



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, November 4, 2019
6:30 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.

Attachments for items on this meeting agenda are available to the public at the Office of the Town Clerk and on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

A) Town Council Sitting as the Alcoholic Beverage Licensing Board

Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following RENEWAL applications have been received by the Town Council for licenses under said Act, for the year December 1, 2019 to November 30, 2020 (duly advertised in the Jamestown Press on October 17th and October 24th); as reviewed for application completeness on October 30, 2019:

- 1) Approval of Complete Application for Renewal of Class A (Package Store) Retail Liquor License: Varsha, Inc. dba: Jamestown Wine & Spirits
30 Southwest Ave
- 2) Approval of Incomplete Application for Renewal of Class A (Package Store) Retail Liquor License: Tunstall LLC dba: Grapes & Gourmet
9 Ferry Wharf
- 3) Set the Class A (Package Store) Retail Liquor License Cap at Two
- 4) Approval of Incomplete Application for Renewal Class B Tavern Liquor License: Bay Voyage, LLC. dba: Bay Voyage- 150 Conanicus Ave.
- 5) Set the Class B Tavern Liquor License Cap at One

- 6) Approval of Complete Application for Renewal of Class BV Limited Liquor License: Lucky Ridge Co. LLC dba: Spinnaker's Café- 3 Ferry Wharf
 - 7) Approval of Incomplete Application for Renewal of Class BV Limited Liquor License:
 - a) Village Hearth Bakery dba: Village Hearth Bakery- 2 Watson Ave.
 - b) Johnny Angels Clam Shack LLC dba: Angel's Kitchen- 23 Narragansett Ave.
 - 8) Set the Class B Limited Liquor License Cap at Three
 - 9) Approval of Complete Application for Renewal of Class B Victualer Liquor License:
 - a) New England Golf Course Management, Inc. dba: Jamestown Golf and Country Club- 245 Conanicus Ave.
 - b) Jamestown Restaurant Group LLC dba Narragansett Café- 25 Narragansett Ave.
 - c) ESJ, Inc. dba: Simpatico Jamestown- 13 Narragansett Ave.
 - 10) Approval of Incomplete Application for Renewal of Class B Victualer Liquor License:
 - a) Islandish, Ltd. dba: Chopmist Charlies- 40 Narragansett Ave.
 - b) Slice of Heaven, Inc. dba: Slice of Heaven- 32 Narragansett Ave.
 - c) KALI, LLC dba: J22 Tap & Table- 22 Narragansett Ave.
 - 11) Set the Class B Victualer Liquor License Cap at Six
 - 12) Approval of Complete Application for Renewal of Class D Full Club Liquor License Renewals:
 - a) Conanicut Yacht Club- 40 Bay View Drive
 - 13) Set the Class D Full Club Liquor License Cap at One
- B) Town Council adjourns as the Liquor Licensing Board
- C) One Day Event License Applications
- 1) Applicant 8th Grade Class

Event: Yard Sale Fundraiser
 Dates: December 7, 2019
 Location: Jamestown Fire Department

 - a) Request for Waiver of Application Fee
- D) Complete Renewal Applications for Multi-License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019- Victualing License, Holiday License and Entertainment License
- 1) Conanicut Yacht Club dba: Conanicut Yacht Club
 - 2) ESJ, Inc. dba: Simpatico Jamestown
 - 3) Jamestown Restaurant Group dba: Narragansett Café
 - 4) KALI LLC dba: J22 Tap & Table

- E) Incomplete Renewal Applications for Multi-License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019- Victualing License, Holiday License and Entertainment License
 - 1) Bay Voyage LLC dba: Bay Voyage
 - 2) Islandish LTD dba: Chopmist Charlie's
 - 3) Village Hearth dba: The Village Hearth

- F) Complete Renewal Application for Entertainment License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019:
 - 1) Jamestown Beer Holdings LLC dba: Jamestown Beer Holdings

- G) Complete Renewal Application for Victualing License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019:
 - 1) Live & Learn dba: Live & Learn

- H) Complete Renewal Application for Victualing & Holiday License (December 1, 2019- November 30, 2020) as reviewed for Completeness on October 30, 2019:
 - 1) Cumberland Farms Inc. dba: Cumberland Farms #1108
 - 2) Lucky Ridge Co., LLC. Db: Spinnakers Café
 - 3) New England Golf Course Management Inc. dba: Jamestown Golf and Country Club aka: The Caddy Shack
 - 4) Tallulah's Taqueria LLC dba: Tallulah's Shack
 - 5) TMT Enterprises, Inc. dba: McQuade's Market
 - 6) Tunstall LLC dba: Grapes & Gourmet
 - 7) Varsha, Inc. dba: Jamestown Wine & Spirits

- I) Incomplete Renewal Application for Victualing & Holiday License (December 1, 2019- November 30, 2020) as reviewed for Completeness on October 30, 2019:
 - 1) A&J, Inc. dba: East Ferry Deli
 - 2) Ace's Pizza dba Ace's Pizza
 - 3) Johnny Angels Clam Shack, LLC dba: Angels Kitchen
 - 4) Slice of Heaven, Inc. dba: Slice of Heaven

- J) Incomplete Renewal Application for Holiday License (December 1, 2019- November 30, 2020) as reviewed for Completeness on October 30, 2019:
 - 1) Deb's Beads dba: The Purple Door
 - 2) Clark Board Yard & Marine Works, LLC dba: Clark Boatyard & Marine Works
 - 3) Zeeks Creek Bait & Tackle
 - 4) All Ashore Cottage Outfitters
 - 5) Secret Garden
 - 6) Hodgkiss Farm
 - 7) Jamestown Boat Yard
 - 8) Young Beauty Corp dba: Young Nails & Spa
 - 9) Jamestown Beer Holdings, LLC
 - 10) McQuade's Laundry
 - 11) Jamestown Hardware
 - 12) Conanicut Marine Store dba: The Conanicut Marine Store

IV. OPEN FORUM

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

- A) Scheduled request to address- none
- B) Non-scheduled request to address

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

- A) Town Administrator's Report: Christina D. Collins, Interim Town Administrator
 - 1) Cell Tower
 - 2) North Road Paving
 - 3) Jamestown Clubhouse Update
 - 4) Senior Center Office

VI. UNFINISHED BUSINESS

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

- A) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Meeting Schedule: November 18th at 6:30 p.m. and November 22nd and November 26th at 11 a.m.

VII. NEW BUSINESS

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

- A) Request of the Jamestown Traffic Committee to the Rhode Island State Traffic Committee to install a four- way stop at Walcott Avenue and High Street
- B) Request by RIDEM for a Lease Extension of the Original Lease Agreement dated January 14, 1980; between the Town of Jamestown and State of Rhode Island; regarding Beavertail State Park
- C) Request of the Conanicut Island Sailing Foundation on an Amendment of the Memorandum of Agreement between the Town of Jamestown and the Conanicut Island Sailing Foundation

VIII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

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

- A) Discussion on Amendment to the Code of Ordinances regarding Chapter 70 Traffic and Vehicles regarding Melrose Avenue; Proposed by the Jamestown Traffic Committee

IX. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) October 7, 2019 (regular meeting)
 - 2) October 7, 2019 (executive session)
 - 3) October 9, 2019 (special meeting)
 - 4) October 9, 2019 (executive session)
 - 5) October 15, 2019 (special meeting)
 - 6) October 15, 2019 (executive session)
 - 7) October 22, 2019 at 9:30 a.m. (special meeting)
 - 8) October 22, 2019 at 9:30 a.m. (executive session)
 - 9) October 22, 2019 at 11:00 a.m. (special meeting)

- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Planning Commission (August 21, 2019)
 - 2) Jamestown Planning Commission (September 4, 2019)
 - 3) Jamestown Planning Commission (September 18, 2019)
 - 4) Jamestown Zoning Board of Review (September 24, 2019)

- C) Request of Tax Assessor for Specific Abatements & Addenda of Taxes
Detailed Abatements are part of the attachments available to the public at the Office of the Town Clerk and on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>

MOTOR VEHICLE ABATEMENTS TO 2010 TAX ROLL		
01-0206-00M Alves, Henry J	Uncollectable/ taxpayer is deceased.	\$446.67
MOTOR VEHICLE ABATEMENTS TO 2011 TAX ROLL		
01-0206-00M Alves, Henry J	Uncollectable/ taxpayer is deceased.	\$397.57
MOTOR VEHICLE ABATEMENTS TO 2018 TAX ROLL		
07-0960-00M Greiser, Mary L	Uncollectable/ taxpayer is deceased.	\$11.00
MOTOR VEHICLE ABATEMENTS TO 2019 TAX ROLL		
02-0004-25M BMW Financial Services NA LLC	Motor Vehicle – 2016 BMW – Reg.# 502446, returned leased vehicle on 10/4/2018	\$85.44
02-1380-98M Brown, James Jr.	Motor Vehicle- soldier / sailor exempt	\$60.55
REAL ESTATE ABATEMENTS TO 2019 TAX ROLL		
18-0001-40 Racquet Road Properties	Plat 9, Lot 334 – Per RIGL 44-5-71-Demolition, removal and grading complete as of 10/16/19	\$405.37
ADDENDA TO 2019 TAX ROLL		
23-1069-70 Woodbine, Nicholas K	Plat 5, Lot 129, was sold on 10/16/2019, Removed Veteran’s exemption.	\$250.00
TOTAL ABATEMENTS		\$ 1,406.60
TOTAL ADDENDA		\$ 250.00

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

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

A) Communications

- 1) Copy of Finding & Notice of Violation to: David Grubb
From: Brian Harrington, Sr. Environmental Scientist Coastal Resources Management Council
Dated: October 17, 2019
Re: 30 Bay View
- 2) Copy of Letter to: Town Council
From: Hugh A. Murphy
Dated: October 23, 2019
Re: Jamestown Town Charter Sections 218-220
- 3) Copy of Letter to: Town Council
From: Bobby Parsons, Treasurer Jamestown Food Pantry
Dated: October 16, 2019
Re: Thank you
- 4) Copy of Email to: Town Council
From: David Beutel, Coast Resources Mgt. Council
Dated: October 17, 2019
Re: Preliminary Determination Seakist Aquaculture
- 5) Copy of Email to: Town Council
From: Sharon Purdie
Dated: October 24, 2019
Re: Preliminary Determination on New Oyster Lease Dutch Harbor
- 6) Copy of Email to: Town Council
From: Sharon Purdie
Dated: October 28, 2019
Re: Preliminary Determination on New Oyster Lease Dutch Harbor
- 7) Copy of Letter to: Town Council
From: Carolyn M. Sears
Dated: October 25, 2019
Re: Harbor Appeal
- 8) Copy of Letter to: Town Council
From: Frank & Karen O' Donnell
Dated: October 8, 2019
Re: Cell Tower

9) Copy of Letter to: Town Council
From: James Rugh
Dated: October 29, 2019
Re: Cell Tower

- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
- 1) Resolution of the Exeter-West Greenwich School District School Committee regarding Field Trip Funding Law

XI. ADJOURNMENT

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

ALL NOTE: 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 eliese@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on October 30, 2019

LEGAL ADVERTISEMENT: Please insert in the October 17th & 24th Jamestown Press editions in the “Legal Ad” section (*just like the Zoning Board of Review ads are placed*).

JAMESTOWN, RHODE ISLAND

NOTICE

Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following RENEWAL applications have been received by the Town Council for licenses under said Act, for the year December 1, 2019 to November 30, 2020:

RENEWAL:

CLASS A (PACKAGE STORE) - RETAIL

Tunstall, LLC

dba: Grapes & Gourmets
9 Ferry Wharf

Varsha, Inc.

dba: Jamestown Wine & Spirits
30 Southwest Avenue

CLASS B – VICTUALER

Islandish, Ltd.

dba: Chopmist Charlies
40 Narragansett Avenue

Jamestown Restaurant Group, LLC

dba: Narragansett Café
25 Narragansett Avenue

New England Golf Course Management, Inc.

dba: Jamestown Golf and Country Club
aka: The Caddy Shack

245 Conanicus Avenue (lower level rear)

Slice of Heaven, Inc

dba: Slice of Heaven
32 Narragansett Avenue

ESJ, Inc.

dba: Simpatico Jamestown
13 Narragansett Avenue

KALI, LLC

dba: J22 Tap and Table
22 Narragansett Avenue

CLASS BT – TAVERN

Bay Voyage, LLC
dba: Bay Voyage
150 Conanicus Avenue

CLASS D FULL (CLUB)

Conanicut Yacht Club
40 Bay View Drive

CLASS B – LIMITED

Lucky Ridge Co., LLC
dba: Spinnaker's Café
3 Ferry Wharf

Village Hearth Bakery
dba: Village Hearth Bakery
2 Watson Avenue

Johnny Angels Clam Shack
dba: Angel's Kitchen
23 Narragansett Avenue

The above applications will be in order for hearing at a meeting of said Licensing Board on **MONDAY, NOVEMBER 4, 2019 at 6:30 p.m.** at the Jamestown Town Hall in the Rosamond A. Tefft Town Council Chambers, 93 Narragansett Avenue, in said Jamestown, at which time and place all remonstrates may make their objections against granting these licenses.

By Order of the Town Council
Erin F. Liese, CMC
Town Clerk

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, contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or by email to eliese@jamestownri.net not less than three (3) business days prior to the meeting.



Jamestown Town Council

Agenda Item Report

Meeting Date: November 4, 2019

Item: Alcoholic Beverage License Limits for 2019-2020

Motion: To set the Alcoholic Beverage License limits for 2019-2020 as follows:

- Class A - 2
- Class BV - 6
- Class BT - 1
- Class BV-L - 3
- Class D - 1

Summary of Use

License Limits	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Class BV	8	8	8	8	8	8	7	7	7	7
Class BL	0	0	0	0	0	0	2	2	3	4
Class BT	1	1	1	1	1	1	1	1	1	1
Class D	1	1	1	1	1	1	1	1	1	1
Class A	2	2	2	2	2	2	2	2	2	2
Total	12	12	12	12	12	12	13	13	14	15

Request for Renewals for 2018-2019

Class A - 2
 Class BV - 7
 Class BT - 1
 Class BV-L 4
 Class D - 1
 Total 15

Request for Renewals for 2019-2020

Class A - 2
 Class BV - 6
 Class BT - 1
 Class BV-L 3
 Class D - 1
 Total 14

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

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

All 2019-2020 applications have been sent to the local proprietors and are in the process of being completed and routed to the proper State and town departments.

Prepared by: _____

Denise Gamon, Assistant Clerk



Town of Jamestown
Finance Department
Town Hall
93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199
401-423-9809 Fax 401-423-7229
Email: ccollins@jamestownri.net

Christina D. Collins
Finance Director

MEMORANDUM TO: Honorable Town Council

FROM: Interim Town Administrator, Christina D. Collins

DATE: 10/31/2019

SUBJECT: Town Administrator's Update

Jamestown Golf Course Clubhouse – Michael Gray and Bill Burgin met with the 4 bidders to discuss opportunities for cost savings on the project without changing the program. Mike along with staff will be doing test pits at the site next week to get a better idea for the level of effort that will be needed for ledge removal. Bill Burgin and his staff are working on changes/revisions on the drawings that will provide cost savings on the project. Prior to any revisions given to the Contractors, we will make a presentation to the Town Council.

Jamestown Senior Center/6 West St. - The Public Works Department has been working on renovating office space on the 2nd floor to accommodate the Senior Service Director. This will allow Betsey Anderson to be on-site and not have to go back and forth between Town Hall and 6 West St. for basic office functions. Although this will be an improvement it still presents challenges due to the small space and proximity of the office and the program area. The Town working with the Friends of the Jamestown Seniors and the local Grange will continue to assess space in the building for best utilization.

Cell Phone Tower – Town staff has requested Dewberry Engineers to provide a basic cost estimate for construction of a cell tower. We will be presenting the information as well as the presentation from August 2018 at the November 18th meeting.

North Main Road - Paving on North Main Road will start the week of November 4th. The plan is for this phase of the project to be completed before the end of the year. The road will be opened for morning and afternoon school bus traffic and will have road closures and detours during the day.

Erin Liese

From: Chief Edward Mello
Sent: Wednesday, October 23, 2019 8:04 AM
To: Erin Liese
Subject: TC Agenda
Attachments: four.way.stop.walcott.2019.docx

Erin
On behalf of the Traffic Committee I ask that an agenda item be placed on the TC agenda for consideration and potential action:

Request to Rhode Island State Traffic Commission
Installation of four-way stop at Walcott Avenue and High Street
(see attached draft letter)

Thank you.

Edward A. Mello
Chief of Police
Jamestown Police Department
250 Conanicus Avenue
Jamestown RI 02835



phone: 401-423-1212
fax: 401-423-3710

TOWN LETTERHEAD

Robert Rocchio
Rhode Island Department of Transportation
Two Capitol Hill
Providence RI 02903

October 21, 2019

Dear Mr. Rocchio;

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

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

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

Our goal is to make Walcott Avenue at and near the High Street intersection safer and more accommodating for active transportation such as walking and biking. There are several engineering treatments that could be considered. Examples of these treatments may include a crossing island, curb bulbs, vehicle lane reductions, dedicated bicycle lanes, and wider walkways.

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

I thank you in advance for your assistance.

Respectfully submitted,

Town Administrator

LEASE EXTENSION

THIS LEASE EXTENSION entered into this ____ day of _____, 2019, by and between the TOWN OF JAMESTOWN, RHODE ISLAND, acting by and through its Town Council, hereinafter being referred to as the "LESSOR", and the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, acting by and through the Director of the Department of Environmental Management, hereinafter being referred to as the "LESSEE".

WHEREAS, LESSOR and LESSEE have entered into an Indenture of Lease, as amended, for certain parcels of land and other appurtenances located at Beavertail State Park, in the Town of Jamestown, Rhode Island, dated January 14, 1980, said lease hereinafter being referred to as the "Lease;" and

WHEREAS, the Lease includes a provision that provides the LESSEE with the exclusive option of renewing such lease for an additional forty (40) year term; and,

WHEREAS, LESSOR and LESSEE are desirous of continuing with the terms and conditions of said Lease, primarily to develop Beavertail State Park as a single State park with uniform management, development, restoration and preservation policies to be administered and maintained by the LESSEE;

NOW THEREFORE, in consideration of the Premises and for other good and valuable consideration, receipt of which is hereby acknowledged, LESSOR and LESSEE hereby agree to extend the term of the Lease for an additional forty (40) years from January 14, 2020 through January 13, 2060.

All other terms and conditions of the existing Lease shall remain in full and effect.

IN WITNESS WHEREOF, THE TOWN OF JAMESTOWN has caused these presents to be executed in its name and behalf by its Town Council, hereunto duly authorized; and, THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS has caused these presents to be executed in its name and behalf by Janet Coit, the Director of the Department of Environmental Management, hereunto duly authorized, each party signing counterparts the day and year first written above.

EXECUTED IN THE PRESENCE OF:

LESSOR:

LESSEE:

TOWN OF JAMESTOWN

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS

By its Town Council:

By:

Michael G. White, President
(Duly Authorized)

Janet Coit, Director
Department of Environmental Management

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT

In the Town of Jamestown in said County and State, on the _____ day of _____, 2019, personally appeared before me Michael G. White, President of the Town Council of the TOWN OF JAMESTOWN, to me known and known by me to be the party executing the foregoing instrument for and on behalf of TOWN OF JAMESTOWN, (as LESSEE), and he acknowledged said instrument by him executed to be his free act and deed, his free act and deed in said capacity, and the free act and deed of TOWN OF JAMESTOWN.

Notary Public
My Commission expires: _____

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF PROVIDENCE

In Providence in said County and State, on the _____ day of _____, 2019, personally appeared before me Janet L. Coit, the Director of the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, to me known and known by me to be the party executing the foregoing instrument for and on behalf of the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (as LESSOR), and she acknowledged said instrument by her executed to be her free act and deed, her free act and deed in said capacity, and the free act and deed of the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

Notary Public
My Commission expires: _____

Approved this _____ day of _____, 2019 by the State Properties Committee:

APPROVED AS TO TERMS AND CONDITIONS:

Chairman, State Properties Committee

APPROVED AS TO SUBSTANCE:

Director of Administration

APPROVED AS TO FORM:

Attorney General

APPROVED:

Public Member, State Properties Committee

Public Member, State Properties Committee

Erin Liese

From: Meg Myles <cisfsailing@gmail.com>
Sent: Wednesday, October 30, 2019 11:22 AM
To: Erin Liese
Cc: Christina Collins; Andrew Wade; Hannah Swett
Subject: CISF MOU - request for 2 amendments
Attachments: 2019 Memorandum of Understanding, Final.pdf; ATT00001.htm; 2019 CISF Free Sailing Report, Final.pdf; ATT00002.htm

Dear Town Councilors,

I would like to request two amendments to the CISF/Town MOU. The first is a request to store our trailers on site at Fort Getty. I have met with Andy Wade who suggested the road adjacent to the gatehouse at the park entrance. This would be a fantastic spot for CISF's trailers if agreeable to you.

The second request is for a change of date for the reports that CISF provides about free sailing and Sea Adventure Camp. I would like to request November 15 as the due date rather than November 1. 11/1 is a difficult target time for me to meet annually. Given that we are still relatively small but have increased the depth and breadth of our programming tremendously by offering more programs in the fall and provide an educator in school at no charge for the majority of the school year. I am very hands on in all aspects of what we do.

Annually in the fall I am busy cleaning, packing, and storing our gear into our trailers. I also take that time to catch up on bookkeeping, finances, and to get started on fundraising. Two additional weeks to pull the report together for the Council and for my Board would be incredibly helpful.

Attached is the 2019 Free Sailing Report, and the Town CISF MOU.

Thank you in advance for your consideration in this matter. I look forward to discussing this with you.

Sincerely,

Meg Myles
401-855-6643

Memorandum of Agreement

**By And Between:
The Town of Jamestown
And
The Conanicut Island Sailing Foundation**

This Memorandum of Agreement (“MOU”), by and between the Town of Jamestown (“Town”) and the Conanicut Island Sailing Foundation, Inc. (“CISF”) is entered into to allow seasonal use on a year-to-year basis of certain Town property at Fort Getty Park to CISF to support their sailing, marine education classes, and programs. CISF's Jamestown Sea Adventure Camp is conducted from June 24, 2019 through August 16, 2019. CISF assumes any and all risks and damage or loss to their property associated with their use of the Town property. The Town and CISF agree that the use of Town facilities at Fort Getty for CISF activities and programs shall adhere to the following terms and conditions:

1. For general operations, instruction, and education sessions, CISF may use the concrete foundation (formerly basketball court) located on the north side of Fort Getty Road adjacent to the RV Campground. A tent may be erected over approximately one-half of the foundation.
2. A temporary inside space may be brought in and utilized for the purposes of an indoor classroom space and a safe indoor location for campers on inclement days. Town Staff will direct the siting of this indoor structure. The space may not be larger than 10' x 40'. All costs associated with this structure are to be paid by CISF. The indoor classroom space may arrive no earlier than April 15 through no later than October 30.
3. The Town boat ramp may be used to launch and haul boats used for approved CISF sailing programs and activities.
4. Since the Town boat ramp is a shared facility, CISF and its instructors shall not unreasonably delay or interfere with other boaters' use of the boat ramp. CISF shall vacate the waters in the vicinity of the boat ramp upon launching vessels as expeditiously as possible.
5. During the Fort Getty Campground Season (May 16-September 16), all CISF activities shall take place from 8:30am to 5 pm on Monday through Friday. No other use of the Town site by CISF is authorized under this MOU without prior written consent from the Parks and Recreation Department Director.
6. Free public sailing lessons shall be offered to Jamestown residents of all ages on Wednesdays from 4:30pm to 6:30pm, or at any other time deemed appropriate and agreeable by CISF and the Town. (Minimum participation age is at the discretion of CISF.)
7. In order to provide spring programming and participate in the Lawn Avenue School's Island Treasures program, CISF is allowed to begin bringing equipment and boats beginning April 15.
8. CISF may store sailboats with trolleys near the concrete Foundation. The Parks and Recreation Director shall determine the exact location to store the boats.

9. Trailers that support programming and boats used in programming may be stationed in the lower parking area or at an alternate site within reasonable proximity to the lower parking area, chosen by the Parks and Recreation Department Director.
10. CISF will receive staff parking passes to allow for entry into Fort Getty during the camping season without an entry fee.
11. CISF shall provide the Town with a certificate of general liability insurance in the amount of \$1,000,000. The certificate of insurance shall list the Town of Jamestown as a named insured.
12. Any and all programs and/or activities directly operated, sponsored, or affiliated with CISF's use of Fort Getty Park shall be subject to the insurance requirement.
13. The Town reserves the right to revoke this Agreement upon 10 days written notice due to a breach of the terms and conditions and the failure of CISF to cure the breach within a reasonable time, or if, in the Town's sole judgment, the programs or activities unreasonably disrupt other users of the park, endanger participants, or damage Town property.
14. Upon completion of the CISF programs provided for under this MOU, CISF agrees to remove any and all fixtures, boats, trailers and other such items from the Town property no later than October 30, 2019. Should CISF fail to remove all such items from the Town property and the Town incurs any cost, expense or effort to remove items left behind by CISF, CISF agrees to reimburse the Town for any and all costs to remove such items.
15. No later than November 1, 2019, CISF shall provide a written report to the Town Administrator on the 2019 season programs and participation levels.
16. The 2019 annual fee for use of the Town property, public facilities and utilities at Fort Getty under the terms of this MOU shall be One Thousand Dollars (\$1,000.00), subject to adjustment by the Town in subsequent years, provided that written notice of such adjustment is provided to CISF by December 15 of the year prior to the proposed adjustment.
17. This Agreement will be reviewed, discussed, and amended annually as needed by both parties as a part of the renewal process. Following this review and amendment process, this MOU will renew. The MOU shall expire at the end of 2023, at which point CISF will be required to go before the Town Council to request permission to continue to operate from Fort Getty should they like to continue to do so. Each party shall have the right to terminate this Agreement prior to then so long as written notice is provided to the other party on or before December 15 of the season of last use.

Conanicut Island Sailing Foundation

Town of Jamestown

By: Meg Myles, Executive Director

By: Andrew E. Nota, Town Administrator

Date

Date



Conanicut Island Sailing Foundation Free Sailing Program Report, 2019

2019 marked Conanicut Island Sailing Foundations' thirteenth year offering Free Sailing to the public. CISF's goals in offering free public sailing are to give people an opportunity to experience sailing, to teach some basic sailing skills, to meet Jamestowners, and to provide an opportunity for people of all ages to connect with nature and the beautiful waters surrounding Jamestown.

The 2019 season of Free Sailing ran for five weeks – each Wednesday from July 10 through August 7, from 4:30-6:30.

CISF took approximately 270 people sailing in 5 weeks! Of the 270, about 60% of attendees were children and 40% adults. Additionally, about six families participated twice and ten families participated 3 or more times.

CISF again kicked off our first evening of free sailing by having a BBQ, providing hot dogs, hamburgers, watermelon and chips to all. The first and last nights of free sailing were the busiest and best attended.

CISF has kept to the same basic format for Free Sailing for the past thirteen years. Safety is our primary concern. We provide a safe, hands-on learning opportunity on the water to expose more people to sailing. Each week we use three to four of our 14' Hobie Wave catamaran sailboats with an instructor onboard each boat. The instructor takes a group of people sailing, teaching people as they go, with participants most often steering the boat and handling the sails by the end of their session that evening. Other times, Sea Adventure Camp participants sail the boat with their parents on board (and a CISF instructor) to demonstrate what they have learned. Our target time for sailing sessions is 20 minutes to an hour or more. Actual sailing time depends on how many people are waiting, but the minimum sailing time is 15-20 minutes. CISF also has a motorboat available for safety purposes during Free Sail.

CISF has a land-side coordinator who ensures that everyone signs a waiver, and also keeps track of who is next, as well as how long each sail lasts. Each sailboat is equipped with a VHF radio so that they can communicate with the shore person. Every participant of the Free Sailing Program is required to wear a life jacket. CISF supplies a life jacket to anyone who needs one.

There were no incidents to report during free sailing. Use of the ramp was still available to the public.

Thank you for your time and for allowing Conanicut Island Sailing Foundation to continue to run this free public program at Fort Getty for Jamestown residents and visitors. We consider Free Sailing one of the cornerstones of CISF's mission to both provide and promote marine access, marine education, and sailing to people of all ages, abilities and backgrounds. We look forward to running this program again next year.

Sincerely,

Meg Myles
CISF Executive Director

Erin Liese

From: Chief Edward Mello
Sent: Tuesday, October 22, 2019 3:19 PM
To: Erin Liese
Subject: Ordinance
Attachments: melrose.avenue.nov.2019.docx

Erin

Please see the attached proposed ordinance as recommended by the local traffic committee.

Thank you.

Edward A. Mello
Chief of Police
Jamestown Police Department
250 Conanicus Avenue
Jamestown RI 02835



phone: 401-423-1212
fax: 401-423-3710

**PUBLIC HEARING NOTICE
TOWN OF JAMESTOWN**

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on DATE at TIME. at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding Chapter 70 – Traffic and Vehicles. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment is available for review and/or purchase at the Town Clerk’s Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays and on the Town’s web site at www.jamestownri.gov.

Section 1. Be it hereby ordained by the Town Council of the Town of Jamestown that the Jamestown Code Of Ordinances, Chapter 70, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

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

See Exhibit A, attached hereto and incorporated herein by reference.

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

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

Ad Date(s): _____

Publication Source: Jamestown Press

Hearing Date: _____

Action: _____

Certified: _____

Exhibit A

Melrose Avenue, no parking on the east side from the intersection of Watson Avenue to the southern driveway entrance to Melrose School. north to the intersection of West Passage Drive. No parking on the west side from the intersection of Watson Avenue north to the end.

**TOWN COUNCIL MEETING
October 7, 2019**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on October 7, 2019. Town Council Members present were as follows: Michael G. White, Mary E. Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero and Chief of Police Edward A. Mello.

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President White called the meeting of the Jamestown Town Council to order at 6:34 P.M. in the Jamestown Town Hall, Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Proclamations:

- 1) No. 2019-19:Resolution in Support of the Restoration of Southern Gould Island

Councilor Beye read the resolution in support of the restoration of Southern Gould Island.

A motion was made by Vice President Meagher with second by Councilor White to adopt the 2019-19 Resolution in Support of the Restoration of Southern Gould Island.

Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye;

Councilor White, Aye; Councilor Piva, Aye.

Vice President Meagher thanked David Sommers and members of the Gould Island Committee for the work done on this issue.

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

A) One Day Event License Applications:

- 1) Applicant Jamestown Rotary Club
Event: 44th Annual Jamestown Classic Bike Race
Dates: October 14, 2019
Location: John C. Rembijas Pavilion
Request for Waiver of Pavilion Rental Fee

Chief Mello explained the history of the event. He further explained the challenges regarding logistics. He also explained the move to Ft. Getty to reduce the number of officers needed. He further clarified that four Police Officers are required. If the officers were provided by the department there would be no cost to the Rotary; however if they were out of town officers the responsibility would fall to the Rotary Club.

Interim Town Administrator Collins advised on the waiver of the fee, liability waiver and advisement to all riders regarding the construction of North Road.

Mark Holland member of the Rotary Club explained the event is a crucial fundraiser that supports many things in the community. He further explained the difficulty with paying fees and in 43 years they have not paid fees. He also explained the reduction of participation with moving to Fort Getty and if they were responsible for fees they would not hold the event.

Discussion ensued on fees.

A motion was made by Vice President Meagher with second by Councilor Piva to approve and grant the request to waive the pavilion rental fee for the Jamestown Rotary Club Event License to hold the 44th Annual Jamestown Classic Bike Race on October 14, 2019 and to review the Police Office Detail Fee annually. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 2) Applicant Lawn School 8th Grade Class
- Event: Duck Race
- Dates: October 20, 2019
- Location: East Ferry Beach
- a) Request for Waiver of Application Fee

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Lawn School 8th Grade Class request to hold a Duck Race on October 20, 2019 and waive the application fee. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 3) Applicant Jamestown Police Department
- Event: Halloween
- Dates: October 31, 2019
- Location: Narragansett Ave

Chief Mello explained the event.

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Jamestown Police Department Halloween Event and waive application fee. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- B) Vendor/ Peddler License Application:
 - 4) Applicant Lawn School 8th Grade Class
 - Dates: Saturdays & Sundays in October
 - Location: Eldridge Field
 - b) Request for Waiver of Application Fee

A motion was made by Vice President Meagher with second by Councilor White to approve the Lawn School 8th Grade Class request for a Peddler License on Saturday and Sundays in October, with waiver of the application fee. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 5) Applicant Noble Knots, LLC
 - Dates: October 31, 2019
 - Location: 20A Clinton Ave

Chief Mello clarified approval for vendors on private property. He also explained in this case it was needed for it is part of the public Halloween event.

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Noble Knots LLC Peddler License for October 31, 2019. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

V. OPEN FORUM

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

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

- A) Town Administrator’s Report: Christina D. Collins, Interim Town Administrator
 - 1) Mosquito Spraying and EEE Update

Interim Town Administrator Collins reported on the following items: Town Administrator Search Process, Conservation Easement/ Restrictions Jamestown Shores, Jamestown Golf Course Club House Pre Bid, and Jamestown Philomenian Library Pre bid. She further explained Chief Mello would provide an update on EEE.

Chief Mello provided an update on Eastern Equine Encephalitis and West Nile Virus. He further explained the spray scheduling conducted by the Town, DEM monitoring, smart scheduling, and personal protection to avoid the risk. He advised the risk remains until we receive frost temperatures.

Councilor White questioned if an update was available on the Cellular study.

Interim Town Administrator Collins advised report should be received this week. It will then be reviewed by staff, distributed to Town Council and made public on the Town’s website.

Vice President Meagher requested communications received regarding cell tower and cellular service be moved to the October 21st agenda.

VII. UNFINISHED BUSINESS

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

- A) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Meeting Schedule: October 9th and October 22nd 11:00 a.m.
October 21st at 6:30 p.m.

Meeting dates were reviewed.

VIII. NEW BUSINESS

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

- A) Amendment of the Jamestown Cooperative Hunting Program as proposed by Chief Edward A. Mello to remove area #2 from the program

Chief Mello advised on the history of the Jamestown Cooperative Hunting Program. He further explained with the shared use path coming to completion, it would be a safety hazard to keep area #2 in the hunting program and recommended removing it from the program.

A motion was made by Vice President Meagher with second by Councilor White to approve the recommendation by Chief Mello to remove Area #2 from the Hunting Program. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- B) Discussion on the Office of the Attorney General’s findings on Dickinson v. Jamestown Board of Canvassers and Murphy v. Jamestown Board of Canvassers

Councilor Piva explained he requested this be pulled from communications for discussion; as he did not recall in 30 years and Open Meetings Violation against the Town. He further questioned the Solicitor regarding authority and corrective action over the board. In reviewing the Charter it does not have clear authority or direction.

Town Solicitor Ruggiero advised this is a unique circumstance. He further explained the history of this issue and the Charter is lacking and very limiting in the area regarding referendum. He advised on the process of certifying signatures. He also stated constructive remedial actions were taken with the development of referendum forms.

Councilor Piva questioned what about other issues such as board members not attending meetings, what is the oversight and can boards be directed to training.

Town Solicitor Ruggiero explained you can investigate a board. He advised on the removal provision in the Charter. He stated they could suggest training; however cannot direct a board to train. He explained a Resolution could be passed to guide a board, but ultimately the biggest power of the Council on a board is the appointment.

Councilor White appreciated the explanation from the Solicitor and explained his service as the Chair of the Charter committee and detailed the revision of the Charter, which remedies this issue. He also stated personally does not see individual board action in this context that requires remediation. He stated the Board of Canvassers and others are victims of the Charter provision. He further explained the first violation was not upheld. He also explained his opinion regarding the Attorney General's inaction. He also read the Attorney General's findings that there was insufficient evidence presented that the Board of Canvassers; knowingly or willfully violated OMA. He also has sympathy for the Board and all parties; for they were acting in good faith.

Vice President Meagher agreed with Councilor White and that the Board was put in an unrepresented and difficult position. He stated no punishment is warranted and if board members do not show up you do not reappoint them.

President White agreed with Vice President Meagher and Councilor White. He stated violation of the Open Meetings Law is not difficult, especially due to the digital age. He advised on the restrictions of the Open Meetings. He stated the Open Meetings Law needs work to address technological updates. He stated this is a great lesson learned and attempt to resolve a problem.

Vice President Meagher advised all boards should be trained on Open Meetings.

Councilor White agreed on instruction on Open Meetings.

Discussion ensued on training.

Interim Town Administrator Collins advised on the online training available by the Attorney General's Office.

Hugh Murphy of Stearns Street and member of the Board of Canvassers commented on the Open Meetings violation and also advised that now having a decision it should serve as a heads up for future conduct. He also stated the real issue was the certification of the signatures and discussed the certification process. He advised on previous correspondence to the Town Council and the Town Solicitor on this issue and also described contact with the Board of Elections with the amicus brief prepared. He described his concern with the violation acting in the best interest of Jamestown.

Councilor White stated he did not feel that this was place to litigate the above comments and was addressing the decision of the Attorney General's Office to determine the action. He also stated they have the opportunity to appeal the decision with Superior Court and gratuitous smear of the individuals is misguided and uncalled for.

President White further advised the conversation today was regarding the Attorney General's Office violation.

Mary Lou Sanborn of Bay View Drive commented on actions of integrity with regards to Open Meeting and reasons why the Open Meetings Act was created. She further stated no one has spoken up on the rights of the public. The public has a right to transparent government and to have a board follow the agenda. Boards should be aware of how they conduct themselves and advised on the quorum of the Board of Canvassers. She wanted to know why corrective action was not taken. She reminded the Council, it is their job to protect the public. She further stated she wanted a moratorium.

Vice President Meagher stated she would like the Solicitor to determine if a moratorium is allowed. She also advised they have taken administrative steps to provide guidance in this situation.

Discussion ensued on the Charter and amendments.

Councilor White emphasized the decision of the Attorney General that there was insufficient evidence to charge.

Ken Newman of Avenue B and Member of the Board of Canvassers, clarified the meeting held at the Board of Elections, which was a Risk Limit Audit where all Board of Canvassers were invited to attend; which is actually part of our job. He stated he did not contact Mr. Raposa. The members of the Board of Canvasser's and the Canvassing Clerk were approached by Mr. Raposa and gave a suggestion. He advised at that time he thought the issue was with Board of Elections, not the Board of Canvassers. The Board of Canvassers never directed, just put forward a suggestion by Mr. Raposa. He advised that he provided clarification at the next regular Council meeting; which was posted in accordance.

Blake Dickinson of Mount Hope Ave, stated it was his understanding the Town is making strides in rectifying the concerns and wanted the Board of Elections to rule. He further stated his wish for people to stop talking about the meeting and the best thing is to move on. He did not appreciate being called inflammatory. He further clarified why he went to the state and his preference to no longer be involved. He asked everyone to use discretion when in the role as a government official. He closed his comments by appreciating the work done at addressing the concerns that were raised.

IX. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

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

- A) Letter of Resignation of Frank F. Sallee from the Discover Newport Board

Council President White stated Frank F. Sallee had submitted resignation from the Board.

Vice President Meagher stated we should send a letter of thanks for service and reminded in order to sit on the board, it must be someone from the hospitality industry.

Interim Town Administrator Collins advised on the need to continue Consent Item D Public Works Bid to the next agenda.

Councilor White advised on the correction needed in September 16th minutes regarding Frank Meyer’s comments. Town Clerk Liese had also agreed to the correction regarding “make hay while the sun shines”.

X. CONSENT AGENDA

A motion was made by Vice President Meagher with second by Councilor Piva to approve the Consent Agenda as amended. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Town Council Minutes
 - 1) September 16, 2019 (regular meeting)
 - 2) September 16, 2019(executive session)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Philomenian Library (August 13, 2019)
- C) Request of Tax Assessor for Specific Abatements & Addenda of Taxes
Detailed Abatements are part of the attachments available to the public at the Office of the Town Clerk and on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>
 - 1) Total of 8 Accounts for Abatement: \$ 2,362.01
 - 2) Total of 3 Accounts for Addenda: \$ 3,529.53

MOTOR VEHICLE ABATEMENTS TO 2019 TAX ROLL

11-0041-76M Kalkas, Nicholas	Motor Vehicle- soldier / sailor exempt	\$45.60
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REAL ESTATE ABATEMENTS TO 2019 TAX ROLL

03-0080-00 Callahan, Bruce Trustee	Plat 1, Lot 136 – Tax Appeal – Reduced assessment Grade.	\$396.06
03-0983-30 Clow, Robert & Vaccaro, Carla	Plat 2, Lot 212 – Tax Appeal – Reduced assessment based Condition	\$330.05
06-0500-07 Furtado, Edward & Claire	Plat 8, Lot 318 – Tax Appeal – Reduced assessment based Condition	\$282.56
12-0793-48 Loiselle, Dana	Plat 3, Lot 516 – Tax Appeal – Updated field card data	\$35.42
18-0260-00 Reveron, Derek & Kirstin	Plat 8, Lot 318 – Tax Appeal – Updated field card data	\$1,213.94
19-0468-98 Seelig, Karl & Anna	Plat 14, Lot 320 – Tax Appeal – Updated sketch	\$27.79
19-0962-06 Slingluff, Duval & Digasper, Gregory	Plat 8, Lot 203 – Updated field card data	\$30.59

ADDENDA TO 2019 TAX ROLL

18-0246-50 Reppe, William & Cinthia	Plat 1, Lot 39 – New Construction – Prorated 124 days – New Value \$487,200	\$938.31
23-0455-50 Welch, Patrick & Keleigh	Plat 7, Lot 50 – New Construction – Prorated 193 days – New Value \$1,420,100	\$1,133.53
23-1002-51 Wilmington Savings Fund	Property was foreclosed on. Removed Elderly exemption.	\$1,457.69
TOTAL ABATEMENTS		\$ 2,362.01
TOTAL ADDENDA		\$ 3,529.53

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

Vice President Meagher requested all communications regarding cell tower and service be moved to the agenda that the assessment will be presented. She also advised on communication item 11.

A motion was made by Vice President Meagher with second by Councilor Piva to receive the Communications. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

The Communications and Proclamations and Resolutions from other RI cities and towns consists of the following:

- D) Communications
- 1) Copy of Letter to: Town Council
From: James Rugh, President East Passage Estates Lot Owners' Assoc.
Dated: September 11, 2019
Re: Cell Tower and Cellular Service
 - 2) Copy of Letter to: Town Council
From: Joan Jordan
Dated: September 12, 2019
Re: Cell Tower and Cellular Service
 - 3) Copy of Letter to: Town Council
From: Sarah Baines
Dated: September 10, 2019
Re: Cell Tower and Cellular Service
 - 4) Copy of Email to: Town Council
From: Sav Rebecchi, Communications Volunteer Upper Shores Advocates
Dated: September 15, 2019
Re: Conservation Easements of 22 Shores lots

- 5) Copy of Letter to: Town Council and Town Solicitor
From: Bernie Courtney
Dated: September 10, 2019
Re: Jamestown Housing Authority Management
- 6) Copy of Letter to: Town Council Members
From: John Conroy
Dated: September 11, 2019
Re: Cell Tower and Cellular Service
- 7) Copy of Letter to: Town Councilors
From: Joan & John Biddick
Dated: September 14, 2019
Re: Cell Tower and Cellular Service
- 8) Copy of Letter to: Town Council
From: Jamie Engberg
Dated: September 15, 2019
Re: Cell Tower and Cellular Service
- 9) Copy of Letter to: Town Council
From: Robert Marcello
Re: Cell Tower and Cellular Service
- 10) Copy of Request for Resolution to: Town Council
Re: Assault Weapon and High Capacity Magazine Ban
- 11) Copy of Email to: Erin Liese, Town Clerk
From: Carol Nelson-Lee, Chairwoman Jamestown Board of Canvasser
Date: October 7, 2019
Re: Request for Placement on October 7, 2019 Agenda regarding Open Meetings Violation Response of the Attorney General dated June 26, 2019

Councilor Piva stated his intention to recuse from Executive Session item A; pending litigation pension benefits.

It was noted they would change agenda order so Councilor Piva can participate in the other Executive Session Agenda items.

XII. EXECUTIVE SESSION

- A) Pursuant to RIGL § 42-46-5(a) Subsection (2) Pending Litigation (IBPO Retiree Pension Benefits: File No. Balzer vs. Town of Jamestown, C.A. No. 1:19-cv-00109-WES-PAS; Dube, et al, vs. Town of Jamestown, C.A. No. 1:19-cv-00018-WES-PAS

- B) Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential Litigation: Presentment of Claim and Demand Pursuant to § 45-15-5: Richard Bruno, individually and as Administrator of the Estate of Nathan Bruno, and Misty Kolbeck, individually
- C) Pursuant to RIGL § 42-46-5(a) Subsection (3) Cyber Security
- D) Pursuant to RIGL § 42-46-5(a) Subsection (5) Beavertail Lease

A motion made by Vice President Meagher with second by Councilor Piva pursuant to Pursuant to RIGL § 42-46-5(a) Subsection (2) Pending Litigation (IBPO Retiree Pension Benefits: File No. Balzer vs. Town of Jamestown, C.A. No. 1:19-cv-00109-WES-PAS; Dube, et al, vs. Town of Jamestown, C.A. No. 1:19-cv-00018-WES-PAS; Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential Litigation: Presentment of Claim and Demand Pursuant to § 45-15-5: Richard Bruno, individually and as Administrator of the Estate of Nathan Bruno, and Misty Kolbeck, individually; Pursuant to RIGL § 42-46-5(a) Subsection (3) Cyber Security; and Pursuant to RIGL § 42-46-5(a) Subsection (5) Beavertail Lease at 8:02 p.m. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

The Town Council reconvened the regular meeting at 8:54 P.M. It was announced no action was taken in Executive Session:

Councilor Piva entered into Executive Session; however recused from RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation (IBPO Retiree Pension Benefits: File No. Balzer vs. Town of Jamestown, C.A. No. 1:19-cv-00109-WES-PAS; Dube, et al, vs. Town of Jamestown, C.A. No. 1:19-cv-00018-WES-PAS and departed Council Chambers.

A motion was made by Vice President Meagher with second by Councilor White to seal the Minutes of the Executive Session. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye.

XIII. ADJOURNMENT

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

The regular meeting was adjourned at 8:55 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk

TOWN COUNCIL MEETING
October 9, 2019

I. ROLL CALL

A special meeting of the Jamestown Town Council was held on October 9, 2019. Town Council Members present were as follows: Michael G. White, Mary E. Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, and Town Clerk Erin F. Liese.

II. CALL TO ORDER

Town Council President White called the meeting of the Jamestown Town Council to order at 11:04 A.M. in the Jamestown Town Hall, Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

III. NEW BUSINESS

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

- A) Town Administrator's Search
- 1) Review of applications received for Town Administrator.

Council President White announced they had received 56 applicants and would enter into Executive Session, in order for the process to be kept confidential.

- 2) Discussion regarding the Town Administrator search process for appointment.
- 3) Establish Criteria/Qualifications for Candidates.
- 4) Schedule Future Sessions – dates and times.

Dates were reviewed for the next meeting and it was determined the next meeting would be held on October 15, 2019 at noon.

A motion made by Vice President Meagher with second by Councilor Piva to enter Executive Session pursuant to RIGL § 42-46-5(a) Subsection(1) Personnel- Town Administrator at 11:07 A.M. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

IV. EXECUTIVE SESSION

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

- A) Pursuant to RIGL § 42-46-5(a) Subsection (1) Personnel-Town Administrator; conduct applicant reviews, discuss criteria, qualifications and desired characteristics for candidates, and discuss and/or set interviews schedule.

The Town Council reconvened the regular meeting at 12:35 P.M.

It was announced no action was taken in Executive Session

A motion was made by Councilor Beye with second by Vice President Meagher to seal the Minutes of the Executive Session. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

V. ADJOURNMENT

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

The meeting was adjourned at 12:36 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk

TOWN COUNCIL MEETING
October 15, 2019

I. ROLL CALL

A special meeting of the Jamestown Town Council was held on October 15, 2019. Town Council Members present were as follows: Michael G. White, Mary E. Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, and Town Clerk Erin F. Liese.

II. CALL TO ORDER

Town Council President White called the meeting of the Jamestown Town Council to order at 12:05 P.M. in the Jamestown Town Hall, 1st Floor Conference Room at 93 Narragansett Avenue.

III. NEW BUSINESS

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

- A) Town Administrator's Search
- 1) Review of applications received for Town Administrator.
 - 2) Discussion regarding the Town Administrator search process for appointment.

Council President White announced the Council is making progress reviewing the candidate's and no names will be released.

- 3) Establish Criteria/Qualifications for Candidates.
- 4) Schedule Future Sessions – dates and times.

Dates were reviewed for the next meeting and it was determined the next meeting would be held on October 22, 2019 at 11:00 A.M.

A motion made by Councilor Beye with second by Vice President Meagher to enter Executive Session pursuant to RIGL § 42-46-5(a) Subsection(1) Personnel- Town Administrator at 12:07 P.M. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

IV. EXECUTIVE SESSION

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

- A) Pursuant to RIGL § 42-46-5(a) Subsection (1) Personnel-Town Administrator; conduct applicant reviews, discuss criteria, qualifications and desired characteristics for candidates, and discuss and/or set interviews schedule.

The Town Council reconvened the regular meeting at 1:39 P.M.

It was announced no action was taken in Executive Session

A motion was made by Vice President Meagher with second by Councilor White to seal the Minutes of the Executive Session. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

V. ADJOURNMENT

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

The meeting was adjourned at 1:41 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk

TOWN COUNCIL MEETING
October 22, 2019

I. ROLL CALL

A special meeting of the Jamestown Town Council was held on October 22, 2019. Town Council Members present were as follows: Michael G. White, Mary E. Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, and Town Clerk Erin F. Liese.

II. CALL TO ORDER

Town Council President White called the meeting of the Jamestown Town Council to order at 9:30 a.m. in the Jamestown Town Hall, 1st Floor Conference Room at 93 Narragansett Avenue.

III. NEW BUSINESS

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

- A) Town Administrator's Search
- 1) Review of applications received for Town Administrator.
 - 2) Discussion regarding the Town Administrator search process for appointment.
 - 3) Establish Criteria/Qualifications for Candidates.
 - 4) Schedule Future Sessions – dates and times.

Council President White announced the Council is making progress.

A motion made by Vice President Meagher with second by Councilor White to enter Executive Session pursuant to RIGL § 42-46-5(a) Subsection(1) Personnel- Town Administrator at 9:39 A.M. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

IV. EXECUTIVE SESSION

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

- A) Pursuant to RIGL § 42-46-5(a) Subsection (1) Personnel-Town Administrator; conduct applicant reviews, discuss criteria, qualifications and desired characteristics for candidates, and discuss and/or set interviews schedule.

The Town Council reconvened the regular meeting at 10:40 A.M.

It was announced no action was taken in Executive Session

A motion was made by Vice President Meagher with second by Councilor White to seal the Minutes of the Executive Session. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

V. ADJOURNMENT

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

The meeting was adjourned at 10:41 A.M.

Attest:

Erin F. Liese, CMC, Town Clerk

TOWN COUNCIL MEETING
October 22, 2019

I. ROLL CALL

A special meeting of the Jamestown Town Council was held on October 22, 2019. Town Council Members present were as follows: Michael G. White, Mary E. Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr. Also present Interim Town Administrator Christina D. Collins, Town Solicitor David R. Petrarca, Jr., Chief Edward Mello and Town Clerk Erin Liese.

II. CALL TO ORDER

Town Council President White called the meeting of the Jamestown Town Council to order at 11:06 A.M. in the Jamestown Town Hall, Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

- 1) Approval of Special Counsel for Museler Appeal Hearings

A motion was made by Vice President Meagher with second by Councilor Beye to approve Attorney Marisa Desautel as Special Counsel to the Council for the Museler Appeal Hearings. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

Town Solicitor David Petrarca clarified he will serve as Counsel to the Harbor Commission.

- 2) Appeal Hearing of Kara and Christopher Museler; by their Attorney, Quentin Anthony, Esq; regarding the denial of their Guest Mooring Permit Application by the Jamestown Harbor Commission dated July 18, 2019; pursuant to Section 78-30 of the Jamestown Code of Ordinances

Attorney Quentin Anthony requested a continuance to allow for additional discovery.

A motion was made by Vice President Meagher with second by Councilor Beye to allow the continuance for Museler Appeal Hearings. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 3) Schedule Future Sessions – dates and times.

Discussion ensued on availability to schedule future hearings.

A motion was made by Vice President Meagher with second by Councilor Piva to schedule the following hearing dates for November 22nd and November 26th at 11 a.m. for the matter of the Museler Appeal. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

III. ADJOURNMENT

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

The regular meeting was adjourned at 11:14 A.M.

Attest:

Erin F. Liese, CMC, Town Clerk

Approved As Written
PLANNING COMMISSION MINUTES

August 21, 2019

7:00 PM

Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:04 p.m. and the following members were present:

Michael Swistak – Chair Duncan Pendlebury – Vice Chair

Rosemary Enright – Secretary Mick Cochran

Bernie Pfeiffer Dana Prestigiacommo

Michael Smith

Not present: Duncan Pendlebury

Also present:

Lisa Bryer, AICP – Town Planner

Wyatt Brochu – Town Solicitor

Cynthia Reppe – Planning Assistant

Patrick Freeman – PE - American Engineering Inc.

William McCaffrey – applicant

Christian Infantolino

II. Approval of Minutes August 7, 2019; review, discussion and/or action and/or vote

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

Page 1, last paragraph - Commissioner Pendlebury said he was the representative for the TRC and he has seen this product before and it is very nice and much better than the older style vinyl shingles.

So unanimously voted.

III. Correspondence

1. FYI – Memo – Jamestown Ad Hoc Committee for Public Art memo to Town Council. Received

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

V. Old Business – nothing at this time

VI. New Business

1. William McCaffrey – Plat 16, Lot 70 - 232 Beacon St., Jamestown RI – Zoning Ordinance Section 314 – High Groundwater Table and Impervious Overlay District Sub-district A review – Recommendation to Zoning Board of Review - discussion and/or action and/or vote

Patrick Freeman, PE American Engineering was accepted as an expert witness on a motion made by Commissioner Smith seconded by Commissioner Pfeiffer and gave a brief synopsis of the application.

Commissioner Cochran asked is the current septic in the house a 2 bedroom? Yes. Commissioner Enright asked What are sonotubes? It is a form put into the ground for a footing.

Commissioner Swistak asked Mr. McCaffrey if he is aware that the driveway must remain impervious? Yes he is. And the rain garden has a maintenance agreement. Yes it does. Mr. McCaffrey waived the motion being read in its entirety.

A motion was made by Commissioner Swistak and seconded by Commissioner Pfeiffer Stating the Planning Commission voted unanimously to recommend to the Jamestown Zoning Board, approval of the application of William McCaffrey: AP 16, Lot 70; 232 Beacon Avenue, Jamestown, RI; 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 William McCaffrey, located at 232 Beacon Avenue, Jamestown, RI Sheet 1 of 1. Dated, 07/31/2019, by American Engineering, Inc., Daniel R. Cotta, Professional Engineer/Professional Land Surveyor, 400 South County Trail – Suite A 201, Exeter, Rhode Island 02822.** The recommendation for approval is based on the following findings of facts as amended:

Findings of Fact Section 314

1. Property is 21,600 sf in area.
2. The applicant is proposing to demolish an existing two bedroom dwelling and rebuild the same on the existing foundation with a 10' x 10' addition on sonotubes, and a new covered porch.
3. The existing site is developed with a house, pervious driveway, well, and an advanced treatment OWTS (RIDEM permit #1515-0479). The inspection on that OWTS is up to date but the Town database indicates that it is due for an inspection in October 2019; Existing impervious cover is 1354 square feet or 6.5% of the total buildable area of 20,921 square feet.
4. The site contains 679 square feet of wetland area as flagged
5. Four (4) soil evaluations were conducted on the property. The results indicate a 12-18 inch seasonal high water table and 48-60" inches to category 9 soils. The site falls under Sub-district "A" requirements of the High Groundwater Table and Impervious Overlay District. The maximum impervious cover allowed is 9%.
6. The proposed impervious cover is 7.4 percent.
7. The applicant's representative Patrick Freeman, PE, American Engineering, represented the applicant as an expert witness before the Planning Commission on 8/21/19. The applicants engineer has submitted a Water Volume Calculations Report dated July 31, 2019 which addresses stormwater treatment by a rain garden. The runoff from the new rooftop will be directed to a rain garden with an approximate area of 86 square feet (bottom area) and a storage volume of approximately 89 cubic feet. The proposed rain garden exceeds the required

storage volume of 83 cubic feet. The rain gardens provide treatment for the 1" water quality volume and provides storage for the increased 200 square feet of impervious area and storm water runoff associated with a 10-year frequency storm event.

8. Jamestown Engineer Jean Lambert provided correspondence to Chris Costa, Building Official and Lisa Bryer, Town Planner dated August 1, 2019 regarding the McCaffrey application (attached) which notes that, the proposal, in her professional judgement, the requirements for development within 82-314 of the Zoning Ordinance have been met.

Recommended Conditions of Approval

1. A Special Use Permit for Section 314 is required from the Zoning Board of Review;
2. An as-built plan should be provided at the completion of construction to the Building Official depicting the size and location of the house, size and location of the rain gardens, and verifying the elevations and grading shown on the proposed site plan.
3. The OWTS must be inspected and maintained as required by the Town Onsite Wastewater Management Program. A maintenance contract must be recorded in the land evidence records and a copy of the recorded document shall be submitted to the Planning Department.
4. The Operation and Maintenance (O & M) Plan (reproduced in 8.5" x 11" for the stormwater mitigation (rain gardens) 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 as well as the Planning Department.
5. An erosion and sediment control permit will be required from the building official prior to commencement of construction. Erosion and sediment controls shall be installed at the down gradient limit of disturbance as shown on the site plans. Erosion controls shall be maintained until final stabilization is achieved on the site.

So voted:

Michael Swistak – Aye
Bernie Pfeiffer - Aye

Rosemary Enright – Aye
Dana Prestigiacomio – Aye

Mick Cochran - Aye
Michael Smith – Aye
Motion carries 6-0

2. Louis & Noreen Bachetti – Plat 1 Lot 113 – 67 Orient Ave., Jamestown RI - Zoning Ordinance Section 314 – High Groundwater Table and Impervious Overlay District Sub-district A review - Recommendation to Zoning Board of Review - discussion and/or action and/or vote

Attorney Christian Infantolino representing the Bachetti's said the applicant is proposing to remove the existing cabin, and the existing impervious coverage will be reduced from 14.5% to 12.1%. He introduced Patrick Freeman, engineer from American Engineering who updated the Planning Commission and said he would answer any questions they have. They are proposing a rain garden for a 25-year storm. The regulations require handling a 10 year storm.

Christian Infantolino said, that the site is 1600 sq. ft short of being 40K sq. ft and they would not need to be here if it were 40,000 square feet. It is bordered by paper streets. There is an existing garage that encroaches the property line which will be removed.

Commissioner Pfeiffer asked if the current septic is going to be moved and Patrick answered yes it will be. You are reducing the impervious coverage so why couldn't you make it 12% and not 12.1% asked Commissioner Enright. The applicant has gone through different designs and has settled on this one. The applicant tried to go through the process of abandoning the paper street and was not successful. He is using the paper street as a driveway. It is maintained currently by the property owners. Swistak asked if the neighbors use it, no they don't. The applicant is under a P&S for 3 lots.

In Jean Lamberts memo she makes note of the 12.1 impervious not meeting the standards. Swistak noted that she does not give an opinion. Lisa noted that the Town Engineer, Jean Lambert reviews applications to determine whether it meets the town standards or not. Lisa said it will need a variance as is. There are also some setback variances they will be asking zoning for. Enright asked about the setbacks.

Chair Swistak asked that we forward along a plan with setbacks shown. He asked are the other setbacks variances needed in our purview? No just the standards of Section 314, meaning the 2000 sq ft standards and the special use permit. 12.1%

A motion was made by Commissioner Swistak and seconded by Commissioner Pfeiffer to recommend to the Jamestown Zoning Board, approval of the application of Louis and Noreen Bachetti, Owners David W. Murdock, Kathryn Anne Murdock, and David Martin as trustees of the Murdock Family Trust: AP 1, Lot 113; 67 Orient Avenue, Jamestown, RI; 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 Louis and Noreen Bachetti, located at 67 Orient Avenue, Jamestown, RI Sheet 1 and 2 of 2. Dated, 07/30/2019, by American Engineering, Inc., Daniel R. Cotta, Professional Engineer/Professional Land Surveyor, 400 South County Trail – Suite A 201, Exeter, Rhode Island 02822.** The recommendation for approval is based on the following findings of facts as amended:

Findings of Fact Section 314

1. Property is 38,405 sf in area.
2. The applicant is proposing to demolish an existing 3-bedroom dwelling, deck, garage and shed and construct a three bedroom dwelling, garage, OWTS and crushed stone driveway.
3. The existing site is developed with a house, garage, driveway, well, and a conventional OWTS. The Town database indicates that it is overdue for maintenance, however the existing house has been vacant and a new OWTS is proposed as a new Ax-20 Filter to Bottomless Sand Filter OWTS; permitted by RIDEM permit # 0515-2027. Existing impervious cover is 5568 square feet or 14.5% of the total area.
4. Two (2) soil evaluations were conducted on the property. The results indicate a 26 inch seasonal high water table and 27" inches to category 9 soils. The site falls under Sub-district "A" requirements of the High Groundwater Table and Impervious Overlay District. The maximum impervious cover allowed is 12%.
5. The proposed impervious cover is 4654 or 12.1 percent.
6. The applicant's representative Christian Infantolino, Esq. represented the application and Patrick Freeman, PE, American Engineering, represented the applicant as an expert witness before the Planning Commission on 8/21/19.

7. The applicants engineer has submitted a Water Volume Calculations Report dated July 30, 2019 which addresses stormwater treatment by a rain garden. The runoff from the new rooftop will be directed to a rain garden with an approximate area of 840 square feet (bottom area) and a storage volume of approximately 1252 cubic feet. The proposed rain garden exceeds the required storage volume of 1235 cubic feet. The rain gardens provide treatment for the 1" water quality volume and provides storage for the impervious area and storm water runoff associated with a 10-year frequency storm event.
8. The rain garden was evaluated for a 25-year frequency storm event. An overflow weir has been included in the design of the rain garden to provide a location for runoff greater than the storage volume to safely pass through the stormwater basin and discharge to an existing swale downstream of the subject site.
9. Jamestown Engineer Jean Lambert provided correspondence to Chris Costa, Building Official and Lisa Bryer, Town Planner dated August 5, 2019 regarding the Bachetti application (attached) which notes that the proposed project exceeds the allowable area of impervious cover. A variance is required for the 12.1 percent impervious cover and being in excess of 2,000 square feet where 12 percent is permitted and the ordinance states that no structure shall exceed 2,000 square feet;
10. This application requires setback variances; North Front proposed 15' where 40' are required, South Side proposed 20' where 30' are required and East Front proposed 20' where 40' are required;
11. This subject site is 38,405 square feet; 1,595 square feet short of the 40,000 square feet, which would make the lot exempt from Section 82-314;
12. Attorney Infantolino confirmed that the existing garage encroaches the property line to the south;
13. Access to the lot will continue to be by Lippitt Street, location of the existing driveway.

Recommended Conditions of Approval

1. A Special Use Permit for Section 314 and Zoning Variance is required from the Zoning Board of Review;
2. An as-built plan should be provided at the completion of construction to the Building Official depicting the size and location of the house, size and location of the rain gardens, and verifying the elevations and grading shown on the proposed site plan.
3. The OWTS must be inspected and maintained as required by the Town Onsite Wastewater Management Program. A maintenance contract must be recorded in the land evidence records and a copy of the recorded document shall be submitted to the Planning Department.
4. The Operation and Maintenance (O & M) Plan (reproduced in 8.5" x 11" for the stormwater mitigation (rain gardens) 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 as well as the Planning Department.
5. An erosion and sediment control permit will be required from the building official prior to commencement of construction. Erosion and sediment controls shall be installed at the down gradient limit of disturbance as shown on the site plans. Erosion controls shall be maintained until final stabilization is achieved on the site.

So voted:

Michael Swistak – Aye

Rosemary Enright – Aye

Mick Cochran - Aye

Bernie Pfeiffer - Aye

Dana Prestigiacomo – Aye

Michael Smith – Aye
Motion carries 6-0

VII. Adjournment

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Smith
At 7:48 p.m, So unanimously voted.

Attest:

Cynthia L Reppe
Planning Assistant

Approved As Amended
PLANNING COMMISSION MINUTES
September 4, 2019
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

Michael Swistak - Chair

Duncan Pendlebury – Vice Chair

Rosemary Enright – Secretary

Bernie Pfeiffer

Michael Smith

Not present:

Mick Cochran, Dana Prestigiacomio

Also present:

Lisa Bryer, AICP Town Planner

Wyatt Brochu – Town Solicitor

Cynthia Reppe – Planning Assistant

Mark Liberati – Esq.

Christian Belden – Executive Director – Church Community Housing Corp.

Michael Darveau – Professional Land Surveyor

II. Approval of Minutes August 21, 2019; review, discussion and/or action and/or vote

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

III. Correspondence

1. FYI – Memo to Zoning Re: McCaffrey HGWTO recommendation. Received
2. FYI – Memo to Zoning Re: Bachetti HGWTO recommendation. Received
3. Letter – From concerned Carr Lane residents and property owners. Received

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

V. Old Business – Nothing at this time

VI. New Business

1. **91 Carr Lane, Property Owner: Town of Jamestown, Applicant: Church Community Housing Corp, A.P. 4 Lot 52, Application for Comprehensive Permit for Affordable Housing per Zoning Ordinance Article 17, a 4-Lot Minor Subdivision consisting of 2 new single family homes, two building renovations including a garage conversion to a**

single family home and 3 rental units in the existing house, (all units are low to moderate income restricted units), with Zoning Variances.

a. Pre-Application Review

Commissioner Swistak explained to the audience that this is the first meeting where the applicant presents their ideas for the project and no decisions will be made tonight on the pre-application plan. At the next meeting there will be formal public input. At the end of the presentation we will let audience members speak but please make your questions in broad terms since that is the stage that we are at; at the next meeting you can be more specific.

Town Planner Lisa Bryer was asked to give a background. The town purchased this property last year at this time after negotiating for the previous year. The 5.5 acres were simultaneously preserved at the closing due to the funding from RIDEM. The town purchased this property for dual roles; for watershed protection and affordable housing. It is currently at the Pre application stage, which is the first stage of review where ideas are gathered and conceptual input accepted. The town has a P&S with CCHC to purchase the affordable, existing home property. The Town is owner Applicant and CCHC is the housing developer.

b. Review Subdivision & Zoning applications as a single application under Zoning Section 82-7200 /- RIGL – 45-53-Low & Moderate Income Housing; review, discussion and/or action and/or vote

Commissioner Swistak made a motion for the Planning Commission to sit as the local review board and Commissioner Pfeiffer seconded the motion. So unanimously vote.

Attorney Mark Liberati will give an overview of the project. Mr. Liberati represents Church Community Housing. This property is in an RR200 zone, which includes the land around the watershed. Jamestown zoning allows for cluster subdivision. The goal is to purchase and develop a small area and preserve the rest.

In the packet you have a sheet that shows the relief required and being asked for. They are fitting this project into the paradigm of meeting the standards of the cluster. It will consist of 3 single family houses and 3 rental units in the existing home.

This cluster satisfies the spirit of what the town wants in terms of meeting its goals of affordable housing and watershed protection. The goal of cluster zoning is to preserve and concentrate the area of development. Septic systems proposed are the advance treatment systems.

The Comprehensive Permit intended purpose is to promote affordable housing by streamlining the process to help achieve the 10% state mandated goal. It is difficult to achieve the 10% affordable mandate by the State in Jamestown but with projects like this we can move closer.

The people living in the units pay for the structure itself and not the land; it remains in a land trust. To buy affordable land on the private market is near impossible in Jamestown. The standards can be relaxed for Comp Permits. The decision if the project is going to affect health and welfare of residents is made by the Planning Commission not the Zoning Board. This is a simple minor

subdivision with all frontage lots, where no new roads are being created. Runoff will be captured onsite.

Christian Belden Exec Director at CCHC was introduced and he spoke. This year is the 50th anniversary of CCHC and he mentions this because this is a non profit that has been around for many many years and they continue to own, maintain and manage about 600 units. Their mission is to develop affordable housing in Newport county. They have developed in other counties when the state has asked them to.

This is a great project that suits multiple town goals. All of their land trust homes pay their own taxes and CCHC pays the taxes on the rental structure. The ownership homes will receive a 99 year, renewable ground lease. CCHC will own the home with the rental units. The state wants to see the largest number of units possible, another developer might come in and propose higher density and get it from the state because we have not met our 10% goal. They are proposing a development that is in keeping with Jamestown's character. We have applied for funding and have been turned down because of the few number of units but he feels we will eventually get the funding because of the relationship with the town and the town's financial and policy commitment to affordable housing.

Michael Darveau was sworn in as an expert witness on a motion made by Commissioner Smith and seconded by Commissioner Pfeiffer. Mike Darveau discussed drainage and septic systems. He is a Professional Land Surveyor that does the majority of his work here in Jamestown. When he was asked to get involved in this project the main question is can you put systems on the site. The proposed septic systems are as far away from the wetland as possible. A 50-foot buffer is required. Tests were done on April 3 2018. He noted in response to a question's about when the testing was done that this process can be done any time during the year. They looked at the amount of area they have to protect in the open space. The four buildings currently there, one of the original houses is more than likely discharging directly into the groundwater/wetland which is an older system and now the high-tech systems are so much more effective with the treatment. All 4 buildings will have the new systems. 1 system for each building. The water on Carr Lane drains away from the road. No basements, they will be built on slabs. They will not be backing out on Carr Lane there will be turnarounds for each dwelling. The Driveway for the 3 homes will be crushed stone. The rental building will have a paved driveway for maintenance purposes. They are creating on site drainage. Every 5 years the swales need to be addressed. There will be contracts for septic system maintenance.

There will be separate wells for each ~~unit~~ **building**. A traffic study has not been done yet and usually are not done until a later stage.

Commissioner Swistak asked where are we now in terms of meeting our 10%? Bryer responded that we are at 4.4%. At one time we were above 5% but when a regular unit is built our percentage of affordable goes down. It is based on year round units. Today we have 115 and we need 240 units.

Commissioner Smith who was the representative at the TRC meeting was impressed with the amount of conservation land that the town owns not only with this purchase but it is a good

balance. He is concerned with the narrowness of Carr Lane. It has become a major through road since the new bridge and it should not be Carr Lane and America Way through ways.

Commissioner Pendlebury asked is the land lease the same as the Swinburne Street development? Yes Mr. Belden responded. They look at the difference between what they pay for the house and what it costs to develop. An affordable will sell for approx. \$170,00 for a house and it typically costs \$250,000 to build a house so they need to get grants. Their goal is to make housing affordable but they need to ensure the home is affordable that is why they do the land lease. Commissioner Pendlebury asked do these units pay taxes at the straight assessed value? They are paying for the value of the house and land full value. It can be sold and they can make money on it. Christian said the majority of the homeowners do build equity while the real estate market is fairly volatile, incomes increase and house prices increase.

Commissioner Enright asked are they responsible for getting their own mortgage? Yes. Is the down payment 20%? It is based on what program they go with sometimes it is a lower down payment. Costs of maintaining swales, septic systems how do you figure that in? He cannot give an exact they have done dozens of septic and wells. Bryer added that approximately 50% of the land trust homes are on wells and Septic in Jamestown.

Commissioner Enright asked where the estimate of 13 residents came from. Bryer said it is calculated from census data from standard family size for both single family homes and multi-family homes. Mr. Belden said all types of families move into their units from elderly to single parents to singles.

Commissioner Pfeiffer said given the split with the land for conservation and what Mr. Darveau said they needed for wells and septic and the turn arounds etc. This is a good project.

Does the town have a process to monitor septic's? Yes, it covers all of Jamestown. We have inspections every 2-3 years. These 6 units will get local resident's preferential treatment. RI Housing allows us to give local preference the first time around.

Commissioner Swistak reminded the audience this is pre-app and conceptual and please do not ask detailed questions.

Bonnie Hogan 56 Carr Lane – She has a petition from 100 residents who are concerned about density, water, traffic and the septic systems contaminating their water. Issues in general terms, I am not against affordable housing. Jamestown's rural character is the driving theme in the Comprehensive Plan. She read a quote from our Comp Plan. 2 family and multi family are not allowed in this district. Look at Map 7 and Map 17 in the Comp Plan, how can you safely proceed with this project? Water quality protection plans, 4 additional wells and septic systems. Are they going to affect the water quality of our wells? Increased traffic on this Lane is a very real safety concern. Again, stated in Comp plan rural character and not urban. We chose to live on Carr Lane for the rural character.

Dale Jerald - 63 Carr Lane – she is not against a single-family home on this property she will not reiterate all of what Bonnie Hogan said. She noted zoning is 2 acres for a single-family home in this area and rental units are not allowed. Barbara Sokolov said Jamestown zoning should not

increase density for the sake of public health, same as what Hogan said. Can the zoning of conservation and wetland ever be changed.? Once land is designated as wetland and conservation, it will be that way forever. Residents of Carr Lane go for things that are appropriate for the zoning district that they are in.

Wyn Scott -73 Carr Lane – This board becomes the local review board correct? Yes. This means they can request a comp permit which means the Planning Commission becomes the reviewing authority. They do not have to go through anywhere else? Yes. If the plan is denied they can appeal this to the statehouse. The State Housing Appeals Board. What is the ramification to Jamestown if they do not meet the 10%? The state has the ability to propose and approve projects in Jamestown and they can and will increase density. Has this ever happened. No. Will the wells be drilled before? Before final subdivision approval. Commissioner Pfeiffer said we all have this issue on the north end, it is much denser in the Shores, and we generally have enough water. You are adding 3 wells to an area that is very large to the amount of groundwater there is. Before anything is built, they require wells. His concern is his perspective is not a bad one he did not object when the lot was subdivided, he thinks this is excessive from an environmental point of view. Water and access is a real concern. He has learned a lot about affordable housing during this project. If this was a more moderate scale he thinks it would be respected. When is it not economically feasible. We need to think this through very carefully and restrict where necessary.

Commissioner Swistak said it depends on when the applicant is ready as for when they will be back. You will get formal notice if you are within 200 feet.

c. Combine Master Plan & Preliminary stages of review including Master Plan Informational Meeting & Preliminary Public Hearing; review, discussion and/or action and/or vote

Attorney Liberati asked to combine the next 2 phases of the project since it is actually a 4 lot minor subdivision. In addition, it saves the applicant money if they only have to advertise for one hearing and less steps in the process. He feels that there will be ample review time if the phases of review are combined and only one hearing is held.

Commissioner Pfeiffer said this level of detail that was presented tonight goes beyond conceptual. They would like to hear from the applicant about the traffic issue. Ms. Bryer said the next level would normally be Master Plan, which is still conceptual. If the Commission is interested in seeing traffic information next, that would be presented at the next meeting. If you want to get to the details combining the phases of review will require all the information be presented at the next phase. It is generally at the risk of the applicant since they are doing all the work before the project is vested for number of units.

A motion to combine Master Plan & Preliminary stages of review including Master Plan Informational Meeting & Preliminary Public Hearing was made by Commissioner Swistak and seconded by Commissioner Pfeiffer. So unanimously voted.

Michael Swistak – Aye
Rosemary Enright – Aye
Michael Smith – Aye

Duncan Pendlebury – Aye
Bernie Pfeiffer - Aye

Motion carries 5-0

A motion was made by Commissioner Swistak and seconded by Commissioner Pfeiffer to close the review of 91 Carr Lane as the Local Review Board and return to the Planning Commission. So unanimously voted.

VII. Adjournment

Motion to adjourn at 8:32 pm was made by Commissioner Enright and seconded by Commissioner Pfeiffer. So unanimously voted.

Attest:



Cynthia L Reppe

Approved As Amended
PLANNING COMMISSION MINUTES

September 18, 2019

7:00 PM

Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

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

Also present:

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

II. Approval of Minutes September 4, 2019; review, discussion and/or action and/or vote

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

Page 3, 4th paragraph,

There will be separate wells for each ~~unit~~ **building**.

III. Correspondence

1. FYI – Letter to Richard Dickson – approval DPR. Received

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

V. Old Business

- 1. Stuart and Anne Sanderson, 70 and 78 Narragansett Avenue, Plat 8, Lots 120 and 121 – Master Plan Review for a Comprehensive Permit for low and moderate income housing per Jamestown Zoning Ordinance 82-1700, a major Land Development Project for 19 units (5 are low to moderate income restricted units) 4 buildings, Special Use Permit for Multi-Family Development Proposal with Special Use Permit & Variances – Review, discussion and /or action and/or vote**

- A. The Planning Commission Sitting as the Local Review Board pursuant to RIGL 45-53 Low and Moderate Income Housing Act Master Plan Informational Meeting – Request to Continue until November 20th, 2019 at 7:00 p.m. 93 Narragansett Ave. Council Chambers
- B. Planning Commission Acceptance of Request for an Extension of Review Period for the Master Plan until January 29th, 2020.

A motion was made by Commission Chair Swistak to sit as the local review board Commissioner Enright seconded the motion. All in favor

Town Planner Lisa Bryer said the applicant asked for another continuance due to summer delays with getting everyone together. They are looking seriously at the concerns of the neighbors and they have replaced the **affordable** housing consultant. She felt it seemed reasonable for the extension of time.

A motion to Continue the application until November 20th, 2019 7pm at 93 Narragansett Ave. in Jamestown was made by Commissioner Swistak and seconded by Commissioner Pfeiffer seconds. All in Favor.

Commissioner Swistak asked if there is a time limit for extensions. It is up the Planning Commission and they could then deny the application for lack of information. Commissioner Cochran asked are they going to make changes? They have indicated they will.

A motion to extend the review period until January 29th 2020 was made by Commissioner Swistak and Commissioner Enright seconded. All in Favor.

A motion was made by Commissioner Swistak to close business of the local review board and return to sitting as the Planning Commission. Commissioner Enright seconded the motion. All in Favor.

2. Zoning Ordinance Update

Horsley Witten prepared an updated Table of Contents with the zoning changes in Articles and Sections. We might be able to take and redo some of the numbering in the future. Ms. Bryer wants to give the Planning Commission time to digest this, it is long. Let's talk about some large changes.

Lisa has been going through the draft with **Zoning Enforcement Officer** Chris Costa and she feels it needs to be gone through completely with Chris Costa.

Article 5 is a new section, this is where HGWTO and Special flood section **will go.** ~~in Article 5-~~ Section 308 will remain and the state is still working on the wetland changes which, when adopted will nullify our ordinance. Not sure when it will be implemented. DEM is regulating authority not near coast, CRMC near coast. We will keep this section in place **with caveat for application that are not** ~~there unless~~ authorized and permitted by DEM. The law is already in place the town cannot be stricter than the state. We have to abide by what the state says.

Article 7 DPR explained previously they took all and made into 1 section which includes the TRC process.

Some of the old article numbers have been changed

Article 13 Use conditions discuss uses that have special standards including solar and wind. Section 14, Parking regulations, there were changes made. Section 15 Sign regulations, the definitions of signage now exists in the definition section.

Commissioner Pendlebury thinks that every time he opens a new zoning code from different towns there is pertinent information that should be in the front and organized. Articles 6, 8, 9 should move to front, before definitions or they could be in the back of the book.

Solicitor Wyatt Brochu said in a section after the numbers it should be subsections like A,B,C or numbers to make it more readable.

Discussions ensued regarding making changes to the ordinance. **In** the table tracing the of contents columns should **read** ~~be flipped to see~~ both ways.

Ms. Bryer said the next time you will have a strikethrough version. If you have any changes please send them via email. Terminology not the same when talking about solar and wind systems. Needs to be synced with the definitions section. Smith thinks solar and wind should be combined. Renewable energy section would be much better.

Exterior lighting. Neighbors might not like. Should we exclude? Smith said some of the automatic flood lights will go into neighbor's yards. Pendlebury said they can be shaded on the neighbors. In town you do not want lights to be shining onto neighbor's property. 78 Narragansett Ave the lighting should remain on the property. It does not apply to single or 2 family homes. Have it be applicable so just take out sentence for exemptions. Light is measured at the property line. Straw vote for taking it out? Agreed.

Pendlebury said nobody is allowed more than 2 boats on property. There are lots that have boats stored all over their lot. This should be under parking.

Swistak said why should we tell them what they can and can't do on their property. Pendlebury said the purpose of a building code is so everyone in the community can speak up about it. Enforcing the setbacks is where this can be addressed. Bryer said look at use table on page 49 Storage of a boat if you have 3 then it shows you can have more. We do not have a standard at this time. We need to come up with rules. Needs work.

Pfeiffer said there are lots of items in definition sections, but terms residential and commercial that are used in use table are not defined. Lisa Bryer said if something is in the use table it should be defined.

Just remember it is a job never done. As a reminder we have 2 map changes that will require a comp plan amendment too. A map change was also discussed at Reservoir Circle. This is an RR80 district and most of the lots are around 20,000 sq ft. If your lot is less than that you can

follow the setbacks for smaller, we have varied lot sizes all over the Island, she thinks we should add the clause to the RR80 district and you have a lot less than 40K you would follow the R40, Just like we do in the shores. Goal in the area is rural preservation as is Conanicut park.

Short term rentals belong in code of ordinances. Mick Cochran will send a note. Short term vs long term. We do have a definition on page 27 short term rental keep definition for the time being. State building codes are starting to address it. Lisa Bryer said it is all tied in to guest houses and secondary units; what makes it a secondary unit. Newport and Narragansett have gone through this we should look at this. The council did not even approve a registration process.

VI. New Business – nothing at this time

VII. Adjournment

A motion to adjourn at 8:29 p.m. was made by Commissioner Enright and seconded by Commissioner Pfeiffer. All in Favor.

Attest:

Cinthia L. Reppe

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the September 24, 2019 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:00 p.m. The clerk called the roll and noted the following members present:

Richard Boren, Chair
Dean Wagner, Vice-Chair
Terence Livingston, Member
Judith Bell, 1st Alt.
Erik Brine, 2nd alt.
James King, 3rd Alt.

Also present: Brenda Hanna, Stenographer
Chris Costa, Zoning Officer
Pat Westall, Zoning Clerk
Wyatt Brochu, Counsel

MINUTES

Minutes of August 27, 2019

A motion was made by Judith Bell and seconded by Terence Livingston to accept the minutes of the August 27, 2019 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, Judith Bell and Erik Brine voted in favor of the motion.

James King was not seated and Edward Gromada and Marcy Coleman were absent.

CORRESPONDENCE

Nothing at this time.

OLD BUSINESS

Hamlin

There was no quorum to hear the appeal of Geoff Hamlin.

A motion was made by Richard Boren and seconded by James King to continue the appeal of Geoff Hamlin to the October 22, 2019 meeting.

The motion carried by a vote of 3-0.

Richard Boren, Judith Bell and James King voted in favor of the motion.

Dean Wagner, Terence Livingston, and Erik Brine were not seated and Edward Gromada and Marcy Coleman were absent.

James King left after the vote.

NEW BUSINESS

ESJ/Simpatico

A motion was made by Terence Livingston and seconded by Dean Wagner to grant the request of ESJ Inc/JTN LLC/Simpatico Jamestown, whose property is located at 13 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 603 for a variance from Article 12, Section 82-1203 to eliminate off-site shared parking requirement.

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

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 13,195 sq. ft.
2. That the applicant was granted a variance in 2015 for approval of 235 seats as long as they had a shared parking agreement in place, other wise 210 seats.

3. The applicant has testified that they have lost a shared parking agreement with Jtown Main Street, LLC.
4. The applicant could not identify why she did not provide a reason why she did not seek a shared parking agreement with 2 available businesses in the area.
5. Allowing more than 235 seats for the restaurant is not the least relief necessary.
6. The applicant after losing 10 shared parking spaces per order is only allowed 210 seats for the restaurant.
7. Allowing eliminating off site shared parking requirements entirely is not the least relief necessary.
8. There was one objector who pointed out that the seats increased from 120 seats in 2012 to 235 seats today on the condition of shared parking.
9. That the Board allows 235 seats although by ordinance were allowed 210 seats.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, Judith Bell and Erik Brine voted in favor of the motion.

James King, Edward Gromada and Marcy Coleman were absent.

A motion was made by Terence Livingston and seconded by Dean Wagner to amend the motion to change "eliminate" to "reduce" and add "partially" before the word grant and add "by 10 parking spaces" to the end of the first paragraph.

The motion to amend carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, Judith Bell and Erik Brine voted in favor of the motion.

James King, Edward Gromada and Marcy Coleman were absent.

Stoukides

A motion was made by Erik Brine and seconded by Terence Livingston to grant the request of John A. & Cheryl A. Stoukides, whose property is located at 60 Bonnet View Dr, and further identified as Assessor's Plat 12, Lot 141 for a variance from Article 3,

Section 82-300, Table 3-2 & Article 6, Section 82-605, Variances & Article 7-82-704 Non-conforming to add addition to expand current structure. Request variance to change setback from 25' to 11' on south front where 40' is required.

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

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

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

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains .21 acres.
2. The request will change the setback from 25' to 11' where 40' is required adjacent to Bonnet View Drive.
3. The addition will not exceed the existing height of the current roof.
4. Consideration was given to reduce or eliminate impact on surrounding neighbor's coastal view.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, Judith Bell and Erik Brine voted in favor of the motion.

James King, Edward Gromada and Marcy Coleman were absent.

Mccaffrey

A motion was made by Richard Boren and seconded by Dean Wagner to grant the request of William & Glenna Mccaffrey, whose property is located at 232 Beacon Ave., and further identified as Assessor's Plat 16, Lot 70 for a variance/special use permit from Article 6, Section 82-600-602 Special permits pursuant Article 3, Section 82-314 High groundwater district subdistrict A. Also seeks Article 6, Section 82-600-605 variances for Article 3, section 82-302, table 3-2 setbacks. To demolish dwelling and reconstruct on existing foundation with a side yard setback of 17.36' where 20' is required. Proposal includes minor additions.

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

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

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

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

- a) This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
- b) The conditions approved by the Planning Commission are incorporated by reference in full.
- c) The two recommendations and conclusions of Jean Lambert in her 8/1/19 report regarding a rain garden and erosion and sediment controls are incorporated in full.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 21,600 sq. ft.
2. The existing house is in poor condition and contains 756 sq. ft. in total.
3. The proposed house will be built on the existing foundation and contain 963 sq. ft. with a 10 x 10 foot addition on sonotubes, and a new covered porch.
4. The existing foundation is non-conforming and infringing 5.89 feet. The proposal will reduce the infringement to 2.64 feet.
5. The advanced treatment system meets all requirements.
6. There was expert testimony that there will be no increase from the present runoff.
7. The Planning Commission unanimously recommended approval.
8. Jean Lambert, P.E., and Town Engineer has reported that in her judgment the requirements for development within 82-314 Sub-District A have been met.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, Judith Bell and Erik Brine voted in favor of the motion.

James King, Edward Gromada and Marcy Coleman were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:50 p.m.
The motion carried unanimously.



**Town of Jamestown
Tax Assessor**

93 Narragansett Avenue
Jamestown, RI 02835

Phone: 401-423-9802
Email: cbrochu@jamestownri.net

To: COUNCIL PRESIDENT WHITE, JAMESTOWN TOWN COUNCIL

From: CHRISTINE BROCHU, JAMESTOWN TAX ASSESSOR

Subject: ABATEMENT OF TAXES FOR THE NOVEMBER 4, 2019 MEETING

MOTOR VEHICLE ABATEMENTS TO 2010 TAX ROLL

01-0206-00M Alves, Henry J	Uncollectable/ taxpayer is deceased.	\$446.67
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MOTOR VEHICLE ABATEMENTS TO 2011 TAX ROLL

01-0206-00M Alves, Henry J	Uncollectable/ taxpayer is deceased.	\$397.57
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MOTOR VEHICLE ABATEMENTS TO 2018 TAX ROLL

07-0960-00M Greiser, Mary L	Uncollectable/ taxpayer is deceased.	\$11.00
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MOTOR VEHICLE ABATEMENTS TO 2019 TAX ROLL

02-0004-25M BMW Financial Services NA LLC	Motor Vehicle – 2016 BMW – Reg.# 502446, returned leased vehicle on 10/4/2018	\$85.44
02-1380-98M Brown, James Jr.	Motor Vehicle- soldier / sailor exempt	\$60.55

REAL ESTATE ABATEMENTS TO 2019 TAX ROLL

18-0001-40 Racquet Road Properties	Plat 9, Lot 334 – Per RIGL 44-5-71-Demolition, removal and grading complete as of 10/16/19	\$405.37
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ADDENDA TO 2019 TAX ROLL

23-1069-70 Woodbine, Nicholas K	Plat 5, Lot 129, was sold on 10/16/2019, Removed Veteran's exemption.	\$250.00
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TOTAL ABATEMENTS		\$ 1,406.60
TOTAL ADDENDA		\$ 250.00

RESPECTFULLY SUBMITTED,

Christine Brochu

CHRISTINE BROCHU
TAX ASSESSOR



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

October 17, 2019

David Grubb
465 Long Ridge Road
Bedford, NY 10506

FINDING & NOTICE OF VIOLATION

Dear Mr. Grubb:

Under the regulations of the Rhode Island Coastal Resources Management Program (RICRMP), any construction, grading, or filling activities or other alterations within 200 feet of coastal feature associated with tidal waters or coastal ponds of the state or in CRMC's freshwater wetlands in the vicinity of the coast jurisdiction, requires plans for the proposed work be submitted to the Coastal Resources Management Council (CRMC) for review, evaluation, and comment prior to the proposed activity. Failure to do so is a violation of the RICRMP. After evaluation of the plans by CRMC staff, their comments and the requirements for the proposed activities are forwarded to the applicant.

It has come to the attention of the CRMC that you or your agent have undertaken maintenance of a seawall within 200 feet of a coastal feature at your property located at 30 Bay View, Jamestown, Plat 8, Lot 265 without benefit of a CRMC assent or in violation of a Council Order.

This activity is in violation of the Rhode Island Coastal Resources Management Program. You are hereby issued an Official Finding and Notice of Violation number 19-0211, dated October 17, 2019. You must submit the appropriate application materials to this office within ten (10) days of the date of this letter to resolve this violation.

Failure to comply with this order shall be a violation of a duly adopted Council regulation, and shall be followed by the issuance of a Cease and Desist Order which shall be registered in the land evidence records for the above property.

Sincerely

Brian Harrington, Sr. Environmental Scientist
Coastal Resources Management Council

/ajt

11 Stern St.
Jamestown, RI 02835
October 23, 2019

To: Jamestown Town Council
Town Hall
93 Narragansett Ave.
Jamestown, RI 02835

Subject: Jamestown Town Charter Sections 218-220 Relating to Ordinance Initiative

Dear Town Council Members,

As we have observed over the last year and a half, there has been an attempt by a group of citizens to submit a petition to enact an ordinance. The petition was submitted under the rules defined in the Town Charter Sections 218, 219 and 220. After submitting the petition to the Town, the Town Clerk sent the petitions to the Board of Canvassers to certify that the signatures on the petitions matched Jamestown voter signatures on file at the Town Hall.

Much controversy ensued regarding the certification process, which the Town Solicitor, members of the Town Council and members of the Board of Canvassers all blamed on the vagueness and lack of specificity of the language of the three sections of the Town Charter cited above. In an effort to clarify this portion of the Town Charter a commission was appointed to develop a recommended revision of the Town Charter. The commission submitted its recommendations and the Town Council agreed to place these on the ballot at the next regularly scheduled town election, which happens to be November, 2020.

Since the Town Council and the Town Solicitor agree that Sections 218, 219 and 220 are flawed and vague to be effectively enacted, I request that the Town Council declare a moratorium on the submittal of ordinance petitions until the revised, recommended Sections 281, 219 and 220 are voted on and accepted by the voters.

Thank you for your consideration,



Hugh A. Murphy

RECEIVED
TOWN OF JAMESTOWN, R.I.
19 OCT 28 AM 10:52



JAMESTOWN COMMUNITY FOOD PANTRY

Jamestown Community Food Pantry
99 Narragansett Avenue
P.O. Box 295
Jamestown, RI 02835
401-560-4080

Town Council
P.O.Box 37
93 Narragansett Ave
Jamestown RI 02835

October 16 2019

Dear Council Members:

On behalf of the Jamestown Community Food Pantry, we offer our sincere thanks for your donation of twenty-five hundred dollars. Your donation will go a long way toward helping our neighbors in Jamestown receive food when they might otherwise go without.

The food pantry is now fully operational, and we both hope and expect that this program will be very successful in helping to meet the needs of residents who may be experiencing difficult times. The JCFP is community-based and opens its doors to all Jamestowners in need of assistance.

The Jamestown Community Food Pantry is a 501(c)(3) non-profit organization in accordance with the standards and regulations of the Internal Revenue Service (IRS), and donations are tax-deductible to the extent provided by law. No goods or services were provided to the donor in return for this donation.

Donations like yours will continue to make a big difference in our community and we are extremely grateful for your generosity in supporting our mission. Without givers like you, it would not be possible for the food pantry to have the positive impact we hope to achieve in the Jamestown community.

Together, **we can** make a difference!

Sincerely,

Bobby Parsons, Treasurer

RECEIVED
TOWN OF JAMESTOWN, RI
19 OCT 18 AM 10:01

Erin Liese

From: Dave Beutel <dbeutel@crmc.ri.gov>
Sent: Thursday, October 17, 2019 12:54 PM
To: kurt.blanchard@dem.ri.gov; 'Dennis Erkan'; 'Robert Ballou'; 'Azure Cygler'; 'Catherine White'; 'Leavitt, Dale'; 'Jeff Grant'; 'John F. O'brien'; 'John Torgan'; 'Robert Rheault'; 'Steve Medeiros'; 'Katie Eagan'; 'Dave Reis'; 'Dick Pastore'; 'Michael A. Rice'; 'Rich Hittinger'; Lisa Bryer; 'Jerry Carvalho'; 'Adam'; 'Lisa Turner'; michaelaonosoko@gmail.com; 'Matthew J. Behan'; Chief Edward Mello; 'Cameron Ennis'; 'jules opton-himmel'; 'GerberWilliams, Anna (DEM)'; 'Nick Papa'; billcregan@cox.net; 'Antonio Pinheiro'; 'Joseph Pinheiro'; jesse.baz@verizon.net; Erin Liese; 'mark goerner'; 'Sharon Purdie'; 'alan katz'; 'Ted Sybertz'; 'Jim and Renee Mc Coeey'; bob.4most@gmail.com; 'Marilyn Quinn'
Cc: mclamdigger@aol.com; 'Mcmanus, Conor (DEM)'; 'Osenkowski, Jay (DEM)'; 'Janet Coit'; 'Jason McNamee'; cindy.hannus@dem.ri.gov; 'Livermore, Julia (DEM)'; 'Mike Jarbeau'; 'Phil Capaldi'; marcapcar@me.com; marcapcar@icloud.com; traceydistefano2013@gmail.com; john_crosson@watkinson.org; dacapaldi@aol.com; mmcapaldi@aol.com; jschickler@cox.net; suemarinaro@me.com; 'Helms, Joshua M CIV USARMY CENAE (US)'
Subject: preliminary determination Jamestown
Attachments: 2019-10-050 Seakist.pdf

CRMC and the Town of Jamestown have scheduled a meeting to review a preliminary determination application on Wednesday October 30, 2019 at 4:00 pm at the Jamestown Town Hall. The attached application will be added to the meeting agenda. Please submit questions or comments about these applications to me. Thank you.

David Beutel
Coastal Resources Management Council
Aquaculture Coordinator
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
401-783-3370



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
 Oliver H. Stedman Government Center
 4808 Tower Hill Road, Suite 3
 Wakefield, RI 02879-1900

(401) 783-3370
 Fax (401) 783-2069

File Number (CRMC use only): 2019-10-050

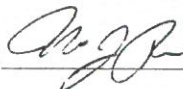
CRMC AQUACULTURE PRELIMINARY DETERMINATION REQUEST FORM

APPLICANT INFORMATION:

Applicant(s) Name(s): Seakist Aquaculture LLC
 Street: 151 Cedar Hill Drive
 City/Town: Jamestown State: RI Zip Code: 02835
 Phone Number: (401) 649-0117
 E-Mail: Npapa1084@gmail.com

Location of Proposed Aquaculture Site

Waterway: Narragansett Bay
 Longitude/Latitude of Proposed Aquaculture Site: 41° 30' 36.5369" N
71° 23' 15.1402" W

Signature of Requestor:  Date: 9/30/2019

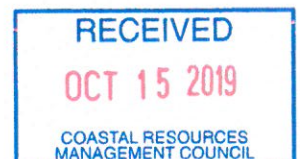
INSTRUCTIONS

- ** FILING FEE: \$25.00 per site. Check or money order payable to "CRMC"
NOTE: Filing fees are not refundable.
- ** **NOTE:** This request does not constitute application for permission to perform an activity. A CRMC Preliminary Determination Request is a determination of jurisdiction and which sections of the Rhode Island Coastal Resources Management Program apply to the project under construction.

Mail the above information to:

ATTN: APPLICATIONS COORDINATOR
 COASTAL RESOURCES MANAGEMENT COUNCIL
 OLIVER STEDMAN GOVERNMENT CENTER
 4808 TOWER HILL ROAD; SUITE 3
 WAKEFIELD, RI 02879

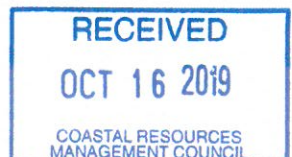
Appendix B
 Rev. 01/17



Seakist Aquaculture
Prepared on 9/26/19

Section 300.1

- 1) Q: Demonstrate the need for the proposed activity or alteration.
A: The proposed activity consists of an expansion of an existing lease in the Dutch Harbor region of Narragansett Bay. This site is desired for the cultivation of the eastern oyster, *Crassostrea virginica*. Seakist Aquaculture LLC will use this additional acreage to not only continue healthy farming practices, but also insure healthy and responsible oyster husbandry in the bay.
- 2) Q: Demonstrate that all local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met.
A: The proposed project will not impact the Land. All regulations pertaining to aquaculture will be followed.
- 3) Q: Describe the boundaries of the coastal waters and land area that are anticipated to be affected.
A: The proposed site is located in the west passage of Narragansett Bay. It lies directly between Jamestown and Dutch Island just to the west of Zeek's creek.
- 4) Q: Demonstrate that the alteration or activity will not result in significant impacts on erosion and or deposition processes along the shore and in tidal waters.
A: The proposed activity will not impose any threat of erosion or deposition to the area or surroundings. The activities will be very low impact.
- 5) Q: Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life.
A: The proposed activity will aid in the diversity and abundance of animal life by providing additional habitat and micro-ecosystems. The presence of oysters in this area will help mitigate the negative effects of Nitrogen run off from waterfront lawn fertilizer applications and septic systems in close proximity to the bay and its watershed.
- 6) Q: Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and or the shore.
A: The proposed alteration will be clearly marked and will allow for easy shoreline access.
- 7) Q: Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation
A: The proposed operation will be very low profile and not affect circulation, flushing, turbidity or sedimentation.
- 8) Q: Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM



Seakist Aquaculture
Prepared on 9/26/2019

Operational Plan

The proposed shellfishing farming operation will be for raising oysters from 1/2" to market size in floating baskets. The seed will be purchased from a number of approved sources. Once the seed is procured from the approved source it will be planted in our gear and maintained until they reach market size. The maintenance procedures involve a boat being on site to flip and dry the oysters and cages and periodically grade the oysters by size. Once the oysters reach market size, they will be sold to the Ocean State Shellfish Cooperative in Narragansett. State required safe harvesting protocols will be followed.

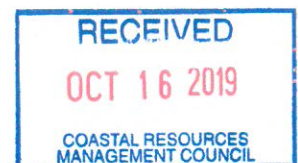


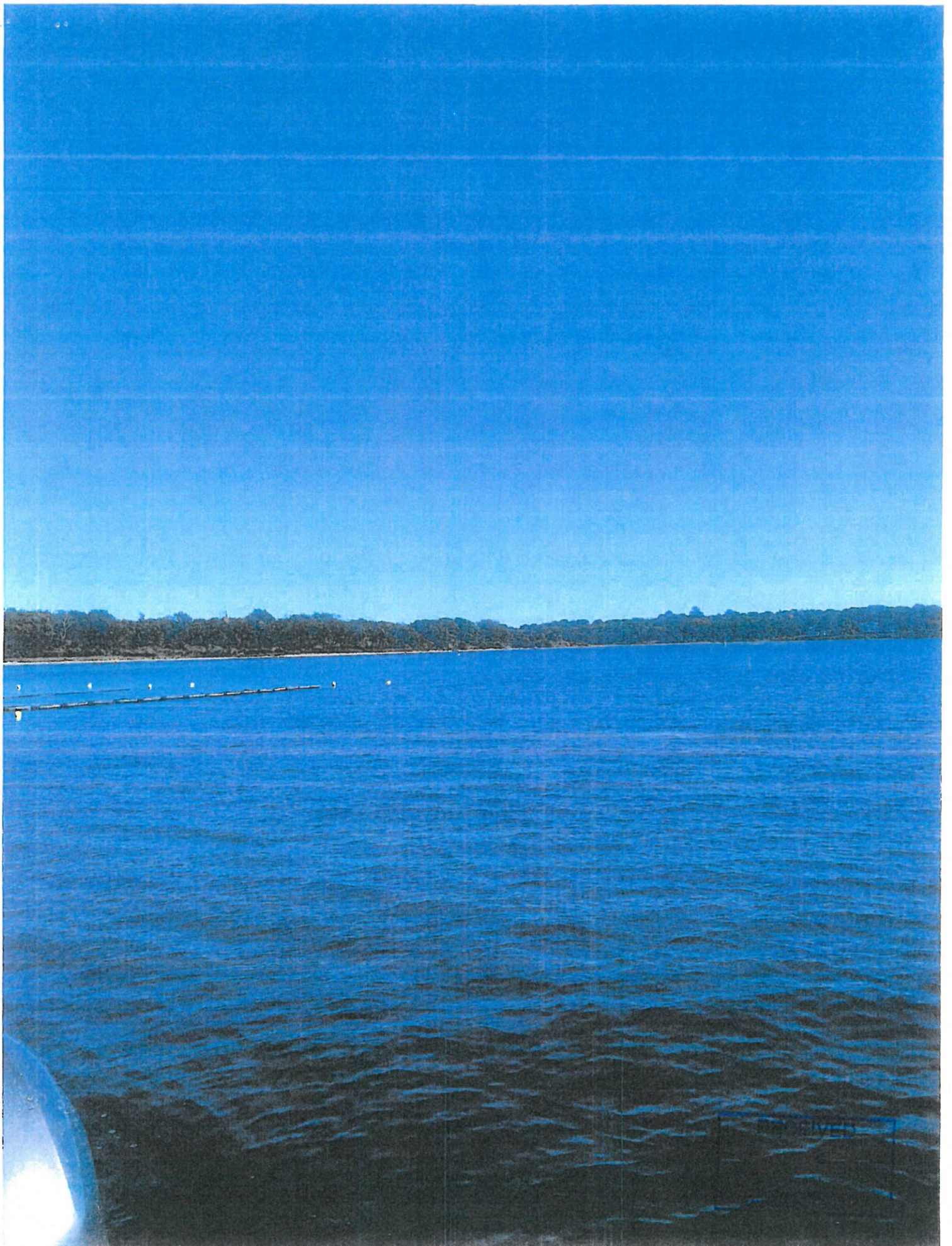
Seakist Aquaculture
Prepared on 9/26/2019

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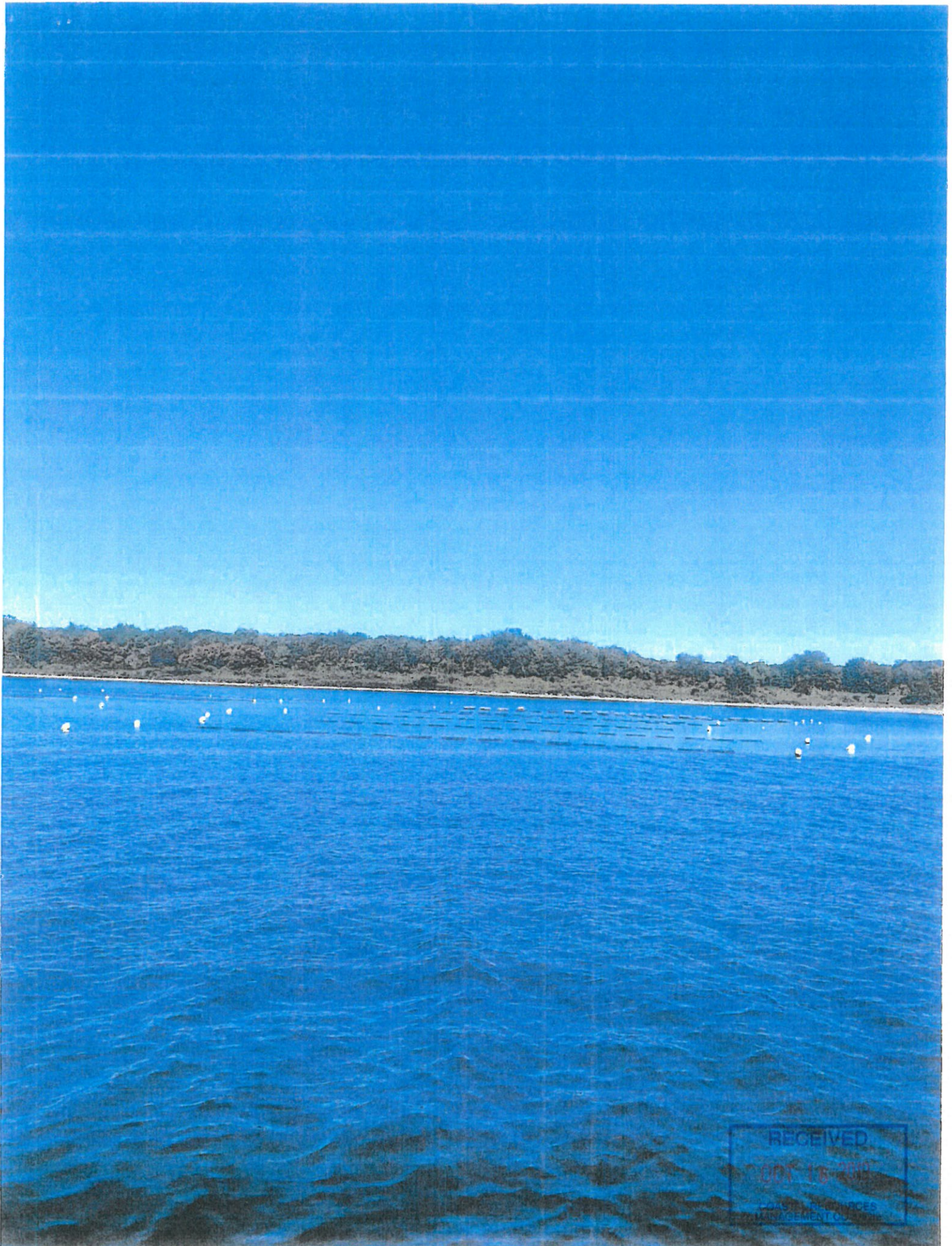
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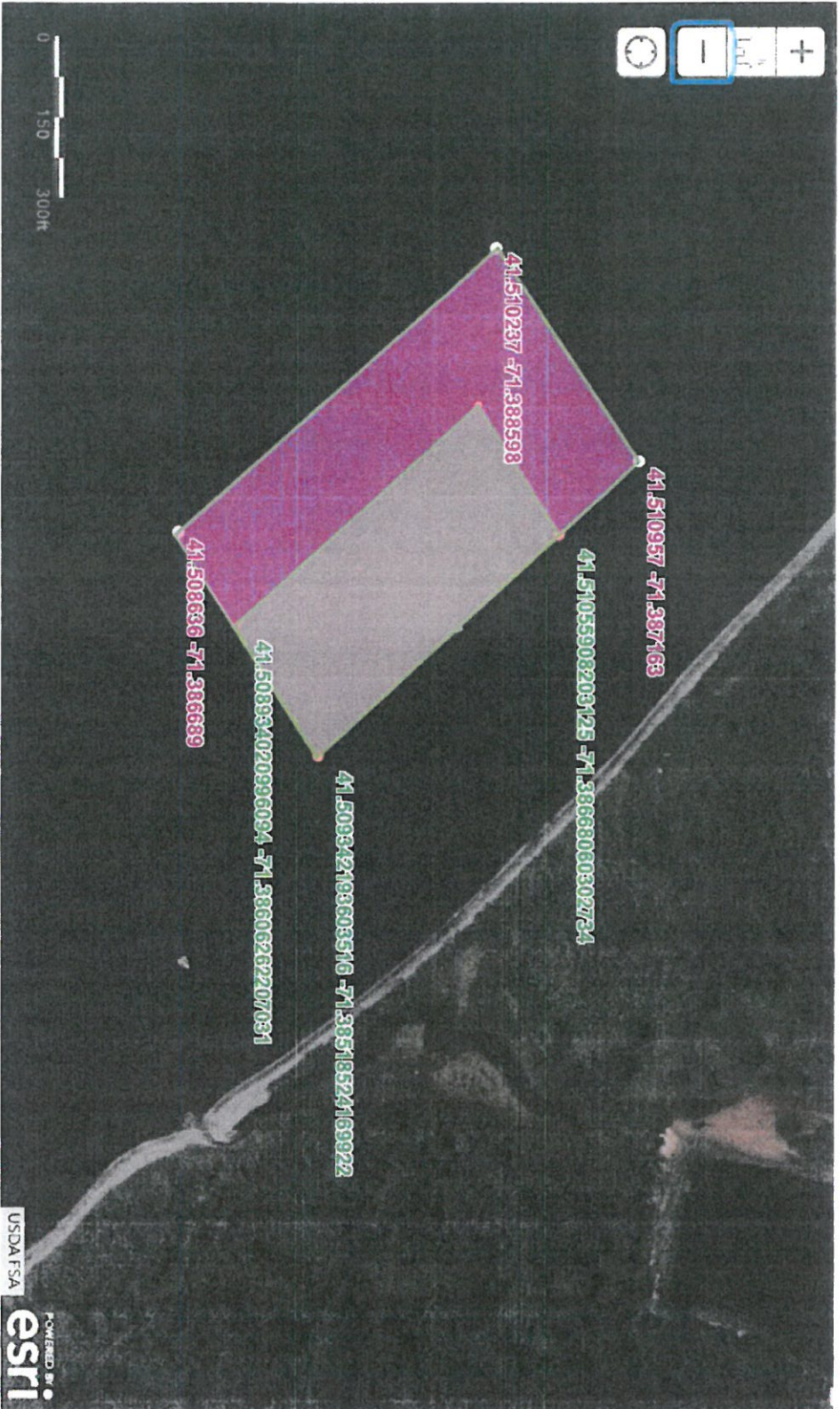
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OCT 15 2011
COASTAL RESOURCES
MANAGEMENT BOARD



RECEIVED
OCT 18 2010
LAND RESOURCES
MANAGEMENT CO.



Seakist Lease Expansion

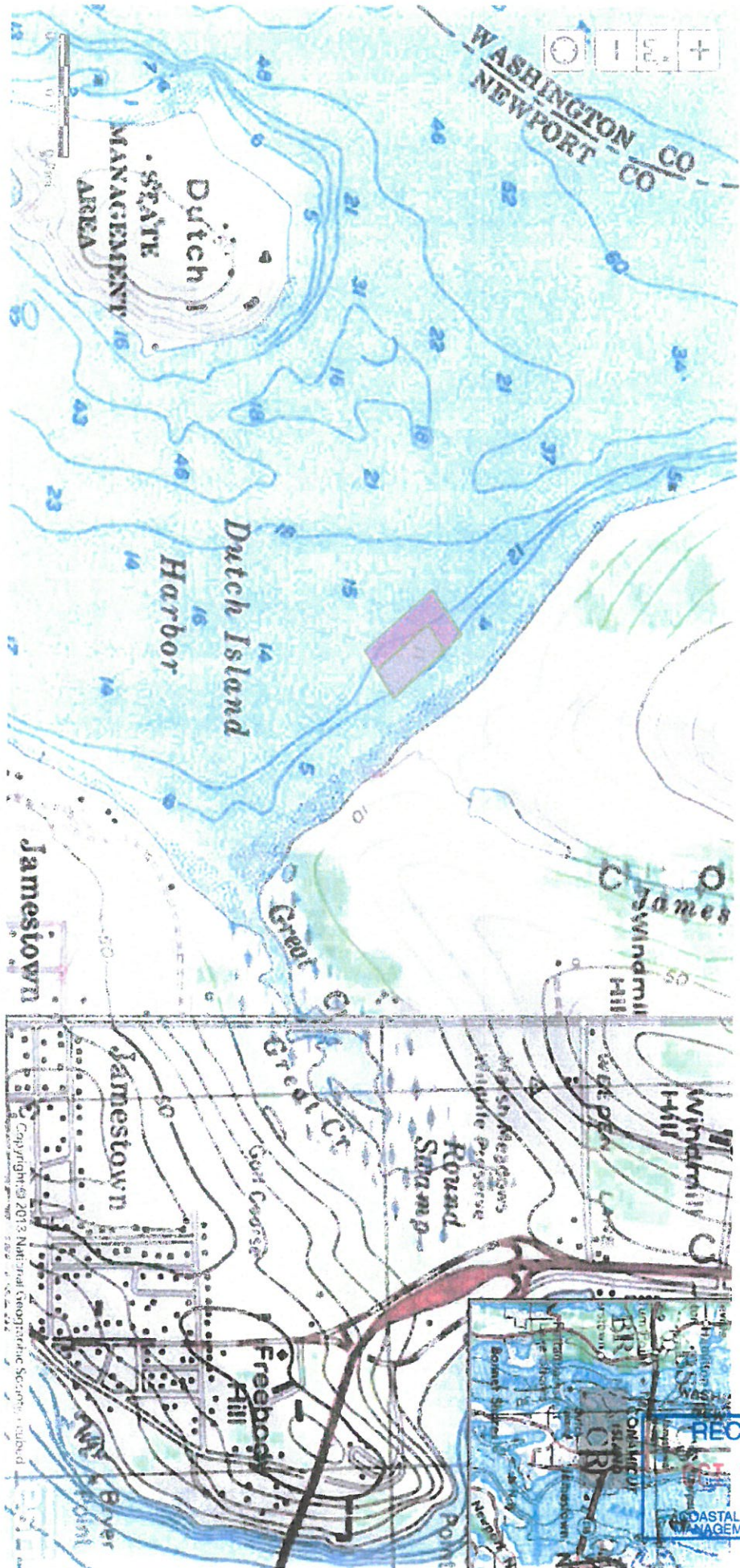


- Current Seakist Lease
- ◆ Proposed Expansion

Approximate Dimensions of Current Lease
 Width= 280ft
 Length= 600ft

Approximate Dimensions of Proposed Lease Expansion
 Width= 280 ft + 195ft = 475ft
 Length= 600ft + 200ft = 800ft

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SEP 16 2019

COASTAL RESOURCES
MANAGEMENT COUNCIL

SEAPL 23 / 10/16/2019

10 5/8"
1/4" side

26"

FLOTT

2.75"

5 1/16"

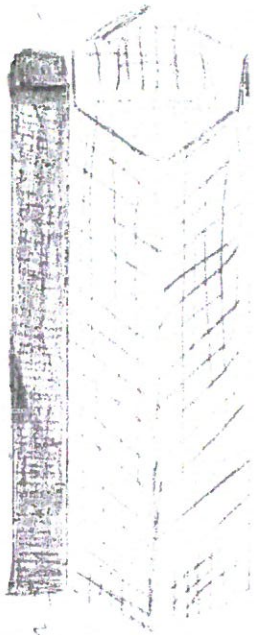
29"

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MANAGEMENT COUNCIL

DEPT. OF ENVIRONMENT & CLIMATE



Drying



Growing

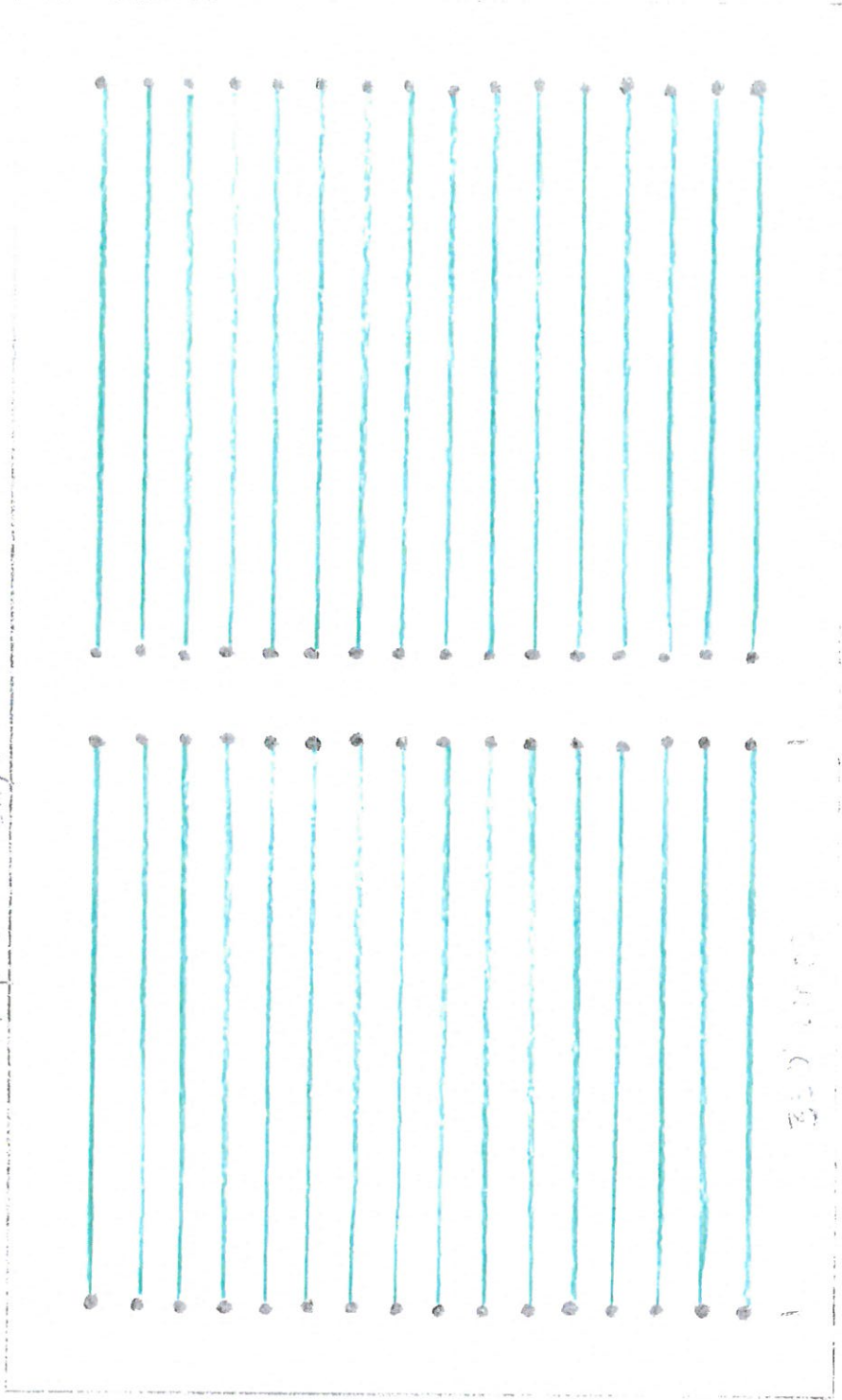
overhead view of...



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Seakist Aquaculture

Proposed Layout



SAL

350'

800'

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COASTAL RESOURCES
MANAGEMENT COUNCIL

1" = 100'

Seakist Aquaculture

200'

Proposed Expansion

Existing Lease

200'

200'

175'

195'

200'

1" = 100'

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Sediment



7

16

Start
→
JM

Offshore
→
MS

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MANAGEMENT COUNCIL

Guidance Document for Aquaculture Operations Plans

Anyone conducting aquaculture operations in RI must comply with all applicable CRMC regulations (*Coastal Resources Management Program* §§ 1.3.1(A) and 1.3.1(K)) and DEM regulations, as set forth in “*Aquaculture of Marine Species in RI Waters.*” Plans provided to the CRMC will be available for DEM review. Modifications to the permit must follow the CRMC process for modification of assent. Separate, individual plans shall be developed and submitted for each aquaculture site/facility (i.e., one for each lease site, one for each upweller location, etc.); provided, however, that if lease sites are contiguous, or part of a single, unified operation, the overall site can be covered by a single plan. Operations Plans shall address each of the items listed below, as applicable, following the format set forth below.

Note: All plans must be type written. This Microsoft Word document is intended to be used by licensees/operators as a template when preparing plans and may be modified as needed to fit the specific needs of the operator.

1. **Name and mailing address** of individual, firm, partnership, association, academic institution, municipality, or corporation who is principally responsible for the aquaculture operation or activity; if corporation, specify and include names of all owners/partners.
Seakist Aquaculture
151 Cedar Hill Drive
Jamestown, RI 02835
2. **CRMC file number** for the facility; new applications will be assigned a file number by CRMC.
B2015-11-032
3. **DEM Aquaculture License number** (applicable if products are offered for sale); new applicants will need to obtain the DEM aquaculture license after an aquaculture assent is issued.
DEM AQUA000110
4. **Type of facility** (e.g., commercial lease site, upweller, experimental site, research, commercial viability) and **nature of operation** (i.e., methodology used).
Commercial Floating basket Oyster Lease
5. **Location of facility** (include aerial or chart depicting exact location)
 - Adjacent town: Jamestown RI
 - Water body: Narragansett Bay(Northern Dutch Harbor)(See attached map)



- Lat/long coordinates of facility: 41° 30' 36.5396" N
71° 23' 15.1402" W

6. Identification of all *species of shellfish* grown at the facility. Acknowledgement that the applicant will follow Biosecurity Board seed protocols should be included.

We will be growing the eastern oyster and all biosecurity board seed protocols will be followed

7. Description of *types of structures, gear and methods* used at the facility (e.g., rafts, pens, cages, tanks, upwellers, docks) and their locations on the site. Include a sketch/site plan that details a cross-section of structures as they appear in water column including proximity to surface and bottom with a depth profile at mean low water and mean high water. Include maximum number of cages proposed and the size of the cages proposed.

We will be utilizing a floating basket system. They will be arranged in uniform rows, evenly spaced. They will be oriented running NW to SE. The baskets are 29" long, 10-5/8" wide and 5-7/16" tall. There will be a maximum of 12,000 baskets on the lease.

8. Description of the *methods and equipment used to identify and mark site*.

There will be a lighted buoy at each corner

9. DEM *Shellfish Harvesting Classification* at site.
3W (Approved waters)

10. Description of *practices and procedures used* during the growth, harvest, storage, transportation, and sale of the cultured species.

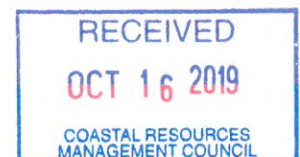
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11. Procedures for *maintaining records*:

For operations using seed acquired from out-of-state: Records will be kept to track the seed through our system.

Description of notification, disease certification, and labeling/tagging procedures: CRMC will be provided a clean pathology report and will be notified of any transfer of seed onto the lease. Upon harvest, shellfish harvest tag will accompany the oysters.

12. Procedures for *maintaining records*:



For upwellers/seed-growing facilities in prohibited waters:

Seed will not be grown in prohibited waters

Description of procedures, including frequency of grading (with particular reference to requirements that seed must be removed before it exceeds maximum "seed" size threshold, i.e., <32 mm for oysters, <25 mm for quahogs): Seed will be procured from an approved source at approximately 12mm.

13. Procedures for *maintaining records*:

For operations using seed from prohibited waters, or operations using shellfish obtained from a third party that originated as seed from prohibited waters:

Detailed description of demarcation methods and record-keeping practices used at the lease site to ensure that animals have been cultured at least six (6) months in approved waters, prior to sale, including:

- a. Detailed record-keeping practices specifying date, source, average size, and amount of seed; and
- b. Protocols and associated record keeping for tracking product, e.g., use of tagged/numbered cages and/or bags, use of marked trawls, and/or use of marked, segregated portions of lease sites.

The seed will be grown in a segregated (seed) section; approximately 25% of the baskets. All seed will originate from approved waters. The seed will take at least 9 months to reach market size. The movement of oysters through the system will be recorded in a logbook.

Description of the process for notifying the third party that (a) seed came from prohibited waters, (b) the date of that transfer, and (c) the remaining time needed to maintain the animals in approved waters prior to sale.

All seed will come from approved waters.





State of Rhode Island and Providence Plantations
Coastal Resources Management Council
 Oliver H. Stedman Government Center
 4808 Tower Hill Road, Suite 3
 Wakefield, RI 02879-1900

(401) 783-3370
 Fax (401) 783-2069

File Number (CRMC use only): 2019-10-050


CRMC AQUACULTURE PRELIMINARY DETERMINATION REQUEST FORM

APPLICANT INFORMATION:

Applicant(s) Name(s): Seakist Aquaculture LLC
 Street: 151 Cedar Hill Drive
 City/Town: Jamestown State: RI Zip Code: 02835
 Phone Number: (401) 649-0117
 E-Mail: Npapal084@gmail.com

Location of Proposed Aquaculture Site

Waterway: Narragansett Bay
 Longitude/Latitude of Proposed Aquaculture Site: 41° 30' 36.5369" N
71° 23' 15.1402" W

Signature of Requestor:  Date: 9/30/2019

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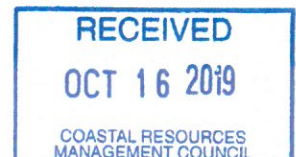
Appendix B
 Rev. 01/17



Seakist Aquaculture
Prepared on 9/26/19

Section 300.1

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Seakist Aquaculture
Prepared on 9/26/2019

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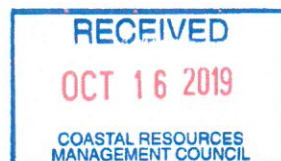


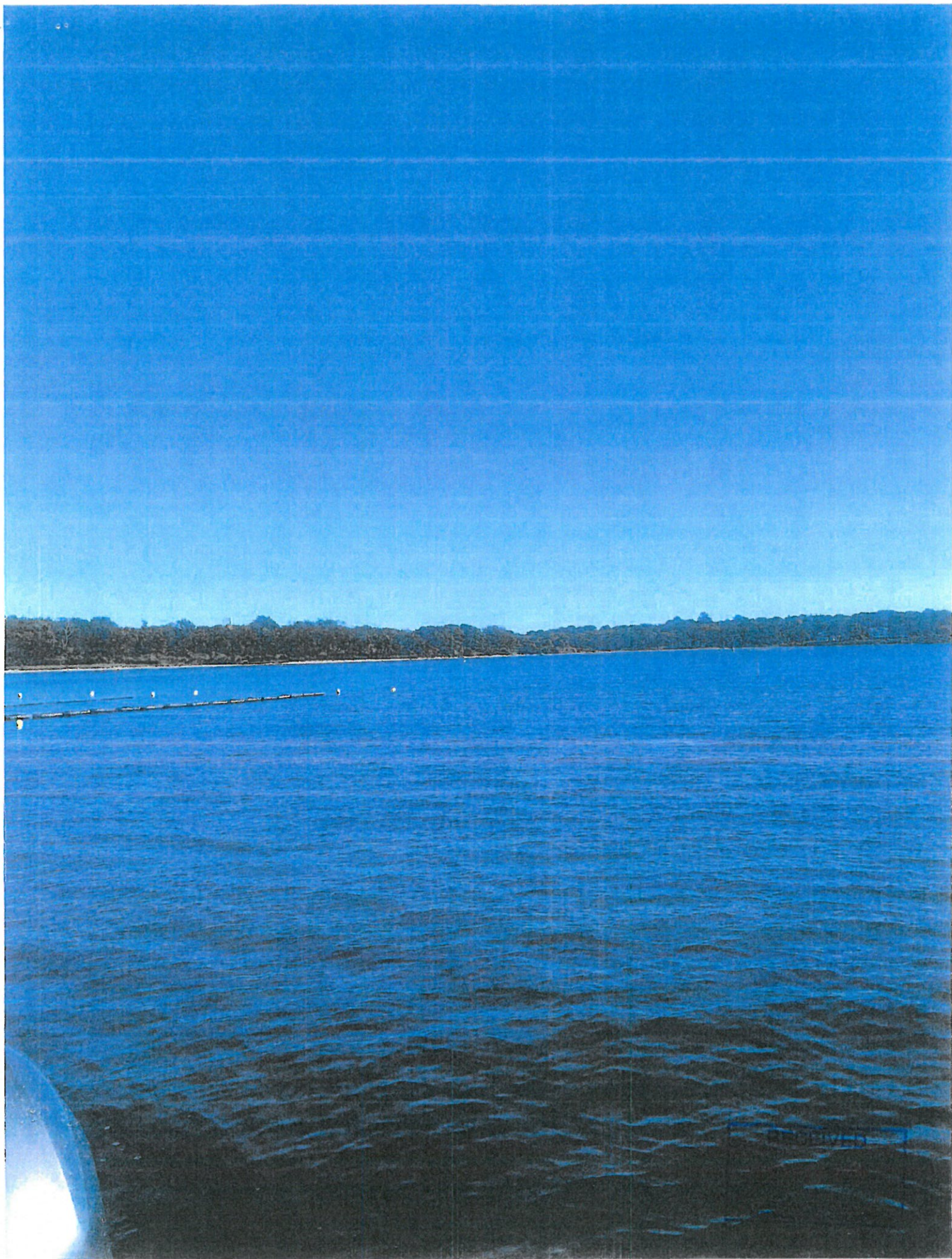
Seakist Aquaculture
Prepared on 9/26/2019

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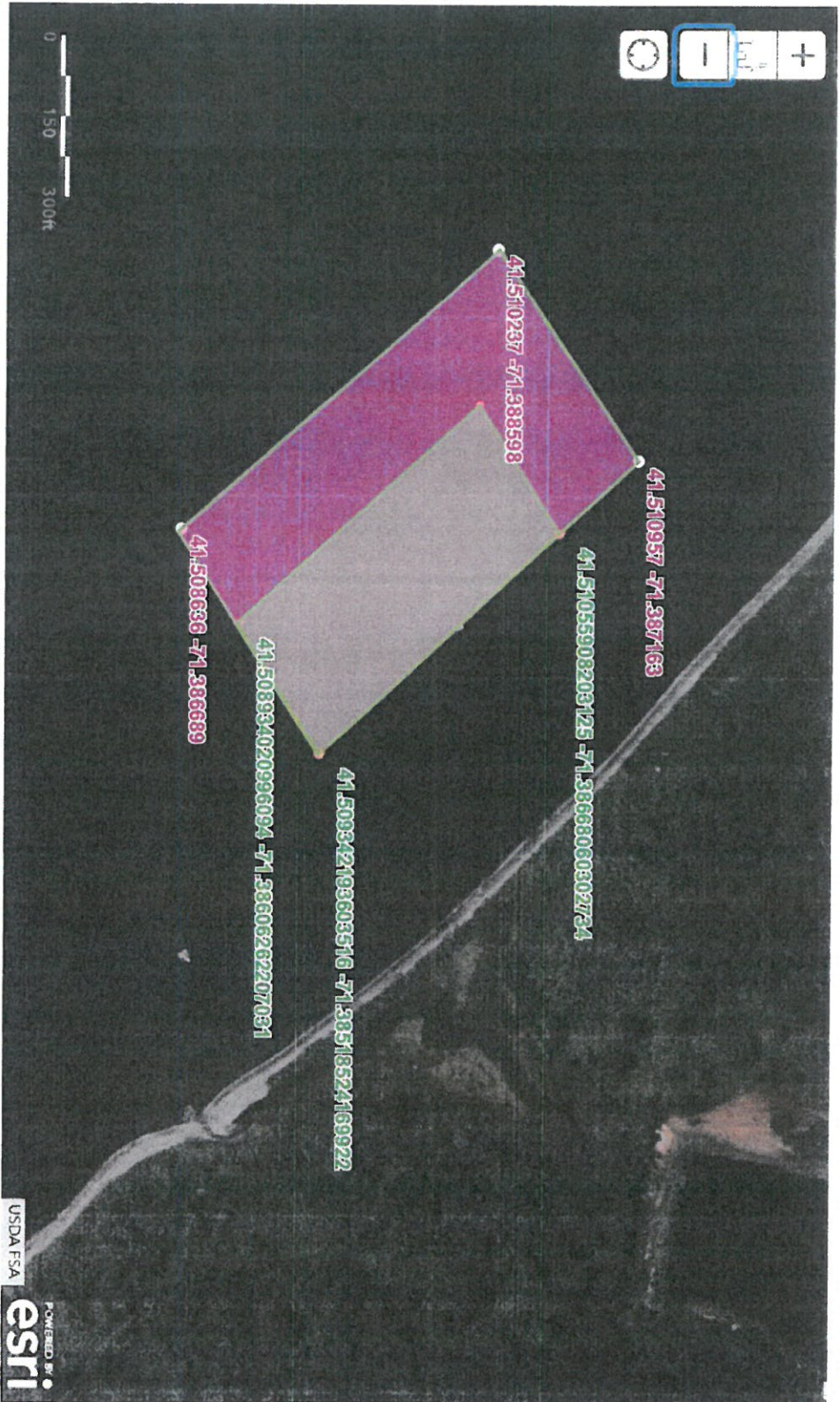
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COASTAL RESOURCES
MANAGEMENT CENTER



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WISCONSIN RESOURCES
MANAGEMENT OFFICE



Seakist Lease Expansion

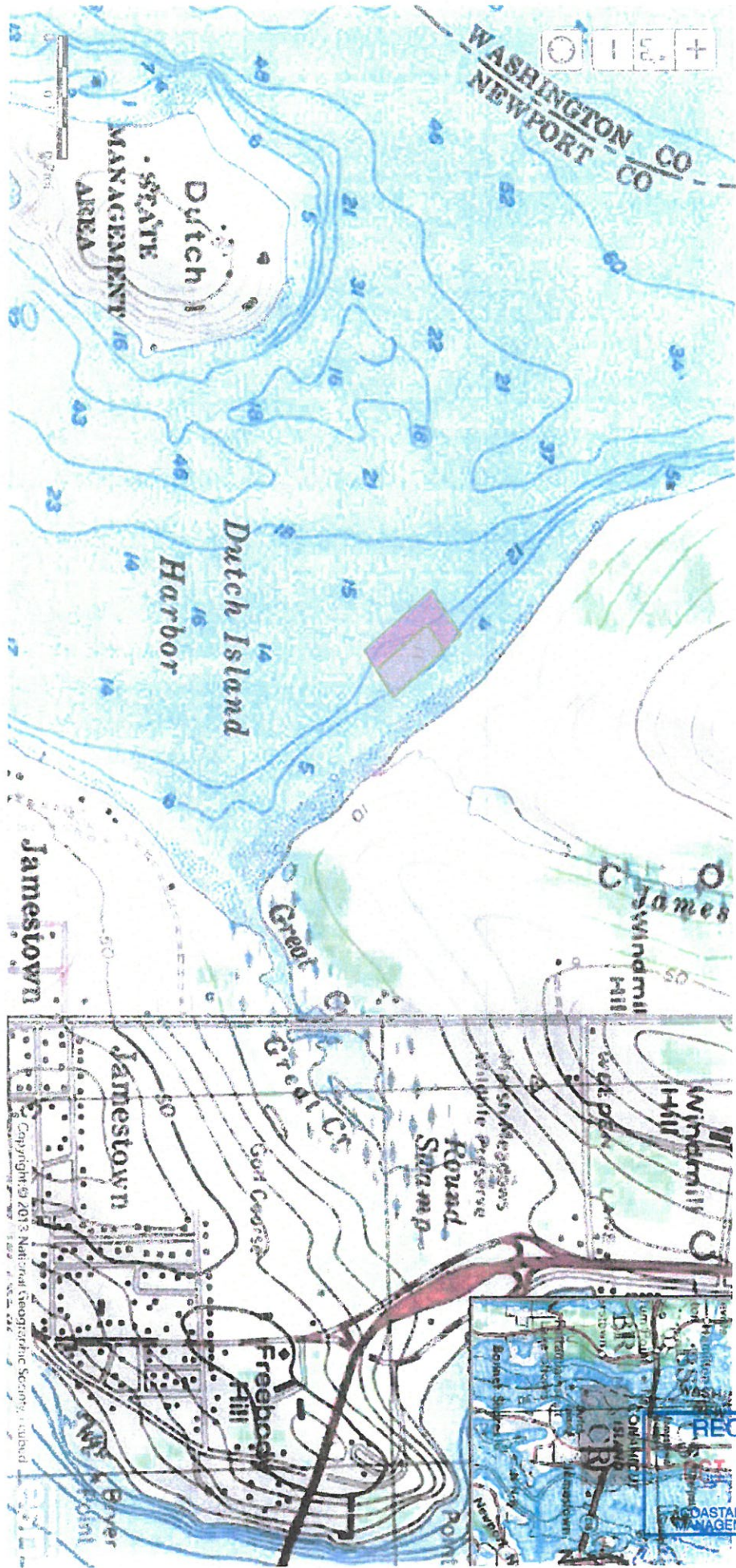


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- ◆ Proposed Expansion

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 Length= 600ft

Approximate Dimensions of Proposed Lease Expansion
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SEARCHED INDEXED

10 5/8"
WIDE

5 1/16"

25"

FLOAT

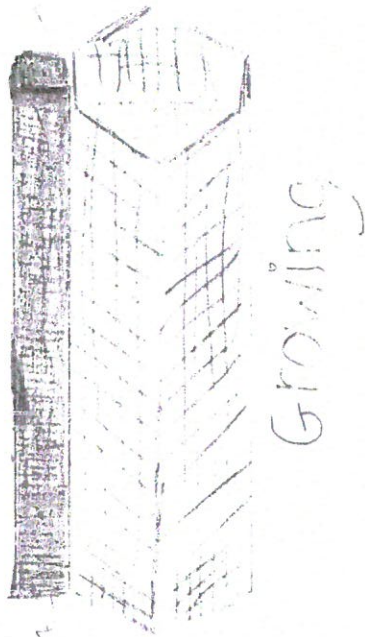
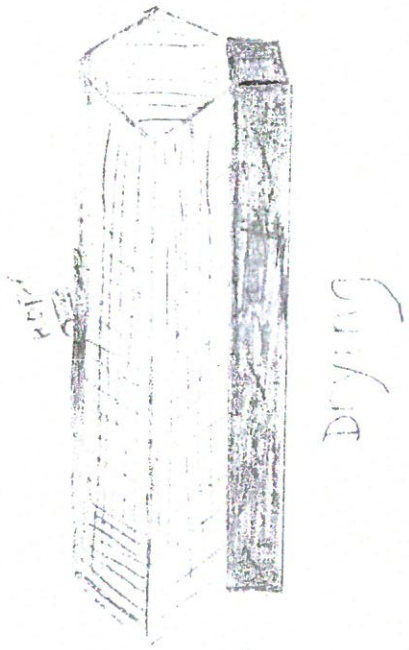
2.75'

~~20~~

29"

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COASTAL RESOURCES
MANAGEMENT COUNCIL

DEAN'S OFFICE

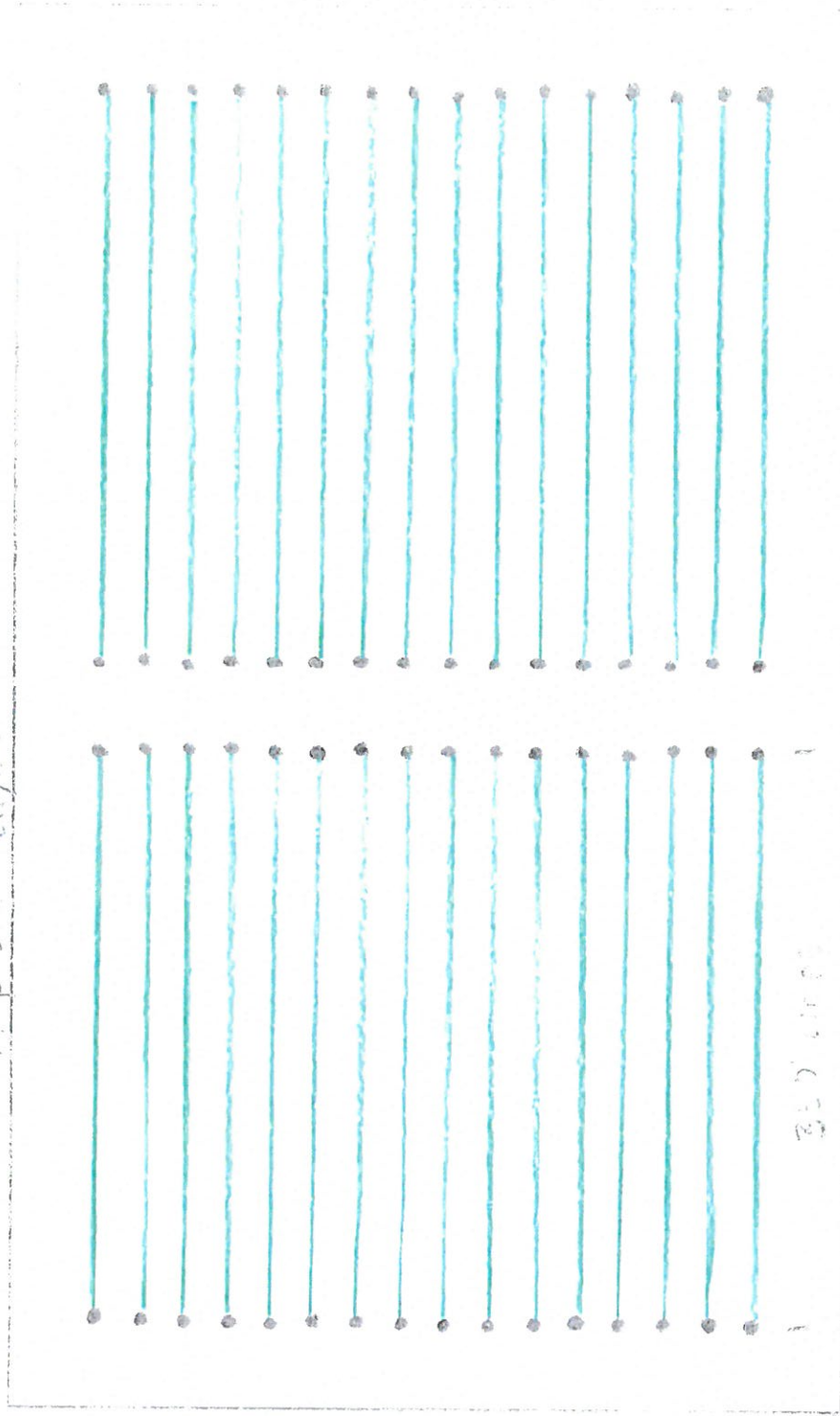


overhead view of...

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Seakid Aquaculture

Proposed layout



20

330

800

1" = 100'

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COASTAL RESOURCES
MANAGEMENT DIVISION

Seakist Aquaculture

200'

Proposed Expansion

175'

200'

Existing Lease

200'

195'

200'

1" = 100'

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Seakip - 1000000



7

16



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MANAGEMENT COUNCIL

Guidance Document for Aquaculture Operations Plans

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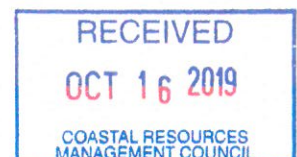
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File Number (CRMC use only): 2019-10-050


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Location of Proposed Aquaculture Site

Waterway: Narragansett Bay
 Longitude/Latitude of Proposed Aquaculture Site: 41° 30' 36.5369" N
71° 23' 15.1402" W

Signature of Requestor:  Date: 9/30/2019

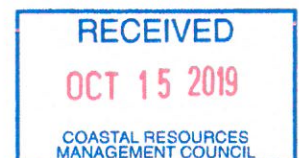
INSTRUCTIONS

- ** **FILING FEE:** \$25.00 per site. Check or money order payable to "CRMC"
NOTE: Filing fees are not refundable.
- ** **NOTE:** This request does not constitute application for permission to perform an activity. A CRMC Preliminary Determination Request is a determination of jurisdiction and which sections of the Rhode Island Coastal Resources Management Program apply to the project under construction.

Mail the above information to:

ATTN: APPLICATIONS COORDINATOR
 COASTAL RESOURCES MANAGEMENT COUNCIL
 OLIVER STEDMAN GOVERNMENT CENTER
 4808 TOWER HILL ROAD; SUITE 3
 WAKEFIELD, RI 02879

Appendix B
 Rev. 01/17



Seakist Aquaculture
Prepared on 9/26/19

Section 300.1

- 1) Q: Demonstrate the need for the proposed activity or alteration.
A: The proposed activity consists of an expansion of an existing lease in the Dutch Harbor region of Narragansett Bay. This site is desired for the cultivation of the eastern oyster, *Crassostrea virginica*. Seakist Aquaculture LLC will use this additional acreage to not only continue healthy farming practices, but also insure healthy and responsible oyster husbandry in the bay.
- 2) Q: Demonstrate that all local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met.
A: The proposed project will not impact the Land. All regulations pertaining to aquaculture will be followed.
- 3) Q: Describe the boundaries of the coastal waters and land area that are anticipated to be affected.
A: The proposed site is located in the west passage of Narragansett Bay. It lies directly between Jamestown and Dutch Island just to the west of Zeek's creek.
- 4) Q: Demonstrate that the alteration or activity will not result in significant impacts on erosion and or deposition processes along the shore and in tidal waters.
A: The proposed activity will not impose any threat of erosion or deposition to the area or surroundings. The activities will be very low impact.
- 5) Q: Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life.
A: The proposed activity will aid in the diversity and abundance of animal life by providing additional habitat and micro-ecosystems. The presence of oysters in this area will help mitigate the negative effects of Nitrogen run off from waterfront lawn fertilizer applications and septic systems in close proximity to the bay and its watershed.
- 6) Q: Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and or the shore.
A: The proposed alteration will be clearly marked and will allow for easy shoreline access.
- 7) Q: Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation
A: The proposed operation will be very low profile and not affect circulation, flushing, turbidity or sedimentation.
- 8) Q: Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM



Seakist Aquaculture
Prepared on 9/26/2019

Operational Plan

The proposed shellfishing farming operation will be for raising oysters from 1/2" to market size in floating baskets. The seed will be purchased from a number of approved sources. Once the seed is procured from the approved source it will be planted in our gear and maintained until they reach market size. The maintenance procedures involve a boat being on site to flip and dry the oysters and cages and periodically grade the oysters by size. Once the oysters reach market size, they will be sold to the Ocean State Shellfish Cooperative in Narragansett. State required safe harvesting protocols will be followed.

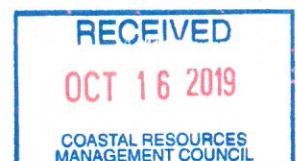


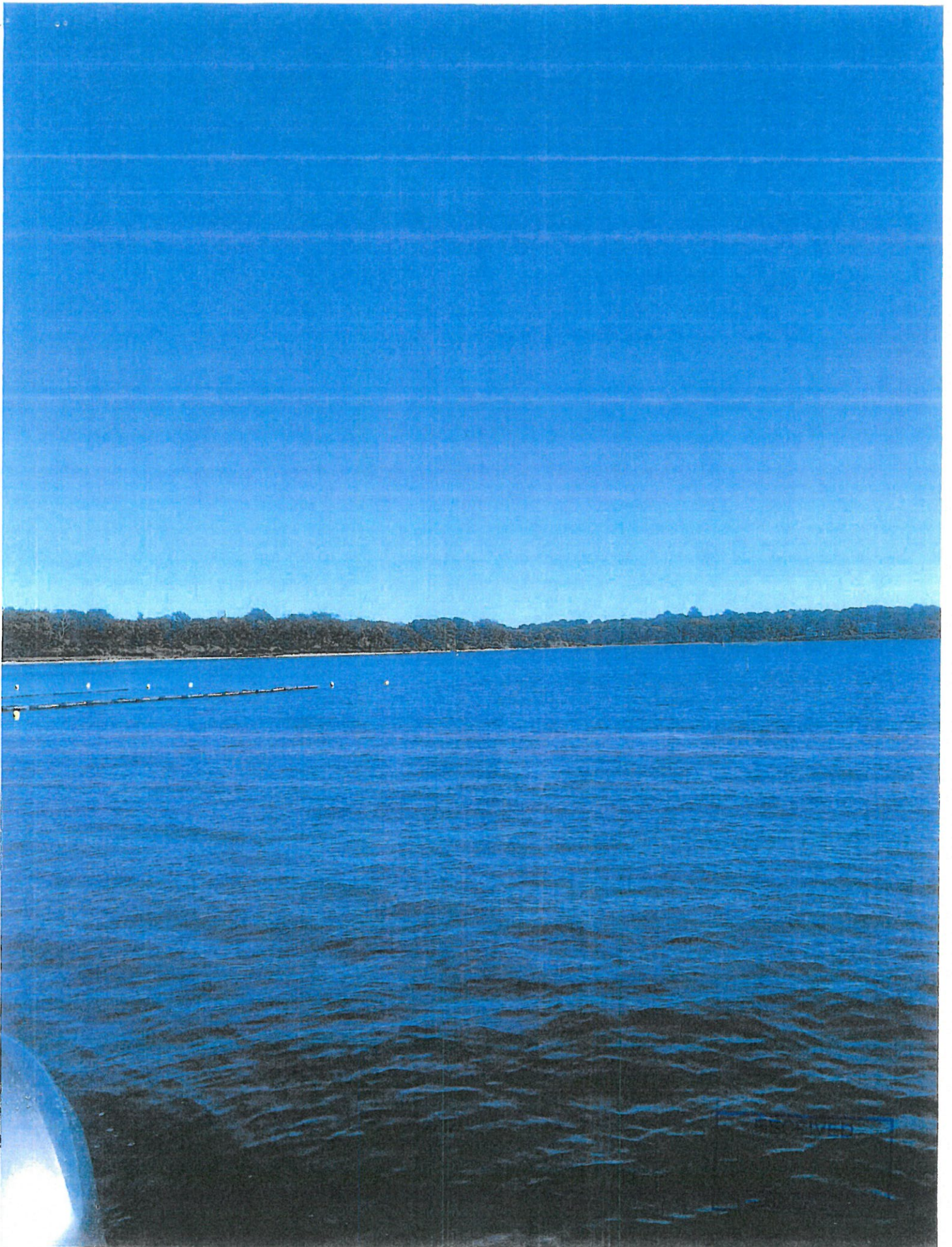
Seakist Aquaculture
Prepared on 9/26/2019

Written Description

The proposal is to expand the existing lease: B2015-11-032 to the southwest and northwest resulting in an 8.7 acre oyster farm. It will be marked with 4 lighted buoys, 1 on each corner. The expansion will utilize a new floating basket style gear. The new gear is lower profile than the existing gear type.

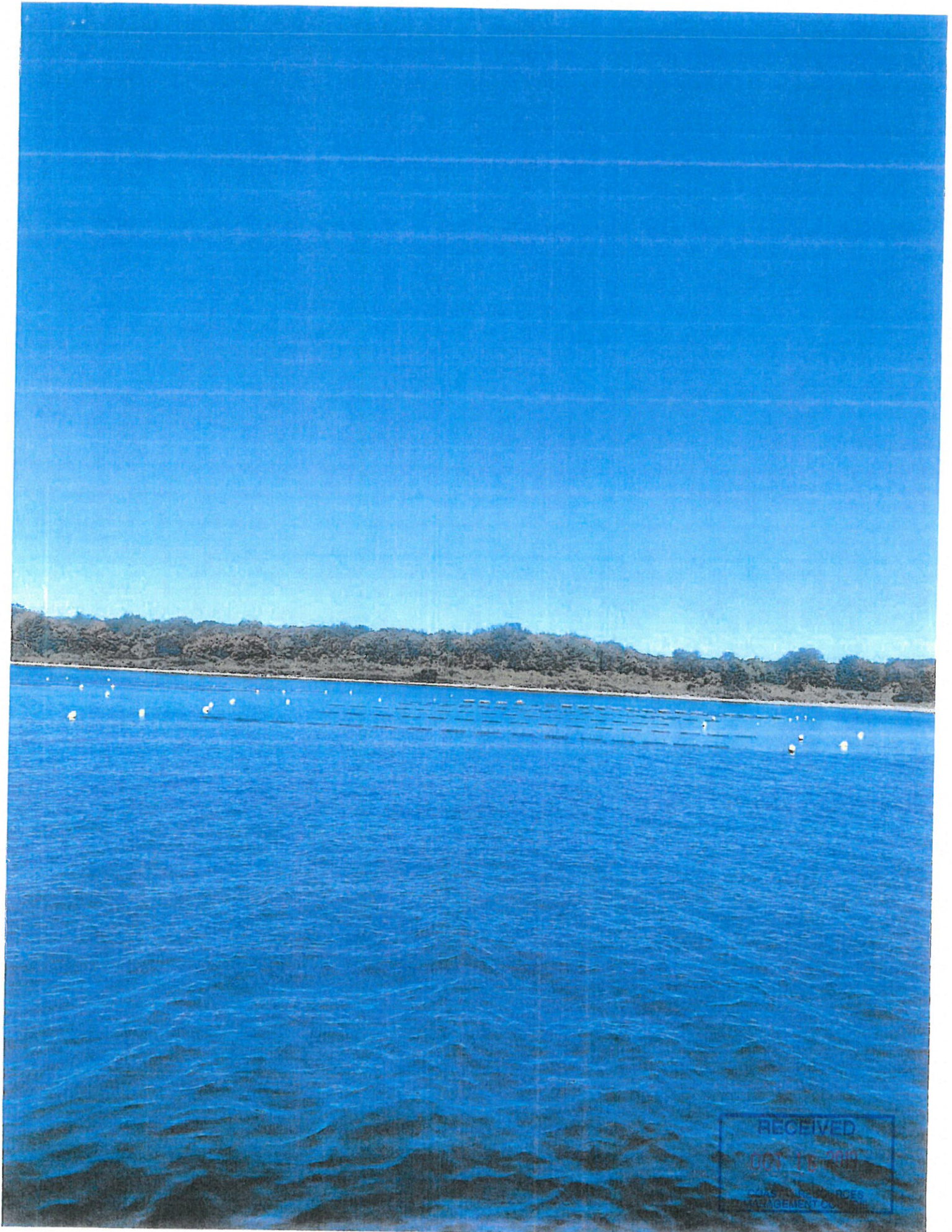
The gear will run parallel to shore in very evenly spaced rows creating a very organized look. There will be 32 rows that are 350 feet in length with 22' of space between them. The rows will begin approximately 50 feet from each border to ensure that the gear stays well within the boundaries. Each row will consist of 350 baskets and the farm will have 12,000 total baskets. The farm will range from 7.5' deep in the shallows at low tide to 16' deep at low tide in the depths.







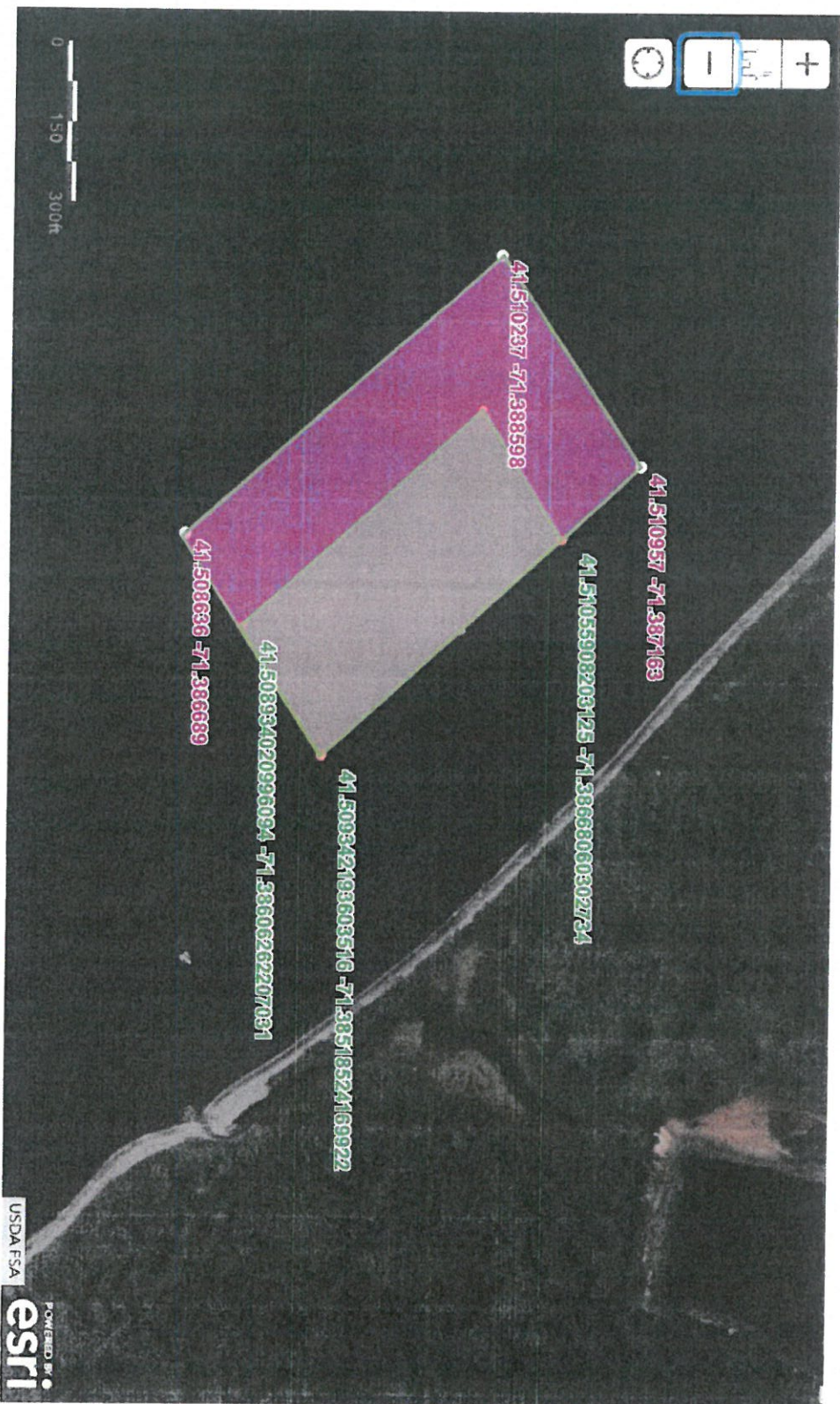
RECEIVED
JUN 28 2011
COASTAL RESOURCES
MANAGEMENT COUNCIL



RECEIVED
OCT 18 1988
WATER RESOURCES
MANAGEMENT CO.



Seakist Lease Expansion

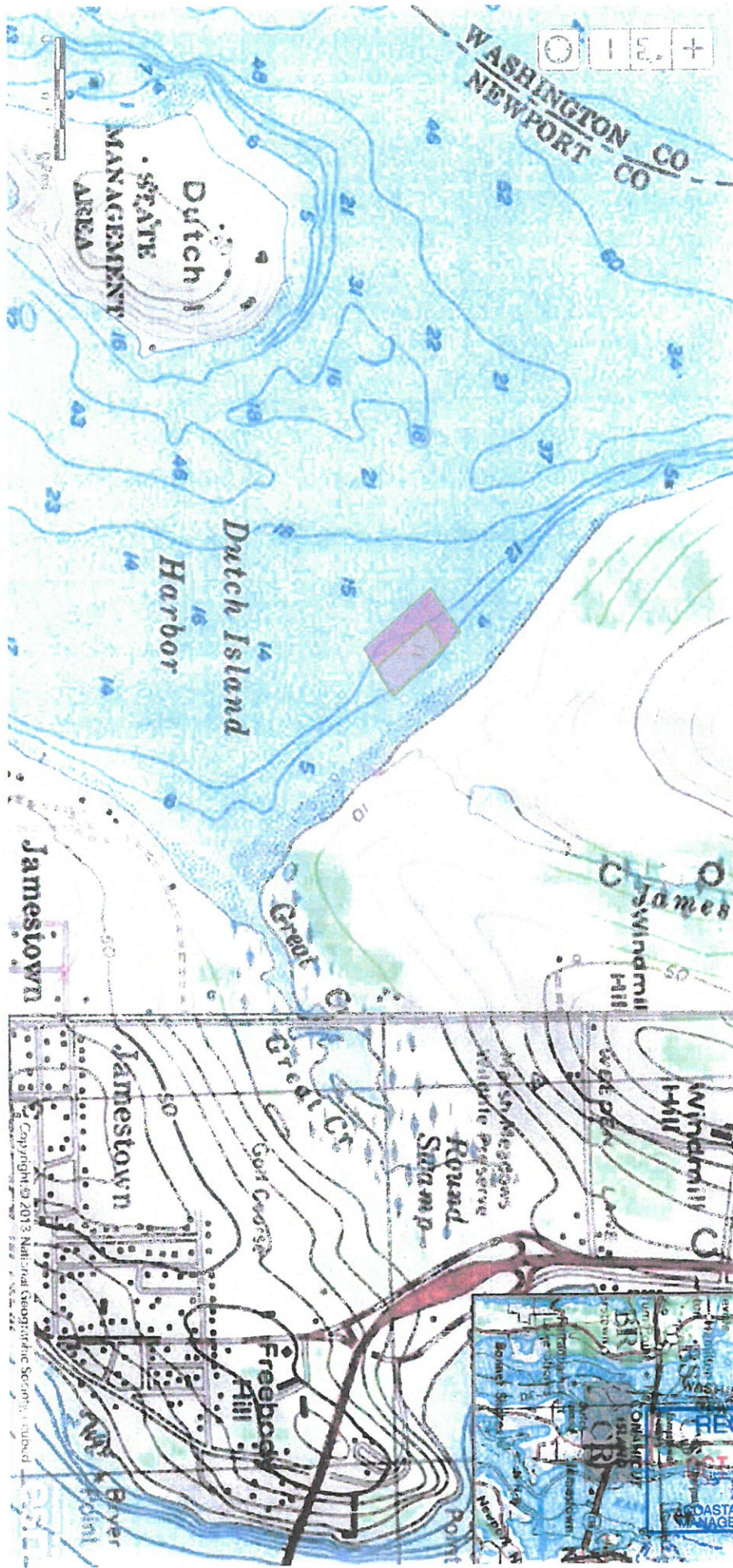


- Current Seakist Lease
- ◆ Proposed Expansion

Approximate Dimensions of Current Lease
 Width = 280ft
 Length = 600ft

Approximate Dimensions of Proposed Lease Expansion
 Width = 280 ft + 195ft = 475ft
 Length = 600ft + 200ft = 800ft

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 OCT 16 2019
 COASTAL RESOURCES
 MANAGEMENT COUNCIL



RECEIVED
OCT 16 2019
COASTAL RESOURCES
MANAGEMENT COUNCIL

DEPT OF REVENUE

10 5/8"
side

5 1/16"

26"

FLOTT

2.75

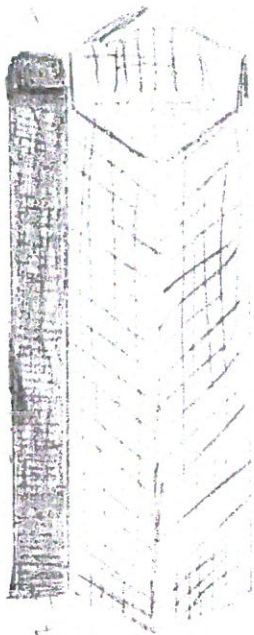
62"

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OCT 16 2019
COASTAL RESOURCES
MANAGEMENT COUNCIL

DEARMS REPORT 2019



Drying



Growing

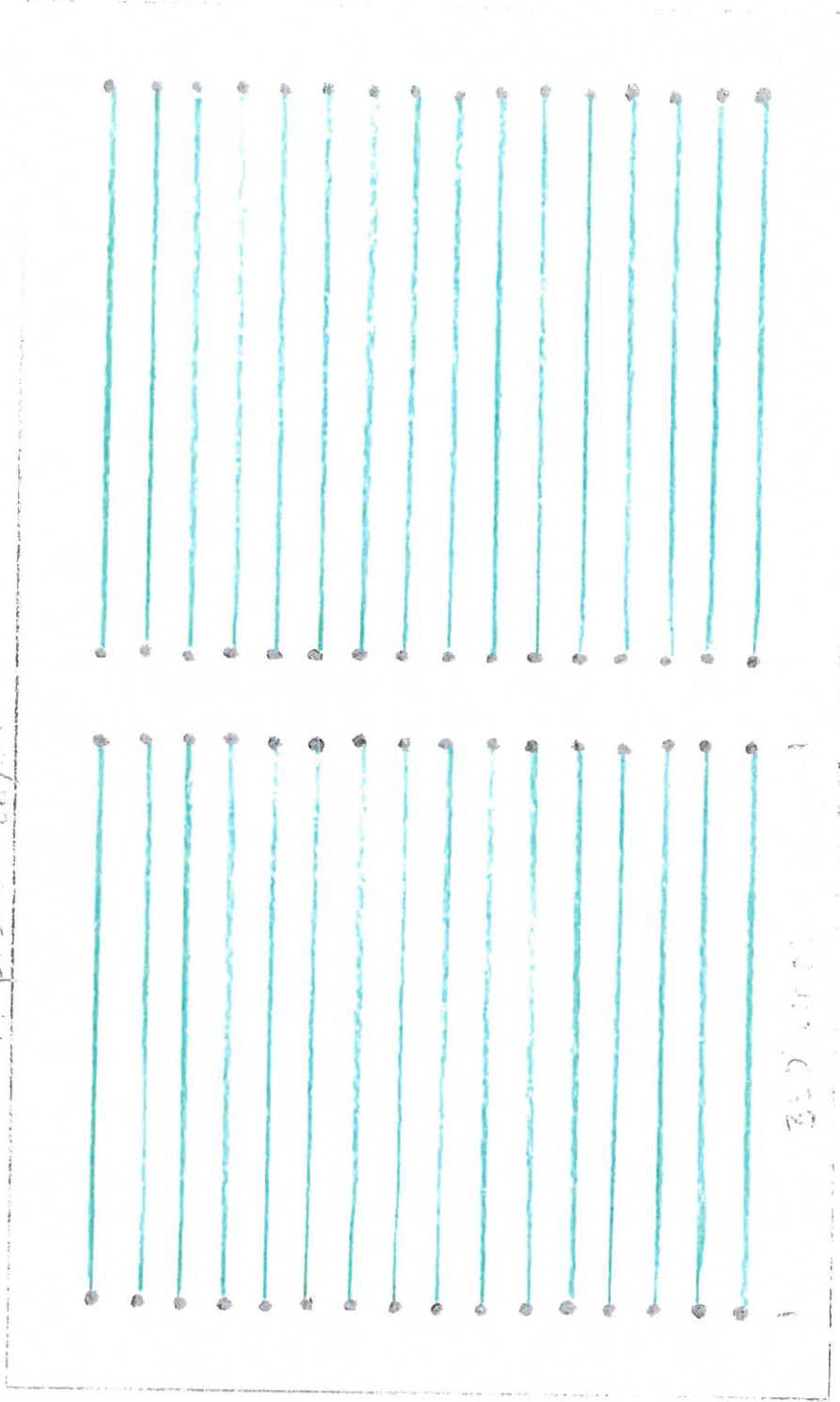
Overhead view of 100'



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COASTAL RESOURCES
MANAGEMENT COUNCIL

Seakid Aquaculture

Proposed Layout



495'

300' x 1000'

800'

1" = 100'

RECEIVED
OCT 16 2019
COASTAL RESOURCES
DIVISION (PERMITTING)

Seakist Aquaculture

200'

Proposed Expansion

175'

Existing Lease

200'

600'

195'

280'

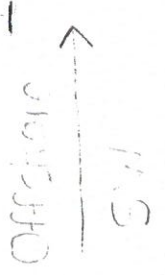
1/4" = 100'

RECEIVED
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 COASTAL RESOURCES
 MANAGEMENT COUNCIL

Sediment samples



16'



7'



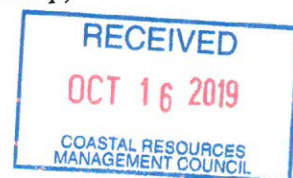
RECEIVED
OCT 16 2019
COASTAL RESOURCES
MANAGEMENT COUNCIL

Guidance Document for Aquaculture Operations Plans

Anyone conducting aquaculture operations in RI must comply with all applicable CRMC regulations (*Coastal Resources Management Program* §§ 1.3.1(A) and 1.3.1(K)) and DEM regulations, as set forth in “*Aquaculture of Marine Species in RI Waters.*” Plans provided to the CRMC will be available for DEM review. Modifications to the permit must follow the CRMC process for modification of assent. Separate, individual plans shall be developed and submitted for each aquaculture site/facility (i.e., one for each lease site, one for each upweller location, etc.); provided, however, that if lease sites are contiguous, or part of a single, unified operation, the overall site can be covered by a single plan. Operations Plans shall address each of the items listed below, as applicable, following the format set forth below.

Note: All plans must be type written. This Microsoft Word document is intended to be used by licensees/operators as a template when preparing plans and may be modified as needed to fit the specific needs of the operator.

1. **Name and mailing address** of individual, firm, partnership, association, academic institution, municipality, or corporation who is principally responsible for the aquaculture operation or activity; if corporation, specify and include names of all owners/partners.
Seakist Aquaculture
151 Cedar Hill Drive
Jamestown, RI 02835
2. **CRMC file number** for the facility; new applications will be assigned a file number by CRMC.
B2015-11-032
3. **DEM Aquaculture License number** (applicable if products are offered for sale); new applicants will need to obtain the DEM aquaculture license after an aquaculture assent is issued.
DEM AQUA000110
4. **Type of facility** (e.g., commercial lease site, upweller, experimental site, research, commercial viability) and **nature of operation** (i.e., methodology used).
Commercial Floating basket Oyster Lease
5. **Location of facility** (include aerial or chart depicting exact location)
 - Adjacent town: Jamestown RI
 - Water body: Narragansett Bay(Northern Dutch Harbor)(See attached map)



- Lat/long coordinates of facility: 41 30' 36.5396"N
71 23' 15.1402"W

6. Identification of all **species of shellfish** grown at the facility. Acknowledgement that the applicant will follow Biosecurity Board seed protocols should be included.

We will be growing the eastern oyster and all biosecurity board seed protocols will be followed

7. Description of **types of structures, gear and methods** used at the facility (e.g., rafts, pens, cages, tanks, upwellers, docks) and their locations on the site. Include a sketch/site plan that details a cross-section of structures as they appear in water column including proximity to surface and bottom with a depth profile at mean low water and mean high water. Include maximum number of cages proposed and the size of the cages proposed.

We will be utilizing a floating basket system. They will be arranged in uniform rows, evenly spaced. They will be oriented running NW to SE. The baskets are 29" long, 10-5/8" wide and 5-7/16" tall. There will be a maximum of 12,000 baskets on the lease.

8. Description of the **methods and equipment used to identify and mark site.**

There will be a lighted buoy at each corner

9. DEM **Shellfish Harvesting Classification** at site.
3W (Approved waters)

10. Description of **practices and procedures used** during the growth, harvest, storage, transportation, and sale of the cultured species.

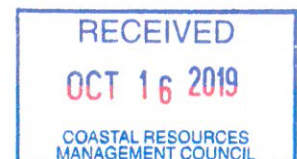
The oysters will be planted at about 1/2". They will be flipped over to dry weekly as a means of biofouling control. Once the volume of oysters has increased, they will be graded by size and returned to the baskets. Once they reach market size, they will be selected and put into a designated area for storage. They will then be packed and delivered in accordance with the state mandated safe shellfish handling protocols.

11. Procedures for **maintaining records:**

For operations using seed acquired from out-of-state: Records will be kept to track the seed through our system.

Description of notification, disease certification, and labeling/tagging procedures: CRMC will be provided a clean pathology report and will be notified of any transfer of seed onto the lease. Upon harvest, shellfish harvest tag will accompany the oysters.

12. Procedures for **maintaining records:**



For upwellers/seed-growing facilities in prohibited waters:

Seed will not be grown in prohibited waters

Description of procedures, including frequency of grading (with particular reference to requirements that seed must be removed before it exceeds maximum "seed" size threshold, i.e., <32 mm for oysters, <25 mm for quahogs): Seed will be procured from an approved source at approximately 12mm.

13. Procedures for *maintaining records*:

For operations using seed from prohibited waters, or operations using shellfish obtained from a third party that originated as seed from prohibited waters:

Detailed description of demarcation methods and record-keeping practices used at the lease site to ensure that animals have been cultured at least six (6) months in approved waters, prior to sale, including:

- a. Detailed record-keeping practices specifying date, source, average size, and amount of seed; and
- b. Protocols and associated record keeping for tracking product, e.g., use of tagged/numbered cages and/or bags, use of marked trawls, and/or use of marked, segregated portions of lease sites.

The seed will be grown in a segregated (seed) section; approximately 25% of the baskets. All seed will originate from approved waters. The seed will take at least 9 months to reach market size. The movement of oysters through the system will be recorded in a logbook.

Description of the process for notifying the third party that (a) seed came from prohibited waters, (b) the date of that transfer, and (c) the remaining time needed to maintain the animals in approved waters prior to sale.

All seed will come from approved waters.



Erin Liese

From: Sharon Purdie <spurdie@wesleyan.edu>
Sent: Thursday, October 24, 2019 9:10 PM
To: Christina Collins; Lisa Bryer; Erin Liese; Dave Beutel
Cc: Sharon Purdie; Ted Sybertz
Subject: Preliminary determination application for a new oyster lease in Dutch Harbor

Christina Collins, Acting Town Administrator,

Lisa W. Bryer, Town Planner;

Anne Kuhn-Hines, Chair Conservation Commission,

Michael G. White, Town Council President;

Dave Beutel, Aquaculture Coordinator CRMC

Hi everyone,

The purpose of this email is to provide our comments regarding the *preliminary determination application* filed by Walrus and Carpenter Oysters LLC (W&C) regarding approval of a new lease for oyster farming in Dutch Harbor. We will be out of town on October 30 so are providing our input via email.

We live at 60 Westwind Drive and the current lease of W&C is 0.2 miles from our deck. The high-profile floating oyster cages are very visible from our deck and disrupt our (formerly unobstructed) view of Dutch Harbor and the conservation land. A series of mediation sessions between concerned homeowners and the owner of W&C has taken place over the last several months to determine if the homeowner concerns can be balanced with W&C's need to run a profitable business. At one of our mediation sessions facilitated by the Department of Agriculture and composed of concerned homeowners (Alan and Lorraine Katz, Bob Kalander, Renee and Jim McCooey, Ted Sybertz, and Sharon Purdie), Jules from W&C, and a mediator, Jules presented his *preliminary determination application*, which was developed partly in response to discussion at earlier mediation sessions. His application calls for vacating his current location and moving the cages from his current location to one 0.65 miles from our deck and increasing the number of cages in that new area to 2000.

Although the movement of the cages should improve our site lines of the harbor, we do not know the visual impact of placing 2000 cages 0.65 miles away. One of the action items from the mediation sessions is to develop a rendering of the proposed lease area showing its appearance with 2000 floating cages similar to the ones being proposed. The rendering will be from 20 feet above sea level because that is the view that homeowners see from their decks. This rendering is being developed by Walter Zesk from Johnson and Wales University and he plans to have it available by October 30. When the rendering is available, we will forward it to you.

From our perspective, listed below are the pros and cons of the new application.

Pros

- The proposed farm location is 0.65 miles from our house, in contrast to the current lease that is 0.2 miles from our house and should improve the negative impact these cages have on abutting properties.

- If the new lease is approved, W&C will vacate the current lease location. We understand that, per Dave Beutel, that leased area will not be available for lease by another farmer so it would not include oyster cages after W&C vacates the area.
- Cons
 - The new application asks for approval of 2000 floating cages (The existing lease area is approved for 240 cages. Currently, W&C has more than the permitted limit and is in the process of removing the illegal ones.) We do not know the impact of 2000 cages on our site lines even if they are further away.
 - The applied for lease area is 7.8 acres in comparison to the current area that is 2 acres. (If a new farmer were to apply for a lease for this area, CRMC would probably push for the farmer to use equipment recommended in the guidelines, i.e., much less intrusive cages.)
 - W&C is requesting approval to float the same high-profile cages that exist in the current lease area.

We do not object to the application with the following caveats:

- The visual rendering shows that the location with 2000 cages is visually acceptable. If not, reduce the number of floating cages to a level visually acceptable after analyzing the rendering.
- Vacate the current lease location and designate the location as a non-lease area for farming.
- W&C continue to research less obtrusive cages and install them as they become available

Sharon Purdie and Ted Sybertz

60 Westwind Drive

Erin Liese

From: Sharon Purdie <spurdie@wesleyan.edu>
Sent: Monday, October 28, 2019 8:29 PM
To: Christina Collins; Lisa Bryer; Erin Liese; Dave Beutel
Cc: Sharon Purdie
Subject: Proliferation of Floating Oyster Cages in Dutch Harbor and preliminary determination application filed by Seakist Aquaculture LLC

Christina Collins, Acting Town Administrator,

Lisa W. Bryer, Town Planner;

Anne Kuhn-Hines, Chair Conservation Commission,

Michael G. White, Town Council President;

Dave Beutel, Aquaculture Coordinator CRMC

Hi everyone,

The purpose of this email is to (1) reiterate our concerns with the overall proliferation of oyster cages in Dutch Harbor and (2) to enumerate our concerns regarding the *preliminary determination application* filed by Seakist Aquaculture LLC regarding approval of a new lease for oyster farming in Dutch Harbor. We will be out of town on October 30 so are providing our input via email.

Proliferation of Oyster Cages in Dutch Harbor

This Seakist application is the second one filed recently, so it is important to step back for a moment and understand the enormity of the proposed cages, given the sum of this application plus the Walrus and Carpenter application. Between the two applications, the farmers are **requesting an additional 12,752 cages** to be installed in Dutch Harbor. At the hearing for the Pinheiro application to float additional cages in 2018, although they applied for over 700 floating cages, they were approved for 500+. In addition, our understanding from that hearing was that there would be no additional cages approved for Dutch Harbor, given the number of cages that already exist.

Seakist Aquaculture LLC Application

We have several concerns with the application.

- Even though the cages are smaller than some of the floating ones, 12,000 cages is so many, it's almost unimaginable.
- Although the height of the proposed cages is lower than some of the other models when the oysters are growing, when the cages are turned for drying (weekly), they will be as high as others so the sight lines will be as unsightly as the higher profile ones.
- In Section 300.1 (5), Seakist states that the "presence of oysters in this area will help mitigate the effects of nitrogen runoff from waterfront lawn fertilizer applications and septic systems in close proximity to the bay." However, this argument is specious because the waterfront homes on Westwind Drive all have buffer areas (required by the CRMC) that cannot be fertilized, and the houses are on sewers, not septic systems.

- Seakist does not even comment on Section 300.1 (11), “Demonstrate that measures have been taken to minimize any adverse scenic impact,” so we assume they haven’t even considered the impact. An additional 12,000 floating cages with high profiles while drying will have an adverse scenic impact. In order to dispute this observation, it would be helpful for them to provide a rendering of what the farm would look like from the decks of property abutters’ houses, with the cages in the “growing” mode and the “drying” mode.

In summary, we feel that approving an additional 12,752 floating cages is not in the interest of citizens of Jamestown. These additional cages will continue to denigrate our (formerly unobstructed) view of Dutch Harbor and the conservation land. We would not object to some additional cages if the visual renderings of the two proposed application areas (Walrus and Carpenter and Seakist) show that the locations are visually acceptable. If not, the number of floating cages needs to be reduced to a level that is visually acceptable after analyzing the rendering.

Thanks for considering our concerns.

Sharon Purdie and Ted Sybertz

60 Westwind Drive

*Carolyn M. Sears
Six Antham Street
Jamestown, RI 02835*

October 25, 2019

To the Jamestown Town Council,

I am appealing the decision of the Harbor Commission on 10/9/19 and would like to retain my permit to keep a mooring (306 C) in Dutch Harbor.

I was not able to utilize the mooring this past summer because of work on a large project which extended through the summer months. This project was scheduled to be completed in the spring of 2019 but major problems and delays in scheduling caused the backup.

I own the same 30 foot sailing vessel that I purchased new in 1989 and as I am sure you know it is quite expensive to keep a boat at a marina. This mooring is particularly important to me because I will be fully retired and on a fixed income. Having a mooring will keep boating affordable.

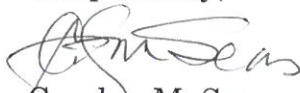
I realize that I have asked for previous grace periods and I think that in some circumstances the rules ought to be somewhat flexible so that individuals are not forced out of boating due to the loss of a mooring.

In addition, I was not informed that my request was on the agenda at the October 9, 2019 meeting of the Harbor Commission so I did not attend to present my case. I have always complied with all regulations including paying all mooring fees and performing all required maintenance on the mooring itself.

I hope you will see fit to grant me the opportunity to retain my permit for mooring 306 C in Dutch Harbor.

Thank you,

Respectfully,


Carolyn M. Sears

RECEIVED
TOWN OF JAMESTOWN, RI
19 OCT 28 AM 9:33



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

Request for Appeal

Appeals of actions by the Harbor Master or Executive Director other than violations of section 78-27 may be appealed to the Harbor Commission. Written appeals must be filed with Harbor Clerk within 30 days of incident or notice.

Appeals of the decision of the Harbor Commission may be appealed to the Town Council. Written final appeals must be filed Town Clerk within 20 days of the mailing date of the Harbor Commission decision.

Name of Appellant: CAROLYN M. SEARS
 Address: 6 ANTHAM ST. JAMESTOWN
 Phone: (401) 423-2243
 Mooring Permit #: 306C

You are appealing a decision of (circle one): Harbormaster or Harbor Commission

Date that you received notice of the decision that is subject of this appeal: 10/9/19

Please attach a copy of the written decision that is the subject of this appeal. If the written decision that you are appealing covers more than one issue, please describe below the specific decisions you are appealing or attach a separate sheet.

A FORMAL DECISION OF THE HARBOR COMMISSION HAS NOT BEEN RECEIVED. I DID RECEIVE AN E-MAIL STATING THAT THE APPEAL HAD BEEN DENIED ON 10/9/19 OR SOMETIME AFTER BUT I DELETED THE EMAIL.

In the space below, please indicate the reason for your appeal. Indicate any details and facts that will help the appeal board understand your position. You will be able to present this and other information to the appeals board at the time of your hearing.

I WAS NOT NOTIFIED THAT I WAS ON THE AGENDA FOR THE 10/9/19 MEETING AND THEREFORE DID NOT ATTEND TO PRESENT MY CASE.

Carolyn M. Sears
 Appellant Signature

10/25/19
 Date

Karen Montoya
 Request for Appeal received by (Name & Signature)

Oct 25, 2019
 Date Received

*Frank & Karen O'Donnell
1 Riverview Drive
North Providence, RI 02904*

October 8, 2019

19 OCT 26 AM 10:55

RECEIVED
TOWN OF JAMESTOWN, R.I.

Dear Town Council Members:

We are writing to express our opposition to the proposed construction of a cell tower on Cedar Lane. We are in the process of building a new home at **40 Cedar Ridge Trail**, a stone's throw away from the cell tower currently proposed on Cedar Lane.

When we made the decision to make Jamestown our home, it was based largely on Jamestown's bucolic nature. Our area can best be described as pristine. We are surrounded by nature on all sides. We are extremely concerned about the impact a cell tower will have on our property values. We've already heard about a neighbor's sale falling through due to the proposed location.

Allowing a major technology invasion in this spot is certain to ruin the aesthetic of the neighborhood, and the island itself. Imagine crossing over from North Kingstown and being greeted not by trees or a white picket fence, but a steel monstrosity. Is this Jamestown? It's not the Jamestown we envisioned when we settled on a location.

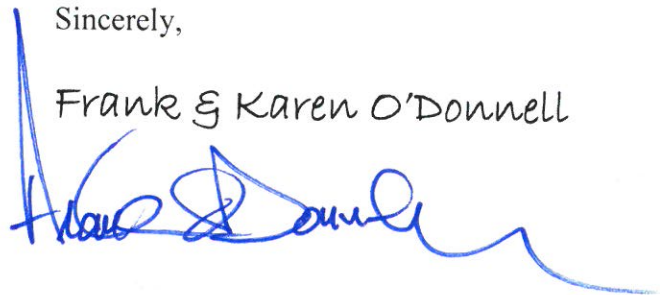
We do understand that cellular coverage is spotty and in spots, nonexistent. We acknowledge the letters already submitted by islanders further north than us. There appears to be a need for a cell tower. We do NOT believe Cedar Lane is the spot, even with the town's ownership of the lot.

We're sure there are other spots where a cell tower will neither impact property values nor ruin Jamestown's bucolic aesthetic. We have heard that the transfer station has been considered as a spot, and to me, that makes perfect sense. And it appears to be geographically closer to the heart of the problem.

Thank you for your attention, and your careful consideration of this matter.

Sincerely,

Frank & Karen O'Donnell



James Rugh

200 America Way, Jamestown, RI 02835

October 29, 2019

Town Council
Town of Jamestown
Town Hall, 93 Narragansett Ave.
Jamestown, Rhode Island 02835

To the Town Council:

Like several who attended the October 21st Council Meeting, I believed that the transfer station should have been considered as a site for a cell tower. As reported in the *Jamestown Press*, at that meeting Michael Glier, director of information technology, stated that this site was ruled out because: "It would cost more than \$1 million to bring that technology [fiber optic cable] to the transfer station."

That was a very convincing reason not to consider this site.

In thinking about the meeting, it did seem that the cost for fiber optic cable presented was high, especially when companies are stringing miles of fiber optic cable all over the Rhode Island.

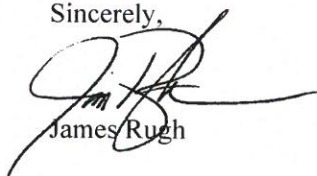
I know nothing about fiber optic cable, but I did do some research and found that the United States Department of Transportation publishes data that puts the average cost of laying fiber at \$27,000 per mile. Admittedly, this is historical data and is a few years old.

Some additional research led me to Telco, a publicly traded telecommunications provider. There are poles along the entire route, but according to Telco the Town would need to negotiate permission "to use the poles and pay a recurring pole attachment fee to the pole owner. When pole mounting cable, another factor is what other pole attachments are in place and whether they need to be relocated or will need some other consideration when installing the new fiber infrastructure. Based on these variables, a good estimate of cost range for the fiber infrastructure is between \$18,000 and \$22,000 per mile."

Apparently at the two sites being considered, fiber optic cable was not an issue. It is 1.5 miles from the transfer station to Carr Lane. Using 2 miles, it would appear that the additional cost to bring fiber optic cable to the transfer station would be under \$55,000 dollars.

The question I have is why it would cost nineteen times more than these national figures to install fiber optic cable in Jamestown. There may be a reason, but I don't know what it is. I would hope that at the next Town Council meeting we can better understand these costs.

Sincerely,



James Rugh

<https://www.otelco.com/fiber-infrastructure>

RECEIVED
TOWN OF JAMESTOWN, R.I.
19 OCT 30 AM 10:44



Exeter-West Greenwich Regional School District

940 Nooseneck Hill Rd. West Greenwich, RI 02817

401.397.5125 Fax: 401.397.2407

School Committee

Claudine Pande, Chairperson; Lee Kissinger, Vice-Chairperson; Theresa Donovan, Clerk; Diane Bampton Allen; Sheryl R. Green; Paul R. McFadden; Aimee M. Gardiner

RECEIVED
TOWN OF JAMESTOWN, R.I.
19 OCT 18 PM 1:23

JAMES H. ERINAKES, II, M.Ed.
Superintendent of Schools

MARIE-ELENA J. AHERN, Ed.D.
Curriculum Director

Administration
SARAH DENTZ, M. Ed.
Director of Special Services

ROBERT V. ROSS, M.Ed.
Director of Administration

PATRICIA J. RUIZZO
District Treasurer

Resolution of the Exeter-West Greenwich Regional School District School Committee Field Trip Funding Law

On April 10th, former Commission of Education, Ken Wagner, ruled that in accordance with R.I Gen. Laws 16-38-6(a) there are only three permissible ways to fund school trips:

- 1) "Districts may budget funds for trips, so long as the trip is part of the instructional program and all students have the same ability to attend:
- 2) Fundraising for trips is permissible to supplement district budgeted funds, so long as individual students do not have mandated fundraising targets that must be met as a requirement for participation; and
- 3) Individuals may be charged fees for a trip, but only for trips that are not organized by district using district resources including district funded staff time."

While in accordance with the current law, this ruling will have the unintended consequence of severely reducing, if not eliminating, the types and number of extra-curricular opportunities that can be offered to public school students. In essence, this means that once in a lifetime opportunities for students, such as band and choral trips, foreign travel exchange trips, and other important programs will be eliminated from public schools in Rhode Island as districts cannot afford the costs of fully funding these enrichment activities. As it now stands, instead of providing for more equity, this ruling may have the unintended consequences of driving families away from public schools and undermining a district's ability to fulfill broadly a component of the RI Basic Education Plan which requires "a school-based program of extra-curricular activities" (see id., 200-RICR § 20-1.3.2(H)).

WHEREAS: The Exeter-West Greenwich Regional School District School Committee strongly believes that it is important to enhance students' social and emotional well-being by encouraging them to make strong connections with faculty and other students at school; and

WHEREAS: The Exeter-West Greenwich Regional School District School Committee recognizes that special activities such as class trips, band and choral trips, and foreign travel exchange trips are often signature moments in a student's public school experience; and

WHEREAS: The Exeter-West Greenwich Regional School District School Committee fully supports equal opportunity for students to participate via a commitment to provide scholarships and aid so that the financial situation of a student does not present a barrier for that student to fully engage in activities supported by the district; and

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NOW, THEREFORE, BE IT RESOLVED: That the Exeter-West Greenwich Regional School District School Committee respectfully requests the Rhode Island General Assembly to amend RIGL § 16-38-6 (a). The following sentence (in bold) should be added to the law:

“No public school official or public school employee shall, for any purpose, solicit or exact from any pupil in any public school any contribution or gift of money or any article of value or any pledge to contribute any money or article of value.” **This prohibition does not apply to school sponsored field trips in which parents can be asked for funding as long as the District provides funding to any student whose family cannot afford the cost of curriculum-based trips required by the RI Basic Education Plan (BEP).**

RESOLVED: That the Exeter-West Greenwich Regional School District School Committee calls on each of our State representatives to support such a legislative change;

RESOLVED: That the Exeter-West Greenwich Regional School District School Committee calls on RIASC and other professional organizations to undertake efforts to promote this change during the upcoming legislative session.

RESOLVED: That a copy of this Resolution be forwarded to every Rhode Island municipality, School Committee, State Senator, State Representative, the Rhode Island Association of School Committees, the Rhode Island Association of School Superintendents, Rhode Island Association of School Principals, NEA, AFT, and the Governor.

WHERETO: The following bear witness:



Claudine Pande, School Committee Chair



Theresa Donovan, School Committee Clerk

OCTOBER 8, 2019

Passed (Date)

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