORE, BE IT RESOLVED: That the City/Town of _____ respectfully requests the Rhode Island General Assembly to support 2016 – H 7243 and any and all legislative proposals that would disallow non-law enforcement to carry concealed firearms onto school grounds.

WHERETO: The following bear witness:

Mayor/President

Clerk

Introduced by: _____

Passed: _____

2016 -- H 7243

=====
LC003675
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

—————
A N A C T

RELATING TO CRIMINAL OFFENSES - WEAPONS

Introduced By: Representatives Ajello, Tanzi, Handy, Amore, and Almeida

Date Introduced: January 20, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 11-47-60 of the General Laws in Chapter 11-47 entitled "Weapons"
2 is hereby amended to read as follows:

3 **11-47-60. Possession of firearms on school grounds.** -- (a) (1) No person shall have in
4 his or her possession any firearm or other weapons on school grounds.

5 (2) For the purposes of this section, "school grounds" means the property of a public or
6 private elementary or secondary school or in those portions of any building, stadium, or other
7 structure on school grounds which were, at the time of the violation, being used for an activity
8 sponsored by or through a school in this state or while riding school provided transportation.

9 (3) Every person violating the provisions of this section shall, upon conviction, be
10 sentenced to imprisonment for not less than one year nor more than five (5) years, or shall be
11 fined not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000).

12 (4) Any juvenile adjudicated delinquent pursuant to this statute shall, in addition to
13 whatever other penalties are imposed by the family court, lose his or her license to operate a
14 motor vehicle for up to six (6) months. If the juvenile has not yet obtained the necessary age to
15 obtain a license, the court may impose as part of its sentence a delay in his or her right to obtain
16 the license when eligible to do so, for a period of up to six (6) months.

17 (b) The provisions of this section shall not apply to any person who shall be exempt
18 pursuant to the provisions of §§ 11-47-9, who is a "peace officer" as defined in §§12-7-21 ~~11-47-~~
19 ~~11-~~ and 11-47-18(b) or to the following activities when the activities are officially recognized and

1 sanctioned by the educational institution:

2 (1) Firearm instruction and/or safety courses;

3 (2) Government-sponsored military-related programs such as ROTC;

4 (3) Interscholastic shooting and/or marksmanship events;

5 (4) Military history and firearms collection courses and/or programs; and

6 (5) The use of blank guns in theatrical and/or athletic events.

7 (c) The provisions of this section shall not apply to colleges, universities, or junior

8 colleges.

9 SECTION 2. This act shall take effect upon passage.

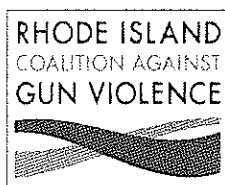
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LC003675
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES - WEAPONS

1 This act would provide that only peace officers and persons approved by the school
2 authorities for the purposes of educational instruction may carry firearms or other weapons on
3 school grounds.

4 This act would take effect upon passage.

LC003675



Fact Sheet: No Guns in Schools

House Bill 7243 by Ajello, Tanzi, Handy, Amore, Almeida
Senate Bill... TBD

- Current Rhode Island law provides that “No person shall have in his or her possession any firearm or other weapons on school grounds” where “school grounds” means the property of a public or private elementary or secondary school, plus on school buses or sports fields. (GL RI 11-47-60) *There is an exception for people who qualify for concealed carry permits (CCP).* (GL RI 11-47-11, 11-47-9.1)
- CCP holders can carry their weapons “everywhere” including schools, but not in RI courthouses, airports and most government buildings. RI’s concealed carry law came into existence in 1990, long before Columbine and other school shootings, so schools were not exempted at that time.
- Currently, any CCP holder (staff, parent, visitor) can carry a firearm on school grounds including the school, surrounding property, parking lots, and after school sporting events and gatherings without knowledge of police or school officials.
- RI Education Leadership (including RI School Superintendents’ Association, RI Association of School Principals, and RI Association of School Committees) as well as 23 School Committees supported the No Guns in Schools bill in 2015.
- RI Law Enforcement supports this bill, knowing that no one but law enforcement and trained school resource officers should be armed in schools, as non law-enforcement are not trained to respond to a panic event and could place others in greater danger.
- Concealed carry is prohibited in K-12 schools in 39 states. *Law Center to Prevent Gun Violence, Guns in Schools Policy Summary, November 2013*
- It is far more likely that an accident will occur on school grounds with a concealed firearm than any “good” may come of it (ie. an accident occurs¹, a firearm is taken from teacher and used against teacher or others, or a child accesses it and shoots another student or self).
- From May 2007 to February 2015, in research involving 722 deaths in 544 concealed-carry shootings, the vast majority of those killings were deemed non-self defense and only 16 cases were eventually ruled lawful self-defense. *Violence Policy Center, Concealed Carry Killers Responsible for At Least 722 Deaths Since 2007, February 2015*

¹ Utah elementary school teacher accidentally shot herself in the leg with her loaded, concealed handgun procured to “protect children”. <http://www.usatoday.com/story/news/nation/2014/09/11/teacher-accidental-shooting/15452271>
See also, Idaho professor accidentally shot himself in foot when his gun went off during a class. <http://www.cbsnews.com/news/idaho-state-university-teacher-accidentally-shoots-self-in-class/>

**TOWN OF WARREN
A RESOLUTION RELATIVE TO TRANSPORTATION CATEGORICAL AID
TO REGIONAL DISTRICTS**

WHEREAS, the Town of Warren (the "Town") is a member of the BristolWarren Regional School District along with the Town of Bristol; and

WHEREAS, TITLE 16 Education, CHAPTER 16-7.2 The Education Equity and Property Tax Relief Act, SECTION 16-7.2-6 clearly says the law was originally implemented to offset the loss of the regional incentive that all regional school districts are eligible for Transportation Categorical Aid; and

WHEREAS, Second, RIGL § 16-7.2-6 e (2) states this fund requires that the state and regional school district share equally the student transportation costs; and

WHEREAS, BristolWarren is being deprived of \$ 3,490 in funding for Fiscal Year 2017; and


WHEREAS, the four regional school districts of Chariho Regional, Bristol-Warren Regional, Exeter-West Greenwich Regional, and Foster-Glocester Regional are being deprived of a total of \$727,320; and

NOW, THEREFORE, BE IT RESOLVED that we the Town Council of the Town of Warren, respectfully request that the General Assembly demand the Rhode Island Department of Education reinstate what funds are due for BristolWarren for FY 2017 and future years; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby instructed to submit a copy of this resolution to the Governor, the Senate President, the Speaker of the House, the Town of Warren's State Senator and State Representatives in the Rhode Island General Assembly, the Towns and School Districts of Hopkinton, Richmond, BristolWarren, Exeter, West Greenwich, Foster and Glocester and the Director and Board of the Rhode Island Department of Education for consideration of their support.

The RESOLUTION shall take effect on March 8, 2016.

By resolution of the Warren Town Council
At a meeting held on March 8, 2016



Attested to by
Julie A. Coelho, CMC Town Clerk

**TRANSPORTATION CATEGORICAL AID
TO REGIONAL DISTRICTS
FISCAL YEAR 2017**

(originally implemented to offset the loss of the regional incentive)

DISTRICT	FY17 RIDE RECOMMENDED	PREDICTED FOR FY17 PER FUNDING FORMULA	DIFFERENCE
CHARIHO REGIONAL	\$856,344	\$1,145,392	(\$289,048)
BRISTOL-WARREN REGIONAL	\$568,592	\$572,082	(\$3,490)
EXETER-WEST GREENWICH REGIONAL	\$514,674	\$716,560	(\$201,886)
FOSTER- GLOCESTER REGIONAL	\$225,831	\$458,727	(\$232,896)
	\$2,165,441	\$2,892,761	(\$727,320)

(INFORMATION ABOVE AND THIS FOOTNOTE PROVIDED BY RIDE.) The original transition plan assumed equal annual funding increases throughout the transition period to achieve full funding FY 2021 (ten-year transition plan). This annual funding amount is not included in legislation and therefore subject to an annual appropriation of funds which has been inconsistent.

**TITLE 16
Education
CHAPTER 16-7.2
The Education Equity and Property Tax Relief Act
SECTION 16-7.2-6**

§ 16-7.2-6 Categorical programs, state funded expenses. – In addition to the foundation education aid provided pursuant to § 16-7.2-3 the permanent foundation education aid program shall provide direct state funding for:
(a) *Excess costs associated with special education students.* Excess costs are defined when an individual special education student's cost shall be deemed to be "extraordinary." Extraordinary costs are those educational costs that exceed

the state approved threshold based on an amount above five times the core foundation amount (total of core instruction amount plus student success amount) The department of elementary and secondary education shall prorate the funds available for distribution among those eligible school districts if the total approved costs for which school districts are seeking reimbursement exceed the amount of funding appropriated in any fiscal year;

(b) Career and technical education costs to help meet initial investment requirements needed to transform existing or create new comprehensive career and technical education programs and career pathways in critical and emerging industries and to help offset the higher than average costs associated with facilities, equipment maintenance and repair, and supplies necessary for maintaining the quality of highly specialized programs that are a priority for the state. The department shall recommend criteria for the purpose of allocating any and all career and technical education funds as may be determined by the general assembly on an annual basis. The department of elementary and secondary education shall prorate the funds available for distribution among those eligible school districts if the total approved costs for which school districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

(c) Programs to increase access to voluntary, free, high-quality pre-kindergarten programs. The department shall recommend criteria for the purpose of allocating any and all early childhood program funds as may be determined by the general assembly;

(d) Central Falls Stabilization Fund is established to assure that appropriate funding is available to support the community, including students from the community that attend the charter schools, Davies, and the Met Center pursuant to § 16-7.2-5, due to concerns regarding the city's capacity to meet the local share of education costs. This fund requires that education aid calculated pursuant to § 16-7.2-3 and funding for costs outside the permanent foundation education aid formula, including but not limited to transportation, facility maintenance, and retiree health benefits shall be shared between the state and the city of Central Falls. The fund shall be annually reviewed to determine the amount of the state and city appropriation. The state's share of this fund may be supported through a reallocation of current state appropriations to the Central Falls school district. At the end of the transition period defined in § 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24; and

(e) Excess costs associated with transporting students to out of district non-public schools and within regional school districts. (1) This fund will provide state funding for the costs associated with transporting students to out of district non-public schools, pursuant to title 16, Chapter 21.1. The state will assume the costs of non-public out-of-district transportation for those districts participating in the statewide system; and (2) This fund will provide direct state funding for the excess costs associated with transporting students within regional school districts, established pursuant to title 16, chapter 3. This fund requires that the state and regional school district share equally the student transportation costs net any federal sources of revenue for these expenditures. The department of elementary and secondary education shall prorate the funds available for distribution among those eligible school districts if the total approved costs for which school districts are seeking reimbursement exceed the amount of funding available in any fiscal year.

(f) Public school districts that are regionalized shall be eligible for a regionalization bonus as set forth below.

(1) As used herein, the term "regionalized" shall be deemed to refer to a regional school district established under the provisions of chapter 16-3 including the Chariho Regional School district.

(2) For those districts that are regionalized as of July 1, 2010, the regionalization bonus shall commence in FY 2012. For those districts that regionalize after July 1, 2010, the regionalization bonus shall commence in the first fiscal year following the establishment of a regionalized school district as set forth section 16-3, including the Chariho Regional School District.

(3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the state's share of the foundation education aid for the regionalized district as calculated pursuant to §§ 16-7.2-3 and 16-7.2-4 in that fiscal year.

(4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the state's share of the foundation education aid for the regionalized district as calculated pursuant to §§ 16-7.2-3 and 16-7.2-4 in that fiscal year.

(5) The regionalization bonus shall cease in the third fiscal year.

(6) The regionalization bonus for the Chariho regional school district shall be applied to the state share of the permanent foundation education aid for the member towns.

(7) The department of elementary and secondary education shall prorate the funds available for distribution among those eligible regionalized school districts if the total approved costs for which regionalized school districts are seeking a regionalization bonus exceed the amount of funding appropriated in any fiscal year.

(g) Categorical programs defined in (a) through (f) shall be funded pursuant to the transition plan in § 16-7.2-7.

History of Section. (P.L. 2010, ch. 124, § 4; P.L. 2010, ch. 125, § 4; P.L. 2012, ch. 241, art. 12, § 4.)