



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, January 6, 2020
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 on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

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) Introduction of Jamie Hainsworth as Town Administrator
- B) Presentation:
 - 1) Swearing In Ceremony for Zachery Hubbard to the Rank of Probationary Police Officer

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-
 - 1) Dumplings Association request; regarding the proposed CRMC Application for expansion to the Jamestown Boat Yard- 60 Dumplings Drive

- 2) Fran Falsey request; regarding 71 Columbia Ave regarding the invitation of dog guests
- 3) Fran Falsey request; regarding construction on the corner of High and Cole Street

B) Non-scheduled request to address

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

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 Report: Christina D. Collins, Interim Town Administrator
- 1) Annual Financial Report – Fiscal Year Ended June 30, 2019
 - 2) Golf Course Club House Update
 - 3) Demolition and removal of dilapidated structure, Plat 5, Lot 419

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: January 21, 2020 at 6:30 p.m.
 - 2) Schedule Hearing Date Museler Appeal
 - 3) Schedule Hearing Date Sears Appeal

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) Fort Getty
- 1) FY 2019 Recreation Season Review presented by Parks and Recreation Director Andrew J. Wade
 - 2) Request of Parks and Recreation Director Andrew J. Wade; regarding the 2020 Fort Getty Seasonal Rates and Fee Schedule
 - 3) Concerns of Recreational Facilities at Fort Getty
 - a) Communication of Betty Patridge
 - 4) Conanicut Island Sailing Foundation Free Sailing Program 2019 Report
 - 5) Conanicut Island Sailing Foundation Jamestown 2019 Sea Adventure Summer Report
 - 6) Conanicut Island Sailing Foundation Leadership Program Review
- B) Request of Vice President Mary Meagher Regarding Jamestown Boat Yard Expansion
- 1) Application #2019-06-014, RIDEM WQD 19-123 DP 19-174 Jamestown Boat Yard – 60 Dumpling Drive

- C) Discussion and Authorization of Contract between the Town of Jamestown and Jamie Hainsworth as Town Administrator for the Town of Jamestown

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) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote:

*has applied for more than one committee

- 1) Jamestown Fire Department Compensation Committee (One Citizen-at-Large vacancy with an unexpired term ending date May 31, 2021 and One Citizen-at-Large with a term ending May 31, 2022)
 - a) Letter of interest for appointment
 - i) Eric T. Lexow
- 2) Tree Preservation and Protection Committee (three vacancies with a three-year term expiring December 31, 2021 and December 31, 2022)
 - a) Letter of resignation
 - i) Roger Birn
 - b) Letters of interest for appointment
 - i) Carol Coleman
 - ii) Thomas Farrell
- 3) Jamestown Housing Authority (one vacancy with a five-year term expiring December 31, 2024)
 - a) Letters of interest for appointment
 - i) Jessica McCarthy*
- 4) Jamestown Representative Beavertail State Park (One vacancy with a remaining term ending date of December, 2019); permission to advertise
 - a) Letter of interest for reappointment
 - i) Job Toll
 - b) Letters of interest for appointment
 - i) Jessica McCarthy*
 - ii) Leo Orsi*
 - iii) Lisa Primiano
- 5) Jamestown Tax Assessment Board of Review
 - a) Letter of resignation
 - i) Karen M. Gabriele

- B) Introduction and Discussion on an Amendment to the Code of Ordinances regarding Chapter 78 -Harbor Ordinance Renewal Schedule and Process

- C) Introduction and Discussion on an Amendment to the Code of Ordinances regarding Chapter 46- Peddlers, Hawkers, and Solicitors; Mobile Food Establishments

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) December 2, 2019 (regular meeting)
 - 2) December 2, 2019 (joint meeting)
 - 3) December 6, 2019 (special meeting)
 - 4) December 6, 2019 (executive session)
 - 5) December 16, 2019 (interview session)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Harbor Commission (November 13, 2019)
 - 2) Jamestown Zoning Board of Review (November 26, 2019)
- C) Request of Tax Assessor for Specific Abatements & Addenda of Taxes

REAL ESTATE ABATEMENTS TO 2019 TAX ROLL		
02-0204-00	Plat 7, Lot 46	\$945.88
07-1110-60	Plat 14, Lot 387	\$194.01
12-0599-75	Plat 7, Lot 139	\$3,425.28
16-0181-00	Plat 9, Lot 235	\$88.55
25-0070-00	Plat 3, Lot 51	\$103.04
26-0053-75	Plat 3, Lot 488	\$600.53
REAL ESTATE ADDENDA TO 2019 TAX ROLL		
08-0063-70	Plat 11, Lot 38	\$421.23
TOTAL ABATEMENTS		\$ 5,357.29
TOTAL ADDENDA		\$ 421.23

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 Letter to: Councilman Randy White
From: Alma Davenport
Dated: December 30, 2019
Re: Airbnb
 - 2) Copy of Email to: Christina D. Collins, Interim Town Administrator
From: Richard Doyle
Dated: December 31, 2019
Re: Airbnb
 - 3) Copy of Email to: Erin Liese, Town Clerk
From: Kathryn & Tim Conway
Dated: December 31, 2019
Re: Jamestown Boat Yard Expansion
- B) Public Notice
 - 1) CRMC Notice 2019-12-055 regarding the application of Walrus & Carpenter Oysters LLC c/o Jules Opton-Himmel for a 7.8 acre aquaculture site using floating cages in Narragansett Bay- West Passage
- C) Proclamations and Resolutions from other Rhode Island Cities and Towns
 - 1) Resolution of the Town of Charlestown in Support of Fully Funded E-911 Statewide and Municipal Services

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 December 31, 2019

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Posted on the RI Secretary of State website on December 31, 2019

Concerns of the Dumplings Association and David H. Laurie regarding Jamestown Boat Yard's proposed marina expansion currently before CRMC.



CAMERON & MITTLEMAN ^{LLP}
Attorneys-at-Law

December 31, 2019

Jamestown Town Council
c/o Erin Liese, Town Clerk
Jamestown Town Hall
93 Narragansett Avenue, Jamestown, RI 02835

Dear Honorable Members of the Jamestown Town Council:

This letter is submitted on behalf of two abutters to the Jamestown Boat Yard: David H. Laurie, owner of the property at 15 Dumpling Drive on the boatyard's northwest side (lot 17, plat 10), and The Dumplings Association, trustee of the property to the boatyard's southeast (lot 88, plat 10) and which currently has a membership of 125 Jamestown families.

The precursor to Jamestown Boat Yard, called Wharton's Ship Yard, was started by Charles Wharton in the 1930s on land that his father, the owner of Clingstone, had used to store and maintain his own family's boats. The current owners of the yard acquired it in 1984, giving it its present name. Under the town's current zoning, it operates under a special use permit in a rural residential (RR80) district.

Over time, the northwest side of this boatyard's marina perimeter has been expanded in highly questionable ways, with boatyard infrastructure being installed in front of Mr. Laurie's land. The yard has also expanded its number of commercial moorings. It has permits from the town for up to 79 moorings, creating a very crowded mooring field, which starts in the waters off Mr. Laurie's property and extends all the way to Bull Point. So many commercial moorings have been installed in this area that neighboring riparian landowners can no longer obtain moorings.

This summer, via applications to the Coastal Resource Management Council (CRMC), Jamestown Boat Yard (JBY) has sought to further expand its marina footprint by adding more docks. An initial application was revised in November, apparently due to issues on the plan's northwest side, where problems of both eelgrass destruction through dredging and additional riparian encroachment occurred. The revised proposal remains sizable. It calls for dredging an area covering 20,000 square feet and installing dock extensions from 25 to 90 feet in length. Part of the stated purpose of this expansion is to service deep-keel boats with lengths between 50 and 60+ feet. Such boats are not typical of the ones that most Jamestown residents own.



It has recently become evident that JBY's proposed expansion is closely tied to a desire to sell the yard to Safe Harbor Marinas, a very large marina corporation, in fact the largest of its kind in the world. Safe Harbor currently owns more than 80 marinas in the United States, with many of its latest purchases being here in New England. In Rhode Island, it now owns eight facilities, including all the former Brewer yards, New England Boatworks in Portsmouth, and most recently Newport Shipyard, which caters to megayachts. Membership in Safe Harbor gives yacht owners transient rights to visit all the company's marinas, so facilities that were previously local boatyards, such as JBY, would no longer be so under Safe Harbor ownership. They would instead become part of a large, highly coordinated corporate enterprise.

Reasons for Opposing the Proposed Marina Expansion

The Dumplings Association and Mr. Laurie are very concerned about the effects that such a marina expansion would have on this part of the Jamestown waterfront. Their concerns include recreational safety, potential environmental harm, and the threat of over-commercializing a very scenic area that has no counterpart anywhere else in Rhode Island.

Recreational Safety

For generations, the waters in this part of Narragansett Bay have been used for a variety of simple recreational activities, including swimming, kayaking, fishing, and small dinghy sailing. The Dumplings Association and Mr. Laurie strongly maintain that further expansion of the JBY marina into an already crowded mooring field, especially with the intended focus on even larger boats, would greatly impair the ability to safely continue using these waters for these traditional pastimes. It is extremely difficult for someone driving a 60 foot yacht into a marina to see a person in a kayak, let alone a swimmer in the water. A marina of the proposed size and purpose would consequently put those engaged in such activities at much greater risk. The JBY expansion plan is highly unusual in this regard because in few other places does a marina take hold and extend so sizably into waters already used for smaller-scale recreation. It therefore seems more than prudent to say enough is enough to further commercial expansion in this particular part of Jamestown, which was never intended to be a commercial district to begin with. The Dumplings Association and Mr. Laurie believe that the personal safety of those in and on the water should be deemed of paramount importance, more important than whatever is to be gained by additional business growth.

Environmental Concerns

Also of great concern regarding this proposed marina expansion is its potential environmental impact, with the potential effect on eelgrass being one consideration. Eelgrass beds in Rhode Island have suffered extensive decline in recent years, with unavoidable effects on the health of

the bay and its marine life. Although the revised marina expansion plan no longer involves dredging up eelgrass along with the sediment being removed, there is still concern about eelgrass beds in extremely close proximity to the dredging area, these beds being some of the largest and healthiest remaining in the state. More specifically, the Dumplings Association and Mr. Laurie are concerned that water made turbid from dredging may indirectly impact these beds either by blocking out sunlight to them or by depositing on them a significant layer of silt. No environmental impact study has yet been done to assess these possible outcomes, nor has any professional analysis been conducted to determine how frequently maintenance dredging would be needed to keep the dredged area at the depth the marina owners want. This question is particularly important because these waters are known to be subject to a heavy influx of sediment when strong winds are out of the north, which is quite often. In short, the impact that the proposed commercial expansion would have on Jamestown's eelgrass beds should be considered in much greater depth than has currently been done.

At the same time, environmental concerns also extend to the many people who use this area for swimming and other recreational activities in which the body comes into contact with the water and water may be accidentally ingested. The concern here is that dredging can cause the release of toxins otherwise bound to submerged sediment, and the seafloor to be dredged in this case shows the presence of five heavy metals (chromium, copper, lead, nickel, and zinc) above detectible limits. The Dumplings Association and Mr. Laurie worry that these heavy metals may be released into the water column during the dredging process, and they have no way of knowing where those metals may resettle. The possibility that they may resettle on a beach where young children play is especially disturbing. Plus, there is no guarantee that these metals will dissipate entirely from the water before the summer recreational season begins. Even one injury from such contaminants would result in a senseless tragedy that cannot be reversed, but which was wholly preventable.

Over-commercialization of a Scenic Natural Area

In addition to safety and environmental concerns, the Dumplings Association and Mr. Laurie are highly concerned about over-commercialization of a truly unique and scenic area, with its large outcroppings of glacial rock jutting out of the bay, and historic Salt Works Beach stretching out toward Bull Point. Imposing even more commercial docks and slips on these waters would increasingly detract from this striking seascape, which is found nowhere else in Rhode Island. Maintaining the traditional natural beauty of this area is a crucial part of the non-commercial enjoyment of it. The Dumplings Association and Mr. Laurie believe that this area should not be marred with increasingly dominant commercial development. It should remain an environmental and recreational treasure of Conanicut Island and the entire bay.

Past Experiences with JBY Expansions

The Dumplings Association and Mr. Laurie are especially wary of proposals for boatyard expansion because past expansions of this yard have created significant problems. One such problem is vehicle parking as more boats have been added to the yard's slips and moorings. The Jamestown zoning ordinance's minimum off-street parking requirement for a marina is 1 space per 1.5 boats or slips. With 77 JBY moorings installed out of the permitted 79, and assuming the full 23 spaces for boats of various sizes currently allowed at the boatyard's docks, the total number of off-street parking spaces should be 66. During summer, however, there is nowhere near this number of dedicated spaces on the yard's property because a great deal of room is taken up by boats in long-term storage. Consequently, many boatyard customers park on the road instead, causing much congestion. Although the ordinance is clear about the number of off-street parking spaces needed, the town seems to have made no effort to enforce this requirement for JBY. So the parking sprawl with boatyard expansion has gotten worse over time.

Another example of past uncontrolled expansion is the narrowing of Dumpling Drive between the boatyard and the Boschen property (#67, or lot 32, plat 10). The road in this area, being the former end of Highland Drive, still has a 60-foot right of way. To create more space for outdoor boat storage, the yard has pushed out and taken over part of the verge of the road, leaving the remaining verge so narrow that drivers trying to park on it must put their cars partway onto the pavement. In summer, when street parking in the area is scarce, the many cars parked along this section of verge narrow the paved roadway to such an extent that two vehicles can often not pass one another on it, especially if one is an SUV or a truck. It is questionable how well this narrowed roadway could properly service emergency vehicles if needed. Yet the town has never protested this expansion of the boatyard's land.

The Dumplings Association and Mr. Laurie are also concerned that the overexpansion of this boatyard's winter storage area has reached the point of being a possible fire hazard for its neighbors. The boats are packed in so tightly that only inches are left between them, and little space is allowed for significant fire lanes. Storing so many boats in such a small area seems like a dangerous practice, especially to neighbors who have seen two major fires in recent times, the one at Round House on Racquet Road and the one that destroyed the original Captain's House next to the boatyard.

A final example of poorly controlled expansion regards the buildings that JBY has constructed for indoor boat storage. The first of these was built in 1984 under the assumption that it would be used for passive boat storage only, but almost immediately it was used as well for boat repair projects, contrary to its stated purpose. In a similar breach of a verbal agreement, four large, wood-framed sheds covered in plastic sheeting were said to be erected only for storing boats

during winter, with removal of them in April being assured. Yet these shed remained in place for roughly 20 years, until their dilapidated condition made it essential to take them down. The sheds were replaced with a new building for which a written agreement with the boatyard's neighbors became a condition of the zoning board's approval. But multiple aspects of this agreement have been ignored, the most irksome of which is the building's excessive height, which impairs views of the water from neighboring houses. Although the maximum acceptable height is clearly stated in the agreement, the town has made no effort to enforce this requirement, leaving the neighbors with little recourse for another boatyard expansion gone awry. All these experiences make the Dumplings Association and Mr. Laurie highly doubtful that further growth of this business will not simply inflict similar problems of uncontrolled expansion on its neighbors.

Conclusions

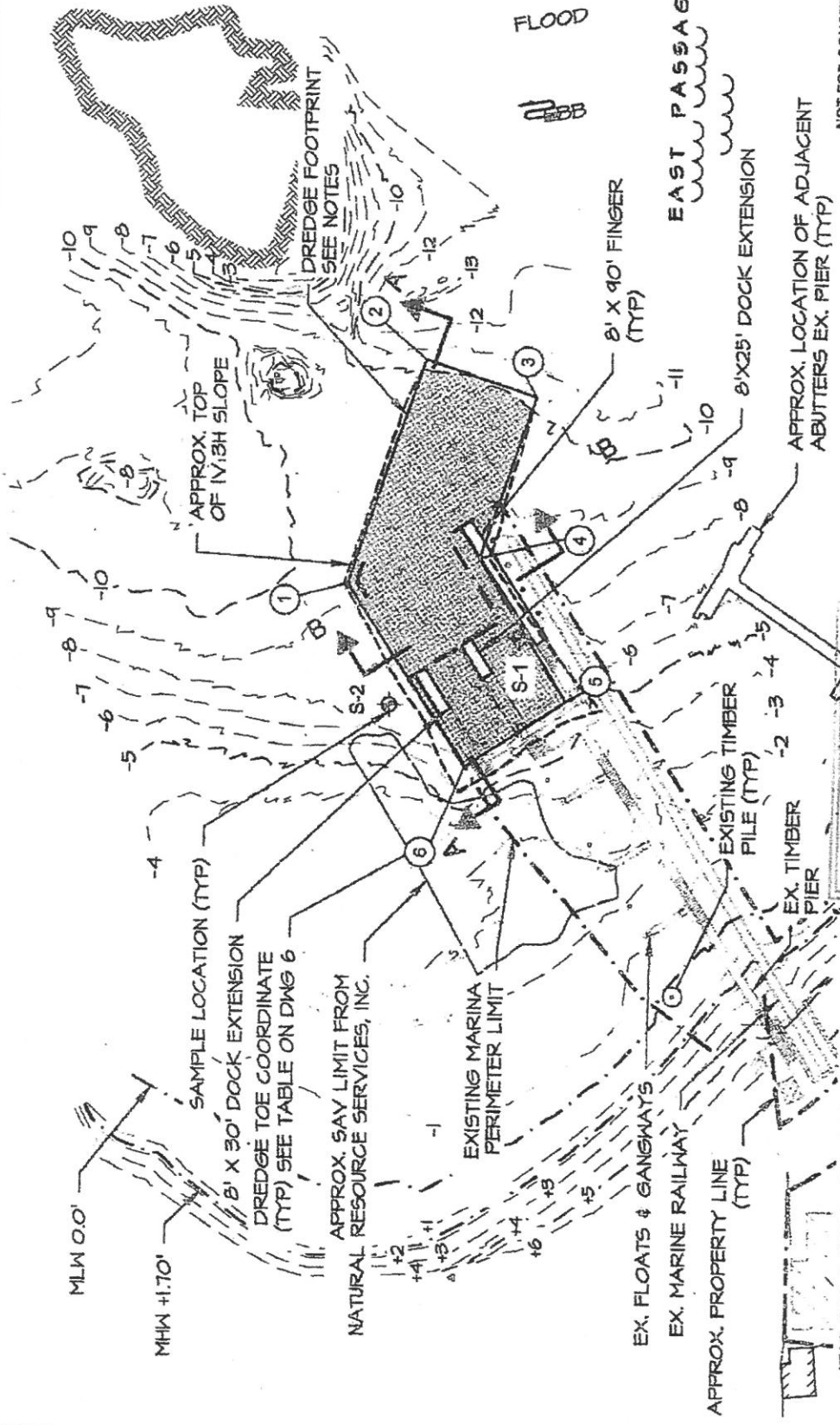
The Dumplings Association and Mr. Laurie seek the Town Council's support in their efforts to prevent a further expansion of this already over-extended boatyard. They respectfully urge the Council to take an official position with CRMC opposing the marina expansion currently being applied for. Adding more customers to this already over-crowded boatyard would only intensify the existing parking, roadway, and boat-storage situations. Moreover, these additional customers, in their larger boats, would also serve to intensify the public safety issue that arises when an increased number of large boats pass through an already crowded mooring field in and around which a sizable number of people are swimming and enjoying much smaller-scale recreation. In addition, there are several unknowns regarding this plan's environmental impact, for eelgrass and other marine life as well as for humans. Plus, the specialness of this natural area should not be ignored. If it is allowed to be spoiled by further commercial expansion, it will be very hard for the Jamestown community to recover what it has lost.

Thank you for your consideration.

Very truly yours,


Justin T. Shay

Jamestown Boat Yard current marina expansion plan



NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RACE
COASTAL ENGINEERING
611 Access Road Stratford, CT 06615
Tel: 203-377-0663 www.racecoastal.com

PROJECT:
MARINE FACILITY IMPROVEMENT
JAMESTOWN BOAT YARD
JAMESTOWN, RI 02835

APPLICANT:
JAMESTOWN BOAT YARD
60 DUMPLING DRIVE
JAMESTOWN, RI 02835

SEAL: EVIN JON SANIA

REGISTERED PROFESSIONAL ENGINEER
CIVIL

NOT VALID WITHOUT ENGINEER'S SEAL

DRAWN BY:	CBK
CHECKED BY:	MRR
DATUM:	MLW
SCALE:	1"=100'-0"
DATE:	3/26/2019
REV:	2 1/1/2019
PROJECT #:	2018006

PROPOSED PLAN

NOTES:

- PROPOSED DREDGE AREA
DREDGE DEPTH -10 MLW

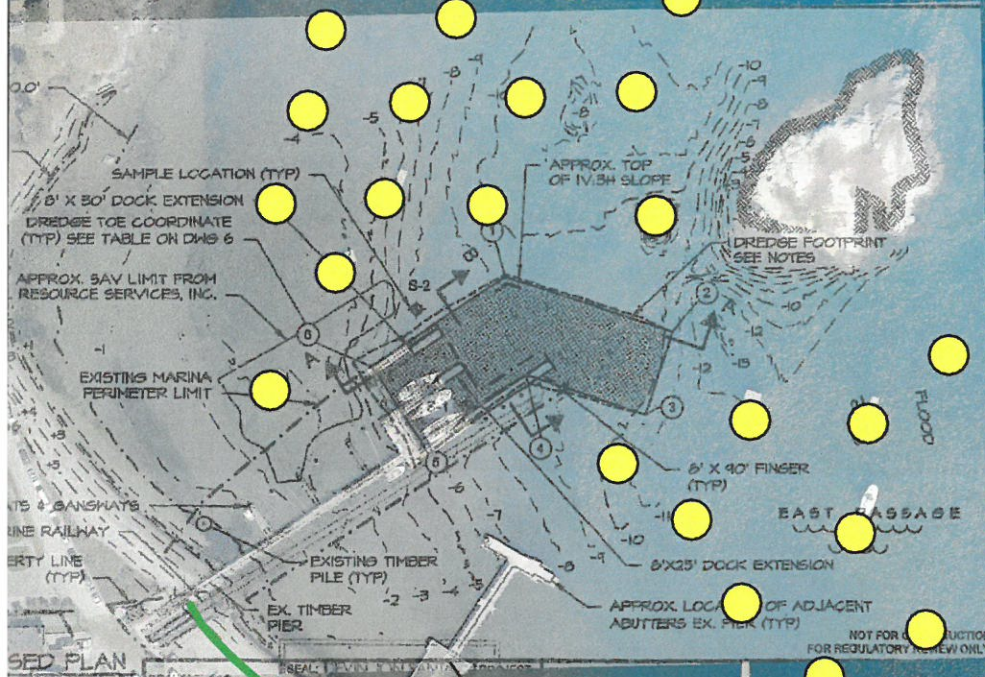
ALL RIGHTS RESERVED.
© 2019 RACE COASTAL ENGINEERING, LLC.

RECEIVED 50 100
NOV 07 2019 1" = 100'



COASTAL RESOURCES
MANAGEMENT COUNCIL

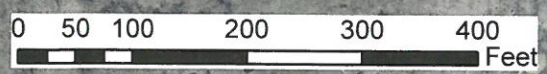
DRAWING NO. 6 of 8

Jamestown Boat Yard (JBY) Marina Expansion Plan 2



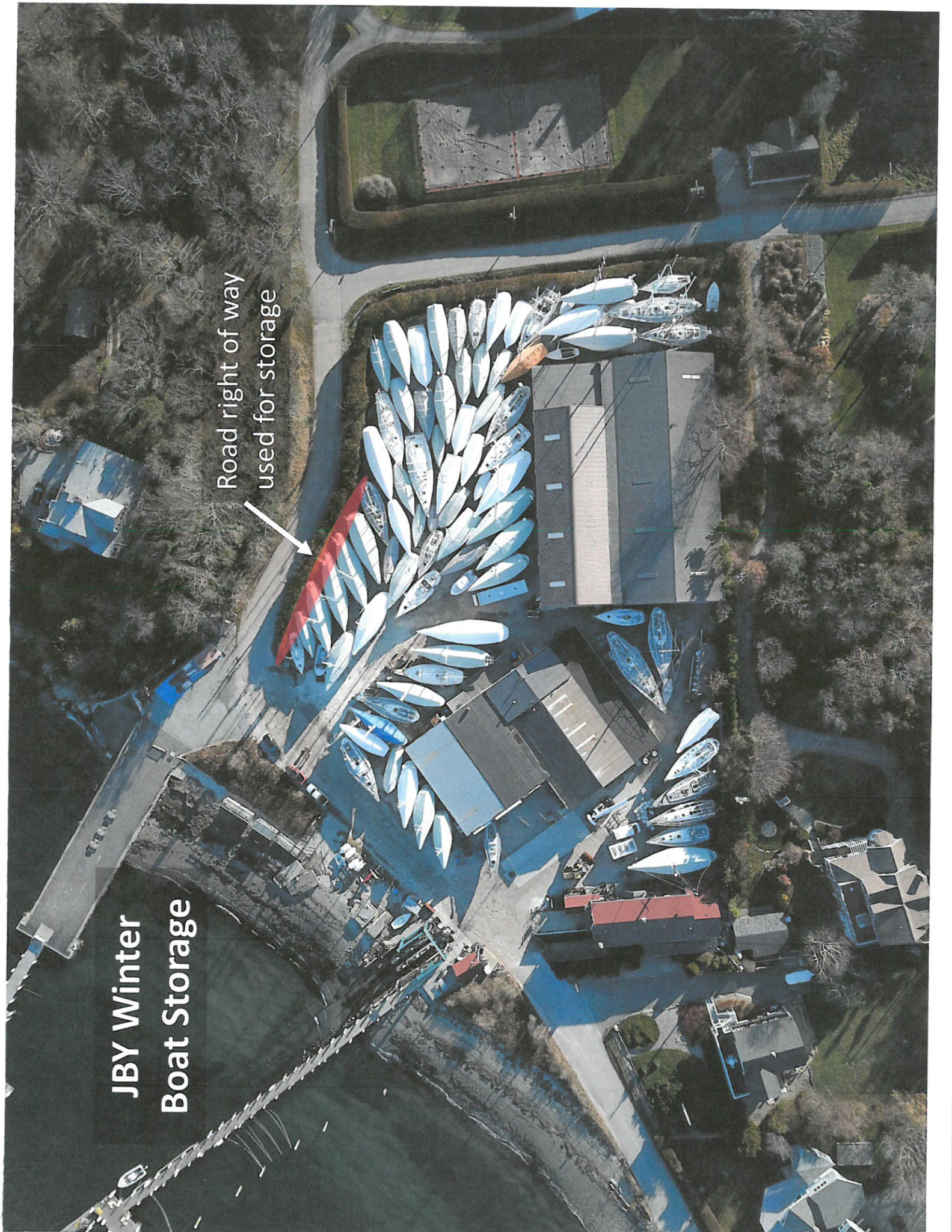
Neighborhood Swimming Dock

-  Existing Moorings
-  JBY Waterfront



**JBY Winter
Boat Storage**

Road right of way
used for storage



**JBV building agreement with neighbors
(conditions not honored marked in red)**

NICHOLSON & SAMPSON, LLP

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NEWPORT, RI 02840

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401-847-1120

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WEBSITE
www.nicholsonandsampsonllp.com

February 23, 2016

Jamestown Zoning Board
Jamestown Town Hall
93 Narragansett Ave.
Jamestown, RI 02835

Re: Application for Zoning Relief of Jamestown Boat Yard, Inc.

Dear Chairman Richard Boren and Members of the Zoning Board:

I represent a number of neighbors to the Jamestown Boat Yard, listed herein as Exhibit A. These neighbors are opposed to the application of the Jamestown Boat Yard for zoning relief as it stands. However, my clients and Jamestown Boat Yard representatives have been working together towards a mutually acceptable solution, which allows the Jamestown Boat Yard to present for zoning relief an amended application, which is satisfactory to my clients.

Assuming that amended application is accorded the appropriate zoning relief, the neighbors that I represent and the Boat Yard have agreed that the following conditions should be placed on any relief given by this Board and incorporated into the written Zoning Board's final decision on the amended application.

Those conditions are:

1. The 8,876 SF "space-filler" building shown in Jamestown Boat Yard's proposed site plat dated 11/25/15 shall not be built.
2. An extension shall be constructed on the east side of the boatyard's existing 9,000 SF boat-storage building. This extension is Proposed Building I on the site plan and elevations dated 02/03/16.
 - a. The roofline of this extension shall have a ridge height not to exceed 26'-4", as shown on the site plan, excepting construction realities based on field measurements, which should not be greater than a few inches. In any case, this ridgeline shall not be visible from any window of the house at 27 Newport Street (Plat 10, Lot 30) except for a relatively small portion of it that extends over the building's southernmost bay door.

- b. The exterior dimensions of this extension shall not exceed 50' x 150', the 150' measurement being the length of the existing 9,000 SF (150' x 60') boat-storage building behind it.
 - c. This extension shall provide a maximum of 7,500 additional square feet for indoor boat storage, which the boatyard accepts as sufficient to replace the boat-storage space lost by permanently removing its two 50' x 20' ShelterLogic tents as well as its four large temporary storage structures built from wood and metal framing covered in plastic sheeting.
 - d. This extension to the existing boat-storage building shall have wood sheathing, sidewall wood shingles, and an asphalt shingle roof. If using asphalt shingles on the roof is subsequently found to create budgetary or structural problems, Jamestown Boat Yard and its residential neighbors shall discuss alternative roofing options that might be used and the visual appearance of each.
 - e. The southern side of this extension, as well as the southern side of the existing building behind it, shall each incorporate a large window, as shown in the proposed south elevation dated 02/03/16.
 - f. The five large doors on the east side of this boat-storage extension shall be chosen by architect Bill Burgin to be as attractive and nonindustrial-looking as possible given the boatyard's construction budget. To as great an extent as can be accomplished, these doors shall be visually similar to those shown in the proposed extension's east elevation dated 02/03/16 as well as to the Clopay Architectural Series aluminum doors that Bill Burgin has proposed as an option on 02/22/16.
3. As stated in its Special Use Permit application, and in compliance with the town's zoning ordinance Section 82-704 regarding alteration of a nonconforming use, Jamestown Boat Yard agrees that the new extension to its existing 9,000 SF boat-storage building shall be used only for indoor boat storage and essential tasks related thereto.
4. All temporary storage units of any kind shall be eliminated from outdoor areas of the boatyard, both now and in the future. This includes structures made of plastic sheeting on wood or metal framing, ShelterLogic-style tents, and metal storage containers. These and all other types of temporary storage units shall not be reintroduced into the boatyard, either by reusing old temporary units or building and/or purchasing new ones.
5. The storage space lost by removing the 16 metal storage containers currently in the boatyard shall be replaced with a two-story, storage-locker addition to the southwest side of the yard's existing workshop buildings, where the wall measures 88' long by 15.5' high. This storage-locker addition is Proposed Building II on the site plan, elevations, and floor plans dated 02/03/16.

- a. This storage-locker building shall be constructed of wood, with wood shingles on the exterior, and dedicated to storage-locker use only, both now and in the future.
 - b. The exterior dimensions of this storage-locker building shall not exceed 21' x 88', the 88' measurement being the length of the existing wall along which the building shall be constructed.
 - c. This building's ridge height shall not exceed 18'-10", as shown in the site plan.
 - d. This building shall have an external staircase and deck, approximately 4' wide, to access the lockers in its second story. The look of this staircase and deck are shown in Proposed Building II's west and north elevations dated 02/03/16.
 - e. This storage-locker building shall provide a maximum of 1,845 square feet for each of its two levels, which the boatyard accepts as more than sufficient to replace the storage space lost by permanently removing its 16 metal storage containers, each of which measures approximately 8' wide x 20' deep, providing a total of 2,560 square feet.
 - f. The existing 16 metal storage containers in the boatyard shall ideally be sold or otherwise disposed of, although the yard shall retain the right to keep them as long as they are put inside of new and/or existing storage buildings and not placed outdoors.
6. Jamestown Boat Yard shall increase the height of the small wooden fence separating its outdoor shower and buoy-storage area (located on the south side of its existing rigging shop and office building) from the neighboring house at 14 Newport Street (Plat 10 Lot 21, currently owned by Herb and Charlene Heintz). The aim is to provide a better visual shield between this area of the boatyard and the neighboring home.
 7. Jamestown Boat Yard shall undertake a good faith effort to clean up areas of the boatyard where various items no longer needed, wanted, or currently being used have been left out in the open to deteriorate. These items shall either be eliminated or put under cover.
 8. Any aspect of the approved plans shall not be significantly modified during construction without the residential neighbors being notified of any such significant changes and given 30 days to voice objections, as stipulated in the town's zoning ordinance Section 82-609.

Very truly yours,

Joseph J. Nicholson, Jr.

MEMO

To: Erin Liese, Town Clerk-Jamestown, RI
From: Fran Falsey *Fran Falsey*
Date: December 31, 2019
RE: Request to Address Open Forum of the Town Council

Erin-

I'm also submitting a copy of this to Chris Costa as a courtesy.

I have additional emails and photos that I can forward and/or bring to the meeting.

*Thank you -
Fran*

This is a request to have the opportunity to address the Council at your next meeting at which you have an open forum scheduled. My request is to seek both explanation and guidance on the following questions with respect to the use of my property, as well as concerns regarding the property adjacent to mine:

To summarize the content I'd like to review:

1. Current use of my property: I am a Jamestown resident. My property is at 71 Columbia Avenue. I'm told it was considered a "double lot" as it extends through to Cole Street. At the time of purchase, I was told that under current zoning regulations, that portion of my property facing Cole Street is not buildable. I fenced the back lot and for the last several years, without incident or complaint, have enjoyed having my friends and their pups to use the space to romp, play and spend time socializing.

Upon recent sale of the home on the corner of High St. and Cole St., I've received emails initiated I believe by the buyer but communicated via the zoning administrator, accusing me of operating a business (apparently a dog park). In response, I denied the claim to Mr. Costa who has now informed me that I am in violation of a zoning ordinance, by "operating a dog park" and "running a business" at my residence and that future incidents could result in a fine of up to \$500/day. I am not unreasonable and, in fact, I have taken steps to be a good neighbor to the one complainant. I confirmed that my invitation to my four-legged friends has been limited to the hours of 11:00am and 2:00 pm.

2. Concerns related to nearby construction site: The corner of High and Cole is now a construction site. Mrs. Jacob's home has been razed and will soon be replaced. Since the excavation began, I have noticed that the shed which was on the property remains but that it has been moved much closer to my property line. No doubt by the time you next meet, Mr. Costa will have answered my questions about whether this is permissible without notice to neighboring homeowners. Mr. Costa is also aware of my concerns for the safety of passersby as the site was neither lit nor secured during excavation.

In the interest of transparency, in Attachment 1 below I've included the correspondence with Mr. Costa, and I'll share with him this document and the attachments.

Also included are the pictures of the construction site - I'm sure they'll be addressed by the time the Council meeting occurs, but now the only barrier is a plastic sheet approximately 2 ft. high and a truck in what had been the driveway. The poured foundation is now accessible, not lit and do still have safety concerns.

Thank you in advance for allowing me to express my concerns and obtain resolution.

RECEIVED
TOWN OF JAMESTOWN, RI
19 DEC 31 PM 1:32

Attachment I:

Original email to Zoning:

Email correspondence w/Zoning:

Chris Costa

Jeff Saletin <Jeffs@saletinregroup.com>
Monday, August 26, 2019 10:40 AM
Chris Costa
Illegal use of land

From:
Sent:
To:
Subject:

Mr Costa,

I was on the corner of Cole and High Street on Friday at approximately 12:00 pm when I observed a van pull up to a vacant lot at 16 Cole Street bearing the name Page's Pampered Pets who opened the gate and pulled into this lot and released approximately 15 dogs. The lot is a R-8 zoned residential lot sandwiched between two existing single family homes in a residential neighborhood. To the best of my knowledge a commercial dog business is not allowed in a R-8 zone and accordingly, assuming I'm correct, should not be allowed to operate here. The business address is advertised at 9 Holland Avenue.

If you could please investigate this as this use should not be here.

Jeff

Sent from my iPad

Use of my Property

Fran Falsey <ffalsey@gmail.com>

to ccosta, pwestall

Chris and Pat,

Thanks very much for taking the time to talk to me last week about my property on Cole Street and the communication you received from Mr. Saletin that expressed concern about the legality of the use of my lot. I appreciate your sharing with me his concern and his request that you investigate

I took the time this weekend to read through all of the town ordinances and specifically the one you referenced in our conversation:

Sec. 10-69. - Number of dogs at residences.

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

To be clear, there are no dogs kept at this residence. From our conversation, you may interpret this differently, but the wording in the ordinance and definition of "keep" as I understand it does not correlate with the actual activity on my property. Yes, there are dogs that come during the hours of 11a-1p during the work week to play in a safe, enclosed environment and then return, and are "kept" in their respective homes with their families. The owners on the island are many, from all backgrounds and standings in the community, and am sure some are acquainted with Mr. Saletin - if necessary, their opinion as to who "keeps" their dogs and where can be solicited. To be clear, there is no business housed at this location, there is no lease agreement as you referenced in our conversation, no payment for use. These dogs are my invited guests. In addition, having begun my own investigation, I found nothing in any other ordinance that applied or supported Mr. Saletin's concern of the legal use of my property.

I imagine that the unknown person who was seen taking photos of my back lot has provided them to you. I invite you to review the attached photographs, taken by me last week, or invite you to stop by to see my yard if needed.

Of note is the fact that I am a known animal lover and I've not heard from my neighbors complaints about my guests, my yard, or the activities which take place in the confinement of my back lot.

Thank you, and I look forward to hearing from you and bringing this to an agreeable resolution.



Photos of current construction site: High and Cole St.


Fran Falsey <ffalsey@gmail.com>

to me

RE: Use of my Property

Inbox


Chris Costa <ccosta@jamestownri.net>

to me, Wyatt

Fran,

After my research into the use of your property as stated below. You may have invited dog guest come to see you but assumed they were your invited guest.

The dogs cannot be brought onto the property by a business or that business's employees at any time. This would be possible fines.

Please let me know your intent.

Chris N.Costa
Jamestown RI
Building/Zoning Official
(401) 423-9803

Re: Use of my Property


Fran Falsey <ffalsey@gmail.com>

to Chris

Chris-

Thank you for your email. As you've had your attorney review, I'll do the same.

All who have come to my property with their dogs are invited guests. I'm not clear on where the ordi

Fran Falsey

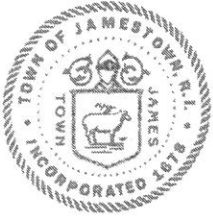
From: **Chris Costa** <ccosta@jamestownri.net>

Date: Fri, Nov 8, 2019 at 3:58 PM

Subject: FW: Dog park

To: Fran Falsey <ffalsey@gmail.com>

CC: Christina Collins <ccollins@jamestownri.net>, Wyatt Brochu <wyatt@rubroc.com>



Office of Code Enforcement

Zoning
Building Codes
Minimum Housing
Property Maintenance

93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199
401-423-9803
email: ccosta@jamestownri.net

Frances Falsey

November 8, 2019

71 Columbia Ave

Jamestown RI, 02835

On or about November 4, 2019 I was going by your property at 71 Columbia Ave abutting Cole St. to do an inspection. There was a Van used by a Page's Pampered Pets allowing several dogs on your property.

This is a business using the property as a dog park. Not a neighbor or invited friend coming by to visit. This use is not allowed in a residential area in Jamestown per Article 3 section 82-301 Uses and districts table 3-1.

Please discontinue the activity immediately. If this continues, I will have no choice but to serve a notice of violation under Article 4 Administration and Enforcement section 82-408 Penalty for violation. This could result in fines up to \$ 500.00 per day or each time the violation noticed.

Please let me know your intent

Chris N. Costa

Building/Zoning Official

401-423-9803 or ccosta@jamestownri.net



Fran Falsey <ffalsey@gmail.com>

Re: dog park

1 message

Fran Falsey <ffalsey@gmail.com>
To: Chris Costa <ccosta@jamestownri.net>
Cc: Christina Collins <ccollins@jamestownri.net>

Mon, Dec 30, 2019 at 8:26 AM

Chris,

That is a picture of a vehicle outside of my property. My property is not used as a 'dog park.' My friend comes over-that's it. I've contacted members of the council and will do so again if this harassment continues.

As an aside, I'd appreciate a response to my previous email to you regarding safety concerns at that construction site. I have photos as well. There are no barriers, children use that route to get to the school bus. But no response from you.

I can also mention that shed on the corner lot was moved within a few feet of my property and I'll scour the ordinances to see if that or the blasting of the rock in that yard violated anything except scaring neighbors.

Happy New Year!

Fran

On Mon, Dec 30, 2019 at 8:16 AM Chris Costa <ccosta@jamestownri.net> wrote:

Fran

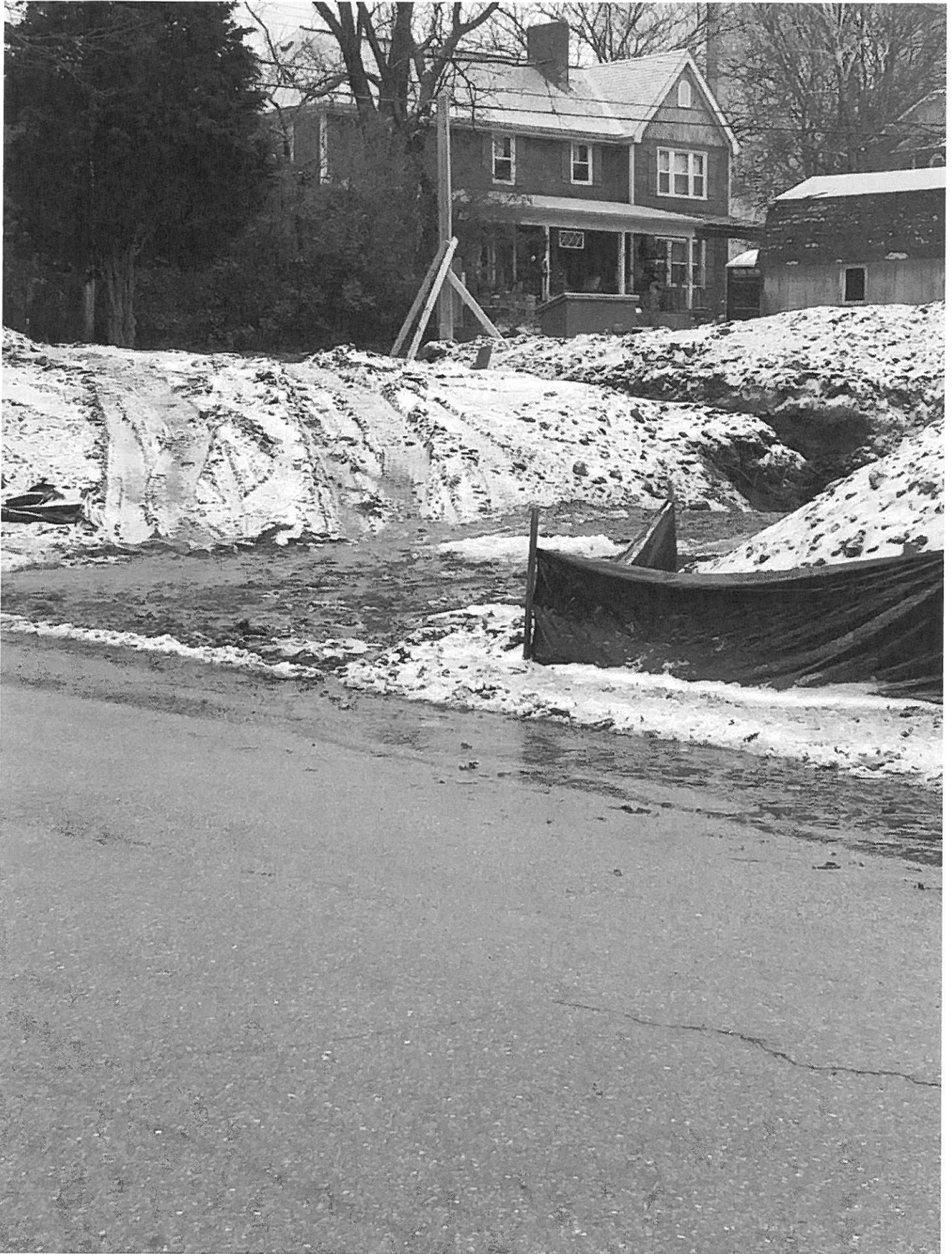
I have asked you several times to stop using your yard as a dog park. More pictures of a dog business using your yard. Fran if this activity keeps up I will have no choice but send a Notice of Violation. Fines can be up to 500.00 per each day or each time a violation is recorded. This is the last warning.

Jamestown Zoning Ordinance will not allow the use of your property for a dog park.

Chris N. Costa

Jamestown

Building/Zoning Official







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: 1/2/2020

SUBJECT: Town Administrator's Update

Annual Financial Report – Fiscal Year Ended June 30, 2019

In accordance with RIGL § 45-10-4, the FY2019 Audited Financial Statements have been forwarded to the respective State agencies to meet the December 31, 2019 deadline. Hard copies will be provided to the Council as well as posted online. I would like to schedule a review of the FY2019 Financial Statements, with Paul Dansereau, Partner, Baxter Dansereau & Associates for an upcoming meeting.

Golf Course Clubhouse Update-

On December 23, 2019, revised bid sets had been given to the (4) contractors that submitted original bids. A mandatory meeting is scheduled for January 7th, with a sealed bid opening scheduled for January 31, 2020.

Demolition and removal of dilapidated structure, Plat 5, Lot 419 –

In the upcoming weeks the Public Works Department will be removing materials associated with the dilapidated structure located on Cedar Lane, Plat 5, Lot 419.

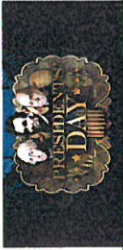
Swearing in Ceremony for Jamie A. Hainsworth-

On January 13, 2020, there will be a swearing in ceremony for Jamie Hainsworth at 9:00am, in the Town Council Chambers. A reception will follow immediately thereafter.


January

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
			1 New Year's Day Town Hall Closed 	2 CIAA Intake 1:00 – 6:00	3	4
5	6 Town Council Interviews: 6:00 pm Town Council Meeting: 6:30 pm	7	8 Probate Court 9 am Housing Authority 10am (PA) Harbor Commission 7pm	9 CIAA Opening 5:30 – 7:30	10	11
12	13	14 Library Board of Trustees 5pm (JPL) Conservation Commission 7pm (CR)	15	16 Traffic Committee 6 pm	17	18
19	20 Martin Luther King Day Town Hall Closed	21 Tree Committee 6:45pm (JPL) Town Council/Water & Sewer: 6:30 pm	22	23	24	25
26	27	28 Zoning Board of Review 7pm	29	30	31	

February

Sun	Mon	Tues	Wed	Thu	Fri	Sat
						1
2	3 Town Council Meeting: 6:30 pm	4 Probate Court 9am	5 Planning Commission 7pm	6	7	8
9	10	11 Library Board of Trustees 5pm (JPL) Conservation Commission (CR) 7pm	12 Housing Authority 10am (PA) Harbor Commission 7pm	13	14	15
16	17 President's Day Town Hall Closed 	18 Town Council/Water & Sewer: 6:30 pm Tree Committee 6:45pm (JPL)	19 Planning Commission 7pm	20 Traffic Committee 6pm	21	22
23	24	25 Zoning Board of Review 7pm	26	27	28	29
						2020

March

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Town Council Meeting: 6:30 pm	3	4 Probate Court 9am Planning Commission 7pm	5 CIAA Intake 1:00 – 6:00	6	7
8	9	10 Library Board of Trustees 5pm (JPL) Conservation Commission 7pm (CR)	11 Housing Authority 10am (PA) Harbor Commission 7pm	12 CIAA Opening 5:30-7:30	13	14
15	16 Town Council/Water & Sewer: 6:30 pm	17 Tree Committee 6:45pm 	18 Planning Commission 7pm	19 Traffic Committee 6pm	20	21
22	23	24 Zoning Board of Review 7pm	25	26	27	28
29	30	31				
					2020	



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

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

TO: Christina A. Collins, Interim Town Administrator
FROM: Andrew J. Wade, Parks & Recreation Director
CC: Erin F. Liese, Town Clerk
SUBJECT: 2020 Fort Getty Seasonal Rates – Director Recommendation
DATE: December 23, 2019

Please find attached to this memorandum my recommended fee schedule for the Fort Getty Park & Campground for the calendar year 2020. As per the FY20 budget revenue for the Parks & Recreation Department is \$510,000. I am not proposing any changes to the existing rate structure.

Fee Schedule for Fort Getty Park & Campground 2020: (effective January 1, 2020)

Facility	Residency Type	Description	Rate
Campground	Non-Resident	Seasonal RV	\$4950.00
Campground	Resident	Seasonal RV	\$3,700.00
Campground	NA	Transient RV	\$50.00
Campground	NA	Tenting	\$30.00
Tent	NA	Folk Fest Rate (4 Day Rental)	\$200.00
RV Sites	NA	2wks + \$70/night during fest	\$780.00
Tent	NA	Holiday Rate/nt (2 or 3 night min)	\$50.00
RV Sites	NA	2wks + \$70 per Holiday Nights	\$760.00
Fort Getty Park	Non-Resident	Season Pass	\$100.00
Fort Getty Park	Non-Resident	Daily Entry	\$20.00
Fort Getty Park	Non-Resident	Entry Fee with Trailer	\$30.00
Campground	NA	Boat Slip	\$600.00

2019 Fort Getty Campground Statistics

Seasonal / Transient RV Rentals

During the 2019 camping season at Fort Getty, 69 of the 83 RV sites were rented as seasonal sites. Of the 69 seasonal campers 5 were Jamestown residents and 64 were non-residents. The total number of seasonal campers has remained fairly consistent in the past 4 seasons:

Seasonal RV sites Fort Getty: 2016 - 57 sites, 2017 - 71 sites, 2018 - 67 sites, 2019 - 69 sites.

Sites that are not reserved for the season are open to the public for shorter stays. Initially a two-week minimum stay is required for all transient sites at a rate of \$50/night. After the initial requests for transient stays have been satisfied, we do allow shorter stays to fill the gaps and maximize revenue. In

2019, 14 transient sites were made available to the public. Of the 1722 available nights 927 were rented a 54% occupancy rate. Of the 43 individual transient rentals, 14 reservations were 30+ days long with 5 rentals spanned 60 or more nights.

Fort Getty Tenting Statistics

Tenting remains a popular option inside the park. We were able to introduce two new tent sites during the 2019 season, bring our total tenting options to 26 sites. This, including the increase in reservation fees increased revenues in tent rentals by 14% from the 2018 season. During the 2019 season, a total of 1,348 tent nights were booked, resulting in \$40,466 in revenue. Total occupancy rate for tenting was at 42%.

Fort Getty Park					
Calendar Year 2019 YTD Expenses		Calendar Year 2018 YTD Expenses		Calendar Year 2017 Expenses	
Getty Payroll	\$50,795.00	Getty Payroll	\$50,199.38	Getty Payroll	\$49,565.01
Maintenance Payroll	\$9,243.00	Maintenance Payroll	\$11,720.25	Maintenance Payroll	\$14,561.75
Gas	\$2,100.00	Gas	\$1,684.33	Gas	\$2,315.86
Electricity	\$25,980.44	Electricity	\$21,326.25	Electricity	\$20,223.23
Water	\$11,603.36	Water	\$37,540.02	Water	\$13,850.14
Electric Repairs	\$3,029.00	Electric Repairs	\$3,211.00	Electric Repairs	\$2,710.47
Trash Removal	\$7,483.00	Trash Removal	\$8,536.00	Trash Removal	\$6,650.00
Hallman Septic	\$7,635.00	Hallman Septic	\$9,559.50	Hallman Septic	\$7,865.50
Ice	\$2,180.35	Ice	\$2,427.11	Ice	\$2,352.60
Total Expenses	\$120,049.15	Total Expenses	\$146,203.84	Total Expenses	\$120,094.56
Calendar Year 2019 Revenue		Calendar Year 2018 Revenue		Calendar Year 2017 Revenue	
RV Reservations	\$385,210.00	RV Reservations	\$369,307.00	RV Reservations	\$342,450.00
Tent Reservations	\$40,466.00	Tent Reservations	\$34,905.25	Tent Reservations	\$33,399.00
Fort Getty Seasonal Boat	\$11,950.00	Fort Getty Seasonal Boat	\$11,500.00	Fort Getty Seasonal Boat	\$12,800.00
Waitlist	\$475.00	Waitlist	\$220.00	Waitlist	\$300.00
Daily Parking	\$14,300.00	Daily Parking	\$14,300.00	Daily Parking	\$10,980.00
Daily Boat Parking	\$2,220.00	Daily Boat Parking	\$2,130.00	Daily Boat Parking	\$2,100.00
Non-Resident Pass	\$4,500.00	Non-Resident Pass	\$3,015.00	Non-Resident Pass	\$3,200.00
Fort Getty Dump Station	\$120.00	Fort Getty Dump Station	\$140.00	Fort Getty Dump Station	\$180.00
Ice	\$4,106.00	Ice	\$3,980.00	Ice	\$4,129.00
Pavilion	\$46,800.00	Pavilion	\$35,600.00	Pavilion	\$26,050.00
Start-up	-\$200.00	Start-up	-\$200.00	Start-up	-\$200.00
Total Revenue	\$509,947.00	Total Revenue	\$474,897.25	Total Revenue	\$435,388.00

Targeted 2019 Fort Getty Seasonal Revenue Increase: \$35,000.00

Actual 2019 Fort Getty Seasonal Revenue Increase: \$35,049.75

Colonel John C. Rembijas Pavilion

After the significant upgrades to the Pavilion were completed, rental fees were reevaluated and increased early in 2016. Rates were increased to compensate for the installation of dedicated restroom facilities to the site as well as the need to provide additional staffing inside the park to support the growing number of functions held per season. During the 2019 summer, a total of 92 events were held at the pavilion. This total is up from 70 event the summer prior, and 59 during 2017.

When the fees were adopted in 2016, a concerted effort was made to protect the Jamestown resident's ability to reserve the facility for family events and celebrations of all types. Prior to 2016, residents would have to wait until January to reserve a date for the summer of the same year. After the changes adopted by council, beginning each January, Jamestown residents would be able to reserve the pavilion for events during the following summer as well. Non-residents may only book for the summer of the same year beginning January 1st.

USER FEE SCHEDULE

PLEASE NOTE*** *Fee schedule includes both Peak and Non Peak Season rates. Peak Season runs from the 3rd Saturday In June through the 3rd Sunday in September.*

Facility User Fee	Monday-Thursday		Friday & Sunday		Saturdays	
	Non-Peak	Peak	Non-Peak	Peak	Non-Peak	Peak
Jamestown Resident	\$250	\$400	\$400	\$600	\$400	\$750
Non-Resident	\$600	\$800	\$800	\$1200	\$800	\$1500
Local Non-Profit	\$400	\$500	\$400	\$600	\$400	\$750
Out of Town Non-Profit	\$500	\$600	\$500	\$700	\$600	N/A

*Weekday Holiday Rates - Same as Friday and Sunday Rates

To properly manage the multitude of events held each summer at the pavilion, additional staff has been hired seasonally to assist in all phases of the facility rental process. Prior to events, coordination staff reviews all submitted materials ensuring the lessee has met all requirements of the Town to have a successful event. Onsite during the day of, an event attendant is assigned to assist the client with day of access to the restrooms, electricity, water, and access for vendors such as caterers and DJ's. Post event, despite most clients being very respectful of the space, maintenance is required to service all the restrooms and pavilion area so that it will be ready to receive the next event.

Currently, the revenue generated through pavilion rentals (Avg. \$35,312) since the last rate increase in 2016, is sufficient to meet the needs to cover utility costs, added staffing, incidental repairs, and minor site improvements including plantings and fixtures. At this time, I do not recommend any changes to the Lt. Col. John C. Rembijas Pavilion Fee Schedule. The current fees meet the needs of covering costs to operate the Pavilion within the Parks & Recreation Department.

Mackerel Cove Revenues

Resident Recreation Pass Sales - \$15.00/sticker

Location	Number Sold	< 30	31 - 39	40-49	50-60	>60	Revenue
Recreation Center	378	8	37	74	77	182	\$5,670.00
Mackerel Cove	641	45	73	138	139	217	\$9,615.00
Fort Getty	961	44	69	163	232	453	\$14,415.00
Online	6		2	2	2		\$90.00
Total	1986	97	181	377	450	852	\$29,790.00

Daily Non-Resident Beach Parking - \$15.00/day

	Daily Parking	Revenue	Resident Beach Passes	Revenue	Total
Totals	1977	\$29,655.00	641	\$9,615.00	\$39,270.00

Erin Liese

From: Betty Patridge <bettypatridge@gmail.com>
Sent: Tuesday, November 5, 2019 6:47 AM
To: Erin Liese
Subject: Fort Getty
Attachments: 20191101_200830.jpg

Here are some issues we all have wanted resolved.

10/31/2019

Gmail - contacts

Alan & Betty Patridge
236 Bingham Road
Canterbury, Ct. 06331
Cell 860-917-8285
Email: bettypatridge@gmail.com

October 31, 2019

Town Administrator Christina Collins
Council President Michael White

Dear Mr. White,

My husband and I, along with several full time seasonal summer residents of Fort Getty would like to be put on the agenda for your January meeting of 2020 to bring forth ~~several~~ ^{some} concerns to discuss with the council and hopefully can come to a resolution.

These families have enjoyed the summer at Fort Getty for over 20 years and wish to continue to enjoy our stay in your beautiful town.

Please contact me as to when the meeting is, time and where it is held so we may attend.

Sincerely,

Betty Patridge

Why did they shorten the season and charge us more money.

The electric service is not 30 amp service as stated in the contract. We get shocked when touching our campers. Power outages alone are a big issue when you rely on a/c for health reasons and when we made some one in charge about this we were told, if you are that ill you shouldn't be camping here.

The water is disgusting to shower in and is **not drinkable**. It has metal filings in it and **all of us** have to import our own water.

The transients do not seem to know the rules at Fort Getty and violate them repeatedly, more than 2 cars on their sites and erected tents their extended family sleep in. Outside garbage strewn around.

The lawn is never mowed in a consistent manner and when they do mow, they are irate, fast, and sloppy. Once cutting our RV cord and this summer season cut 2 other seasonal cords in half. This is expensive equipment, resulting in the replacement and loss of food. Many of us mow our own lawns.

The boat washing station was designated by the sewer dump station which is a health issue in itself, To stand in feces while washing a boat was unacceptable. Thankfully it was corrected after several seasonal families pointed this out.

The bathrooms are disgusting and we seasonal campers never use them, only the tenters and some transients. Your tenter site was under visited this year, probably due to increased rates. This is only what a family of moderate means can enjoy and it seems or feels like this is being taken from them because the town's people do not enjoy us being in Jamestown for the summer. However we contribute greatly to their economy. Many of us personally use the nail salon, visit the library, restaurants, and Cumberland farms for gas every few days. I most importantly love shopping at McQuades. We love the town like we love our own home town. Please help us come to an agreeable resolution.



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



CISF's 2019 Jamestown Sea Adventure Summer Report

As you will read in the following report, CISF is thrilled with our *Sea Adventure Camp* program and its impact - getting more children on the water, learning how to sail, learning about the marine environment, as well as about each person's impact on the oceans and the environment, and the critical importance of the world's oceans. You will also read that CISF's programming expands far beyond 'just' *Sea Adventure Camp*. CISF has worked hard to create programs and opportunities to get everyone on the water and educated about the marine environment.

However, our **programs are in jeopardy**. If CISF is to continue to **operate** our existing programming **to benefit Jamestown**, we **need greater cooperation from the Town** as the current model is not sustainable. CISF operates on a **lean budget with only two full time staff**. **CISF does not have a 'home base'** or our own property where we can store the large trailers and equipment needed to offer public marine access and education. We **rely on charitable contributions to run these programs**. For continued support from our donor base and in order to continue to run our programs, **CISF needs a long-term lease at Fort Getty**.

Sea Adventure Camp Overview:

Conanicut Island Sailing Foundation held eight one-week camps this summer between **June 24-August 16**. The **focus of Jamestown Sea Adventure Camp is to explore nature and the outdoors - on, in, and around the water - while also increasing children's awareness of the unique and beautiful marine environment surrounding Jamestown and beyond**. The Sea Adventure Camp staff tailor each week of camp to the interests of the groups attending, while still focusing on our **main goals: 1.) introducing & teaching sailing; 2.) marine & environmental education**. Fort Getty's easy access to a salt marsh, rocky shore, and sandy beach provides an ideal setting for camp and to allow kids to explore and learn.

We have been fortunate to have the majority of the **same talented staff** this summer as we have had **for the past several years**.

Sea Adventure Staff

- Haley Barber, BA in Environmental Education & Master of Arts in Early Childhood Education, CISF Program Director & Sea Adventure Camp Manager
- Fiona Christie, US Sailing Level 1 certified sailing instructor, College All-American Sailor, BA Elementary Education and a BA in Fine Arts
- Eric Marshall – US Sailing Level 1 certified instructor
- Jackson Hawkins – US Sailing Level 1 certified Instructor, Eagle Scout, & marine/environmental education major at Middlebury College
- Heather Moore
- Ian Bryer
- Maddie Henry
- Emma Henry
- Finn Dwyer, Eagle Scout

Councilors in Training:

- Callum Heffernan
- Maggie Taplin
- Theo Michaud
- Matt Cotter
- Asher Henry

Off-Site Camp Administrator:

- Katie Flath – councilor with administrator roles/responsibilities

Two of our main staff are certified, active teachers. Haley works for CISF year-round running after school programs and clubs in the Jamestown schools, as well as in-school programs to support curriculum. Haley is responsible for camp on a day to day basis. Fiona is our lead sailing instructor, and hopefully will work for CISF year-round in the near future. Four of our instructors are **Sea Adventure ‘graduates’ and are mainstays to our staff and camp.** Eric, Heather, Maddie and Emma are unique and fantastic individuals who help camp run so well and are responsible for maintaining the same camp ‘feel’ year to year.

We had five Councilors in Training this season. CIT’s must be at least 14 years old, and work on a volunteer basis. We are developing a formal application system for CITs since it has become very popular and competitive to become a CIT at *Jamestown Sea Adventure Camp*.

The combination of Fort Getty’s environment with *Sea Adventure’s* intuitive and talented staff continues to make Sea Adventure Camp unique and popular.

2019 Camp Details:

For the 2019 season, there were **eight weeks of camp** for children ages 4-16. There were 3 weeks of camp available for children ages 4-6 (*Explorers*); 3 weeks and 4 sessions (one week had a morning session, 9 am – 12 pm and an afternoon session, 1 – 4pm) of camp available for children ages 6-8 (*Marine Adventurers*); 8 weeks of camp available for children ages 8-10, with 2 of those weeks being half day (9-12:30). In the 11-16 age group, there were six weeks of camp.

Leadership Program: CISF launched a **new leadership program for teens ages 13-16** to run in conjunction with Sea Adventure Camp. We did this in order to directly **provide leadership skills through discussion, leadership training, games, and goal achievement** in sailing, marine science, and environmentalism. To quote Vince Lombardi, CISF strongly believes that **“leaders are made, not born”**. The skills **taught** are **life leadership skills**. Our goal is not to create the next group of Sea Adventure Camp Instructors, but to **empower students with skills** that will **enable them to make better decisions**, and to lead by understanding **what it means to be a leader and how to lead** using the leadership style that best suits him or her.

We **offered four weeks** of the leadership program this summer. Our goal was no more than 6-8 children in each leadership week. Leadership was an additional \$55 fee added to the camp week. A **one-page summary** about CISF’s **Leadership Program** is attached to the report.

Boats:

CISF owns and maintains 4 Hobie Waves, storing them inside our trailers in pieces during the winters when not in use in order to keep them in great shape. Additionally, CISF has access to and uses a fifth Hobie Wave, thanks to a Jamestown family.

Schedule & Waiting Lists:

When creating the schedule each summer, we consider the following factors:

- Combinations of groups that enable us to include multiple age groups
- A balance of younger age camp offerings throughout the summer
- Other, existing on-island camps, such as soccer camps – we try to balance our schedule to maximize camp opportunities for children as much as is possible.
- Past years’ waitlists – is there consistency from year to year in which weeks we have waitlists, and how can we minimize those waitlists/meet demand without jeopardizing the camp experience

In terms of **waiting lists in 2019**, as usual, we had waiting lists in the youngest age group, *Explorers*. We can only take approximately 12 children in this age group, though we will

sometimes take one child off of the waitlist once we can see who is in each group. (Some groups are more challenging than others.)

Marine Adventurers had one week with a waitlist and it was about 7 children deep.

Ages 8-10 had two of eight weeks with waiting lists. One of the weeks with the biggest waiting list was a half day camp, which is an interesting consideration for creating the 2020 schedule (we will consider adding another half day week).

In the weeks of camp serving ages 11-16, we had long waiting lists (5-10 children) in half of the camp weeks, all from mid to end of season (so end of July through August 16).

It is important to note that the growth of Sea Adventure Camp has been to meet demand. We have not made camp bigger just for the sake of getting bigger. And, in point of fact, the 2018 Sea Adventure Camp reports that we do not want to get bigger than approximately 55-60 children/week attending. After that size, camp starts to lose the same feel and energy.

2019 was our **highest number of campers with 420 camp spots filled**, which is about a 10% increase from 2018. **22 of the 426 spots filled were students who also signed up for the Leadership Program.** (This is a modest increase from 2018.) While camp popularity is indeed the main reason for this increase, we are also getting better at creating our schedule in a way that maximizes participation and minimizes waiting lists, which is much appreciated by parents. (2018 – 384 camp spots filled; 2017 - 342 spots filled; 279 spots in 2016.)

Our approximate maximum capacity for each week of camp was as follows:

- 4-6 yr olds (*Explorers*): 12 spots available/week, 3 weeks offered - 36 total spots avail; 39 spots filled
- 6-8 year olds (*Marine Adventurers*) - 90 spots available - 4 sessions in 3 weeks offered; 93 spots filled
- 8-10 year olds, half day (2 available week) – 37 spots available, 41 spots filled
- 8-10 year olds, full day, 6 weeks offered – 143 available spots, 104 spots filled
- 11 - 16 year olds, 6 weeks offered - 110 spots available, 121 spots filled
- Leadership Program (ages 13-16), 4 weeks offered – 32 spots available, 22 spots filled

Approximate Total Capacity: 448 camp spots across all age groups, including the Leadership program.

- **4-6 year olds, *Explorers*:** Capacity is a 12-child limit for this land-based camp week. All three weeks were full, and in fact we took one child off of the waiting list for each week, so we had 13 children in camp each week instead of 12. **39 children attended camp in the 3 sessions offered (36 available spots)**

- The **6-8 year old age group, *Marine Adventurers*,** was at capacity in all weeks. **93 spots were filled out of 90 available.** (A few children were taken off the waiting lists.)

- **8-10 year olds:** Eight weeks of camps were held for this age group; two weeks of half-day camp (9am - 12:30 pm) & six weeks of full day camp (9 am - 4pm). In the **half day camps, there were 37 spots of the 41 available were filled.** (We went beyond our capacity and will reconsider capacity for 2020.) In the full day weeks, **104 spots of the 143 available were filled.**

- **11-16 year olds:** Six weeks of camp were held for this age group. **121 spots were filled of the 110 available.**

- **Leadership Program:** 4 weeks of Leadership Program were available with approximately 8 spots in each week, so **32 available spots. 22 children participated**

Participation Metrics, including Leadership Program participation:

- 254 children participated in one week of camp
- 55 children participated in 2 weeks of camp
- 12 children participated in 3 weeks of camp
- 5 children participated in 4 weeks of camp

There were approximately 326 ‘unique’ participants in camp, of whom 94 participated in multiple weeks.

Where do Sea Adventure campers come from?

- 82% of participants are residents, relatives of residents, rent or teach in Jamestown
- 18% of participants come from off island, just for *Sea Adventure Camp*

Art:

Arts & crafts projects are done during periods of transition such as the morning drop off as a welcoming activity, as well as during down times and bad weather. Painting shells and building structures out of rocks on the beach are among the most popular activities. Tie-dying t-shirts each week has become a signature Sea Adventure activity as well.

Marine Debris & Environmental Impact:

One of the focuses of Sea Adventure Camp continues to be marine debris - what is it, where it comes from, how is it harmful, & what can we do to mitigate this problem. Campers clean up trash wherever they are – on the water, on the beach – and dispose of it properly. All soft, non-recyclable plastic material is collected at camp and eventually stuffed into an eco-brick. Eco-bricks were introduced to Sea Adventure Camp in 2017 as an extension of work started by the Lawn Avenue Eco-Club. Eco-bricks are plastic bottles stuffed with non-recyclable and non-biodegradable materials. Eco bricks are used for building houses and structures in many parts of the world. We have turned many of our eco-bricks into stools to sit on.

Worm Composting: In the 2017 school year, worm composting was added to the Melrose School. CISF provided the bin and CISF Program Director, Haley Barber, led ‘Worm Wednesday’s’ each week for the school year. She educated children about the cycle of life of food and what the worms can and cannot eat. This healthy worm bin was transferred to Sea Adventure Camp for the summer to continue this program during the summer.

Summary: CISF takes a number of measures to minimize our garbage output and our environmental footprint. Eco-bricks, worm composting, beach clean ups, camp giveaways that are not plastic and are environmentally friendly, a water re-fill station (no plastic cups are provided), and recycling are all measures that we take to be environmentally responsible.

Weather Station:

In the past we have been able to operate a weather station that was on loan from a Board member. This weather station has stopped working slowly over the past 2 summers. We are now in need of a new weather station. Additionally, a lack of internet connection makes hosting the weather station more difficult and expensive.

Life jackets:

CISF continues to keep a life jacket stand on site for anyone going boating and in need of a life jacket. **Not having or wearing a life jacket is still the leading cause of fatalities when boating.** The life jacket stand and life jackets are courtesy of a grant from the Sea Tow Foundation.

Financial Information:

CISF has a significant financial investment in capital assets to make Sea Adventure Camp and all of our other programs safe and viable. Annually, CISF continues to invest capital into our equipment and money to pay quality instructors to produce safe, fun, and engaging programming that creates

leadership and confidence-building opportunities for the next generations. **Jamestown Sea Adventure Camp**, and actually **all of CISF's programs are priced below market value or for free**. (CISF pays to have our Program Director, Haley Barber, in the Jamestown schools four to five days a week for the majority of the school year creating and implementing hands-on, fun marine and outdoor educational programs that support grade-level curriculum).

The **2019 Camp prices** were as follows:

- All day camp (9 am- 4 pm)- \$295
- Half-day camp (9 am-1pm) - \$160
- *Marine Adventurers*, 6-8 year olds (1-4 pm) - \$145
- *Explorers*, 4 - 6 year olds (9am - 12pm) - \$145
- Leadership Program - \$55

CISF gave five scholarships to Jamestown Sea Adventure Camp this season.

CISF **scholarship deadlines** continue to be **November 1 and May 1**. The grant and scholarship deadlines are announced and published in the *Jamestown Press*.

Incidents & Occurrences:

- Sea Adventure Campers and instructors found a **crystal jellyfish in the marsh**. It is **typically** found on the **west coast**, and thus is rare to find. You'll remember that in 2018, they found a clinging jellyfish in the eel grass on the outer beach side (opposite side of the boat ramp) at Fort Getty. The clinging jellyfish is a stinging jellyfish, which delivers an extremely painful sting that can require hospitalization. No stings occurred however – the instructors quickly noticed the unusual species and separated it from the children while doing research about it.

- Sea Adventure campers use the basketball hoop on the **concrete foundation** that serves as the base for our tent. The concrete is in a **state of disrepair** that does cause trips, cuts and bruises. Someone did approach me last year offering to repair the concrete or to look into installing a new floor surface. It would be fantastic to **get the foundation repaired!**

- A concerned citizen reached out, worried that a Sea Adventure Camper would get hit by a car when chasing after a ball or from a car driving too fast. Andy Wade was very helpful and responsive. He quickly ordered signs urging cars to slow down due to children nearby. CISF staff put the signs away at night and put them back out first thing in the morning.

- One of our instructors was hit by an errant rock thrown by a camper. No one confessed to throwing the rock. **The instructor was out with a mild concussion** for about a week to ten days. All staff agree that it was an accident, but also unfortunate that the camper did not come forward to apologize.

Challenges and Changes:

- **Downpours and thunderstorms remain a challenge** for Sea Adventure Camp. Because the Pavilion is often booked and no matter how much we try, 50 kids in that area will always leave a trace, **we cannot use the Pavilion often**. In fact, I think we used it for a few hours once last summer.

We simply can't fit all of our children in our 'dry' space. And, **our tent is showing its' age** with quite a few holes in it.

We **cancelled four half-days** (two mornings and two afternoons) of Sea Adventure Camp this summer due to rain and thunderstorms.

- **Fort Getty bathrooms:** The bathrooms at Fort Getty are quite gross. We will look into prices of port-o-johns or a bathroom trailer for 2020.

- **Moving CISF boats and equipment.** CISF has grown as an organization from when we started camp in 2012. Not only do we **now run programs year-round** to benefit all, but we have also **acquired quite a bit of equipment to serve the community** of Jamestown. We have multiple trailers, boats, and a ton of equipment stored in those trailers. **Though denied, we still would love to be able to leave our trailers on site year-round.** The time spent packing and moving is time that could be spent working on programming or some other aspect of CISF that keeps things running. It is incredibly time consuming making multiple trips twice a year to get everything on site and set up, and then broken down and magically disappear. **CISF is not a private foundation.** Our **IRS ruling states** specifically that we are “**classified as a public charity**”.

Conclusions:

The CISF office trailer moved to Fort Getty in early May so that it could be used for *Island Treasures*. Our tent went up in early May as well. (It came down late October.)

CISF hosted a few field trips for Jamestown students in the spring and again this fall.

CISF again had our three Nacra 15's on site to continue running our high performance arm – providing access to high performance boats at a reasonable cost. We may take a break from this in 2020 as we don't have the sufficient staffing to run this in the manner that it needs.

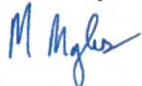
Sea Adventure Camp received great reviews from our campers and their parents. CISF is proud of our instructors and the camp that we have created. We are looking forward to next summer!

On behalf of the Conanicut Island Sailing Foundation, I would like to **thank the Town of Jamestown for allowing us to hold camp & other programs at Fort Getty.** We look forward to **discussing a public/non-profit partnership with the Town for years to come.** **All plans regarding the development of Fort Getty have always had a sailing center included.** CISF wants to help that idea become a reality for Jamestown.

CISF believes that *Jamestown Sea Adventure Camp* provides a valuable public service by **enabling greater access to the water as well as education about how to sail and the marine environment.** Sea Adventure Camp provides a significant number of Jamestowners with a safe learning environment in which to experience sailing and Jamestown's coastal environment. **CISF is very interested in being involved with the creation of a permanent structure at Fort Getty in partnership with the Town of Jamestown.** CISF is willing to pay for a building (via fundraising) out at Fort Getty so that we can have a permanent, year-round location where we can run marine education and sailing programs. **A sailing center has been in every Fort Getty Plan, and CISF is poised, ready, and willing to help make that plan a reality for and with the Town.**

Thank you for your time. Please contact me with any questions, comments or concerns. I can be reached at 401-855-6643 or via e-mail at CISFSailing@gmail.com.

Sincerely,



Meg Myles
CISF Executive Director
401-855-6643; CISFSailing@gmail.com

Leadership Program Description:

"Leadership and learning are indispensable to each other." - John F. Kennedy

New in 2019, CISF is launching a leadership program for children ages 13-16 that will run in conjunction with Jamestown Sea Adventure Camp. Sailing is an ideal platform for gaining confidence and leadership in its own right. However, we want to take the next step by directly providing leadership skills through discussion, leadership training, games, and goal achievement in sailing, marine science, and environmentalism.

Campers will continue to participate in Jamestown Sea Adventure Camp within their age group (11-16). However, those in the Leadership Program will also be pulled aside for Leadership training throughout each day. Approximately 40% of their camp week will be spent participating in leadership training, and 60% spent participating in Sea Adventure Camp with the rest of the campers. Additionally, Leadership students will have a longer day, staying until 4:30 each day. The camp day will be 9 am – 4:30 pm. (If needed, the end time may be pushed back 15 minutes or so, thus ending at 4:45 pm.)

At the conclusion of each Leadership Program, students will receive a certificate of completion. It is also our intention to have a badge system in the fields of sailing, marine science, and environmentalism. Leadership students will work towards a badge during the week. It will not be possible for leadership students to complete all badges during a single week. We are hopeful that a student can complete a badge during the week, but it is not a guarantee. Thus, we anticipate the Leadership Program to be valuable for multiple week attendance. Progress of each student will be tracked so that anyone repeating will be appropriately challenged. Four weeks of the Leadership Program will be offered in 2019.

To quote Vince Lombardi, CISF strongly believes that “leaders are made, not born”. The skills that will be taught are life leadership skills. Our goal is not to create the next group of Sea Adventure Camp Instructors, but to empower students with skills that will enable them to make better decisions, and to lead by understanding what it means to be a leader and how to lead using the leadership style that best suits him or her.

6-8 students will be a part of each Leadership Program. Haley Barber will lead this program and be supported by Jackson Hawkins (an Eagle Scout). Madi & Emma Henry will also be an integral part of the program, as will the entire Sea Adventure Camp Staff.

Those interested in participating should sign up online, plus students must fill out and return a short application. The application can be downloaded here (insert link from website). **The cost of the leadership Program is in addition to the cost of Sea Adventure Camp.** When registering, please register for the week of camp plus the leadership program of that same week.



November 5, 2019

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

Reference: Application #2019-06-014, RIDEM WQD 19-123 DP19-174
Jamestown Boat Yard
60 Dumpling Drive Jamestown, RI 02835
RACE Project No. 2018006

Dear Mr. Goulet:

RACE COASTAL ENGINEERING ("RACE"), on behalf of Jamestown Boat Yard (the "Applicant"), provides the following revisions to the CRMC Assent Application #2019-06-014 in response to your email dated October 15, 2019. The Applicant reserves the right to pursue the configuration as presented in the original submittal through a new application at a future date. In order to expedite the permitting of the proposed project and to minimize adverse impacts to their operations for the coming season, the Applicant is seeking to modify their Application as follows;

Marina Perimeter Limit:

The Applicant is seeking to maintain the current perimeter limit.

Marina Improvement:

The Applicant seeks to extend the existing docks to the marina perimeter limit. This will provide for some minor improvements to the docking facility to assist with servicing the vessels that are being moored in the mooring field.

Therefore, as depicted in the attached permit drawings, the Applicant seeks to extend the currently existing docks as follows;

- Northern Dock – 8' x 25'
- Middle Dock - 8' x 25'
- Southern Dock – 8' x 90'

Marina Dredging

Due to the above modifications, the Applicant is seeking to dredge within the currently authorized marina perimeter limit as depicted in the attached drawings as well as dredge a fairway channel to allow access to and from the floating docks as well as provide a turning basin for the vessels entering and leaving the slips.

As noted previously, the Applicant is seeking to dredge the marina to allow for the 45' to 60' vessels which are mostly sailing vessels with drafts ranging from 8' to 10'. Over the years, the size and draft of vessels have been increasing resulting in facilities like JBY to evolve in order to accommodate the demands. These changes in vessel population have resulting in the need for marine facilities to dredge more frequently to maintain depths and / or increase the original dredge depths to accommodate vessel drafts.

Please do not hesitate to contact the undersigned with any questions or comments.

Very truly yours,

RACE COASTAL ENGINEERING



Matthew Rakowski
Project Manager

Copy: Jamestown Boat Yard
US Army Corps of Engineers New England District
CRMC
RI DEM

Enclosures: Revised Permit drawings



JAMESTOWN BOATYARD MARINA IMPROVEMENTS

DRAWING LIST	
DRAWING No.	DRAWING TITLE
1	TITLE SHEET & GENERAL NOTES
2	VICINITY MAP
3	AERIAL IMAGE
4	EXISTING SITE PLAN
5	PROPOSED PLAN
6	DREDGE COORDINATES & VOLUMES
7	SECTION A-A
8	SECTION B-B

GENERAL NOTES:



1. THE PURPOSE OF THESE DRAWINGS ARE FOR REGULATORY REVIEW ONLY.
2. VICINITY MAP TAKEN FROM USGS QUADRANGLE SAKONNET POINT .
3. ELEVATIONS REFERENCE MEAN LOW WATER, UNLESS NOTED OTHERWISE.
4. THIS SITE INFORMATION HAS BEEN TAKEN FROM A DRAWING TITLED "JAMESTOWN BOAT YARD, INC.", PREPARED FOR JAMESTOWN BOAT YARD, BY DARVEAU LAND SURVEYING, INC., DATED 3/12/2019.
5. TIDAL ELEVATION DATA HAS BEEN TAKEN FROM BENCH MARK SHEET FOR NEWPORT, RI 8452660 FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TIDES AND CURRENTS WEBSITE.

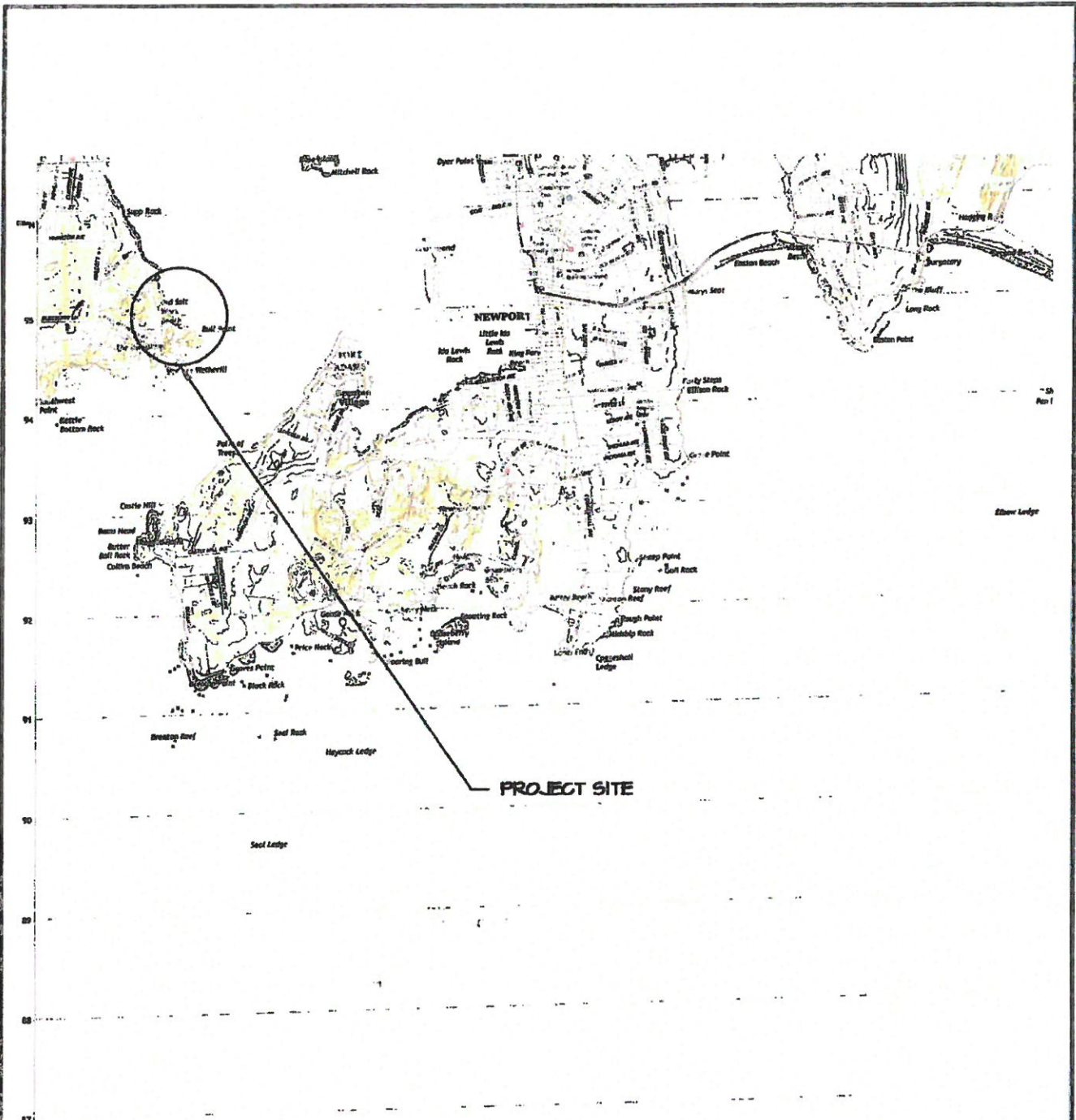
PROJECT TIDAL ELEVATIONS:

DATUM	NAVD 88 (FT)	NGVD 29 (FT)	MLW (FT)
MEAN HIGH WATER	-0.21	0.23	+1.70
NAVD 88	0.0	+0.21	+1.91
NGVD 29	+1.04	0.0	+1.04
MEAN LOW WATER	-1.91	-1.04	0.0

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DRAWN BY: CBK	SEAL: DEVIN JON SANTA	PROJECT: MARINE FACILITY IMPROVEMENT JAMESTOWN BOAT YARD JAMESTOWN, RI 02835	 <p>RACE COASTAL ENGINEERING</p> <p>611 Access Road Stratford, CT 06615 Tel: 203-377-0663 www.racecoastal.com</p>
CHECKED BY: MRR	 <p>REGISTERED PROFESSIONAL ENGINEER CIVIL</p>	APPLICANT: JAMESTOWN BOAT YARD 60 DUMPLING DRIVE JAMESTOWN, RI 02835	
DATUM: N/A			
SCALE: N/A			
DATE: 10/31/2019			
REV. 2 11/1/2019			
PROJECT #: 2018006		NOT VALID WITHOUT ENGINEER'S SEAL	
			DRAWING NO. 1 of 8



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VICINITY MAP

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DRAWN BY:	CBK
CHECKED BY:	MRR
DATUM:	N/A
SCALE:	N/A
DATE:	3/26/2019
REV: 2	11/1/2019
PROJECT #	2018006

SEAL: **DEVIN JON SANTA**

NOT VALID WITHOUT ENGINEER'S SEAL

PROJECT:	MARINE FACILITY IMPROVEMENT JAMESTOWN BOAT YARD JAMESTOWN, RI 02835
APPLICANT:	JAMESTOWN BOAT YARD 60 DUMPLING DRIVE JAMESTOWN, RI 02835

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DRAWING NO. 2 of 8

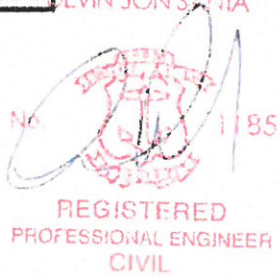



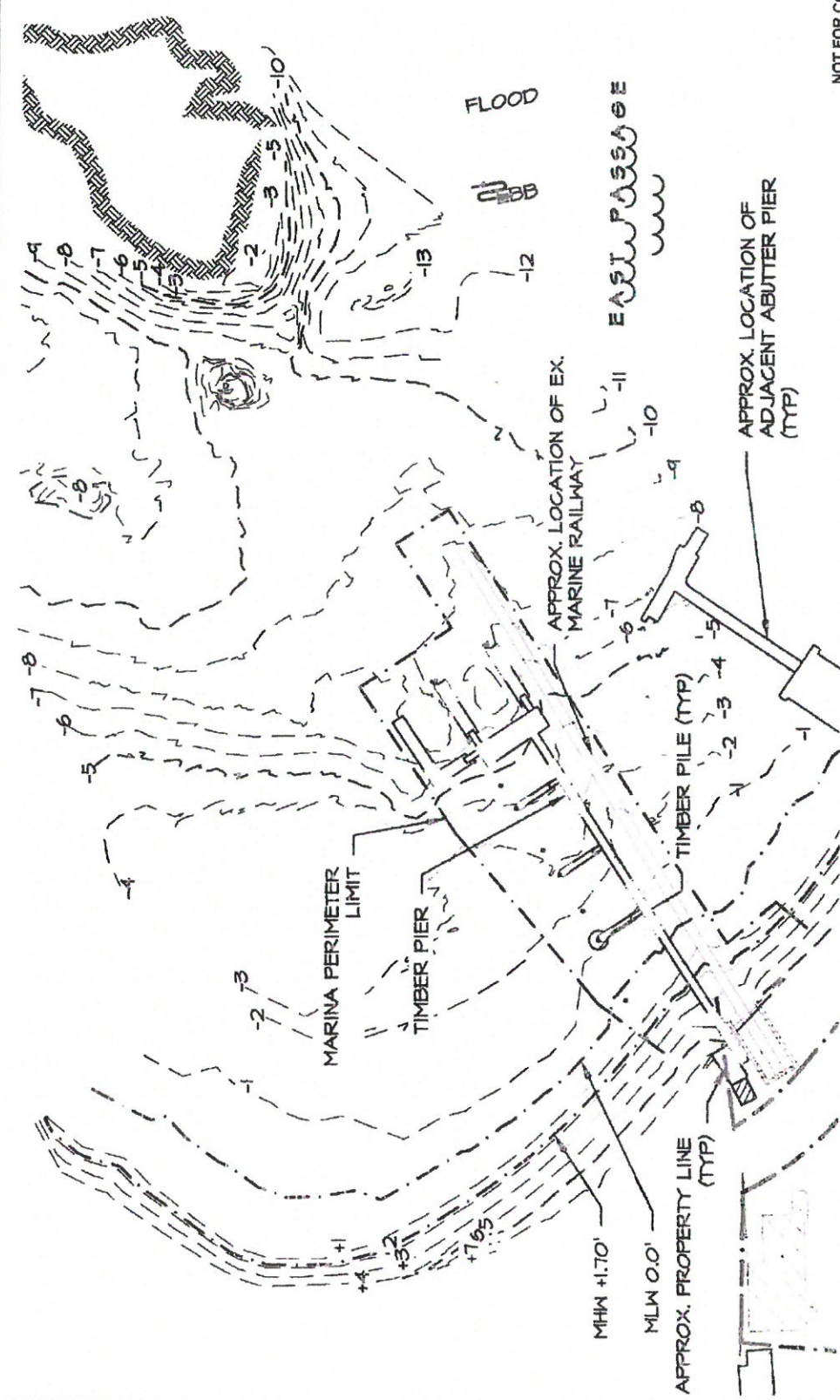
AERIAL PLAN

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DRAWN BY: CBK CHECKED BY: MRR DATUM: N/A SCALE: N/A DATE: 3/26/2019 REV: 2 11/1/2019 PROJECT # 2018006	SEAL: DEVIN JON SANTA  REGISTERED PROFESSIONAL ENGINEER CIVIL <small>NOT VALID WITHOUT ENGINEER'S SEAL</small>	PROJECT: MARINE FACILITY IMPROVEMENT JAMESTOWN BOAT YARD JAMESTOWN, RI 02835 APPLICANT: JAMESTOWN BOAT YARD 60 DUMPLING DRIVE JAMESTOWN, RI 02835	 RACE COASTAL ENGINEERING 611 Access Road Stratford, CT 06615 Tel: 203-377-0663 www.racecoastal.com DRAWING NO. 3 of 8
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611 Access Road Stratford, CT 06615
Tel: 203-377-0663 www.racecoastal.com
DRAWING NO. 4 of 8

PROJECT:
MARINE FACILITY IMPROVEMENT
JAMESTOWN BOAT YARD
JAMESTOWN, RI 02835

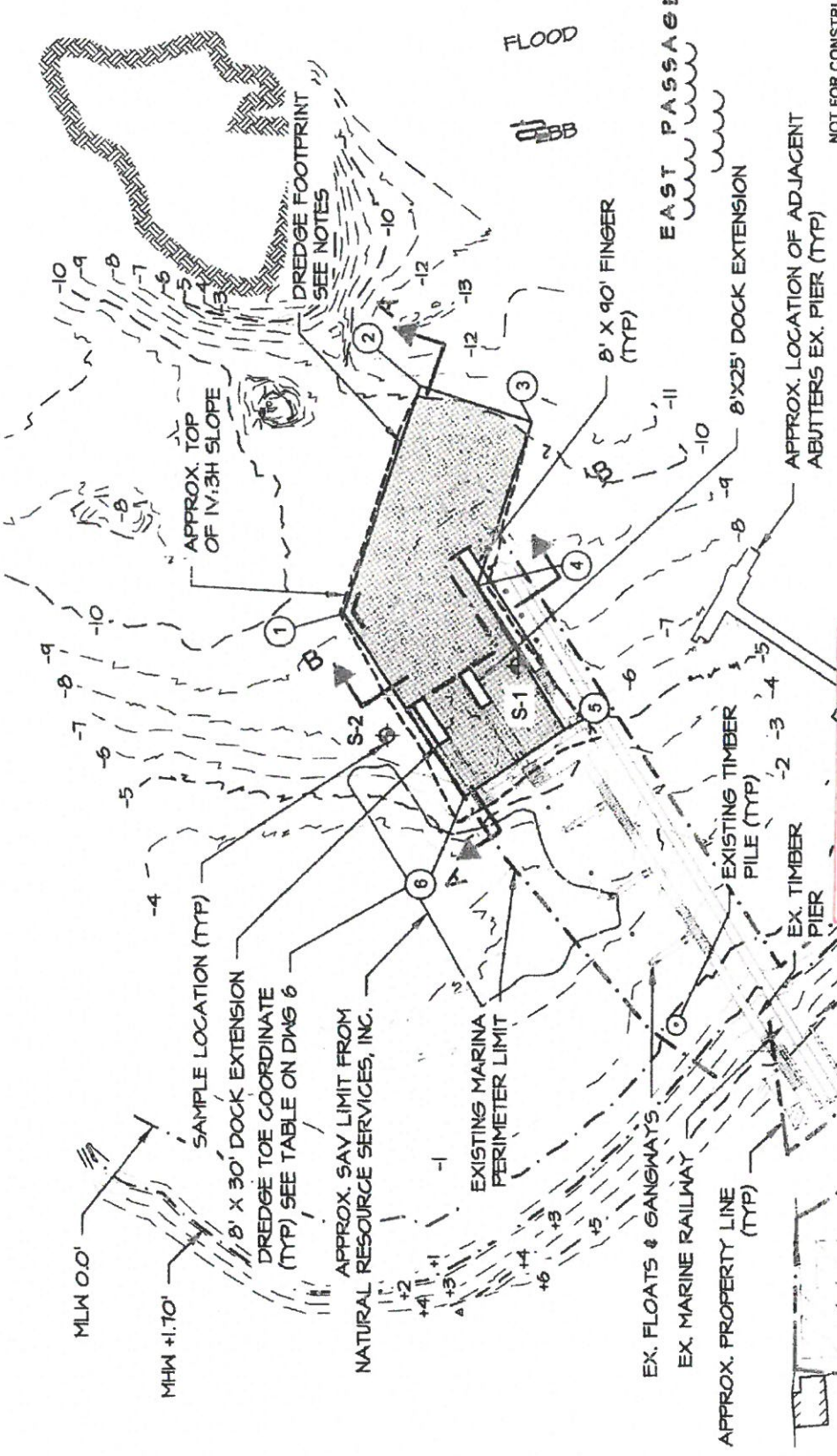
APPLICANT:
JAMESTOWN BOAT YARD
60 DUMPLING DRIVE
JAMESTOWN, RI 02835

SEAL: SEVIN JON SANTA
No. 1854
REGISTERED PROFESSIONAL ENGINEER
CIVIL
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DRAWN BY: CEK
CHECKED BY: MRR
DATUM: MLW
SCALE: 1"=100'-0"
DATE: 3/26/2019
REV. 2: 11/1/2019
PROJECT #: 2018006

EXISTING SITE PLAN

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0 50 100
1" = 100'



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DRAWING NO. 5 of 8

PROJECT:
MARINE FACILITY IMPROVEMENT
JAMESTOWN BOAT YARD
JAMESTOWN, RI 02835

APPLICANT:
JAMESTOWN BOAT YARD
50 DUMPLING DRIVE
JAMESTOWN, RI 02835

SEAL: SEVIN JON SANTA

REGISTERED PROFESSIONAL ENGINEER
CIVIL

NOT VALID WITHOUT ENGINEER'S SEAL

DRAWN BY:	CBK
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DATUM:	MLM
SCALE:	1"=100'-0"
DATE:	3/26/2019
REV. 2	11/1/2019
PROJECT #	2018006

PROPOSED PLAN

NOTES:

- PROPOSED DREDGE AREA

DREDGE DEPTH -10 MLM

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**DREDGE TOE COORDINATES
(STATE PLANE 83 RI)**

LOCATION	NORTHING	EASTING
1	145772.28	366700.05
2	145725.00	366845.81
3	145653.66	366822.67
4	145687.73	366717.64
5	145630.89	366625.53
6	145694.80	366582.48

NOTES:

1. DREDGE TOE COORDINATES ARE IN STATE PLANE NAD 83 RI.



JBY MATERIAL DREDGING

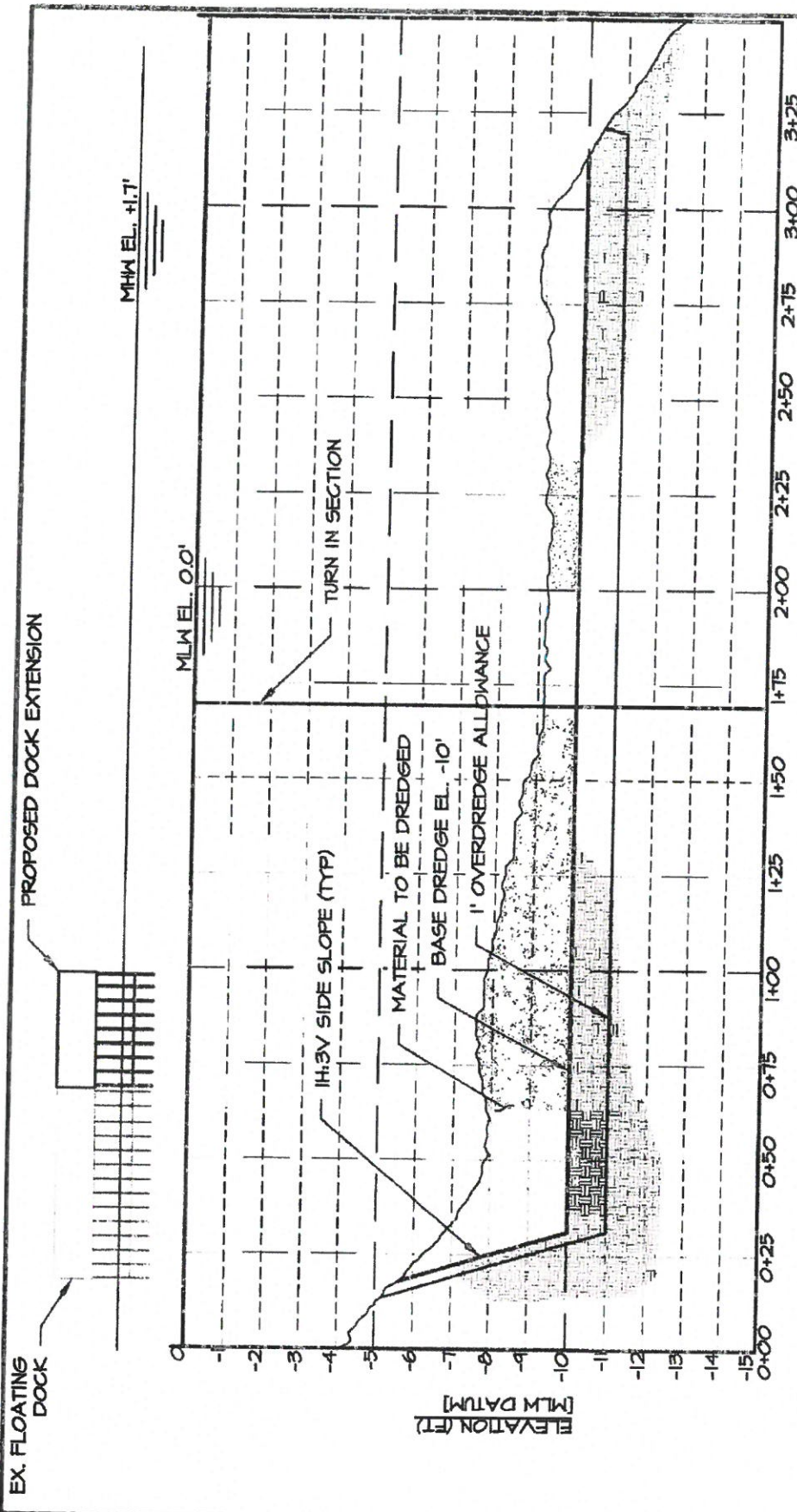
BASE DREDGE VOLUME	±1,140 CY
1' OVERDREDGE ALLOWANCE VOLUME	±2,050 CY
DREDGE FOOTPRINT AREA	±19,710 SF

DREDGE COORDINATES & VOLUMES

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NOT FOR CONSTRUCTION
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DRAWN BY: CBK CHECKED BY: MRR DATUM: N/A SCALE: N/A DATE: 3/26/2019 REV: 2 11/1/2019 PROJECT # 2018006	SEAL: DEVIN JON SANTA  REGISTERED PROFESSIONAL ENGINEER NOT VALID WITHOUT ENGINEER'S SEAL	PROJECT: MARINE FACILITY IMPROVEMENT JAMESTOWN BOAT YARD JAMESTOWN, RI 02835 APPLICANT: JAMESTOWN BOAT YARD 60 DUMPLING DRIVE JAMESTOWN, RI 02835	 RACE COASTAL ENGINEERING 611 Access Road Stratford, CT 06615 Tel: 203-377-0663 www.racecoastal.com DRAWING NO. 6 of 8
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STATIONING (FT)
DEVELOPED SECTION A-A

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RACE
COASTAL ENGINEERING
611 Access Road Stratford, CT 06615
Tel: 203-377-0663 www.racecoastal.com
DRAWING NO. 7 of 8

PROJECT:
MARINE FACILITY IMPROVEMENT
JAMESTOWN BOAT YARD
JAMESTOWN, RI 02835

APPLICANT:
JAMESTOWN BOAT YARD
60 DUMPLING DRIVE
JAMESTOWN, RI 02835

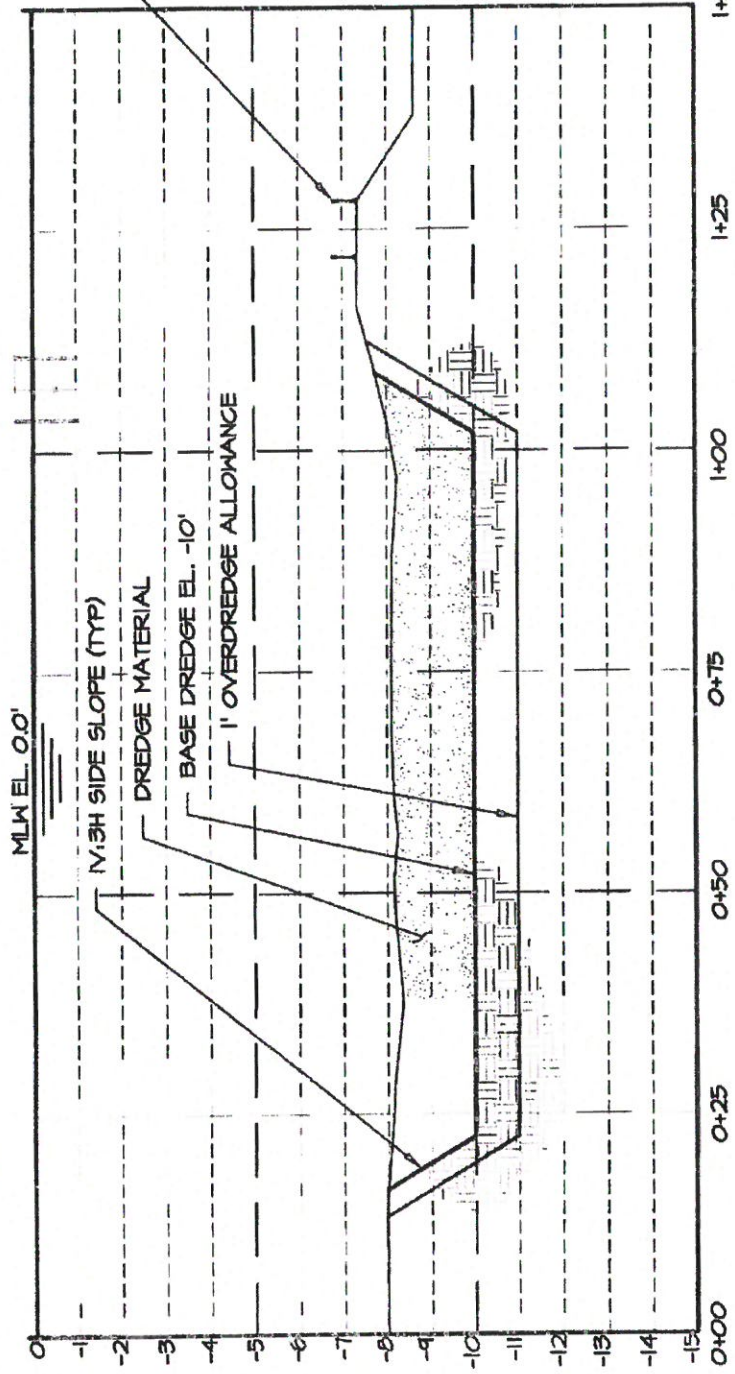
SEAL: EVIN JON SANTA
No. 1854
REGISTERED PROFESSIONAL ENGINEER
CIVIL
NOT VALID WITHOUT ENGINEER'S SEAL

DRAWN BY:	CBK
CHECKED BY:	MRR
DATUM:	N/A
SCALE:	N/A
DATE:	9/26/2019
REV:	2 11/2019
PROJECT #	2018006

GRAPHIC SCALES:
HORIZONTAL:
0 20 40
1" = 40'
VERTICAL:
0 2 4
1" = 4'

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MHH EL. +1.7'



ELEVATION (FT)
[MLW DATUM]

STATIONING (FT)

SECTION B-B

NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RACE
COASTAL ENGINEERING

611 Access Road Strafford, CT 06615
Tel: 203-377-0863 www.racecoastal.com

DRAWING NO. B OF 8

PROJECT:
MARINE FACILITY IMPROVEMENT
JAMESTOWN BOAT YARD
JAMESTOWN, RI 02835

APPLICANT:
JAMESTOWN BOAT YARD
60 DUMPLING DRIVE
JAMESTOWN, RI 02835

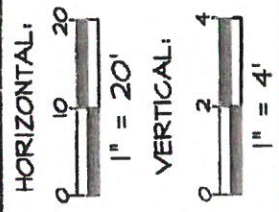
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SEAL: EVIN JON SANTA
No. 14851

REGISTERED PROFESSIONAL ENGINEER
CIVIL
NOT VALID WITHOUT ENGINEER'S SEAL

DRAWN BY:	CEK
CHECKED BY:	MRR
DATUM:	N/A
SCALE:	N/A
DATE:	3/26/2019
REV:	2 11/2019
PROJECT #:	2018006

GRAPHIC SCALES:



State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879
(401)783-3370

State of Rhode Island
Department of Environmental Management
Office of Technical and Customer Asst.
235 Promenade Street
Providence, RI 02908-5767
(401)222-6822

JOINT PUBLIC RE-NOTICE

CRMC File No.: 2019-06-014 Date: September 3, 2019

RIDEM Water Quality Certification Number: WQC 19-123 DP19-174

These offices have under consideration the application of:

**Jamestown Boat Yard
60 Dumpling Drive
Jamestown, RI 02835**

for State of Rhode Island Assent (in accordance with the Coastal Resources Management Program), and a State of Rhode Island Dredge Permit (in accordance with the Marina infrastructure Maintenance Act of 1996 and the Marine Waterways and Boating Facilities Act of 2001, Rhode Island General Laws Chapter 46-6.1) and State of Rhode Island Water Quality Certification (in accordance with Chapter 42-35 pursuant to Chapters 46-12 and 42-17.1 of the RIGL, as amended) to perform

The project will include: Establishment of a new Marina Perimeter Limit, new dredging of approximately 2,100 cubic yards and the relocation and expansion of the floating portion of the marina.

Project Location: Jamestown Boatyard

Street & Number: 60 Dumpling Road

City/Town: Jamestown

Plat Number: 10 Lot Number: 18

Waterway: East Passage

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter. You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

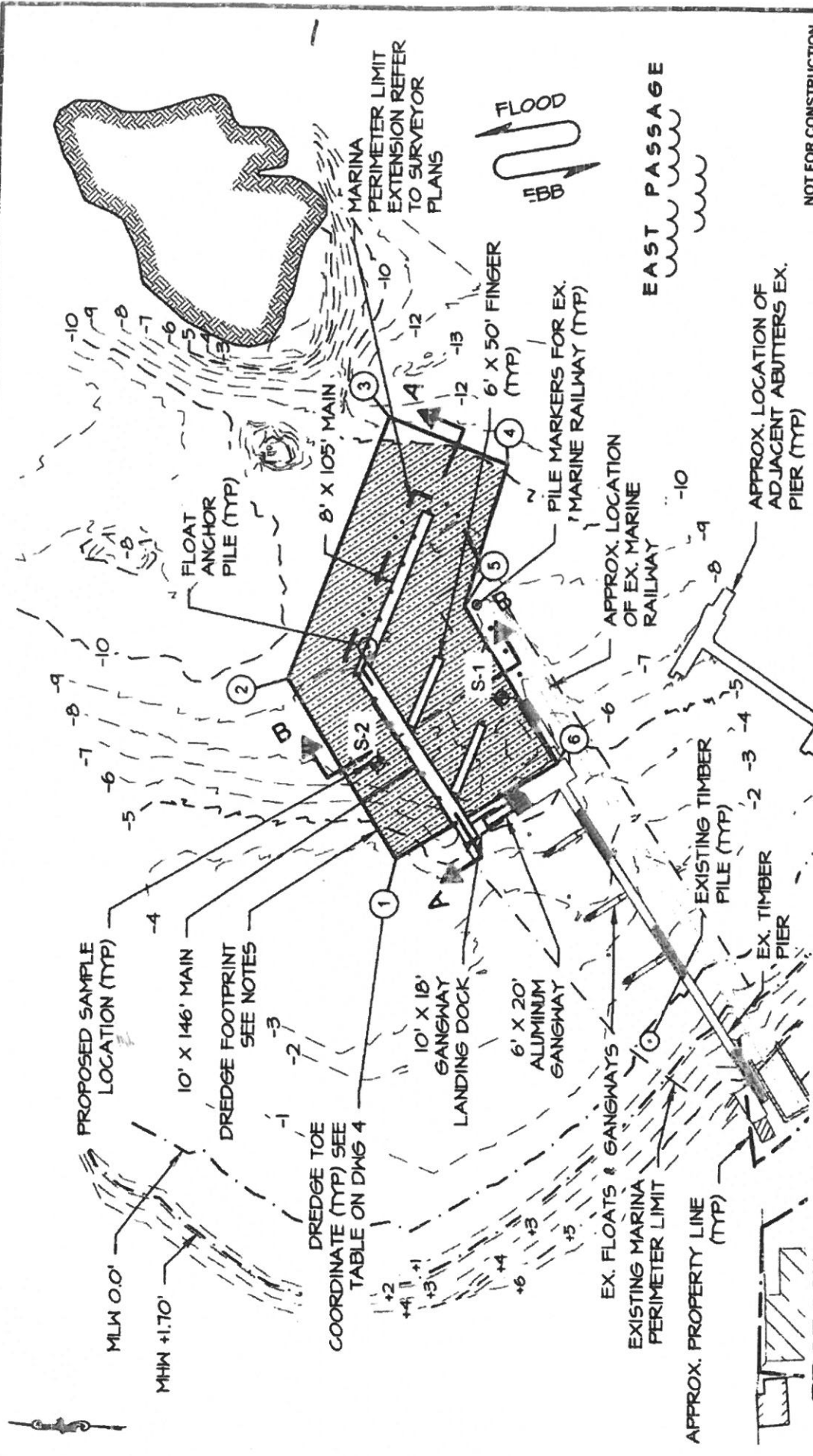
RICRMC/RIDEM Joint Public RE-Notice
CRMC File No. 2019-06-014
September 3, 2019
Page Two

This also serves as notice that the Rhode Island Department of Environmental Management, Office of Water Resources, Water Quality Certification Program has under consideration and review the same proposed activity as described above for compliance with the State's Water Quality Regulations (AUTHORITY: in accordance with Clean Water Act, as amended (33 U.S.C. 1251 et.seq.; Chapter 42-35 pursuant to Chapters 46-12 and 42-17.1 of the Rhode Island General Laws of 1956, as amended).

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing and be received at this office on or before September 18, 2019.

It is expected that objectors will review the application and associates plans thoroughly. Comments that pertain to this Joint Notice must be submitted in writing and must be addressed to Rhode Island Coastal Resources Management Council and Rhode Island Dept of Environmental Management at the above referenced addresses.

lat



NOT FOR CONSTRUCTION
FOR REGULATORY REVIEW ONLY

RACE
COASTAL ENGINEERING

611 Access Road Stratford, CT 06615
Tel: 203-377-0663 www.racecoastal.com

PROJECT: MARINE FACILITY IMPROVEMENT
JAMESTOWN BOAT YARD
JAMESTOWN, RI 02835

APPLICANT:
JAMESTOWN BOAT YARD
60 DUMPLING DRIVE
JAMESTOWN, RI 02835

SEAL: DEVIN JON SANTA

REGISTERED PROFESSIONAL ENGINEER
No. 1854

NOT VALID WITHOUT ENGINEER'S SEAL

DRAWN BY:	CBK
CHECKED BY:	MRR
DATUM:	MLM
SCALE:	1"=100'-0"
DATE:	3/26/2019
REV:	
PROJECT #	2018006

NOTES:

PROPOSED DREDGE AREA

DREDGE DEPTH -10 MLM

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1" = 100'

0 50 100

- Legend**
- Approx. Project Location*
 - Approx. Transect Location
 - Approx. Sample Location: No SAV Observed (0% cover)
 - Approx. Sample Location: SAV Observed
 - Approx. Limits of Observed SAV Bed
 - Approx. Low Tide Shoreline (10.52am 7/12/19)
 - Approx. Bathymetric Contours*
 - Approx. Existing Docks, Piers, Rails*
 - Approx. Proposed Dock Location*

SAV = Submerged Aquatic Vegetation (Eelgrass *Zostera marina*)
 *Locations referenced from plans by Race Coastal Engineering
 "Marine Facility Improvement Jamestown Boatyard" 3/11/19

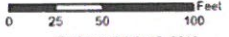


Location of Eelgrass Bed along Transects

Transect	Distance to Start of Bed (ft)	Distance to End of Bed (ft)
A	102	188
B	94	206
C	89	207
D	93	176
E	n/a	n/a
F	95	99
G	82	112
H	85	178
I	89	184
J	92	167
K	89	189
L	88	195
M	94	200
N	100	261
O	101	296
P	103	278
Q	104	272

FOR ILLUSTRATIVE PURPOSES ONLY
 NOT A SURVEY PLAN

Sheet 1 of 2:
Submerged Aquatic Vegetation Survey
Dumping Drive, Jamestown Boat Yard
A.P. 10, Lots 17 & 18
 Jamestown, RI



Performed July 12, 2019
 By Carolyn Decker and Sabrina Charron
 Using hand-held Trimble Geo7X

April 2016 aerial
 RI DCM Mapping
 Natural Resource Services, Inc.
 1000...
 1000...

Legend

- Approx. Project Location* (limit of proposed dredging)
- Approx. Shellfish Transect Locations (see data tables)
- Approx. Limits of Observed SAV Bed (see Sheet 1)
- Approx. Low Tide Shoreline (10/52am 7/12/19)
- Approx. Bathymetric Contours*
- Approx. Existing Docks, Piers, Rails*
- Approx. Proposed Dock Location*

*Locations referenced from plans by Race Coastal Engineering
 "Marine Facility Improvement Jamestown Boatyard" 3/11/19



FOR ILLUSTRATIVE PURPOSES ONLY
 NOT A SURVEY PLAN

Sheet 2 of 2:
Shellfish Survey
 Dumpling Drive, Jamestown Boat Yard
 A.P. 10, Lots 17 & 18
 Jamestown, RI

0 25 50 100 Feet

Performed July 12, 2019
 By Edward J. Aviziris, CPSS, PWS
 Using hand-held Trimble GeoXT



April 2018 serial
 RI DEM Mapping
 Natural Resource Service, Inc.
 1000 Main Street
 Jamestown, RI 02882
 (401) 939-1100
 (c) NRS

**APPOINTMENT AND EMPLOYMENT AGREEMENT
BY AND BETWEEN
TOWN COUNCIL OF THE TOWN OF JAMESTOWN
AND
JAMIE HAINSWORTH**

AGREEMENT, made on the ___ day of January, 2020, by and between the Town Council of the Town of Jamestown, hereinafter called the "Town Council" and Jamie Hainsworth, hereinafter the "Town Administrator".

WHEREAS, the Town Council is empowered to appoint a Town Administrator pursuant to the provisions of the Town Charter of the Town of Jamestown at Article III, Section 301; and

WHEREAS, after deliberation and consideration, and by a unanimous vote of the Town Council in attendance at their meeting on December 16, 2019, the Town Council voted to appoint Jamie Hainsworth to serve as the Town Administrator; and,

WHEREAS, Jamie Hainsworth desires and agrees to serve in the position of the Town Administrator and to assume the duties and obligations of such office as outlined in the Charter, the ordinances of the Town of Jamestown and the laws of the State of Rhode Island and Providence Plantations.

NOW THEREFORE, in consideration of the terms and conditions of this Agreement, the parties agree as follows:

1. **TERM OF OFFICE.** It is expressly understood by the parties that no term of office is established by this Agreement and that the Charter provisions regarding the Town Administrator shall control. However, the terms of this Agreement are valid pursuant to the provisions set forth in the Charter and the Code of Ordinances during the term of the employment relationship.
2. **SALARY.** The Town Administrator shall receive the annual compensation of One Hundred Twenty Thousand Dollars and Zero Cents (\$120,000.00), effective upon appointment, pro-rated and paid bi-weekly for the period actual employed in the capacity as Town Administrator. During the duration of this agreement annual reviews shall occur in July of each calendar year in which this agreement is in effect to determine whether adjustments to the Town Administrator's salary are warranted and justified based on then existing conditions and circumstances.
3. **GENERAL BENEFITS.** The Town Administrator may enroll in the municipal health care and dental care insurance coverage programs provided to other employees of the Town of Jamestown and shall pay the employee health care premium contribution for such coverage as set forth in the Town of Jamestown Department Head Employment Manual. If the Town Administrator declines health insurance coverage, he shall be entitled to a declination payment as set for

in the said Department Head Employment Manual. In addition, the Town Administrator shall also be provided all other employment benefits as offered and provided for in the Department Head Employment Manual.

3. The Town Administrator is excluded from becoming a new member of the RI Municipal Employees Retirement System, pursuant to the relevant provisions of the General Laws at 36-10-36, as amended. As such, the Town Council shall provide the Town Administrator with an annual payment of 8% of annual salary, which shall be placed into a retirement or deferred compensation account in the name of the Town Administrator, this benefit will be paid out on a bi-annual basis, pro-rated and paid on a monthly, as accrued basis.

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Formatted: Underline

4. **TRANSPORTATION ALLOWANCE.** In lieu of a Town furnished vehicle, the Town Administrator shall receive a flat rate mileage/transportation allowance of Three Hundred Fifty Dollars (\$350.00) per month.
5. **BUSINESS AND PROFESSIONAL EXPENSES.** The Town shall reimburse or bear the expense of the Town Administrator for all job related expenses, professional dues, conferences and meetings within the limits of available appropriations. Attendance at conferences and meetings outside of the State of Rhode Island shall be with the prior approval of the Town Council.
6. **BOND AND INDEMINIFICATION.** The Town of Jamestown shall bond and indemnify the Town Administrator to the limits of its existing policy as maintained with the Rhode Island Inter-local Trust and pursuant to the provisions of the R.I. General Laws and the Jamestown Code of Ordinances for any and all acts, omissions, claims, and legal actions incurred in the good faith performance of the duties of Town Administrator and in his representation of the Town of Jamestown.
7. **EFFECTIVE DATE.** This agreement shall become effective on the date set forth herein, above.
8. **IN WITNESS THEREOF,** the parties have executed this agreement in duplicate on the date set forth herein, above.

JAMESTOWN TOWN COUNCIL

Michael White
Council President

Date

Duly Authorized By Council Action Dated: December 16, 2019

Jamie Hainsworth

Date

Witness As to Both Signatures

Date

DRAFT 12192019

Erin Liese

From: Roger Birn <birn.roger@gmail.com>
Sent: Thursday, December 19, 2019 5:01 PM
To: Erin Liese
Subject: Tree Committee

Dear Ms. Liese:

This is to notify you that I will be resigning my position of the Jamestown Tree Committee as of the end of 2019. I am no longer able to devote myself to this position. I leave with Committee in excellent hands, especially with the newer members whom I am confident will be advancing the Committee in positive directions.

I have enjoyed my tenure; however, it is time for new membership to move forward the Committee's mandate.

Best Regards,
Roger Birn

December 31, 2019

Erin Liese
Town Clerk
Town of Jamestown RI
93 Narragansett Ave.
Jamestown RI 02835

Dear Ms. Liese,

It is with regret that I am writing to inform you of my decision to resign my position on the Tax Assessment Board of Review effective December 31, 2019.

The New Year will present new opportunities for me that will make it difficult, if not impossible, to fulfill the requirements of my position on the Board, and I feel it is best for me to make room for someone with the time to devote to the position.

It has been a pleasure being a part of the Tax Assessment board. Thank you for the honor of being chosen to serve the residents of Jamestown.

Best regards,



Karen M. Gabriele

cc: C. Brochu, Tax Assessor



Edward A. Mello
Chief of Police

JAMESTOWN POLICE DEPARTMENT

250 Conanicus Avenue, Jamestown, RI 02835
Tel: (401) 423-1212 Fax: (401) 423-3710
www.jamestownri.net/police



MEMORANDUM

TO: Christina Collins
FROM: Chief Edward A. Mello
DATE: December 30, 2019
SUBJECT: Proposed Harbor Ordinance Revision

Tina

Please find attached the proposed revision of the Harbor Ordinance. The revision will amend the current renewal process for all moorings, outhauls and beach permits to one that is streamlined and more in-line with what our commercial marinas have imposed.

I have attached a brief outline, which depicts the current renewal schedule, and an outline showing the proposed schedule. All are governed by ordinance and would require a change.

This matter has been reviewed and is recommended by the Harbor Commission.

Respectfully,

Chief Edward Mello

CURRENT: PERMIT RENEWALS

3/15/2020	Permit Renewals - Mooring, Outhaul, Pier
5/1/2020	Renewal Reminder - Mooring, Outhaul, Pier
6/16/2020	\$100 Late fee assessed
7/16/2020	\$100 Late fee assessed
8/16/2020	\$100 Late fee assessed
8/28/2020	Final Notice
9/4/2020	Certified Letter - Forfeiture
9/16/2020	\$100 Late fee assessed
10/1/2020	Permit Cancelled
Anytime	Appeals

CURRENT: WAIT LIST RENEWAL

<u>Date</u>	<u>Action</u>
1/7/2020	Wait List Renewals Mailed
1/29/2020	Wait List Reminder Notice Mailed
2/12/2020	Wait List Final Notice Mailed
2/15/2020	Wait List Due
2/16/2020	Wait List Certified Letter Mailed
3/15/2020	Wait List - Non-renewals Cancelled

PROPOSED: RENEWAL SCHEDULE

<u>Date</u>	<u>Action</u>
12/7/2021	ALL Renewals Mailed (Wait list and Permits)
1/7/2021	Reminder Notice
1/21/2021	Final Notice
1/31/2021	Payment Deadline
2/1/2021	Certified letters – Permit forfeiture notice
3/1/2021	Deadline to file for appeal of permit forfeiture
3/2021	Appeals heard at March meeting
3/15/2021	Begin issuing new permits

Sec. 78-21. Goals.

Whereas, the harbor and nonharbor tidal waters described herein within the corporate boundaries of the Town of Jamestown are under the ownership and jurisdiction of the state and are held in trust for all the citizens of the state; and whereas the state grants the Town of Jamestown limited and specific uses of these waters; therefore the town establishes the following goals for this article:

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

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

(3) To remain consistent with the authorities granted the town under G.L. 1956, § 46-4-6.9 and with the goals, policies, and regulations of the Jamestown Comprehensive Community Plan, the Jamestown Comprehensive Harbor Management Plan, the Rhode Island Coastal Resources Management Program, the Rhode Island Department of Environmental Management, and the United States Army Corps of Engineers.

Sec. 78-22. Definitions.

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

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

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

Beach(es): Area(s) of the shoreline designated by the harbor commission as suitable for land storage of vessels capable of being removed from the water by manpower alone.

Beach permit: A license authorized by the Town of Jamestown granting the permittee the privilege of storing a specified vessel at a designated beach for a specified season of April 1 until October 31 of each year.

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

Coastal waters: All waters bordering the town from the shore to a distance of 500 feet seaward not included in the designation "harbor waters."

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

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

Conservation zones: Those harbor areas specially designated by the town for the protection of water quality, wildlife, and plant habitat values. (Note: These zones may differ from the type 1 "Conservation Areas" of the Rhode Island Coastal Resources Management Council; however regulations in Section 200.1 of the CRMC Red Book apply to all Conservation Zones.)

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

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

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

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

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

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

Harbor waters: The waters in the two harbors of the town: East Harbor and West (Dutch) Harbor. The boundaries of these harbors are defined in section 78-34; Appendix A of this article.

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

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

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

Mooring area: A bounded area outside the harbor waters in which moorings may be placed. Per CRMC regulation, more than four moorings (the maximum which riparians may have) is considered a mooring area, and must be properly recognized in the harbor ordinance.

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

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

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

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

Nonresident: Any individual, business, corporation, or association that does not meet the definition of "resident."

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

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

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

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

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

Private aid to navigation: A buoy placed to mark a location in the water, other than government marks. The location of such private aids in Jamestown waters must be approved by the harbormaster. No fees will be charged for such private aids. The parties placing such private aids are responsible for their proper maintenance and for informing appropriate governmental authorities of their placement.

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

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

Rafting: Two or more vessels, excluding dinghies or other tenders, attached to each other while moored or at anchor.

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

Resident: Any real property taxpayer, full-time inhabitant, and/or registered voter of the Town of Jamestown; any recognized nonprofit organization of the town.

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

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

Season: ~~April 1 to October 31~~ March 1 through November 15 of each year.

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

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

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

Waters of the town: The harbor and coastal waters under town jurisdiction described in sections 78-23, 78-24 and 78-34; Appendix A of this article.

Sec. 78-23. Areas under jurisdiction.

The Town of Jamestown hereby assumes management authority for the purposes of this article consistent with the powers, duties, and authorities granted under G.L. 1956, 46-4-6.9 over the following waters:

(a) *Harbor waters.* The waters of the two harbors—East Harbor and West (Dutch) Harbor. The boundaries of these harbors are defined in section 78-24 and 78-34; Appendix A of this article.

(b) *Coastal waters.* All waters bordering the town from the shore to a distance of 500 feet seaward not included in the designation "harbor waters" or the "mooring areas" of which are defined in section 78-24 and 78-34; Appendix A below.

(c) *Mooring areas.* The waters within areas defined in section 78-24 and 78-34; Appendix A of this article.

There are no public, commercial, not-for-profit, or other entities that exercise management authority over all mooring areas in Jamestown.

The Town has established municipal shoreline zoning districts, as detailed in the Jamestown Zoning Ordinance.

Sec. 78-24. Harbor and mooring area boundaries.

Refer to 78-34; Appendix A of this article. Refer to Appendix A within the Comprehensive Harbor Management Plan for maps of the harbor boundaries and specific areas within the harbor boundaries.

Sec. 78-25. Rights-of-way to the water.

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

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

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

Sec. 78-26. Mooring and outhaul regulations.

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

(b) *Mooring density and allocation.*

(1) Harbor waters. The limit of moorings in the east harbor and west harbor mooring zones shall be based on available space and the provision of adequate landside facilities. No additional commercial mooring permits shall be assigned in either the east or west harbor mooring zones until private mooring permits constitute 60 percent of the zone's total number of permits. The precise location of each mooring, commercial or private, within the mooring zones shall be made by the harbormaster, who shall, with the harbor commission, establish appropriate fairways within the zones.

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

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

(4) No moorings shall be established in conservation zones.

(c) *Priority for private mooring permits.* The harbor commission shall maintain a chronological list of all applicants requesting a private mooring permit. The list shall be updated at least twice a year and shall be available to the public at all times for

inspection. Within the space available, requests shall be treated in accordance with the following priority guidelines:

Class 1: Riparian.

a. Owners of riparian property, including individual owners and the owners or directors of profit or nonprofit associations, partnerships, corporations or such other legal entities owning riparian property, are entitled to apply, with priority over other mooring permit classes, for up to two moorings per property parcel directly adjacent to the shorefront property parcel. They may apply for additional class 1 moorings, up to four in total, without priority over other mooring permit classes. In both cases applications are subject, as determined by the harbormaster, to the availability of space and to state and local regulations. Contiguous lots under the same ownership shall be considered as one property parcel. An individual owner may designate only immediate family members (the owner or the owner's spouse, children, or parents) or the current lessee of the owner's riparian property as holders of the permitted moorings. An association, partnership, or corporation may designate any of its members in good standing as holders of its permitted moorings. With the approval of the harbormaster, mooring privileges in this category may be granted to owners whose riparian property is adjacent to a town conservation zone.

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

b. On coastal waters, property owners holding a freehold estate of record with a deeded right of access to riparian property owned by a nonprofit association, partnership, or corporation of which they are members in good standing are entitled to apply for a single mooring permit per property directly adjacent to that riparian property. The privilege of a mooring permit in this category is subject to the reasonable availability of mooring space as determined by the harbormaster. This category of mooring is not permitted in harbor waters, may not be placed in a town conservation zone, and may not be a guest mooring. All moorings in this category shall be counted toward complying

with the CRMC no greater than 3:1 resident to non-resident mooring allocation requirement.

The Town shall provide delineation of mooring areas to contain all Class 1b moorings; Class 1b moorings existing as of April 22, 2014 shall be considered "grandfathered". Each such mooring area is available to members of the general public. This does not imply any right to trespass on private property.

Class 2: Rights-of-way.

The Town shall provide delineation of mooring areas to contain all Class 2a and 2b moorings; Class 2 a and 2b moorings existing as of April 22, 2014 shall be considered "grandfathered". Each such mooring area is available to members of the general public. This does not imply any right to trespass on private property.

a. Nonriparian property owners holding a freehold estate of record with a deeded private right-of-way or easement to coastal waters granted in an original property subdivision are entitled to apply, per property, for a single mooring permit directly adjacent to that right-of-way or easement. The privilege of a mooring permit in this category is subject to the reasonable availability of space as determined by the harbormaster. This category of mooring is not permitted in harbor waters, may not be placed in a town conservation zone, and may not be a guest mooring. All moorings in this category shall be counted toward complying with the CRMC no greater than 3:1 resident to non-resident mooring allocation requirement.

The Town shall provide delineation of each such mooring area. Each such mooring area is available to members of the general public. This does not imply any right to trespass on private property.

b. Non-riparian property owners holding a freehold estate of record within 1,000 feet of a public right-of-way to coastal waters are entitled to apply, per property, for a single mooring permit per property directly adjacent to that right-of-way. The privilege of a mooring permit in this category is subject to the reasonable availability of space as determined by the harbormaster. This category of mooring is not permitted in harbor waters, may not be placed in a town conservation zone, and may not be a guest mooring. All moorings in this category shall be counted toward complying with the CRMC no greater than 3:1 resident to non-resident mooring allocation requirement.

The Town shall provide delineation of each such mooring area. Each such mooring area is available to members of the general public. This does not imply any right to trespass on private property.

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

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

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

(1) From riparian moorings and shoreline rights-of-way, a distance sufficient to allow ingress and egress and to prevent interference with the exercise of private and public rights.

(2) Fifty feet from all residential or commercial docks, piers, floats and public launching ramps.

(3) Public mooring areas shall be setback from federal navigation projects at least three times the U.S. Army corps of Engineers authorized project depth from federal navigational projects.

(4) All moorings shall be prohibited in federal navigation projects.

(5) All new and significantly expanded mooring areas shall be sited to ensure that tides and currents aid in flushing the mooring area.

(6) All new and significantly expanded mooring areas shall be sited to avoid adverse effects on water quality.

(7) Mooring areas shall be sited so as to not substantially interfere with designated shellfish management areas, traditional fishing grounds, public recreational areas and conservation areas.

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

(9) Moorings areas shall be adequately serviced and pump out stations shall be accessible and operationally maintained.

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

(11) All moorings shall be located within mooring areas.

(e) Private mooring application procedures.

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

(2) *Renewal permit applications.* Mooring or outhaul permits must be renewed annually. Every applicant for a private mooring or outhaul permit must show ownership

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

a. *Leased vessels.* An applicant may apply for a mooring based upon a lease of a vessel providing the applicant the exclusive use of the vessel for at least the period of the season. Such applicants may not permit the actual owner or another third party to use the leased vessel on a regular basis. The harbormaster is directed to regularly monitor usage of any such leased vessel to ensure compliance with this section.

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

(f) *Commercial mooring application procedures.*

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

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

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

(g) *Relocation of existing permitted mooring.*

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

(2) Action on the relocation request will be taken by the harbormaster based upon policies—written and fully available to the public—established by the harbor commission, the availability of space, the requirements of this article, and the type and size characteristics of the vessel. The harbor ~~commission~~ office shall maintain a chronological list of all applicants requesting a mooring relocation. The list shall be updated at least twice a year and shall be available to the public at all times.

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

(h) *Occupancy; transfer.*

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

(2) Private mooring permits, permits for outhauls on Town owned property and wait list position transfer: No private mooring permit, outhaul space assignment or wait list position, shall be sold, assigned or transferred (unless it falls under Section 78-26(m), below) except on a one time only basis to an immediate family member-limited to sibling, parent, spouse, children or grandchildren. The immediate family member to whom the permit was transferred may, under no circumstances, subsequently transfer the permit. Any assigned mooring or outhaul space given up by a permit holder reverts to the harbor commission for assignment, by the harbormaster, to the next person on the relocation or waiting list whose vessel fits the mooring or outhaul space, the appropriate mooring or outhaul class involved, and the relevant shoreside requirements.

(3) Commercial mooring permits and permits for outhauls on Town owned property may be leased or transferred to other businesses subject to review and approval by the harbor commission. The standard for review shall be the ability of the proposed transferee to comply with all the provisions of [subsection] 78-26(f) as a commercial operator.

(i) *Fees.* The harbor commission shall annually recommend to the town council a proposed schedule of fees as part of the annual operating and capital budget; and the town council shall establish such rates not later than ~~March~~ November 15 each year ~~for the following season~~. The commission may charge fees for all mooring permits; for dock, storage rack, outhaul, and beach permits on town-owned property; for out hauls on riparian property, and for waiting and relocation list applicants. Higher fees may be charged for nonresident and commercial moorings and for other special situations. The commission may assess late penalty fees provided these are indicated on, or enclosed with, the appropriate application forms. For billing purposes the harbor clerk may establish informal classification codes for moorings grouped by different levels of fee.

(j) *Marking.* The holder of a mooring permit shall mark the mooring buoy with the current mooring number thereto in letters no less than three inches high. After 14 days' notice of delinquency the harbormaster may fine the owner \$5.00 a day for any mooring not properly marked.

(k) *Mooring specifications.*

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

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

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

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

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

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

(6) *Chafeguards.* All pennant lines running through a chock or any other object where chafing may occur shall have adequate chafeguards.

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

Boat Length (feet)	Mushroom anchor (pounds)	Block anchor (pounds)	Bottom Chain (inches)	Top		Pennant (inches)
				Chain or Rode (inches)		
Up to 16	150	500	½	3/8	5/8	½
16 to 18	200	800	½	3/8	5/8	½
19 to 21	250	1,500	5/8	3/8	5/8	½ × 2
22 to 24	300	1,500	5/8	3/8	5/8	½ × 2
25 to 29	400	2,000	5/8	½	5/8	½ × 2
30 to 34	500	2,000	5/8	½	¾	5/8 × 2
35 to 39	600	3,000 or 2 × 1,500	¾	½	¾	¾ × 2
40 to 49	800	4,000 or 2 × 2,000	¾	½	7/8	¾ × 2
50 to 59	1,000	4,000 or 2 × 2,000	1	½	1	1¼ × 2

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

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

(l) *Mooring inspections.*

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

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

(3) *Schedule of inspections.* All moorings shall be inspected by a qualified mooring inspector on behalf of the applicant at least once every three years and the results of such inspection certified by the inspector and reported to the harbor office by 15 June of the year of inspection. The inspection process is to be carried out using the "Guidelines for Establishing a Verified Mooring Location" procedure approved by the Jamestown Harbor Commission on February 8, 2005. This inspection shall determine compliance with the minimum mooring and tackle standards of this article. Inspections may be made either by raising the mooring or by underwater inspection. The harbor clerk shall establish a schedule for each mooring and indicate it clearly on the mooring application. The harbor clerk shall provide a form on which information pertaining to the inspection shall be provided, and such form shall be submitted by the applicant together

with the application and fee. The information to be reported shall include the following: water depth, size and type of mooring buoy, adequacy of length, diameter and number of pennant(s), adequacy of chafe guard(s), type, size and number of anchor(s), length and size of bottom and top chains or top rode, number and size of shackles, the location of the anchor, and the general condition of the mooring. The location of the anchor is to be reported in decimal degrees, e.g., 41.234567 N, 71.456789 W. The inspection report shall be signed and dated by the inspector. Commercial operators may submit multiple inspection reports in spreadsheet form, but they must include all information specified above.

(4) *Compliance.* Any mooring or component of a mooring reported not in compliance with this section of the ordinance shall be replaced by the owner within 30 days of such notice. Within 45 days after the noncompliance is reported a second mooring inspection must be completed to determine if the violation has been corrected. The results of this second mooring inspection shall be reported to the harbormaster. Failure to correct the violation within that period shall cause the mooring to be deemed unsafe and, as a violation of this article, shall be cause for revocation of the mooring permit and removal of the mooring from the waters of the town at the risk and expense of the mooring owner. When the harbormaster deems it necessary, for the safety of a vessel or of vessels nearby, to remove a vessel immediately from a noncomplying mooring, and the owner is unable or unwilling to do so, the harbormaster or the harbormaster's designee may remove the vessel at the owner's risk.

(5) *Costs.* All costs of any mooring inspection, of any relocation of vessels as a result of noncompliance, or of any repairs or replacements required under the provisions of this article shall be the responsibility of the mooring owner.

(m) *Forfeiture of mooring space or outhaul.* Any holder of a mooring or outhaul permit for a mooring located in the coastal or harbor waters, or in a mooring area of the town shall be subject to forfeiture of that permit or the right to renew the permit by reason of any the following:

(1) Failure to comply with any of the requirements of this article.

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

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

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

(5) Failure to commission a mooring or outhaul by July 1.

~~(5) Any holder of a mooring or outhaul permit for a mooring located in the coastal or harbor waters of the town shall be fined \$100.00 per month for: a) failure to renew an existing valid mooring or outhaul permit by June 15 of any year; b) failure to commission a mooring or outhaul by July 1; c) failure to occupy the mooring or outhaul for a least 20 days during the year. If the holder takes no action to comply with these requirements, the permit will be deemed forfeited on October 1 and will not be subsequently renewed.~~

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

No mooring, outhaul, beach permit or waitlist position will be deemed forfeited until notice of the violation has been first mailed to the holder of the permit by registered mail, return receipt requested and regular first class mail. If an appeal is not made within 30 days of the ~~receipt~~ postmark of the notice, the mooring, outhaul, beach permit or waitlist position shall be considered forfeited and the harbormaster will issue an order requiring that the mooring or outhaul be removed at the owner's expense. If the owner fails to remove the mooring or outhaul within 30 days upon order of the harbormaster, the owner will be billed for the cost of the mooring or outhaul removal. If a vessel is tied to the mooring or outhaul, the vessel will be removed and stored at the owner's expense.

(n) Implementation of changes in mooring space assignments.

(1) All private mooring permits and applications permitted prior to initial adoption of the Harbor Management Ordinance by the town council on June 17, 2004, shall be reclassified according to the criteria established in subsection 78-26(c) (above).

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

(3) All mooring permits disallowed under this article shall be deemed permitted nonconforming moorings. Rights to such moorings and use in accordance with the ordinance and town rules and regulations may continue by the present owner only unless the mooring is surrendered or revoked.

(o) Implementation of changes in mooring tackle requirements.

(1) All new moorings shall meet the minimum standards.

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

(p) Outhauls.

(1) *On town property.* Outhauls may be established on town property where recommended as appropriate by the harbor commission and approved by the town council. Outhauls in existence as of the adoption of this article shall be deemed conforming. Permits for the use of outhauls shall be issued by the harbor office in accordance with a waiting list. If an outhaul is not occupied for a minimum of 20 days during the course of the year the permit shall be deemed forfeited and will not be renewed. No outhaul will be deemed forfeited until notice of the violation has been first mailed to the holder of the permit by registered mail, return receipt requested and regular first class mail. If an appeal is not made within 30 days of the ~~receipt~~ postmark of the notice, any vessel secured thereto will be removed and stored at the owner's expense.

(2) *On private property.* Up to two outhauls may be installed per riparian property. Outhauls on private property may not exist in conjunction with a residential boating facility on the same property. CRMC reserves the right to revoke any outhaul permit that is not issued according to RICRMP. Outhauls shall be grandfathered in their

current location upon annual harbormaster documentation that such outhauls have been in continuous use at such location since 2004, and, the contiguous property owner(s) agree in writing to such, however, such "grandfathering" is extinguished whenever a recreational boating facility is approved at the location.

(3) *In general.* The harbormaster shall have the power to direct that outhauls deemed inadequate or unsafe be repaired or replaced. Placement of anchors for outhauls is subject to approval by the harbormaster. The outhaul cabling system for all riparian outhauls shall be removed between November 15 and April 15.

(q) *Miscellaneous.* Water-borne structures and anchors not specifically addressed herein, such as but not limited to anchors for breast lines, are subject to approval of the harbormaster.

Sec. 78-27. Regulated activities.

(a) *General.* The purpose of this section is to regulate the speed, management, and control of vessels and the use of all anchorages, moorings, and town-owned waterfront facilities within the jurisdiction of the Town of Jamestown as stated in section 78-23 and as authorized by G.L. 1956, 46-4-6.9.

(b) *Management and control of vessels.*

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

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

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

(c) *Vessel speed and operation.*

(1) Operators of vessels within the coastal and harbor waters of the Town of Jamestown shall comply with all state and local laws and regulations on vessel speeds and wakes that establish a maximum speed for vessels of five miles per hour, no wake (G.L. 1956, 46-22-9) in the mooring zones of harbor waters.

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

(3) In all designated channels, fairways, and mooring zones of harbor waters, paragliding, parasailing, windsurfing, water skiing, jet skiing, tubing, knee boarding, and similar activities are limited to a five miles per hour maximum speed. In coastal waters and in the transient and conservation zones of harbor waters, the named activities are prohibited within 200 feet of the shore and within 100 feet of any vessels moored or anchored. Any person who violates these regulations, inclusive of G.L. 1956, 46-27-2, shall be subject to penalties under this article.

(4) Seaplanes and other airborne watercraft are prohibited from surface operation within mooring zones or within 200 feet of the shore; they are prohibited from taking off or landing in the waters under town jurisdiction as stated in section 78-24 of this article.

(5) No vessel shall be moored or anchored so as to interfere with the free and unobstructed use of channels, fairways, or berthing spaces within the areas under town jurisdiction as defined in section 78-24 of this article.

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

(d) Prohibited discharges.

(1) *Discharge of refuse.* The discharge of any waste, refuse, garbage, plastic, chemicals, petroleum products or by-products, paint, varnish, dead animals, or any other debris or litter into the waters of the town is prohibited under this article. The town adopts G.L. 1956, 46-12-39 as part of its ordinance. Any person who violates this provision shall be subject to penalties provided by G.L. 1956, 46-12-40.

(2) *Discharge of sewage.* No person shall cause or permit to pass or to be discharged into the waters of the town any untreated sewage or other waste matter or contaminant of any kind. The town shall monitor and report annually to the department of environmental management on the effectiveness of its pumpout operations.

(e) *Other activities.*

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

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

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

(f) *Abandoned vessels and structures.* When, in the opinion of the harbormaster, a vessel or structure has been abandoned in the waters of the town, the harbormaster may take custody and control of such vessel and remove it, store it, or otherwise dispose of it, all at the expense and sole risk of the vessel owner. Reasonable notice of such disposal shall be publicly given. The harbormaster shall assume all of the duties and powers of the commissioner of wrecks and shipwrecked goods as delineated in the G.L. 1956, 46-10-1 to [46-10-] 13.

(g) *Anchoring.* Vessels shall not anchor or raft in a location that interferes with a moored vessel. The harbormaster may direct a vessel to move or relocate.

(1) Overnight anchoring is permitted in all town waters, except conservation zones, on a space available basis. The crew may go ashore, but shall not leave the area. They shall be available to tend to the vessel in the event of heavy weather. It shall

be the anchored vessel's responsibility to remain clear of all moored vessels. No vessel shall be anchored more than three days without the permission of the harbormaster. No anchoring of any kind is permitted in Conservation Zones.

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

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

(i) *Penalties; fines.* Pursuant to this article and the powers granted in the enabling legislation, G.L. 1956, 46-4-6.9 and the general laws of the State of Rhode Island, a person who violates any law as stated therein shall be subject to penalties and fines as set forth in the attached Appendix A, unless otherwise established by the General Laws of the State of Rhode Island. Each day a violation continues shall be deemed a separate offense subject to an additional penalty. The district court of the State of Rhode Island, or such other courts as are designated in the summons, shall have jurisdiction for the enforcement of regulated activities.

(j) *Informal procedure for the payment of boating fines.*

(1) *Payment without personal appearance.* The harbormaster or any other duly authorized enforcement officer who charges any person with an offense under this article, in addition to issuing a summons for the offense, may provide the offender with a form that shall allow the offender to dispose of the charge without the necessity of appearing before the district court; provided that any offender who has been guilty of a third or subsequent violation within 12 months of the first offense must appear before

the court on the date specified on the summons, and may not dispose of the third or subsequent offense administratively.

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

(3) *Failure to answer.* An individual who fails to answer within thirty (30) days shall have waived the right to dispose of the summons without personal appearance and must appear before the district court on the date specified on the summons.

(k) *Enforcement.* The primary responsibility for enforcement of regulated activities, including the issuance of summonses for violations is delegated to the harbormaster and the Jamestown Police Department. Police officers and the harbormaster of the Town of Jamestown shall have the power and authority to enforce the rules and regulations of this article and of the General Laws of the State of Rhode Island.

Sec. 78-28. Harbor commission.

(a) *Authority, powers, and duties.* The harbor commission shall be the local advisory and regulatory body authorized by the town council to manage the coastal waters and harbor areas of the town through the implementation of the comprehensive harbor management plan and subsequent ordinances. The harbor commission shall enforce the provisions and ordinances of the harbor management plan as well as adopt additional policies, rules, and regulations for the implementation of the harbor management plan and such ordinances, subject to the approval of the town council and the Rhode Island Coastal Resources Management Council.

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

(1) Recommend to the town council the adoption of rules, regulations, fees, penalties and other amendments to the comprehensive harbor management plan and

its subsequent ordinances that may be necessary to fulfill the goals and objectives of that plan and meet the requirements of its ordinances.

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

(3) Assist in the preparation of the annual budgets in accordance with the provisions of the town and this article to expend monies in the harbor funds.

(4) Sit as a board of appeals to hear any person aggrieved by any decision, act, or failure to act of the executive director or harbor staff in the enforcement and implementation of this article, with the exception of section 78-27 of this article ("regulated activities").

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

(6) Prepare the Harbor Commission's Asset Inventory List (Approved by the Commission on 02.12.2014 and the Town Council on 04.07.2014). Monitor the condition of town-owned waterfront facilities generally and develop with the town engineer an annual and five year capital maintenance, replacement and improvement plan. The plans will include maintenance, repair, and improvement of town-owned waterfront structures, such as docks, bulkheads, and boat ramps. No budget will be approved without the capital improvement plan.

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

- (1) The nonriparian recreational boating community; (two persons)
- (2) Riparian property residents (harbor waters);
- (3) Riparian property residents (coastal waters);
- (4) The commercial fishing industry;
- (5) The commercial mooring operators;
- (6) A non-boating resident.

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

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

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

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

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

(e) *Finances; budget.* The executive director and the commission, in collaboration with the town administrator, shall be responsible for the preparation of the annual harbor operating and capital facilities budgets to be submitted to the town council for approval. All revenues from harbor operations, including but not limited to mooring, beach permits and outhaul fees and harbor management fines and penalties, shall be held in a harbor enterprise fund maintained by the town finance department. The harbor enterprise fund shall be maintained exclusively for the management and development of harbor programs and maintenance and expansion of capital infrastructure. Nonbudgetary expenditures from the harbor management account, including additional staff support, must be authorized by the executive director with agreement of the commission and must be approved by the town administrator and the town council. Annual lease revenue from the properties at East Ferry, West Ferry, and Fort Wetherill shall be held in a separate capital improvement fund and may be used to fund any waterfront facilities, structures and assets owned by the Town, but not necessarily limited to those listed in the Harbor Commission Asset Inventory List. At the end of the fiscal year, unexpended harbor operating and capital budget appropriations shall be placed in a

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

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

Sec. 78-29. Administration.

(a) *Executive director.* An executive director may be appointed by the town council to supervise the harbor staff and to administer the provisions of this article and any additional regulations subsequently required for the implementation of the article.

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

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

(1) Administering and enforcing the provisions of the harbor management plan and its ordinances;

(2) Processing applications for the issuance of mooring permits and assigning placements of moorings in accordance with this article;

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

(4) Preparing, keeping current, and making available a waiting list for mooring permits in accordance with the provisions of this article when the demand for available mooring permits is greater than the number of available mooring locations in any given year, and maintaining a waiting list with respect to outhauls on town property;

(5) Keeping current and making available waiting lists for dinghy dock space and outhauls on town property operated by commercial operators;

(6) Inspecting moorings and out hauls in accordance with the provisions of section 78-26 of this article;

(7) Monitoring moorings and out hauls in accordance with the provisions of subsections 78-26(h), (m), and (p) of this article.

(8) Carrying out all other powers and duties authorized to the harbormaster under various state and federal marine laws, including but not limited to marine sanitation device (MSD) inspection and discharge responsibilities afforded through the U.S. Coast Guard, MARPOL Annex V, Section 312 of the Clean Water Act, G.L. 1956, tit.[ch.] 46-22, and future laws yet to be enacted.

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

(c) *Conflicts of interest.* All members of the harbor administrative staff shall adhere to the requirements of the Rhode Island Code of Ethics, set forth at G.L. 1956, tit. 36, ch. 14, as amended, and all regulations promulgated by the Rhode Island Ethics Commission.

Sec. 78-30. Appeals.

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

The harbor commission may hear an appeal filed out of time provided the appellant demonstrates:

1) The matter from which the appeal is taken occurred within the past 180 days;
and

2) For just reasons, failure to timely file the appeal was due to mistake, inadvertence, excusable neglect; or

3) Would result in a substantial injustice to the appellant rights as provided for under this article.

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

Sec. 78-31. Liability.

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

Sec. 78-32. Severability.

If any provisions of this chapter are held invalid or inoperative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been made.

Sec. 78-33. Effective date.

This chapter shall take effect upon its passage by the town council with respect to provisions that do not require approval of the coastal resource management commission.

Sec. 78-34. Appendix A;

Specific Areas within jurisdiction; state plane coordinates. For general mapping graphical, refer to Jamestown Harbor Management Plan Appendix A.

Sec. 78-35. Appendix B;

Fine Schedules.



Edward A. Mello
Chief of Police

JAMESTOWN POLICE DEPARTMENT

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MEMORANDUM

TO: Christina Collins
FROM: Chief Edward A. Mello
DATE: January 1, 2020
SUBJECT: Proposed Ordinance Revision: Chapter 46-Peddlers

Tina

Please find attached the proposed revision of the Code of Ordinances, specifically Chapter 46 that regulates peddlers, hawkers and vendors.

Town staff including the Erin Liese, Andy Wade and myself have met and reviewed the proposed changes resulting in the attached recommendation.

The changes were precipitated by the State regulation of mobile food trucks. During the course of our discussions, we felt it prudent to review the existing vendor and peddler ordinance.

Highlights of the proposed ordinance:

Mobile Foods Trucks:

- Must be licensed by the State
- Local permit regulates time and location
- Jamestown would restrict to:
 - Sub-licensee of a special event
 - Contract with the Town
 - Located on farm land

Vendors/ peddles:

- Must be permitted by the Town
- Jamestown would restrict to:
 - Sub-licensee of a special event
 - Contract with the Town
 - Non-profits
 - Farm products

Door to doors sales would be prohibited

EXHIBIT A

Chapter 46 - PEDDLERS AND ITINERANT VENDORS^[1] HAWKERS AND SOLICITORS

ARTICLE I. - IN GENERAL

~~Secs. 46-1 - 46-20. - Reserved.~~

ARTICLE II. ~~PEDDLERS AND SOLICITORS~~^[2]

DIVISION 1. ~~GENERALLY~~

~~Sec. 46-21. - Creation of noise.~~

~~Hawkers and peddlers licensed under the provisions of this article shall make no loud outcries, or use horns or devices of a noisy character, liable to disturb or annoy inhabitants of the town.~~

~~Sec. 46-22. - Peddling at houses.~~

~~It shall be unlawful for any peddler or itinerant person to go to any house within the town and to knock at or ring any bell of such house, or otherwise to induce the occupant of such house to come to or open any door of the house for the purpose of buying or selling or offering to buy or sell, or to peddle or barter, or to leave thereat or take therefrom any chattels, wares or merchandise, or for the purpose of delivering or leaving thereat any sample or inquiry concerning certain wares or merchandise for sale without permission of such occupants had or given. This section shall not be construed to affect any local tradesmen who take orders for their wares for immediate delivery from their shops.~~

~~Sec. 46-23. - Penalty for violation of article.~~

~~Any person violating any of the provisions of this article shall be imprisoned or fined within the limits provided by G.L. 1956, § 5-11-18.~~

~~Secs. 46-24 - 46-40. - Reserved.~~

DIVISION 2. ~~LICENSE~~

~~Sec. 46-41. - Required.~~

~~No person shall hawk or peddle or sell or offer for sale on any street, square or alley, or from door to door within the town any goods, wares, merchandise or other articles and substances from wagons, carts, pushcarts, other vehicles or on foot without first obtaining a license authorizing such person to sell such goods, wares, merchandise or other articles and substances on the streets, lanes, squares or alleys of the town, or from door to door.~~

~~Sec. 46-42. - Application.~~

~~All hawkers and peddlers and all persons selling or offering for sale any goods, wares, merchandise and other articles or substances on any street of the town or from door to door shall make application for a license to the town council, and, upon approval of such application by the town council, the town clerk shall issue a license accordingly to such persons, respectively, to sell the articles and substances mentioned in this section, in such manner as shall be specified in such license upon any street in the town.~~

~~Sec. 46-43. - Fees.~~

~~(a) — *Schedule.* Every person to whom a license shall be granted by the town council, before receiving the license, shall pay to the town clerk the fees which are established in appendix C.~~

~~(b) — *Exemptions.* No license fee levied under subsection (a) of this section shall be charged where the licensee is exempt and has been licensed under G.L. 1956, § 5-11-18.~~

~~Sec. 46-44. — Permit.~~

~~(a) — *Required; form; wearing; deposit; return.* Every person licensed under this article shall also obtain from the town clerk a permit of white metal at least 2½ inches in diameter, and shall at all times while engaged in the business for which such person is licensed wear such permit conspicuously on the outside of such person's outside shirt or coat. Such permit shall bear in black enamel a number which shall correspond to the permit number marked on the license, and shall be issued upon the deposit of the cost of the permit to such person, and upon the surrender of such permit to the town clerk, the deposit shall be returned and the license shall thereby be revoked.~~

~~(b) — *Illegal use.* No person shall wear any such permit after the expiration or revocation of the license represented by it, and any licensed person who shall suffer any such permit, issued to such person, to be used by another person for a purpose similar to that for which the permit was issued to such person, shall forfeit the permit, together with the license represented by it.~~

~~Sec. 46-45. — Expiration.~~

~~Each license issued under the provisions of this article not otherwise restricted as to its duration shall expire on the last day of February.~~

~~Sec. 46-46. — Personal nature of issuance; nontransferable; assistance to licensee.~~

~~Such license shall not be transferable, or give authority to more than one person to sell goods as a hawker or peddler, either by agent or clerk; or in any other way than in such person's own proper person; but any licensee may have the assistance of one or more persons in conducting such licensee's business, who shall have authority to aid their principal but not to act for or without their principal.~~

~~Sec. 46-47. — Display upon demand of police officer.~~

~~Any person who shall neglect or refuse on demand by any police officer to exhibit to such officer such person's license shall be deemed for the purpose of this article to be unlicensed and to have violated the provisions of this article.~~

46-1. Purpose.

The purpose of this article is to protect the public health, safety and general welfare through the regulation of hawkers, peddlers, solicitors and mobile food establishments in the Town of Jamestown.

Secs. 46-1—46-20. - Reserved.

1 **ARTICLE II. - PEDDLERS AND HAWKERS**

2
3
4 **46-21. Definitions.**

5
6 Pursuant to Chapter 11 of Title 5, Section 1.1 of the General Laws, as amended, the following
7 words shall have the following meaning when used in this chapter.

- 8
9 A. "Door to door salespersons" shall mean persons who deliver goods, wares or merchandise
10 to customers for which payment has already been made or is to be made at the time of
11 delivery.
- 12
13 B. "Hawker" shall mean any person selling or offering for sale any goods, wares or
14 merchandise, including any food or beverage on any public street, highway or public right
15 of way in a stationary location.
- 16
17 C. "Peddler" shall mean any person selling or offering for sale any goods, wares or
18 merchandise, including any food or beverage, from a vehicle, cart or any other conveyance
19 which is not stationary.

20
21 **46-22. License required.**

22
23 No person shall sell or offer for sale any goods, wares, merchandise, as a hawker or peddler in
24 the Town of Jamestown without first having obtained a hawker or peddler license from the Town
25 Council, unless specifically exempted pursuant to Chapter 11 of Title 5, Section 18 of the
26 General Laws, as amended.

27
28 **46-23. Application for license to be made; license issuance.**

1 A. A person desiring a hawker or peddler license shall make application in writing to the
2 Town Council. Application shall be made upon a form to be supplied by the Town
3 Clerk. Such application must include the following information:

4 (1) Proof that he or she has been issued a permit to make sales at retail by the State
5 Division of Taxation and approval from the State Health Department, if
6 applicable.

7
8 (2) Written approvals of the Police Department, Building Official's Office and any
9 other applicable Town Department.

10
11 (3) The exact days and hours of operation for the proposed license.

12
13 (4) A detailed description of the nature of goods and/or articles to be sold.

14
15 (5) The exact location of the proposed business, to include the plat and lot number
16 where the business is to be located on property owned by other than the applicant,
17 a sworn statement must be obtained by the owner consenting to the application.

18
19 (6) The current zoning designation of the property.

20
21 B. It is further required that any person applying for a hawker or peddler license under
22 the provisions of this Chapter shall sign a hold harmless agreement indemnifying the
23 Town of Jamestown, its officers, agents and employees from any liability arising out
24 of or in the course of his or her business or the granting of a license for same.

25
26 C. The Town Council may issue a license only if, after a hearing thereon and in their sole
27 discretion, that they find that the requested license will not disrupt the general health,
28 safety, welfare or morals of the Town and pursuant to the requirements of Chapter
29 11 of Title 5, Section 1.1 of the General Laws, as amended, and as otherwise set forth
30 in Section 128-4, herein.

31
32 D. Persons licensed under this Chapter shall remove all paper, food, cardboard, wood or
33 plastic containers, wrappers or any similar type of litter deposited by the licensee or
34 his/her customers. The licensee shall provide and use a waste container, of not less
35 than ten-gallon capacity and not more than thirty-gallon capacity for the placement of
36 such litter. The licensee shall remove all waste and litter generated by the licensee and
37 his or her customers on a daily basis.

38
39 E. The Town Clerk, upon a decision of the Town Council to grant a hawker or peddler
40 license shall issue the license, the term of which shall expire on December 1 in the
41 year when issued.

42
43 **46-24. Investigation of applicant; grounds for denial or revocation of**
44 **license.**

45
46 A. Upon receipt of the application by the Town Clerk's Office, the Chief of Police or his
47 or her designee shall undertake and complete within 30 days an investigation of the
48 applicant's business and moral character and of the statements made in the application,
49 as well as the applicant's proposed location.

- 1
2 B. The Town Council, may, after a hearing thereon and in its sole discretion, either
3 approve, reject or revoke such license or any application therefor. In reviewing any
4 application for the issuance, renewal or revocation for a hawkers and/or peddlers
5 license, the Town Council may consider any or all of the following factors:
6 (1) The potential for traffic congestion.
7
8 (2) The need in the community for the proposed license.
9
10 (3) The zoning of the parcel in question and its compatibility with the proposed
11 application.
12
13 (4) The unsatisfactory moral character or business responsibility of the applicant.
14
15 (5) Any other conditions which may prove to be inimical to the public health, safety
16 and welfare of the Town.
17
18 C. A license issued under this article may be revoked by the Town Council after notice
19 and hearing for, but not limited to, any of the following causes:
20 (1) Fraud, misrepresentation, omission or false statement contained in the license
21 application.
22
23 (2) Fraud, misrepresentation or false statement made by the person in the course of
24 carrying on his or her business as a peddler or hawker.
25
26 (3) Any violation of this Chapter.
27
28 (4) Conviction of any crime or misdemeanor involving moral turpitude.
29
30 (5) Conducting the business of hawking or peddling in an unlawful manner or in such
31 a manner as to constitute a breach of the peace or to constitute a menace to the
32 health, safety or general welfare of the public.
33
34 D. Persons whose license has been revoked under this section may not reapply for a
35 license within one year of the date of revocation.
36

37 **46-25. License fees.**

- 38
39 A. Schedule. Every person to whom shall pay to the Town clerk the fees which are
40 established in appendix C, upon making application.
41
42 B. Exemptions.
43 a. No license fee shall be charged where the licensee is exempt and has been licensed
44 under G.L. 1956, § 5-11-18.
45 b. No license fee shall be charged where the licensee is non- profit corporation
46 under 42 U.S.C. § 501(c)(3).

1 **46-26. Exemptions and limitations.**

- 2
- 3 A. No license is required from persons selling their own farm or garden produce,
4 including flowers, and persons selling works of art or crafts of their own making at an
5 art or craft show or exhibit, are not hawkers or peddlers and are not subject to the
6 licensing requirements of this chapter.
- 7
- 8 B. No license fee shall be charged of any person selling religious books and publications
9 on behalf of a bible, tract or other religious or moral society for the purpose of
10 promoting religious or moral improvement, and are sold for that purpose and not for
11 pecuniary profit.
- 12
- 13 C. No licensed hawker or peddler shall sell or offer for sale any single food, good, ware
14 or item having a retail value of more than three hundred dollars (\$300). However, this
15 dollar limitation shall not apply to any non-profit corporation duly authorized to do
16 business in Rhode Island. A non-profit corporation means a non-profit corporation
17 which has applied under 42 U.S.C. § 501(c)(3) for approval as a § 501(c)(3)
18 corporation with the Internal Revenue Service or has been so approved.

19

20 **46-27. Restrictions.**

- 21
- 22 A. Sales are prohibited in all areas of Town unless otherwise licensed as a sub-applicant of
23 a Special Event Permit, under contract with the Town of Jamestown or non-profit
24 corporation under 42 U.S.C. § 501(c)(3).
- 25
- 26 B. At no time shall a hawker or peddler impede the free flow of traffic. The Chief of
27 Police or his or her designee is hereby authorized to suspend operation of hawkers
28 or peddlers at any time and for such periods of time on streets and ways where
29 conditions exist that require him, in his opinion, in the interest of public safety.
- 30
- 31 C. No hawker or peddler shall sell fireworks of any type.

32

33 **46-28. Transferability of license.**

34

35 No license issued pursuant to the provisions of this Chapter shall be transferable, nor
36 shall it authorize a person other than the one to whom it was issued and named therein to
37 act there under.

38

39 **46-29. Display of license.**

40

41 A person holding a license issued pursuant to the provisions of this Chapter shall carry it
42 with him at all times while engaged in such business and shall produce it when required
43 by any police officer and failure to do so shall be grounds to revoke his license.

44

45

46 **46-30. Enforcement; Penalties for offenses.**

- 47
- 48 A. Enforcement responsibility. The Police Department shall be responsible for the
49 enforcement of the provisions of this ordinance.

1
2 B. Any person who shall violate any provision of this Article shall, upon conviction
3 thereof, be punished, for each violation, by a fine of not more than five hundred
4 dollars (\$500.00) or by imprisonment for not more than thirty (30) days. The
5 continuation of a violation of any provision of this Article shall constitute, for each
6 day the violation is continued, a separate and distinct violation hereunder.
7

8
9 Secs. 31-50 reserved
10

11
12
13 **Article III. Soliciting**
14

15 **46-51. Soliciting in public streets.**
16

17 No person shall distribute literature to, request donations from or in any other manner
18 perform acts of solicitation of any type directed at the operator or any passenger of any
19 motor vehicle in a travel lane, including motor vehicles stopped at intersections or in
20 obedience to any traffic control device, on any public street or highway within the Town
21 without receiving prior approval from the Town Council.
22

23 **46-52. Door to door solicitation prohibited.**
24

25 No person shall sell or attempt to sell his or her products or services by means of door to
26 door solicitation, or employ or permit any other person to do so in the Town.
27

28 **46-53. Enforcement; Penalties for offenses.**
29

- 30 A. Enforcement responsibility. The Police Department shall be responsible for the
31 enforcement of the provisions of this ordinance.
32
33 B. Any person who shall violate any provision of this Article shall, upon conviction
34 thereof, be punished, for each violation, by a fine of not more than five hundred
35 dollars (\$500.00) or by imprisonment for not more than thirty (30) days. The
36 continuation of a violation of any provision of this Article shall constitute, for each
37 day the violation is continued, a separate and distinct violation hereunder.
38

39 Secs. 54-60 Reserved.
40

41
42
43 **Article IV. Mobile Food Establishments**
44

45 **46-61. Purpose.**
46

47 The purpose of this Article is to fulfill the requirements of Chapter 5-11.1-1 of the Rhode
48 Island General Laws entitled "State Mobile Food Establishment Registration Act" and
49 rules and regulations promulgated by the Rhode Island Department of Business

1 Regulation pertaining to the municipal permitting of mobile food establishments.

2

3

4

5 **46-62. Definitions.**

6

7 As used in this Article, the following terms shall have the meanings indicated:

8

9 A. Mobile Food Establishment shall mean a food service operation that is operated from a
10 movable motor-driven or propelled vehicle, portable structure, or watercraft that
11 can change location. Mobile food establishment specifically includes, but is not
12 limited to, food trucks, food carts, ice cream trucks/carts, and lemonade
13 trucks/carts.

14

15 B. Mobile Food Establishment Permit shall mean a permit issued by the Town to a
16 mobile food establishment operator that possesses a current state mobile food
17 establishment registration.

1 **46-63. Municipal permit required.**

2
3 A mobile food establishment, upon presenting proof of having a state mobile food
4 establishment registration issued by the Rhode Island Department of Business Regulation,
5 shall be issued a municipal mobile food establishment permit to operate in the Town from the
6 Town Clerk.

7
8 **46-64. Restrictions on mobile food establishment permits.**

9
10 The qualifications for a municipal mobile food establishment permit shall not exceed the
11 qualifications for a state mobile food establishment registration required by the Rhode Island
12 Department of Business Regulation. The fee for a municipal mobile food establishment permit
13 shall not exceed the maximum fee set by the Rhode Island Department of Business
14 Regulation. A single mobile food establishment permit shall be required to operate within the
15 Town and no additional permits shall be required for operation on more than one day and/or
16 in more than one location in the same calendar year.

17
18 **46-64. Compliance.**

19
20 The mobile food establishment shall comply with the Town's land use regulations, and zoning,
21 noise, or other ordinances in relation to the operation of a mobile food establishment, as well
22 as all applicable statutes, rules, regulations and policies relating to food safety. Any violation
23 of same shall be cause for suspension or revocation of a municipal food establishment permit.

24
25 **46-65. Display of municipal mobile food establishment permit.**

26
27 The municipal food establishment permit shall be affixed to the mobile food establishment in
28 a prominent place.

29
30
31 **46-66. Permit fees.**

32
33 Every person shall pay to the Town Clerk the fees, which are established in appendix C upon making
34 application.

35 **46-67. Term of license.**

36
37 A mobile food license permit shall expire one year from the date on which the state
38 registration was issued by the Department of Business Regulation.

39
40 **46-68. Permitted Areas.**

41
42 Sales are prohibited in all areas of Town unless:

- 43 Licensed as a sub-applicant of a Special Event Permit or;
44 Under contract with the Town of Jamestown or;
45 Located on permitted Farm land.

46
47 **46-69. Enforcement; Penalties for offenses.**

- 48
49 A. Enforcement responsibility. The Police Department shall be responsible for the enforcement of
50 the provisions of this ordinance.

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B. Any person who shall violate any provision of this Article shall, upon conviction thereof, be punished, for each violation, by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than thirty (30) days. The continuation of a violation of any provision of this Article shall constitute, for each day the violation is continued, a separate and distinct violation hereunder.

**TOWN COUNCIL SPECIAL MEETING
December 2, 2019**

- I. ROLL CALL**
- II. CALL TO ORDER**

The Joint Jamestown Town Council and School Committee Pre-Budget Work Session was called to order at 5:35 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue. Town Council Members present were as follows: Michael G. White, Mary Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr. School Committee members present: Keith J. Roberts, Sally Schott, Agnes C. Filkins, Sheila M. Reilly and Kristine A. Lapierre. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, Kenneth A. Duva, School Superintendent, and Jane Littlefield, Director of Finance.

- III. JOINT TOWN COUNCIL AND SCHOOL COMMITTEE WORK SESSION**
Review, discussion and/or potential action and/or vote of budget issues for the remainder of the current fiscal year (July 1, 2019 to June 30, 2020) and pre-budget review and discussion of issues for the next fiscal year (July 1, 2020 to June 30, 2021) pursuant to RIGL §16-2-21

Council President White called the meeting to Order for the Town Council at 5:35 P.M.

Sally Schott called the meeting to Order for the School Committee at 5:35 P.M.

Dr. Duva explained the ratings of the Elementary Schools as 4 and 5 star ratings and recipient of National Blue Ribbon Elementary Schools and further explained the RICAS Scores in English, Language Arts and Math.

Dr. Duva explained they will be zero base budgeting and outlined the FY 2021 Jamestown School Department timeline.

Discussion ensued on student population.

Councilor White questioned length of military students.

Dr. Duva explained most students are 1 -2 years; but some stay up to 3 years.

Dr. Duva also remarked on salary negotiations with Jamestown teachers.

Discussion ensued on Capital Improvement projects and curriculum.

Dr. Duva explained tuition received from out of town students.

Dr. Duva updated on the status of school projects as follows: roof replacement at Melrose, HVAC update, replacement of fire doors, paving, and active threat system. He also discussed improvements to the Lawn School with regards to roof replacement, vent replacement, locker rooms. It was noted the diesel tank was replaced as well. He further explained next summer improvements for window replacements, heating system controls and secure entrance.

Interim Town Administrator Collins advised on obstacles with solar.

Discussion ensued on solar.

Interim Town Administrator Collins stated Jamestown is fortunate to have great communication throughout the budget process.

The budget timeline was reviewed.

IV. ADJOURNMENT

There being no further business to discuss, the work session was adjourned at 6:25 p.m.

Attest:

Erin F. Liese, CMC, Town Clerk

**TOWN COUNCIL MEETING
December 2, 2019**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on December 2, 2019. Town Council Members present were as follows: Michael G. White, Nancy A. Beye, Randall White, and William J. Piva, Jr. Vice President Mary Meagher was not present. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, Chief of Police Edward A. Mello and Public Works Director, Michael Gray.

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President White called the meeting of the Jamestown Town Council to order at 6:33 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

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) Resolution:
 - 1) No. 2019-21 Resolution in support of training on the Open Meetings Act and Access to Public Records Act

Council President White read the following Resolution:

**RESOLUTION
IN SUPPORT OF TRAINING ON THE OPEN MEETINGS ACT
AND
ACCESS TO PUBLIC RECORDS ACT**

WHEREAS, the Town Council of the Town of Jamestown (the “Town Council”) has identified Rhode Island General Law has and its application has changed regarding the Open Meetings Act (OMA) and Access to Public Records Act (APRA); and

WHEREAS, the Town Council understands the importance that all staff, boards and commissions are appropriately trained on the OMA and APRA; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Town Council of the Town of Jamestown, Rhode Island, supports training opportunities to be provided; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby instructed to coordinate with the Town Solicitor’s Office on a training regarding the OMA and APRA statutes and to notify and encourage all staff, boards and commissions to attend.

A motion was made by Councilor Beye with second by Councilor White to approve the 2019-21 Resolution on the Open Meetings Act and Access to Public Records Act. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

IV. OPEN FORUM

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

No public comment.

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

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 Report: Christina D. Collins, Interim Town Administrator
 - 1) Cellular Service & Tower Update

Interim Town Administrator Collins provided the following update regarding the Cell Tower: On August 20, 2018, Town staff provided the Town Council a report on improving wireless service to the North End of Jamestown with the construction of a cell tower. Town staff reviewed Town owned parcels of land and identified possible properties where a cell tower could be constructed. Two sites were recommended for further study, Cedar Lane and North Reservoir property on North Main road. After review of the deeds of the north parcel, it has been determined that neither property is viable for construction of a cell tower. The Cedar Lane site has restrictions in the deed which prohibits development. The North reservoir property is currently zones as OS-1, which prohibits the construction of a tower. At the October 21, 2019 Council meeting, staff from Dewberry engineers presented the results of the drive test survey of the north end of Jamestown. The results of the survey indicated that a majority of the north end of the island has poor coverage outdoors and very poor coverage indoors. Councilman White asked staff to provide an estimate for the construction of a cell tower. Dewberry Engineers stated that a high – level budgetary estimate for a typical monopole construction of 150 feet, approximately \$450,000. This estimate includes engineering, foundation, furnishing, and installing the monopole, a 50' x50' compound, fencing and gate, access drive up to 100', 600 amp electric service, utility fees and permits. This estimate may increase due to site acquisition, development infrastructure, local approvals and market increases in materials and labor. She further requested Public Works Director Gray to provide further explanation regarding the cell tower.

Public Works Director Gray also advised on the Cell Tower and past review and studies regarding the proposed sites to address cellular service on the North End.

Councilor White asked for clarification regarding node sites.

Public Works Director Gray advised 30 or more nodes would be needed. Each node would cost about \$40,000 for infrastructure.

Councilor White questioned if other municipalities have provided a solution to this issue and if those municipalities were studied.

Public Works Director Gray advised they did look at other municipalities' research and their RFP's were used as part of the bid documents.

Discussion ensued on potential revenue from the tower.

Councilor White stated our situation is unique and not all residents will be serviced.

Councilor White questioned if private owners, would have a suitable location.

Public Works Director Gray advised location is the largest hurdle to overcome.

Councilor Piva questioned if West Reach residents have come forward.

Public Works Director Gray advised they only looked at town parcels and next steps would be to sit down with carriers to determine interest.

Discussion ensued on carriers and tower locations.

Public Works Director Gray advised on the need to look at revenue and determine the feasibility of the project.

Jim Rugh of America Way and President of East Passage Estates stated there are no buildable lots to give from the Association.

John Hamell of Columbia Lane advised on the safety and important of cellular service and urged the Council to look at something that will provide adequate service.

Councilor White questioned if the Cell Service Provider should provide the coverage.

Council President White stated we have to consider all tax payers.

Frank Haggerty of West Reach Drive advised on cell towers and increasing the height of equipment on the water tower site.

Karen Butens of Columbia Lane questioned the process and suggested a subcommittee be formed to keep moving this forward.

Wade Moore of West Reach Drive and current President of West Reach Association is in favor of additional cell coverage. He would also be interested in serving on a task force or committee.

Council President White stated the focus should not only be on a tower; but improving cellular service on the north end.

- B) Town Solicitor's Report: Peter D. Ruggiero opinion regarding Section 219 – Initiative Procedure of the Town Charter concerning the initiation of a Moratorium by the Town Council

Town Solicitor Ruggiero advised the Council has no authority on the initiative process. The process was reserved for the voters and Council has no legal authority to stop petitions.

Discussion ensued on the procedure on an initiative petition.

Town Solicitor Ruggiero advised on the form created and initiative process.

Councilor White questioned if this proposed Charter amendment will be placed on the ballot.

Councilor Piva stated believed it would be placed on the General Election ballot.

Town Solicitor Ruggiero stated he would check the record on the matter as the Council will need to approve the amendment to be placed on the ballot.

Jim Rugh America Way questioned the process of an executive order.

Town Solicitor Ruggiero advised an executive order is much different.

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
Town Council Meeting Schedule: December 16, 2019 at 6:30 p.m.

Meeting dates were reviewed.

- B) Release of Funds Regarding 2016 RIDEM Grant Lawn Avenue

Interim Town Administrator Collins clarified on the [?]Deobligation of the funds and they have requested two extensions and do not have remaining time to complete the proposed use for the funds. .

?

A motion was made by Councilor Beye with second by Councilor Piva to Deobligate the Funds Awarded for the 2016 RIDEM Recreation Grant – Lawn Avenue Recreation Complex in the amount of \$400,000.00. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

C) Review of Harbor Operating Budget and Long Range Infrastructure Plan

Chief Mello advised on the need to continue this matter to January.

A motion was made by Councilor Beye with second by Councilor Piva to continue review of the Harbor Operating Budget and Long Range Infrastructure Plan to the first meeting in January. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

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) Setting of 2020 Town Council Meeting Date Calendar

Dates were reviewed for 2020 and it was noted the dates could be amended if needed.

A motion was made by Councilor Beye with second by Councilor White accept the proposed meeting dates for 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

B) Request of the Conanicut Island Arts Association (CIAA) for Approval of 2020 Exhibit

Kathleen Caswell President from CIAA thanked for the Council for their partnership. She further explained events to be held.

A motion was made by Councilor Piva with second by Councilor Beye to approve the 2020 Exhibit dates for the Conanicut Island Arts Association. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

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) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote:

*has applied for more than one committee

Council President White explained tradition with regards to members seeking reappointment.

Councilor White questioned term limits.

1) Jamestown Conservation Commission (four vacancies with a three-year term expiring December 31, 2022)

- a) Letters of interest for reappointment
 - i) Joyce Antonello
 - ii) Anne Kuhn-Hines
 - iii) Susan Shim Gorelick
 - iv) George Souza
- b) Letter of interest for appointment
 - i) Leo N. Orsi, Jr.
 - ii) Jessica McCarthy*
 - iii) Robert Tormey*
 - iv) Elisa S Conte
- c) Letters of recommendation for J. Antoneillo, S. Gorelick and G. Souza from Committee Chair Ann Kuhn-Hines

A motion was made by Councilor White with second by Councilor Piva to appoint J. Antonello, A. Kuhn-Hines, S. Gorelick and G. Souza to the Conservation Commission with terms expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

- 2) Discover Newport Board of Directors (one vacancy with an unexpired term expiring September 5, 2020)
 - a) Letters of interest for appointment
 - i) James Rugh
 - ii) Thomas McNiff
 - iii) Jessica McCarthy*

It was noted the Council would like to set up interviews to review applicants.

- 3) Jamestown Fire Department Compensation Committee (One Citizen-at-Large vacancy with an unexpired term ending date May 31, 2021 and One Citizen-at-Large with a term ending May 31, 2022)
 - a) No Applicants

It was noted an applicant had applied, but after the Agenda deadline. This will be considered at the next Council meeting.

- 4) Jamestown Harbor Commission Member (two vacancies with a three-year term expiring December 31, 2022)
 - a) Letter of resignation
 - i) James R. Heagney

It was noted a letter of thanks would be sent to J. Heagney for his service.

- b) Letters of interest for reappointment
 - i) Michael Junge
- c) Letter on interest for appointment
 - i) Richard Raynes
 - ii) Leo N. Orsi, Jr.
 - iii) Jessica McCarthy*
- d) Letter of recommendation for M. Junge from Committee Chair J. William W. Harsch

A motion was made by Councilor White with second by Councilor Piva to appoint M. Junge to the Harbor Commission for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

It was noted interviews would be set up for the remaining vacancy.

- 5) Jamestown Housing Authority (one vacancy with a five-year term expiring December 31, 2024)
 - a) Letter of Resignation
 - i) Carroll Pruell

It was noted a letter of thanks would be sent to C. Pruell for her service.

- b) Letters of interest for appointment
 - i) Jessica McCarthy*
- 6) Juvenile Hearing Board (one vacancy with a three-year term expiring December 31, 2022)
 - a) Letter of interest for reappointment
 - i) Agnes Filkins
 - b) Letter on interest for appointment
 - i) Jessica McCarthy*

A motion was made by Councilor Beye with second by Councilor White to appoint A. Filkins to the Juvenile Hearing Board for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

- 7) Jamestown Library Board of Trustees (two vacancies with a three-year term expiring December 31, 2022)
 - a) Letters of interest for reappointment
 - i) Peter Carson
 - ii) Paul Houseberg
 - b) Letter of interest for appointment
 - i) Jessica McCarthy*
 - ii) Stephen Levesque *

A motion was made by Councilor Piva with second by Councilor Beye to appoint P. Carson and P. Houseberg to the Library Board of Trustees for the term expiring December 31, 2022. President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

- 8) Planning Commission (two vacancies with a four-year term expiring December 31, 2023)
 - a) Letter of interest for reappointment
 - i) Rosemary Enright
 - ii) Duncan Pendelbury
 - b) Letter of interest for appointment
 - i) Jessica McCarthy*

A motion was made by Councilor White with second by Councilor Beye to appoint R. Enright and D. Pendelbury to the Planning Commission for the term expiring December 31, 2023. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 9) Quonset Development Corporation Board of Directors (one vacancy with a three-year term expiring December 31, 2022)
 - a) Letter of interest for reappointment
 - i) Job Toll
 - b) Letter of interest for appointment
 - i) Joseph Cannon, Jr.
 - ii) Jessica McCarthy*
 - iii) Robert Tormey*

A motion was made by Councilor Beye with second by Councilor Piva to appoint J. Toll to the Quonset Development Corporation Board of Directors for the expiring term- December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 10) Tax Assessment Board of Review
 - a) Letter of interest for appointment
 - i) Dave Dolce

A motion was made by Councilor Piva with second by Councilor Beye to appoint D. Dolce to the Tax Assessment Board of Review for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 11) Traffic Committee (three vacancies with a three-year term expiring December 31, 2022)
 - a) Letters of interest for reappointment
 - i) Michael Junge
 - ii) William Munger
 - iii) Timothy Yentsch

- b) Letter of recommendation for Timothy Yentsch from Jamestown Shores Association/Ann Gagnon
- c) Letter of interest for appointment
 - i) Leo N. Orsi, Jr.

A motion was made by Councilor Piva with second by Councilor Beye to appoint M. Junge, W. Munger, and T. Yentsch for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 12) Tree Preservation and Protection Committee (two vacancies with a three-year term expiring December 31, 2022)
 - a) Letter of resignation
 - i) Andrew Hunter

It was noted a letter of thanks would be sent to A. Hunter for his service.

- b) Letter of interest for reappointment
 - i) Beth Herman
- c) Letters of interest for appointment
 - i) Carol Coleman
 - ii) Thomas Farrell
- d) Letter of recommendation for B. Herman from Committee Chair Elaine Peterson

A motion was made by Councilor Piva with second by Councilor White to appoint B. Herman to the Tree Preservation and Protection Committee for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

It was noted interviews would be set up for the remaining vacancy.

- 13) Tree Warden (one vacancy with a one-year term expiring December 31, 2020)
 - a) Letter of interest for reappointment
 - i) Stephen Saracino

A motion was made by Councilor Beye with second by Councilor Piva to appoint S. Saracino as Tree Warden for the term expiring December 31, 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 14) Zoning Board of Review
(three vacancies with a one-year term expiring December 31, 2020)
 - a) Letters of interest for reappointment
 - i) Judith Bell
 - ii) James King
 - iii) Eric Brine
 - b) Letter of interest for appointment
 - i) Jessica McCarthy*
 - ii) Stephen Levesque *

A motion was made by Councilor Beye with second by Councilor Piva to appoint J. Bell, J. King and E. Brine to the Zoning Board of Review with terms expiring December 31, 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

Councilor White questioned the practice of reaching out to applicants to prevent discouragement.

It was noted that applicants are kept on file and notified if a vacancy occurs.

A motion was made by Councilor Piva with second by Councilor White to approve the Consent Agenda. Vote: President White, 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) November 14, 2019 (special meeting)
 - 2) November 14, 2019 (executive session)
 - 3) November 15, 2019(special meeting)
 - 4) November 15, 2019 (executive session)
 - 5) November 18, 2019 (regular meeting)
 - 6) November 18, 2019 (executive session)
 - 7) November 19, 2019 (special meeting)
 - 8) November 19, 2019 (executive session)

- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Harbor Commission (October 9, 2019)
 - 2) Jamestown Board of Canvassers (July 22, 2019)
 - 3) Jamestown Board of Canvassers (July 25, 2019)
 - 4) Jamestown Board of Canvassers (September 13, 2019)

2) Request of Tax Assessor for Specific Abatements & Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2012 TAX ROLL		
02-0123-49M		\$1.50
MOTOR VEHICLE ABATEMENTS TO 2014 TAX ROLL		
03-1693-25M		\$55.08
MOTOR VEHICLE ABATEMENTS TO 2015 TAX ROLL		
03-1693-25M		\$14.39
REAL ESTATE ABATEMENTS TO 2019 TAX ROLL		
06-0109-30	Plat 8, Lot 297	\$766.36
REAL ESTATE ADDENDA TO 2019 TAX ROLL		
12-0837-10	Plat 5, Lot 129.	\$250.00
TOTAL ABATEMENTS		\$ 837.33
TOTAL ADDENDA		\$ 250.00

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

A motion was made by Councilor Beye with a second by Councilor White to accept the Communications. Vote: President White, 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:

A) Communications

- 1) Copy of Letter to: Planning Board of Jamestown
From: Deborah A. Foppert, Esq.
Dated: November 8, 2019
Re: 70-78 Narragansett Avenue Proposed Condominium Project Withdraw of Application of Stuart and Ann Sanderson
- 2) Copy of Email to: Erin Liese
From: Marian Falla
Dated: November 15, 2019
Re: Airbnb Short Term Rentals in Jamestown

Councilor White requested this item be placed on a future agenda.

- 3) Copy of Letter to: Jamestown Town Council
From: Alma Davenport
Dated: November 19, 2019
Re: Golf Course

B) Proclamations and Resolutions from other Rhode Island Cities and Towns

- 1) Resolution of the North Smithfield School Committee regarding Field Trip Funding Law

A motion was made by Councilor Piva with a second by Councilor Beye to accept the Resolution from other Rhode Island Cities and Towns. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

X. ADJOURNMENT

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

The regular meeting was adjourned at 7:56 P.M.

Attest:

TOWN COUNCIL MEETING
December 6, 2019

I. ROLL CALL

A special meeting of the Jamestown Town Council was held on December 6, 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 9:06 a.m. in the Jamestown Police Station, Conference Room, 250 Conanicus Avenue.

III. NEW BUSINESS/EXECUTIVE SESSION

- A) Town Administrator Applicant Interviews
Pursuant to RIGL § 42-46-5(a) Subsection (1) Personnel - The Town Council may seek to enter into Executive Session for review, discussion and/or possible action on the Town Administrator applicant interviews.

Discussion ensued on the process moving forward with the remaining applicants.

Council reviewed questions to be asked of the remaining candidate's.

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 10:03 A.M. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- B.) Possible announcement and/or comments regarding Town Administrator applicant interviews.

The Town Council reconvened the regular meeting at 12:40 P.M.

It was announced no action was taken in Executive Session

IV. ADJOURNMENT

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

The meeting was adjourned at 12:40 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk

TOWN COUNCIL INTERVIEW SESSION
December 16, 2019

I. CALL TO ORDER

II. ROLL CALL

The interview session for the Jamestown Town Council was called to order at 5:40 p.m. on Monday, December 16, 2019, in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue. Town Council Members present were as follows: Michael G. White, Mary Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr.

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

Leon N. Orsi, Jr and Richard B. Raynes were interviewed for Harbor Commission Member vacancy.

Jessica McCarthy was interviewed for her interest in Harbor, Discover Newport and Housing Authority vacancies.

Thomas Mc Niff and James Rugh were interviewed for the Discover Newport vacancy.

III. ADJOURNMENT

The Town Council interview session was concluded at 6:34 p.m.

Attest:

Erin F. Liese, CMC, Town Clerk



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

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the November 13, 2019 Meeting of the Jamestown Harbor Commission
Approved: 12/11/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, November 13, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Chairman Harsch called the meeting to order at 6:31 PM with roll call:

Present:

William Harsch, Chairman
Wayne Banks, Vice-Chairman
Steven Bois, Commissioner
Eric Lexow, Commissioner

Absent:

James Heagney, Commissioner
Michael Junge, Commissioner
Dan Wurzbacher, Commissioner

Also in attendance:

Chief Edward Mello, Executive Director
Mark Campbell, Harbormaster
George Souza, Conservation Commission Liaison
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, October 9, 2019

Commissioner Lexow moved to approve the minutes of the October 9, 2019 Jamestown Harbor Commission meeting; Commissioner Bois seconded. So voted; 4 ayes, 0 nays.

III. OPEN FORUM

A. Scheduled Requests to Address

- 1. Mr. William Straser; Re: Request to have appeal placed on the December agenda - Review, discussion and/or potential action and/or vote**

Mr. Straser was not in attendance.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

There were no Non- Scheduled Requests to Address.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello had nothing to report.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell reported that his season is over and that the boats are out and will be shrinkwrapped this Friday.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

MDF YTD Budget- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated the budget is not available at this time.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Heagney was not in attendance.

B. Facilities - Review, discussion and/or potential action and/or vote

Vice-Chairman Banks had nothing to report.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Commissioner Banks had nothing to report.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

Commissioner Junge was not in attendance.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois reported that the next meeting will be in the early spring.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza had nothing to report, other than stating the Conservation Commission is watching what happens with the Jamestown Boat Yard expansion.

IX. OLD BUSINESS

A. Outhaul fees at Ft. Getty and West Ferry – Review, discussion, and/or potential action and/or vote

Executive Director Chief Mello reminded the Jamestown Harbor Commission that they have approved replacing the West Ferry outhaul stairs in the spring, with an estimated cost of \$45,000.

Executive Director Chief Mello presented the Jamestown Harbor Commission with a slideshow prepared by Vice-Chairman Banks. Vice-Chairman Banks visited all of the locations where there are outhauls, commercial and Town owned, in Jamestown and took pictures to present to the Jamestown Harbor Commission, along with the respective pricing to rent an outhaul at each facility.

Executive Director Chief Mello stated that it is important for the Jamestown Harbor Commission to look at the benefits and drawbacks to each location and not to compare only the fees being charged.

Executive Director Chief Mello also stated that the outhauls are easy to manage and do not require much time for staff to focus on.

Executive Director Chief Mello stated that in the last 26 years we have spent approximately \$150,000 repairing the outhauls.

Commissioner Bois asked about the number of permits at each location and the number of people on the wait list.

Harbor Clerk Devlin stated that there are 14 people on the wait list at Ft. Getty with about a 5 year wait time, and 21 people on the wait list at West Ferry with about a 20 year wait time.

Vice-Chairman Banks stated that we are not charging enough and that West Ferry outhauls have the best access in town; he would like to see the fees go up.

Executive Director Chief Mello stated that someone has also proposed an option to split the season for recreational users that only use their outhaul in the summer season, to allow commercial boats to rent the outhaul in the off season.

Vice-Chairman Banks stated that there is not a better, more protected and easier to access location than at West Ferry and that he would like to see a 50% rate increase at West Ferry.

Executive Director Chief Mello suggested introducing the rate change incrementally.

Commissioner Bois moved to have Executive Director Chief Mello provide additional information; Chairman Harsch seconded. So voted; 4 ayes, 0 nays.

Bucky Brennan addressed the Jamestown Harbor Commission stating that commercial outhauls have security and the Town outhauls do not and that they are not the same type of service, as the commercial entities provide the tackle. He also stated

that he does agree that West Ferry and Ft. Getty are not the same.

Carol Cronin stated that she is happy that the Town is investing in the infrastructure at the West Ferry outhauls, but at West Ferry you are bringing your boat against rocks and getting your feet wet to access the boat.

Hugh Kelly addressed the Jamestown Harbor Commission stating that there may be outhauls at the commercial places that are not rented and we don't know what the occupancy is and that also there may be a difference in depth at those locations.

Linda Jamison stated that it is easier to get everyone in the boat at Getty than it is at West Ferry and there used to be parking for outhauls at West Ferry and now there is not.

James Blanton stated that he has been on an outhaul at West Ferry for 10 years and that there are people with cabins on their boats that can't get under the cable at West Ferry so they would rather be at Ft. Getty.

B. Meeting Time – Review, discussion, and/or potential action and/or vote

Commissioner Bois moved to change the meeting time to 6PM, Commissioner Lexow seconded. So voted; 4 ayes, 0 nays.

X. CORRESPONDENCE

There was no Correspondence.

XI. NEW BUSINESS

A. 2020/2021 Operating Budget – Review, discussion and/or potential action and/or vote

Chairman Harsch moved to approve the 2020/2021 operating budget, Vice-Chairman Banks seconded. So voted; 4 ayes, 0 nays.

B. 2020/2021 Long Range Infrastructure Plan– Review, discussion and/or potential action and/or vote

Commissioner Bois moved to approve the 2020/2021 Long Range Infrastructure Plan, Vice-Chairman Banks seconded. So voted; 4 ayes, 0 nays.

C. Harbor Permit Rates – Review, discussion and/or potential action and/or vote

Vice-Chairman Banks moved to continue this item, Commissioner Bois seconded. So voted; 4 ayes, 0 nays.

D. Mooring Renewal Process – Review, discussion and/or potential action and/or vote

Executive Director Chief Mello presented a revised renewal process to the Jamestown Harbor Commission. Executive Director Chief Mello stated that the Harbor Management Ordinance dictates how we manage permit renewals and that this change will require an ordinance change by the Town Council. It will not be a simple process and we are asking to change the procedure for the 2021 season.

Executive Director Chief Mello stated that, currently, the renewal process spans over 10 months. The new concept will shorten that time frame and also push back the timing to prohibit moorings from being unused all season with little to no recourse. There is a wait list of 400 people and it is unfair to them that there are moorings not being used and it being too late in the season to reissue those moorings to someone on the wait list.

Vice-Chairman Banks stated that he likes the concept but is concerned about the narrow timeframe.

Executive Director Chief Mello stated that we could back up the initial date.

Vice-Chairman Banks moved to approve the concept with an earlier start date; Chairman Harsch seconded. So voted; 3 ayes, 1 nays (Lexow).

E. Jamestown Boat Yard Expansion – Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that there are 2 documents in the packet regarding the Jamestown Boat Yard expansion. The first document is the CRMC water classification for the area around Jamestown Boat Yard and the Dumplings swim area. CRMC classifies the area as "High Intensity Boating."

Executive Director Chief Mello stated that the second map was prepared by Harbor staff and shows the proposed marina expansion, to scale, along with the swim area. The Jamestown Boat Yard commercial moorings are marked with a green dot and the private moorings are marked with a red dot.

Chairman Harsch asked Executive Director Chief Mello if the Jamestown Harbor Commission needs to take action.

Executive Director Chief Mello stated that it would be up to the Jamestown Harbor Commission if they take action or not, but it is not required and, as previously stated, not within the purview of the Jamestown Harbor Commission.

Chairman Harsch asked Conservation Commission Liaison Souza what the Conservation Commission is planning to do.

Conservation Commission Liaison Souza stated that the Conservation Commission already sent a letter directly to CRMC and that there may be some modifications to the plan, and the Conservation Commission is waiting to see what the new plan looks like.

Chairman Harsch asked Harbormaster Campbell if he thought there would be any hazards to navigation.

Harbormaster Campbell stated that in his opinion, the expansion will not cause or be a hazard to navigation.

Commissioner Bois moved to provide an opinion to the Town Council on this project, whether we agree or do not agree.

Vice-Chairman Banks stated that he agrees with Commissioner Bois but would like to wait and see what the Conservation Commission does and to follow their lead on this.

Commissioner Lexow seconded. So voted; 4 ayes, 0 nays.

XII. OPEN FORUM – CONTINUED - Review, discussion and/or potential action and/or vote

Dave Pritchard stated that he has been on the outhauls at Ft. Getty for about 20 years and that the only facilities there are the concrete block and the wire. There is no maintenance at the Ft. Getty outhauls except for the pilings.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Chairman Harsch moved to adjourn at 8:34 PM; Commissioner Bois seconded. So voted; 4 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the November 26, 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 7:05 p.m. The clerk called the roll and noted the following members present:

Richard Boren, Chair
Marcy Coleman, Member
Erik Brin, 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 October 22, 2019

A motion was made by James King and seconded by Erik Brine to accept the minutes of the October 22, 2019 meeting as presented.

The motion carried by a vote of 4-0.

Richard Boren, Marcy Coleman, Erik Brine and James King voted in favor of the motion.

Dean Wagner, Terence Livingston, Edward Gromada and Judith Bell were absent.

Terence Livingston arrived at 7:08 and voted to approve the minutes of October 22, 2019.

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

Richard Boren, Terence Livingston, Marcy Coleman, Erik Brine and James King voted in favor of the motion.

Dean Wagner, Edward Gromada and Judith Bell were absent.

CORRESPONDENCE

An e-mail from Matthew F. Callaghan Jr., Esq. representing the applicant and Mark Liberati, Esq. representing the objector requesting to continue the application of Mark Brookes and Hannah Swett to the January 28, 2020 meeting.

NEW BUSINESS

Brookes/Swett

A motion was made by James King and seconded by Erik Brine to continue the application of Mark Brookes and Hannah Swett to the January 28, 2020 meeting at the request of the attorneys.

The motion carried by a vote of 5 - 0.

Richard Boren, Terence Livingston, Marcy Coleman, Erik Brine and James King voted in favor of the motion.

Dean Wagner, Edward Gromada and Judith Bell were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 7:15 p.m.
The motion carried unanimously.

To: Councilman Randy White
From: Alma Davenport
Re: **Airbnb** on Jamestown
Date: December 30, 2019



RECEIVED
TOWN OF JAMESTOWN, RI
19 DEC 31 AM 11:36

You were recently quoted as wondering if AirBnB's (short term rentals) were a growing "issue" on Jamestown. I believe it is an issue that has the potential to negatively alter the character of Jamestown:

- 1) While Jamestown never had a plethora of year-round and winter rentals, the number has continued to drop. I believe this is because of the short-term rental market's economic advantage to property owners. This short-term option robs Jamestown of citizens who would contribute to our social fabric (volunteer or not: firepeople/EMS, library help, school assistance) by pulling longer-term rentable properties off the market.
- 2) The plethora of short-term rentals negatively impact the economics of existing BnB's on Jamestown.
- 3) The noise and parking problems that can be attendant to short-term rentals. Those, and other problems normally occur at short-term rentals that are not owner-occupied.
- 4) In countless other small vacation communities, the rise in non-owner occupied residences, used solely for short-term rentals has skyrocketed. Again, it makes perfect economic sense, but does so at the expense of the communitie's social fabric.

I believe registration for all home rental units to be the only sensible method to monitor the issue. Three years ago, when "push-back" was felt. I believe it was largely due to townspeople's perception that this was simply another method for the town to generate revenue. Rental property registration must not be perceived this way unless, of course, the information will be used in that manner. Transparency is a must. That, and stressing that registration will allow the town to monitor the overall living situation of its residents and will be used to protect and preserve our treasured quality of life.

As I believe that most problems with short-term rentals occur with an absentee landlord, registration is a method to divide rentals into groups. Different forms could categorize the type of rental. In the case of non-owner occupied rentals, I believe that in addition to the standard information, registration should include the name and **Jamestown address** of the person responsible for any problems that may occur during the rental. This person should be required to sign the registration form, or a separate document stating that they take on this responsibility. If there are problems and this person cannot be reached, a substantial levy should be made on the property owner. Insisting on a Jamestown resident as the responsible party will alleviate much stress all around.

These are my ideas, Randy. I also think that because the Council, the Planning Department, etc. are normally awash in issues, perhaps a small citizen's committee could be convened (applications accepted) that could research the issue (how other communities have tackled these problems legally) and present findings to the appropriate Town entities.

Thank you for your attention. If you would like, please feel free to share the contents of this letter.

Erin Liese

From: Christina Collins
Sent: Tuesday, December 31, 2019 9:39 AM
To: Erin Liese
Subject: FW: Airbnbs in Jamestown, RI

CHRISTINA D. COLLINS
FINANCE DIRECTOR
TOWN OF JAMESTOWN
93 NARRAGANSETT AVE.
JAMESTOWN, RI 02835
ccollins@jamestownri.net
P)401-423-9809
F)401-423-7229

From: rdoyle [mailto:rdoyle1948@gmail.com]
Sent: Tuesday, December 31, 2019 9:34 AM
To: Christina Collins <ccollins@jamestownri.net>; rdoyle1948@gmail.com; rdoyle@rtdgroup.us
Subject: Airbnbs in Jamestown, RI

Dear Ms. Collins,

Please pass onto the Town Council and other appropriate officials.

The following is true for many Airbnbs:

1. An Airbnb looks great on a website with selected photos.
2. An Airbnb is primarily an investment property for the owner only of that property
3. The yards are poorly maintained
4. Most renters of an Airbnb rent that property one time only because of the above.
5. An Airbnb has a negative impact on the abutting properties and the neighborhood overall.
6. For the abutting reasons, Jamestown should exclude Airbnbs to the extent legally possible.

While I occupy my home in lovely Jamestown for only about 6 months, I treat it as a true home and my neighbors as a very important part of my life. This home is checked out on a very regular basis by a professional property manager.

I apologize to offending those owners and managers of the good Airbnbs. However, my observations are that they are in the minority. Also, there are no apparent attempts by the Town to improve these many poor Airbnbs.

Sincerely,

Richard Doyle

Sent from [Mail](#) for Windows 10

Erin Liese

From: Kathryn Conway <chitchatwithkath@gmail.com>
Sent: Tuesday, December 31, 2019 11:58 AM
To: Erin Liese
Subject: JBY's expansion

Dear Ms. Liese,

I am writing to voice my and my husband Tim's concern over the proposed expansion of the Jamestown Boat Yard. It is our very strong opinion that the proposed marina is not well thought out and if approved would have grave consequences. Jamestown we all know, is a very special place and the commercialization of some of its most pristine environments would in our opinion cause irrevocable damage to the area. We believe the proposed expansion would have a deleterious effect on the marine environment, upsetting the natural balance needed to keep our bay healthy. The proposed expansion would also intrude upon the recreational and navigational safety of one of the prettiest spots on the island. Regrettably We cannot be present at the Town Meeting on Monday but hope our letter will be counted as a vote to not support this endeavor.

Very Respectfully,
Kathryn and Tim Conway
605 Beavertail Road

--

Sent from Gmail Mobile



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

PUBLIC NOTICE

File Number: 2019-12-055 Date: December 31, 2019

This office has under consideration the application of:

Walrus & Carpenter Oysters LLC
c/o Jules Opton-Himmel
83 State Street
Narragansett, RI 02882

for a State of Rhode Island Assent to create and maintain: **a 7.8 acre aquaculture site using floating cages**

Project Location:	Narragansett Bay
City/Town:	Jamestown
Waterway:	Narragansett Bay-West Passage

Plans of the proposed work may be seen at the CRMC office in Wakefield.

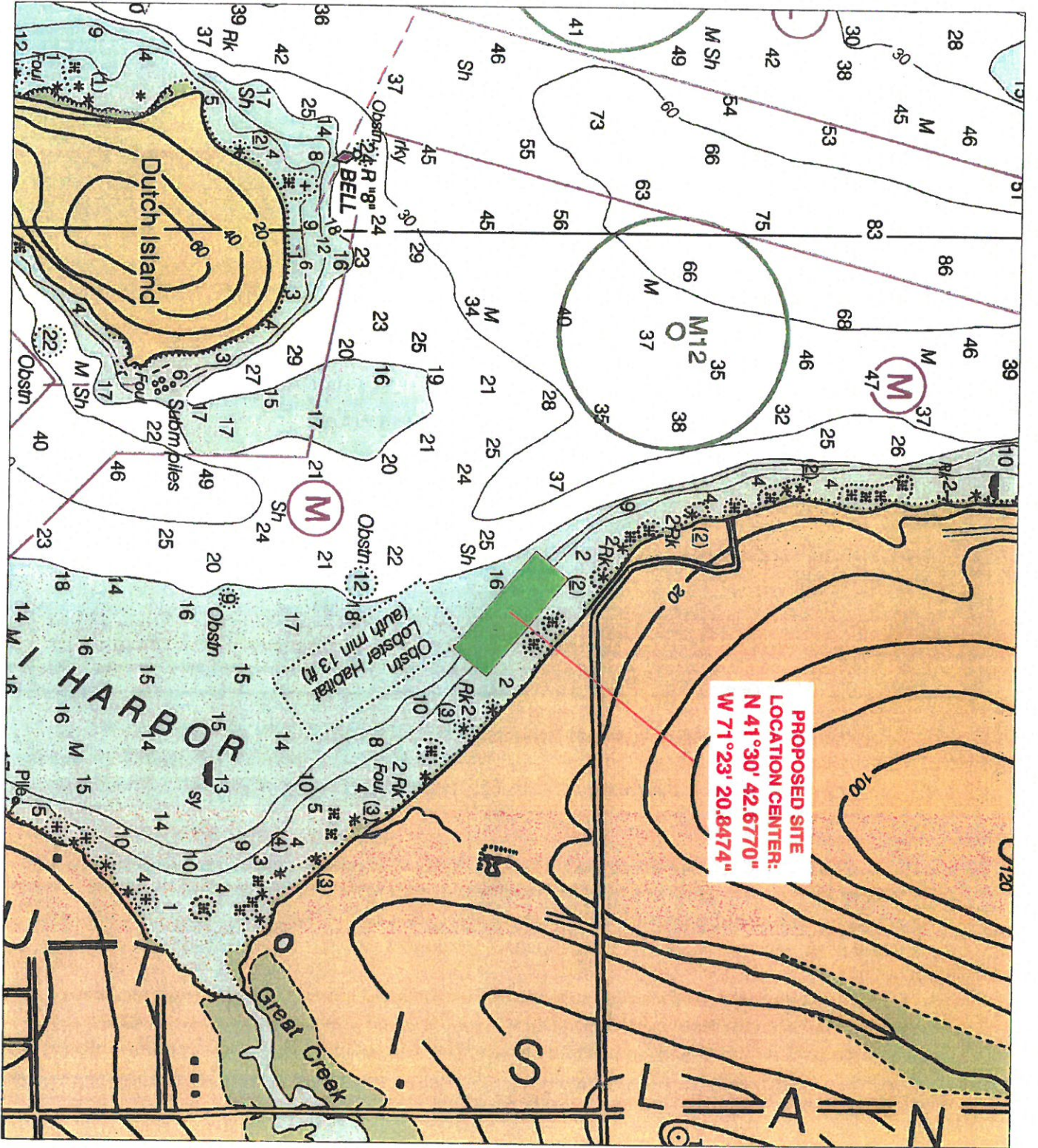
In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before January 30, 2020.

/lat

Figure 1: Location map of proposed site – NOAA nautical chart



SCALE 1" = 1000'



PROPOSED SITE LOCATION
 WEST PASSAGE NARRAGANSETT BAY, JAMESTOWN, RI

WALRUS AND CARPENTER
 OYSTERS LLC
 PREPARED: SEPTEMBER 2019

RECEIVED
 DEC 18 2019
 COASTAL PROPOSALS

**TOWN OF CHARLESTOWN, RI
RESOLUTION IN SUPPORT OF FULLY FUNDED E-911
STATEWIDE AND MUNICIPAL SERVICES**

Whereas, E-911's mission is intended to provide 24 hour effective and efficient emergency communication services in the interest of public good; and

Whereas, Even with some of the best Fire, Rescue and Ambulance Corps in the State, the response times in rural areas may be 10 to 15 minutes – a response time that is a product of distance and antiquated equipment alone; and

Whereas, The revenue source chosen to completely fund the State of RI Enhanced 911 is first remitted to the State of Rhode Island by the phone carriers from surcharges collected from everyone's individual phone bill; and

Whereas, Since 2002, the State of Rhode Island has co-mingled in general revenue on average 55% of fees collected but not dedicated to E-911 services. E-911 services consist of staffing, training, operations, equipment and technology that help with the operation of delivering E-911 services; and

Whereas, At present, our E-911 system has no GPS tracking for cell phones for voice and text messaging services, no Emergency Medical Dispatch (a process that puts a trained nurse practitioner or physician's assistant on the line to provide emergency medical instruction), is not in line with mandated municipal equipment upgrades from surcharges and does not have a full range of services needed to communicate with all Rhode Islanders who may find themselves in highly stressed emergency crises; and

Whereas, At present, municipality dispatch centers use equipment that is electronically antiquated and not in keeping with modern efficiencies causing upgrades to be borne by municipal tax payers or by having the Police/Fire dispatch centers search for funds by writing grants.

Now Therefore, be it resolved; that we, the members of the Charlestown Town Council, support fully funded E-911 statewide and municipal services; and

Be it further resolved; that the members of the Charlestown Town Council urge the Governor to convene the E-911 Commission to oversee the resolution of any inadequacies in the E-911 system; and

Finally, be it further resolved; that the Charlestown Town Clerk is hereby directed to forward a copy of this Resolution to all State of Rhode Island City and Town Councils respectfully requesting that they too adopt a similar resolution in support of the Town of Charlestown in their request to update staffing, training, operations, equipment and technology for 911 Emergency Services. This and other resolutions will be sent to the Governor and other State and grassroots agencies requesting their support.

The RESOLUTION shall take effect upon passage.

By resolution of the Charlestown Town Council
At a meeting held on December 9, 2019



Attested to by
Amy Rose Weinreich, CMC Town Clerk

