



**TOWN COUNCIL MEETING**  
**Jamestown Town Hall**  
**Rosamond A. Tefft Council Chambers**  
**93 Narragansett Avenue**  
**Monday, December 20, 2021**  
**5:30 P.M.**

**THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.**

**THIS MEETING WILL BE LIVE STREAMED:** To view the meeting with no interaction:  
<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

*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-minutes/2021-meetings-minutes/2021-meetings/-fsiteid-1>

**I. TOWN COUNCIL SPECIAL SESSION: The Jamestown Town Council will meet in special session to conduct interviews of applicants for the committee vacancies as follows:**

TIME	NAME	COMMITTEE
5:40	Leo Orsi	Conservation Commission
5:50	Eric Lexow	Harbor Commission
6:00	James Simmons	Tree Committee
6:10	Richard Toselli	Zoning Board of Review
6:20	Lisa Primiano	Conservation Commission

**II. ADJOURNMENT OF SPECIAL SESSION**

**The Town Council's Open Meeting will begin at 6:30 P.M.**

**III. ROLL CALL**

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

**V. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS**

- A) Approval of Minutes; review, discussion and/or action and/or vote  
 1) 11/15/2021(regular meeting)
- B) Open Forum – Water & Sewer Matters  
*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 Council 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.*  
 1) Scheduled request to address - none  
 2) Non-scheduled request to address
- C) Report of Town Officials:  
 1) Pumping Report  
 2) Town Project Reports  
 a) Town Wells  
 b) Water Treatment Plant  
 c) Transfer Pumping/Reservoir  
 d) Distribution System  
 e) Wastewater Treatment Facility
- D) Letters and Communication  
 1) None
- E) Unfinished Business  
 1) None
- F) New Business  
 1) RIDEM 2021 Nonpoint Source Implementation Grant for an amount of \$250,000 to fund the removal and disposal of invasive Phragmites and restore the conditions of South Pond Reservoir.
- G) **The Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners**

**VI. OPEN FORUM**

*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 Council 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) Laura Carlson regarding Rescue Barn proposal
- B) Non-scheduled request to address

**VII. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS**

- A) Clean Ocean Access Presentation by Executive Director David McLaughlin
  - 1) Water Quality – Results from 2021 and plans for 2022
  - 2) Sustainable Jamestown – In Vessel Composting opportunity

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

*The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.*

- A) One Day Event Application: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
  - 1) Applicant: Jamestown Rhode Race  
Event: Rhode Races & Events, Inc.  
Dates: October 1, 2022  
Location: Fort Getty
  - 2) Memorandum from Jamestown Recreation Director Ray DeFalco

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

- A) Town Administrator's Report: Jamie A. Hainsworth
  - 1) National Opioid Settlement (agenda item)
  - 2) Budget FY 2022-2023
  - 3) Election Polling Place for the 2022 Fall Elections
  - 4) Covid 19 update: Covid Testing

**X. NEW BUSINESS**

- A) Review, Discussion and/or Action and/or Vote: Request to authorize the Town Administrator to sign the two National Opioid Settlement offers.
  - 1) National Opioid Settlement FAQs
  - 2) Subdivision Distributor Settlement Participation Form
  - 3) Subdivision Janssen Settlement Participation Form
  
- B) Review, Discussion and/or Action and/or Vote: Town of Jamestown request for assignment of the Lease Agreement between the Town of Jamestown and Conanicut Marine Services, Inc. dated October 16, 2016 to TPG Marinas Conanicut, LLC.
  - 1) Leased areas include and are defined as Plat 9, Lots 355 & 356 located at the area in the center of Jamestown known as the East Ferry, including the wood piled and concrete (steel) piers, fixtures and improvements located thereon.
  
- C) Review, Discussion and/or Action and/or Vote: Town of Jamestown request permission to utilize Waterfront Infrastructure Improvement account for Phase Two (2) East Ferry Improvements
  - 1) Sidewalk repair around Veterans Square
  - 2) Repair to former Ferry Landing

**XI. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS**

- A) Appointments, Vacancies and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
  - 1) Beavertail State Park Advisory Board (One vacancy with a three-year term ending date of December 31, 2024); duly advertised
    - a) Letter of interest for reappointment
      - i) Linda Warner
  
  - 2) Jamestown Conservation Commission (Two vacancies with three-year term ending dates of December 31, 2024); duly advertised
    - a) Letter of resignation
      - i) Jessica Wurzbacher
    - b) Letter of interest for reappointment
      - i) Leo N. Orsi, Jr.
    - c) Letter of interest for appointment
      - i) Lisa Primiano
  
  - 3) Jamestown Fire Department Compensation Committee (One [1] Citizen-at-Large Representatives with an unexpired term ending date of May 31, 2022)
    - a) No applicants
  
  - 4) Jamestown Harbor Management Commission (Three vacancies with three-

year term ending dates of December 31, 2024); duly advertised

- a) Letters of interest for reappointment
  - i) Eric Lexow
  - ii) Wayne Banks
  - iii) Daniel Wurzbacher
- b) Letters of interest for appointment
  - i) Thomas Farrell
  - ii) Paul D. Sprague
  - iii) Stephen J. Corbett

5) Jamestown Housing Authority – (Two vacancies with One five-year term ending December 31, 2026[~~Full Member~~] and ~~One~~ unexpired five-year term ending date of December 31, 2023[Resident Commissioner]; and; duly advertised

- a) Letter of interest for **reappointment (Full Member)**
  - i) Valerie Molloy
- b) Letter of interest for **appointment**
  - i) Susan Romano (previously interviewed)
  - ii) Robert Plain (previously interviewed)
- c) Letter of interest for appointment (**Resident Commissioner**)
  - i) Doreen Dell (previously interviewed)
    - (a) Endorsement from JHA Board Chair Molloy and Vice Chair Szepatowski
    - (b) Endorsement from JoAnn Koehler
    - (c) Endorsement from Diona McGrath
    - (d) Endorsement from Joan Shaffer
  - ii) Bernie Courtney

6) Jamestown Juvenile Hearing Board – Member (Two vacancies with three-year term ending dates of December 21, 2024); duly advertised

- a) Letter of resignation
  - i) Michael Lichtenstein
- b) Letter of interest for reappointment
  - i) Barbara Szepatowski
- c) Letter of interest for appointment – to move up to Member from Alternate Member
  - i) Joseph Cannon
  - ii) Nancy Ventrone
- d) Letter of interest for appointment
  - i) Andy Wade

7) Jamestown Philomenian Library Board of Trustees (Two vacancies with three-year term ending dates of December 31, 2024); duly advertised

- a) Letter of resignation
  - i) Catherine Kaiser
- b) Letter of interest for reappointment

- i) Eugene Mihaly
  - c) Letter of interest for appointment
    - i) Joseph Cannon (previously interviewed)
    - ii) Mackenzie Richards (previously interviewed)
- 8) Jamestown Planning Commission (Three vacancies with a four-year term ending date of December 31, 2025); duly advertised
  - a) Letter of resignation
    - i) Michael F. Smith
  - b) Letter of interest for reappointment
    - i) Bernd E. Pfeiffer
    - ii) Mick Cochran
- 9) Jamestown Tree Preservation and Protection Committee (Three vacancies with three-year term ending dates of December 31, 2024); duly advertised
  - a) Letter of resignation (full term)
    - i) Thomas Farrell
    - ii) Susan Shim Gorelick
  - b) Letter of interest for reappointment
    - i) Walter Bopp
  - c) Letter of interest for appointment
    - i) John Austin Murphy
    - ii) James Simmons
- 10) Jamestown Zoning Board of Review – Member (Two vacancies with a five-year term ending date of December 31, 2026); duly advertised
  - a) Letter of interest for reappointment
    - i) Dean J. Wagner
    - ii) Terence Livingston
- 11) Jamestown Zoning Board of Review – Alternate Member (Three vacancies with one-year term ending dates of December 31, 2022); duly advertised
  - a) Letter of interest to remain as Alternate Member
    - i) Judy Bell – 1<sup>st</sup> Alternate
  - b) Letter of interest for reappointment
    - i) John Shekarchi
    - ii) Alex Finkelman
  - c) Letter of interest for appointment
    - i) Richard Toselli

## XII. 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 6, 2021(Regular Meeting)
- B) Minutes of Boards/Commissions/Committees
- 1) Jamestown Affordable Housing Committee (April 28, 2021)
  - 2) Jamestown Affordable Housing Committee (November 17, 2021)
  - 3) Jamestown Conservation Commission (July 20, 2021)
  - 4) Jamestown Conservation Commission (October 19, 2021)
  - 5) Jamestown Conservation Commission 2021 Attendance Log
  - 6) Jamestown Housing Authority Board of Commissioners (November 17, 2021)
  - 7) Jamestown Housing Authority Board of Commissioners 2021 Attendance log
  - 8) Jamestown Planning Commission (October 20, 2021)
  - 9) Jamestown Planning Commission (November 3, 2021)
  - 10) Jamestown Tax Assessment Board of Review 2021 Attendance Log
  - 11) Jamestown Zoning Board of Review (November 23, 2021)
  - 12) Jamestown Zoning Board of Review 2021 Attendance log

C) Tax Assessor's Abatements and Addenda of Taxes

<b>MOTOR VEHICLE ABATEMENTS TO 2021 TAX ROLL</b>		
01-0005-09M	SOLDIER & SAILOR EXEMPT	\$ 27.61
01-0004-85M	SOLDIER & SAILOR EXEMPT	\$ 7.51
01-0004-85M2	SOLDIER & SAILOR EXEMPT	\$188.20
<b>REAL ESTATE ABATEMENT TO 2021 TAX ROLL</b>		
19-0468-25	RIGL 44-5-71 DEMO REMOVAL	\$607.52
<b>ADDENDA TO 2021 TAX ROLL</b>		
01-0002-24	PRO-RATION C/O DATE 11/22/2021	\$935.24
<b>TOTAL ABATEMENTS TO 2021 TAX ROLL</b>		<b>\$830.84</b>
<b>TOTAL ADDENDA TO 2021 TAX ROLL</b>		<b>\$935.24</b>

- D) Tax Assessor Settlement Agreements
- 1) Settlement Agreement regarding Elizabeth Lee v. Christine Brochu, Jamestown Tax Assessor et al., Assessor's Plat 9, Lot 385, C.A. No. NC-2020-0116
  - 2) Settlement Agreement regarding Blue Rock LLC v. Town of Jamestown

Tax Assessor, Assessor's Plat 8, Lot 202, C.A. No. NC-2020-0114

- E) Jamestown School Bid award recommendation for Melrose and Lawn Schools Fire Alarm Project and Lawn Generator to EW Burman, Inc.
  - 1) Memorandum from Dr. Kenneth Duva, Superintendent of Schools
  - 2) Memorandum from Town Administrator Jamie Hainsworth
- F) Finance Director's Report: Christina D. Collins- Comparison of Budget to Actuals as of November 30, 2021
- G) Board of Licensing Commissioners Annual Report of Beverage License Violations
- H) Updated RFP for the Feasibility Study for a Community Network, extension of deadline to submit bid.

**XIII. 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 Received:
  - 1) Copy of Letter to: Town Council  
From: Frederick K. Uttley and David B. O'Neill  
Dated: December 1, 2021  
Re: Proposed Dead End on Steamboat Street
  - 2) Copy of Letter to: Town Council  
From: Dan Shapiro  
Dated: December 12, 2021  
Re: Short Term Rental draft ordinance
  - 3) Copy of Letter to: Town Council  
From: Alma Davenport  
Dated: December 13, 2021  
Re: Short Term Rentals on Jamestown
- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
  - 1) Copy of Smithfield School Committee Resolution  
From: Smithfield School Department  
Dated: December 6, 2021  
Re: Request to the RI General Assembly to support extension of RIGL§16-7-40 (c) and (d) Increased school housing ratio.



**XIV. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS**

- A) Interviews scheduled of applicants for the committee vacancies on **January 3, 2022** as follows:

TIME	NAME	COMMITTEE
5:40	Paul Sprague	Harbor Commission
5:50	Stephen Corbett	Harbor Commission
6:00	Thomas Farrell	Harbor Commission
6:10	Wayne Banks	Harbor Commission
6:20	Daniel Wurzbacher	Harbor Commission

- B) Interviews scheduled of applicants for the committee vacancies on **January 18, 2022** as follows:

TIME	NAME	COMMITTEE
6:05	Andy Wade	Juvenile Hearing Board
6:15	Valerie Molloy	Jamestown Housing Authority

**XV. EXECUTIVE SESSION**

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

- A) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Adverse Possession/Easement/Quiet Title), Carey v. Jamestown, NC File No. 2020-0375

**XVI. ADJOURNMENT OF EXECUTIVE SESSION****XVII. 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](http://www.jamestownri.gov).*

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

*Posted on the RI Secretary of State website on December 16, 2021*



**TOWN OF JAMESTOWN  
TOWN COUNCIL MEETING  
for  
TOWN, WATER AND SEWER MATTERS**

November 15, 2021

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue at 6:31 PM by Commission President Nancy A. Beye.

The following members were present:

Mary E. Meagher, Commission Vice-President  
Erik G. Brine  
Michael G. White  
Randall White

Also, present were:

Jamie A. Hainsworth, Town Administrator  
Roberta J. Fagan, Town Clerk  
Christina D. Collins, Finance Director  
Michael Gray PE, Public Works Director  
Peter D. Ruggiero Esq., Town Solicitor  
Denise Jennings, Water and Sewer Clerk

**AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS**

(None)

**READING AND APPROVAL OF MINUTES**

1) September 20, 2021 (regular meeting)

Motion was made by Commissioner Meagher, seconded by Commissioner Michael White to accept the September 20, 2021 regular meeting minutes. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Michael White, Aye; Commissioner Randall White, Aye

2) October 18, 2021 (regular meeting)

Motion was made by Commissioner Meagher, seconded by Commissioner Michael White to accept the October 18, 2021 regular meeting minutes. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Michael White, Aye; Commissioner Randall White, Aye

**OPEN FORUM**

Commission President Beye noted that this open forum would be for water and sewer matters only.

1) Scheduled requests to address:

(None)

2) Non-scheduled request to address:

(None)

**REPORT OF TOWN OFFICIALS****1) Pumping Report:**

The Public Works Director reported the following:

- JR-1 is currently in service.
- Pumping was down for the month of October, which will cause a drop in revenue.
- Rainfall was up for the month of October and compared to September.
- North Reservoir is @ 60MG, usable storage-60MG.
- South Pond is @ 6MG, usable storage- 6MG

**2) Town project reports: (See attached *Project Update Report dated November 2021*)**

Following a brief report by the Public Works Director, it was the consensus of the Commission, to accept the Public Works Director's report, as submitted.

**LETTERS AND COMMUNICATIONS**

(None)

**UNFINISHED BUSINESS**

(None)

**NEW BUSINESS**

(None)

**ADJOURNMENT**

Motion was made by Commissioner Meagher, seconded by Commissioner Michael White to adjourn the meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners at 6:39 PM. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye; Commissioner Randall White, Aye

Attest:

Denise Jennings  
Water and Sewer Clerk

## Project Update November 2021

### WELLS

#### JR-1, JR-3

- JR-1 is currently in service. The well pumps water at a rate of 50 gpm directly into the transmission main feeding the water plant from the reservoir.

### TREATMENT PLANT

- Our analytical testing program is complete for the Corrosion Control Evaluation for the use of North Kingstown Water in the event of an emergency. Weston and Sampson has provided a draft summary report for my review. The results of the testing indicate that the North Kingstown water is less corrosive than Jamestown and that the use of the water will have no impact on our distribution system and water quality delivered to our customers. The final report will be submitted to RIDOH for their review and approval.
- We are approaching the useful life cycle for our membrane filters at the treatment plant. We are working with engineers at SUEZ Water Technologies and Solutions on their replacement. SUEZ acquired GE Water and Process Technologies who provided the membrane filters at the time of our plant construction in 2008.

### TRANSFER PUMPING/RESERVOIR

Jamestown Brook watershed encompasses the North Pond Reservoir and South Pond Reservoirs in Jamestown. Staff from RIDEM Water Resources completed the Jamestown Brook Watershed Plan in 2021 as a tool to use in efforts for protection and restoration of water quality and aquatic habitat in the watershed. The plan identified Phragmites emerging as an aquatic invasive species at South Pond, impacting habitat and water flow at the reservoir. Because of this plan we are eligible for funding through the recently advertised RIDEM 2021 Nonpoint Source Implementation Grants for Protecting and Restoring water quality from nonpoint sources of pollution, and Improving or Restoring aquatic habitats. We are working on our grant application and will have it for Council approval in December. I met with staff at CRMC regarding a program to deal with the phragmite issue at South Pond. The staff biologist stated that he would only consider excavation and offsite disposal and then a long term maintenance program. No herbicides will be allowed.

### DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 6 Million Gallons

North Pond @ 60 MG

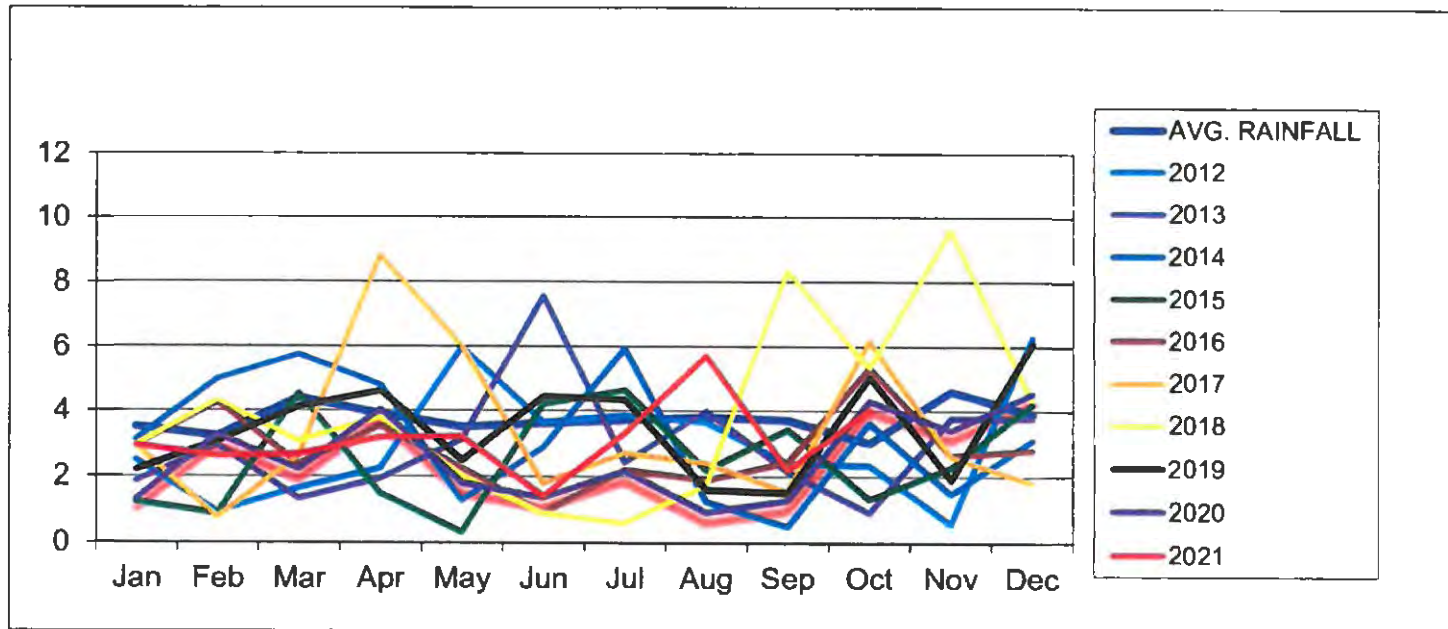
Usable Storage 60 Million Gallons

### WASTEWATER TREATMENT PLANT

- The monthly average daily flow at the treatment plant for August was 0.26 million gallons per day. The monthly average allowed by our discharge permit is 0.73 million gallons per day. The peak daily flow was 0.35 million gallons.
- The Northeaster experienced on October 27<sup>th</sup> caused a power failure at the West Ferry Sewer pump station due to tree damage on Narragansett Avenue.
- I am working on bid documents to replace (3) sluice gates at the Mackerel Cove pump station. One sluice gate has failed.

	AVG. RAINFALL	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	3.5	2.49	1.85	3.1	1.22	2.94	2.94	2.94	2.19	1.3	2.94
Feb	3.2	0.93	2.94	4.98	0.86	4.25	0.76	4.33	3.06	3.26	2.62
Mar	4.4	1.64	1.32	5.74	4.53	2.36	2.62	3.07	4.11	2.21	2.66
Apr	3.9	2.24	1.92	4.8	1.47	3.53	8.8	3.79	4.61	4.03	3.18
May	3.5	5.97	3.11	1.27	0.32	2.24	6.03	2.03	2.46	1.79	3.2
Jun	3.6	3.64	7.55	2.86	4.2	0.89	1.79	0.89	4.44	1.36	1.4
Jul	3.7	3.86	2.42	5.93	4.63	2.19	2.7	0.61	4.33	2.16	3.3
Aug	3.8	3.64	3.98	1.23	2.17	1.88	2.4	1.73	1.58	0.91	5.71
Sep	3.7	2.39	2.13	0.5	3.41	2.42	1.54	8.35	1.49	1.27	2.19
Oct	3	2.33	0.9	3.61	1.31	5.33	6.18	5.34	5.04	4.29	4.03 36.30 avg
Nov	4.6	0.58	3.76	1.47	2.27	2.63	2.61	9.61	1.89	3.39	
Dec	3.9	6.28	3.76	3.1	4.2	2.79	1.81	4.33	6.09	4.53	
Total	44.8	35.99	35.64	38.59	30.59	33.45	40.18	47.02	41.29	30.5	31.23

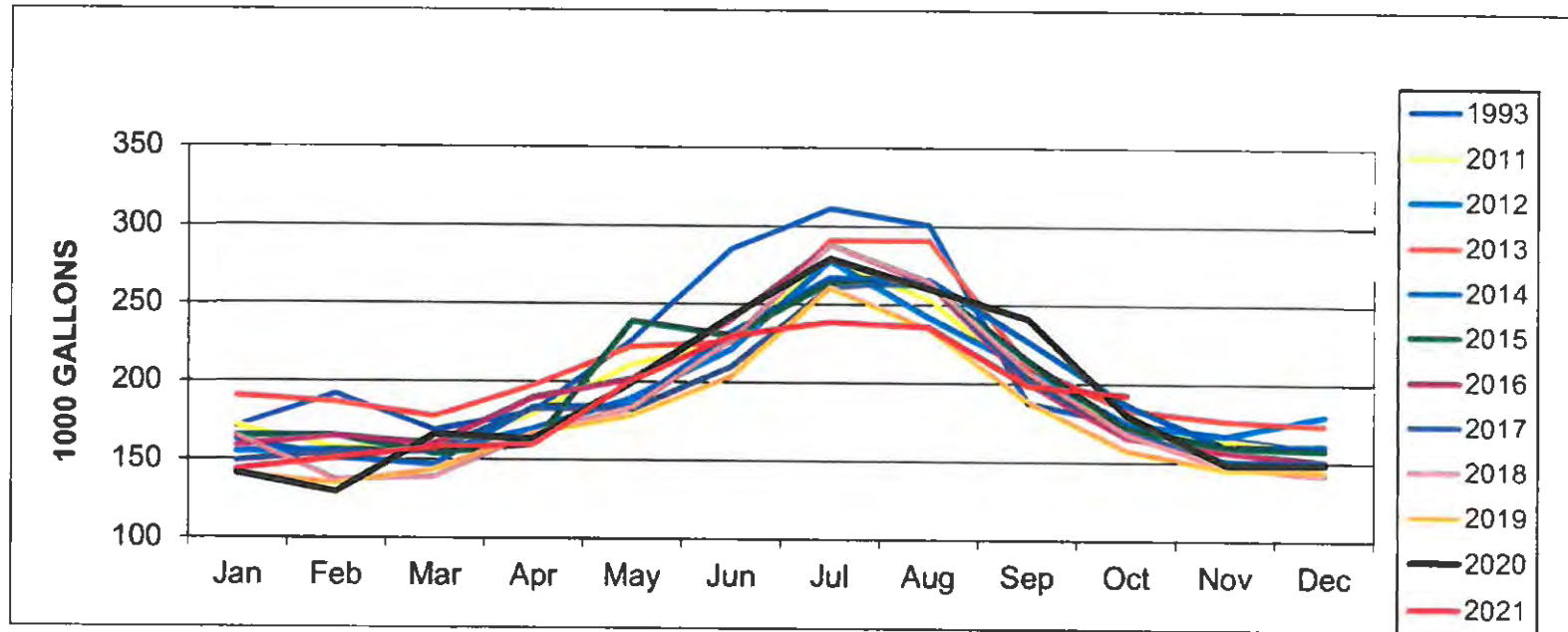
### RAINFALL





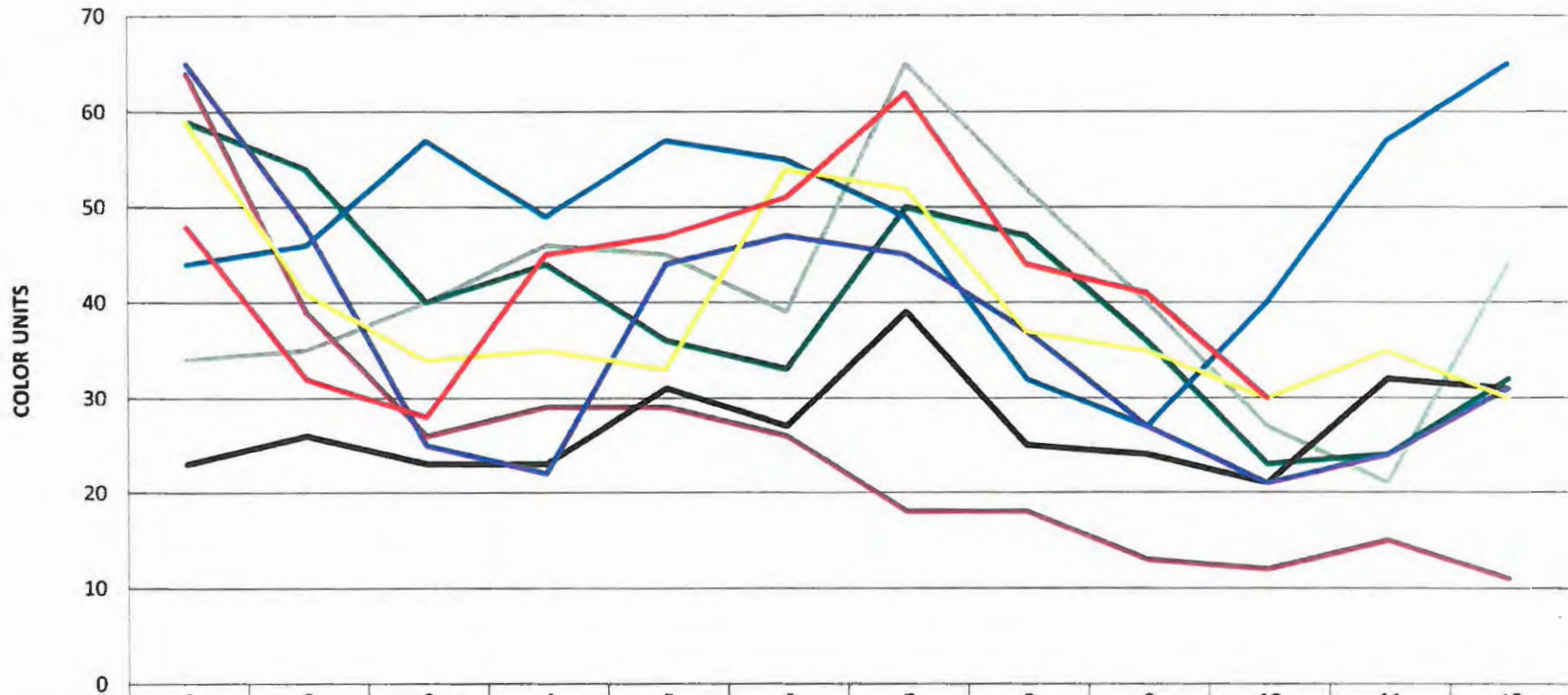
	1993	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	171	172	173	239	172	155	191	163	165	159	149	165	141	141	144
Feb	192	154	173	210	158	156	187	151	165	165	155	137	135	129	151
Mar	169	155	165	198	157	155	178	147	154	160	156	139	144	166	158
Apr	181	174	196	210	180	170	198	184	160	190	183	167	167	163	160
May	227	202	195	180	212	190	223	185	239	202	183	184	179	200	201
Jun	285	246	215	218	226	221	226	232	230	240	210	227	204	242	230
Jul	311	296	277	274	279	278	291	267	264	288	261	288	261	279	239
Aug	301	256	290	251	254	242	291	266	263	264	266	265	235	260	236
Sep	188	210	245	193	205	210	212	227	215	201	203	208	189	241	199
Oct	175	187	259	182	175	175	184	187	172	166	170	168	158	180	193
Nov	166	175	226	160	164	167	177	160	160	157	151	148	146	149	
Dec	158	192	230	167	158	180	174	161	158	151	151	142	145	149	

**PUMPING REPORT**





## Transfer Pumping NORTH POND WATER QUALITY



	1	2	3	4	5	6	7	8	9	10	11	12
2014	34	35	40	46	45	39	65	52	40	27	21	44
2015	59	54	40	44	36	33	50	47	36	23	24	32
2016	64	39	26	29	29	26	18	18	13	12	15	11
2017	23	26	23	23	31	27	39	25	24	21	32	31
2018	44	46	57	49	57	55	49	32	27	40	57	65
2019	65	48	25	22	44	47	45	37	27	21	24	31
2020	59	41	34	35	33	54	52	37	35	30	35	30
2021	48	32	28	45	47	51	62	44	41	30		



TOWN OF JAMESTOWN WWTF  
MONTHLY REPORT  
OCTOBER 2021

Douglas Ouellette, Superintendent

## **Parameters**

	<u>Monthly Avr.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	.2572 MGD	.73 MGD	
Daily Max	.3490 MGD		
BOD Removal	100%	85%	% Removed
TSS Removal	98.1%	85%	% Removed
Fecal Coliform	1.79	No limit, report only	
Enterococci	1.15	(<35 cfu/100ml Monthly) (<276 cfu/100ml Daily)	

## **Environmental Compliance (Violations)**

There were no violations in October

## **Complaints**

There were no complaints reported for the month of October.

## **Alarms**

There was one alarm for a power failure at PS#3 caused by October 27<sup>th</sup> northeaster.

## **Septage**

The facility received 2500 gallons septage for the month of October.

## **Sludge Production**

The facility processed 51,000 gallons of sludge through Wastewater Services Incorporated.

### **Maintenance Management**

Facility staff

### **Chemical Use**

The facility used 469 gallons of Sodium hypochlorite and 0 pounds of lime for process control.

### **Collection System**

31 pump station inspections were completed. All stations are operating as designed.

### **Energy Use**

Energy use for October was: 145 KWH

### **Precipitation**

Precipitation for October was 4.03" of rain

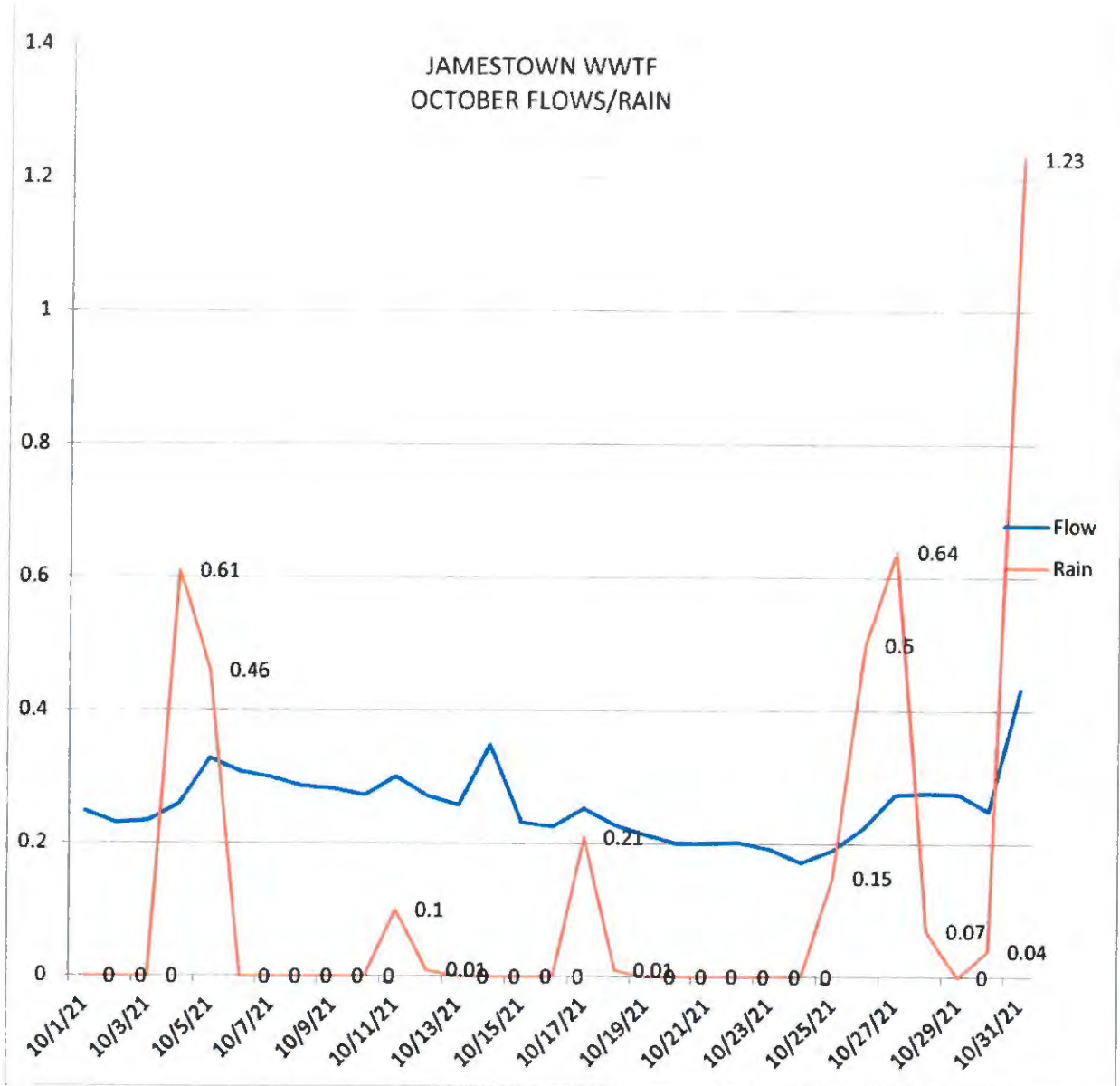
### **Golf Course**

No water was requested in the month of October.

### **Work Orders**

73 work orders were completed.

**Graphs**



## Project Update December 2021

### WELLS

#### JR-1, JR-3

- The service piping from well JR-1 was replaced and installed beneath the ground last year. Well water is pumped at 50 gpm directly into the transmission main from the reservoir. Now that the pipe is protected from freezing we can run the well during the winter months. The clean well water mixed with the reservoir water is important to the overall quality of the raw water entering the plant, improving the water chemistry and assisting with treatment.

### TREATMENT PLANT

- Water department staff perform routine maintenance of equipment during the winter months. In January the membranes will be pulled from the tanks and individual fibers will be inspected and removed if needed.
- As I reported last month the membrane filters at the water treatment plant are at the limits of their lifecycle. The membrane filter replacements have been ordered for the water treatment plant from Zenon Environmental Corporation - SUEZ Water Technologies. Lead time for delivery may be greater than 40 weeks.

### TRANSFER PUMPING/RESERVOIR

- Crews will be working on the restoration of the stone wall along North Reservoir and future pedestrian path along North Road as weather allows during the next several months.
- The white pine trees at the North Reservoir continue to be impacted by storms. We have lost a few this past year that remain on the ground. Wet soil conditions have prevented us from driving equipment to clean up the tree damage. Crews will be working this winter to remove the trees that have fallen.

### DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 6 Million Gallons

North Pond @ 60 MG

Usable Storage 60 Million Gallons

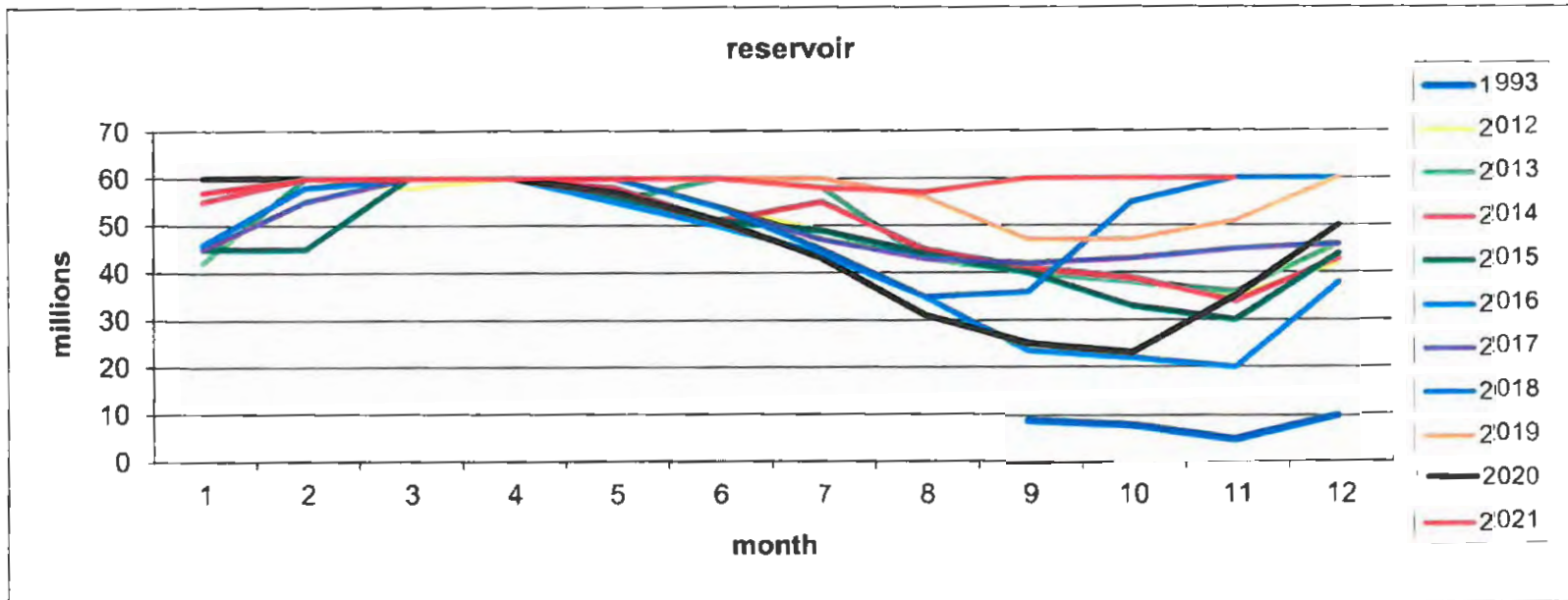
- New water services have been installed for the condominiums under construction at 63 Conanicus Avenue.

### WASTEWATER TREATMENT PLANT

- The monthly average daily flow at the treatment plant for November was 0.27 million gallons per day. The monthly average allowed by our discharge permit is 0.73 million gallons per day. The peak daily flow was 0.45 million gallons.

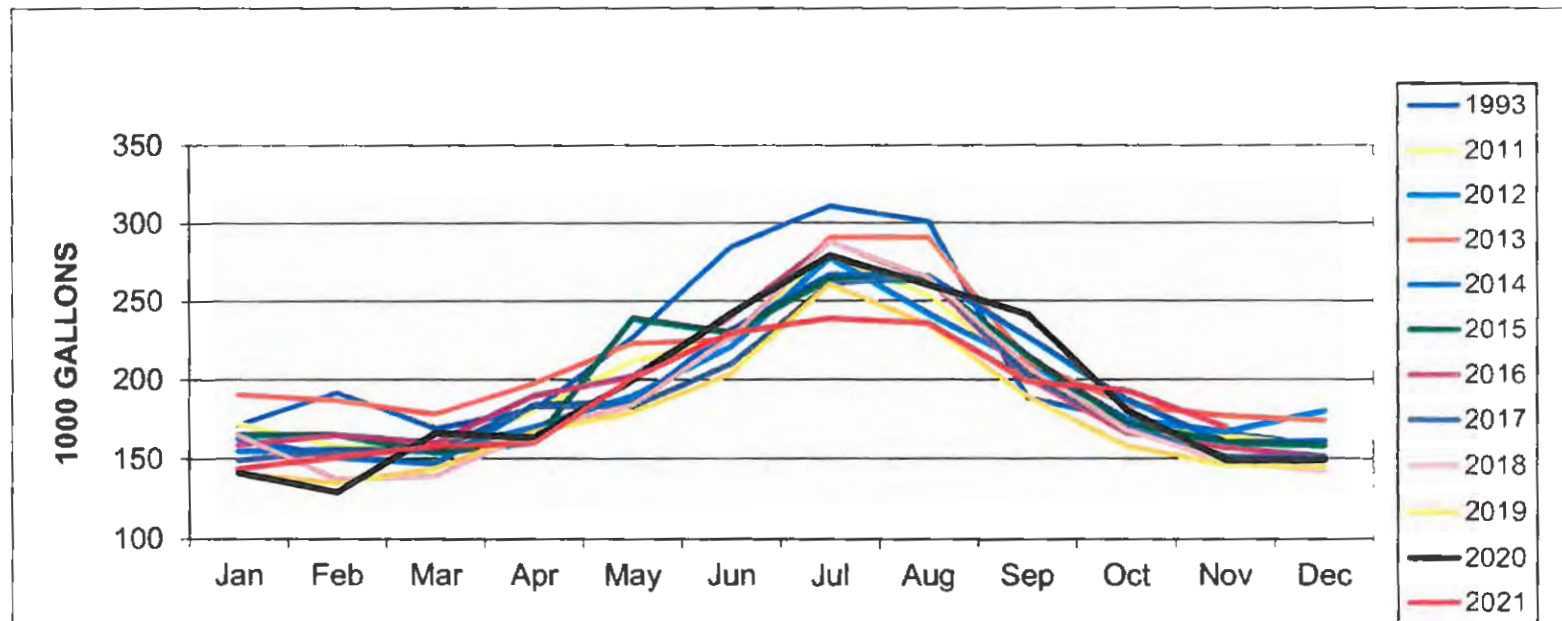
## RESERVOIR LEVEL

	1993	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan		30	60	42	55	45	46	45	60	60	60	57
Feb		52	60	60	60	45	58	55	60	60	60	60
Mar		58	58	60	60	60	60	60	60	60	60	60
Apr		60	60	60	60	60	60	60	60	60	60	60
May		57	60	55	58	56	55	60	60	60	57	60
Jun		51	54	60	51	51	50	54	54	60	51	60
Jul		43	49	58	55	49	44	47	45	60	43	58
Aug		47	43	43	45	44	35	43	35	56	31	57
Sep	9	45	40	40	41	40	23.5	42	36	47	25	60
Oct	8	58	38	38	39	33	22	43	55	47	23	60
Nov	5	60	35	36	34	30	20	45	60	51	35	60
Dec	10	60	42	46	43	44	38	46	60	60	50	



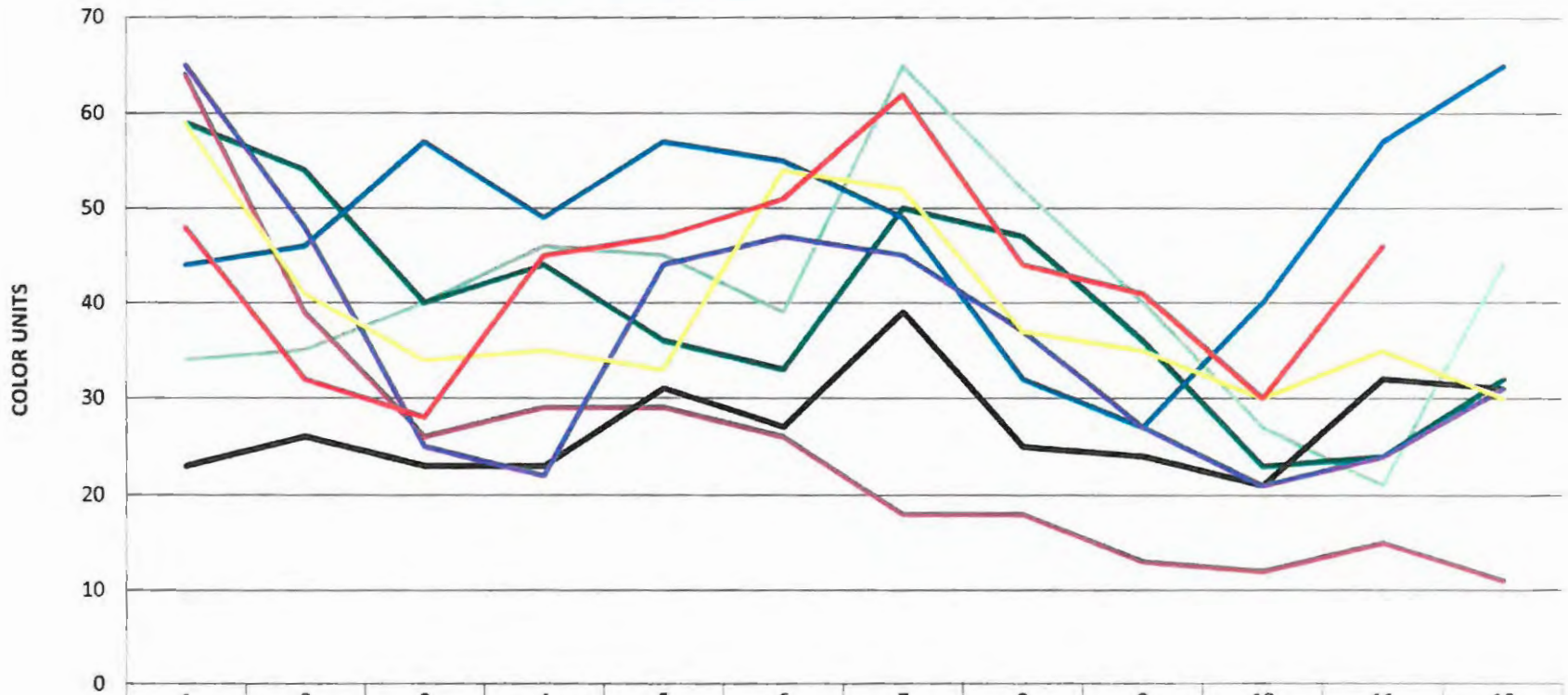
	1993	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	171	172	173	239	172	155	191	163	165	159	149	165	141	141	144
Feb	192	154	173	210	158	156	187	151	165	165	155	137	135	129	151
Mar	169	155	165	198	157	155	178	147	154	160	156	139	144	166	158
Apr	181	174	196	210	180	170	198	184	160	190	183	167	167	163	160
May	227	202	195	180	212	190	223	185	239	202	183	184	179	200	201
Jun	285	246	215	218	226	221	226	232	230	240	210	227	204	242	230
Jul	311	296	277	274	279	278	291	267	264	288	261	288	261	279	239
Aug	301	256	290	251	254	242	291	266	263	264	266	265	235	260	236
Sep	188	210	245	193	205	210	212	227	215	201	203	208	189	241	199
Oct	175	187	259	182	175	175	184	187	172	166	170	168	158	180	193
Nov	166	175	226	160	164	167	177	160	160	157	151	148	146	149	170
Dec	158	192	230	167	158	180	174	161	158	151	151	142	145	149	

### PUMPING REPORT





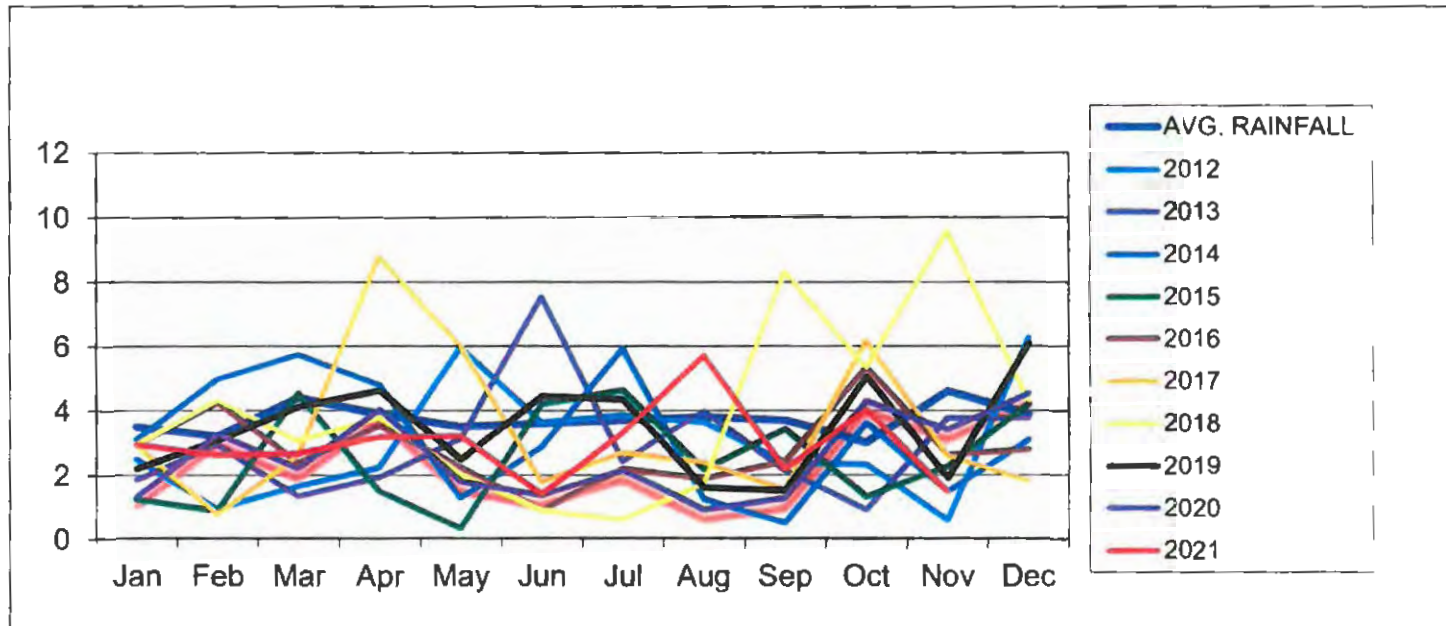
## Transfer Pumping NORTH POND WATER QUALITY



	1	2	3	4	5	6	7	8	9	10	11	12
2014	34	35	40	46	45	39	65	52	40	27	21	44
2015	59	54	40	44	36	33	50	47	36	23	24	32
2016	64	39	26	29	29	26	18	18	13	12	15	11
2017	23	26	23	23	31	27	39	25	24	21	32	31
2018	44	46	57	49	57	55	49	32	27	40	57	65
2019	65	48	25	22	44	47	45	37	27	21	24	31
2020	59	41	34	35	33	54	52	37	35	30	35	30
2021	48	32	28	45	47	51	62	44	41	30	46	

	AVG. RAINFALL	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	
Jan	3.5	2.49	1.85	3.1	1.22	2.94	2.94	2.94	2.19	1.3	2.94	
Feb	3.2	0.93	2.94	4.98	0.86	4.25	0.76	4.33	3.06	3.26	2.62	
Mar	4.4	1.64	1.32	5.74	4.53	2.36	2.62	3.07	4.11	2.21	2.66	
Apr	3.9	2.24	1.92	4.8	1.47	3.53	8.8	3.79	4.61	4.03	3.18	
May	3.5	5.97	3.11	1.27	0.32	2.24	6.03	2.03	2.46	1.79	3.2	
Jun	3.6	3.64	7.55	2.86	4.2	0.89	1.79	0.89	4.44	1.36	1.4	
Jul	3.7	3.86	2.42	5.93	4.63	2.19	2.7	0.61	4.33	2.16	3.3	
Aug	3.8	3.64	3.98	1.23	2.17	1.88	2.4	1.73	1.58	0.91	5.71	
Sep	3.7	2.39	2.13	0.5	3.41	2.42	1.54	8.35	1.49	1.27	2.19	
Oct	3	2.33	0.9	3.61	1.31	5.33	6.18	5.34	5.04	4.29	4.03	
Nov	4.6	0.58	3.76	1.47	2.27	2.63	2.61	9.61	1.89	3.39	1.47	40.9
Dec	3.9	6.28	3.76	3.1	4.2	2.79	1.81	4.33	6.09	4.53		
Total	44.8	35.99	35.64	38.59	30.59	33.45	40.18	47.02	41.29	30.5	32.7	

### RAINFALL





TOWN OF JAMESTOWN WWTF  
MONTHLY REPORT  
NOVEMBER 2021

Douglas Ouellette, Superintendent

## Parameters

	<u>Monthly Avr.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	.2685 MGD	.73 MGD	
Daily Max	.4530 MGD		
BOD Removal	100 %	85%	% Removed
TSS Removal	99.1%	85%	% Removed
Fecal Coliform	2.22	No limit, report only	
Enterococci	1.0	(<35 cfu/100ml Monthly)	(<276 cfu/100ml Daily)

## Environmental Compliance (Violations)

There are 0 violations to report for the month of November.

## Complaints

There were 0 complaints reported for the month of November.

## Alarms

The facility had one alarm November 25<sup>th</sup> at PS#3. During an automatic genset test the station experienced a phase loss. The Lightship Group was called and they responded and corrected the problem

## Septage

The facility received no septage for November.

## Sludge Production

The facility processed 54,000 gallons of sludge through Wastewater Services Incorporated.

### **Maintenance Management**

Facility staff oversaw relocation of the portable emergency generator at PS#3 from the front to the west side of the station for safety reasons. A new control panel and block heater were also installed on that genset. General facility maintenance to include clarifier oil changes were performed.

### **Chemical Use**

The facility used 395.2 gallons of Sodium hypochlorite and 0 pounds of lime for process control.

### **Collection System**

30 pump station inspections were completed. All stations are operating as designed.

### **Energy Use**

Energy use for November was: 145 KWH

### **Precipitation**

Precipitation for November was 1.41"

### **Golf Course**

Pumping has stopped for the season, will resume in spring.

### **Work Orders**

63 work orders were completed.

**Graphs**





# THE TOWN OF JAMESTOWN

PUBLIC WORKS DEPARTMENT

P.O BOX 377

JAMESTOWN, RHODE ISLAND 02835

Phone: (401) 423-7220

Fax: (401) 423-7226

Date: December 14, 2021

To: Jamestown Water and Sewer Commissioners

From: Michael Gray, P.E.  
Public Works Director

RE: RIDEM 2021 Nonpoint Source Implementation Grant

The Rhode Island Department of Environmental Management (RIDEM) has announced the availability of Section 319 federal funds to assist in the implementation of projects that prevent and abate water pollution associated with nonpoint sources. RIDEM is seeking proposals for projects to protect and restore conditions in Rhode Island waters. Priority will be given to projects within existing watershed plans; the Jamestown Brook Watershed Plan was completed in February 2021.

The Jamestown Brook Watershed is recognized as an essential natural resource as it provides drinking water for the Jamestown Water District. The Jamestown Brook Watershed contributes runoff to the South Pond Reservoir. The South Pond Reservoir has experienced dramatic growth of phragmites (a resilient invasive species) in recent years. I have attached photos of South Pond.

The Department of Public Works (DPW) is requesting approval to submit a proposal to fund the removal and disposal of phragmites from South Pond. The phragmites will be removed by mechanical means and disposed of at the Central Landfill. The total project cost may be up to \$250,000 based upon estimated quantities of materials and labor time. If awarded, the project will be funded with \$150,000 by RIDEM and the remaining \$100,000 as a match to include equipment, trucking, and labor. Phragmites will be excavated and disposed of at RI Resource Recovery. The project may begin in July during the dry season.



Photo looking North from the Dam spillway



Photo looking west from Dam spillway





Photo looking south from the northern limits of the reservoir



Photo looking north along the western dike section of the reservoir. Dike is scheduled to be replaced this year in the dry season.



*Working for a Clean, Healthy Ocean that is Accessible to All*

To: Town Council, Town of Jamestown  
 From: Clean Ocean Access  
 Date: December 20, 2021  
 Subject: Water Quality Monitoring Update

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In partnership with residents of the Town of Jamestown, Clean Ocean Access expanded the weekly water quality monitoring of *Enterococci* at three locations in Jamestown in April 2021 to include Fort Getty, Potter Cove, and Dumpling Cove. Results from April 2021 into July 2021 showed elevated levels of *Enterococci*; however, these results were determined to be invalid due to an error in testing method and laboratory paperwork forms.

The testing method and laboratory paperwork forms were corrected, and weekly monitoring resumed in July 2021 through October 2021 along with bacterial source tracking at two stormwater outfalls located nearby to Dumpling Cove. *Enterococci* results during this period indicate that levels at all three swimming locations are well within the acceptable range and a few occurrences of elevated bacteria levels mostly associated with significant precipitation events.

Bacterial source tracking results during this period indicate that levels at both outfalls are occasionally above the reporting limit for chlorine and surfactants and below the reporting limit for ammonia. An additional test of *Enterococci* at the stormwater outfall indicated that levels were well above the action value. The qualitative assessment of the stormwater outfalls indicate that the effluent often looks soapy with foam formations.

As a result of this information, Clean Ocean Access expressed interest to work with the Town of Jamestown to take further steps to identify the potential source of influent to the stormwater outfalls, assemble a potential remediation plan, and coordinate these efforts with continued testing to verify the results. We had a successful meeting on November 18<sup>th</sup>, 2021, with the Town Manager and staff to review the results and established a game plan as listed:

- Education and Outreach – To increase the knowledge base of the community on stormwater, sources of pollution, and behaviors we can establish to reduce pollution.
- Additional testing at Stormwater Outfalls – To assist with testing methods and community science efforts to identify stormwater outfalls with elevated bacteria and/or indicators, and devise action plans for resolution.

Thank you for the opportunity to work together, and please contact me if there are any questions at [dave.mclaughlin@cleanoceanaccess.org](mailto:dave.mclaughlin@cleanoceanaccess.org) or 401-236-2561.

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*Working for a Clean, Healthy Ocean that is Accessible to All*

DATE: 11.15.2021

City/Town: Jamestown, RI

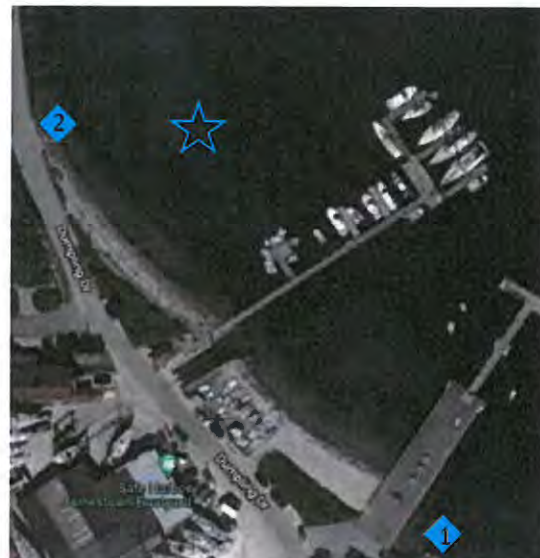
Location: Cove off Dumping Drive

[Outfall 1: 41°28'55.4"N 71°21'34.1"W]

[Outfall 2: 41°28'59.2"N 71°21'38.4"W]

Duration: 3 months (July 8 – Oct 14)

Map:



#### SUMMARY OF WATER TESTING:

In April 2021, Clean Ocean Access (COA) began testing water quality in Jamestown at the request of some concerned residents. Sampling was carried out with the same methodology as is used by COA across Aquidneck Island and testing was carried out at the RI Department of Health (RIDOH). Multiple weeks returned samples with abnormally high levels of bacteria so Clean Ocean Access began looking for next steps to determine what the issue may be. This included Bacterial Source Tracking (BST) as designated by the Environmental Protection Agency. BST is a part of the EPA Stormwater Toolbox to measure water quality for possible sources of anthropogenic pollution. Samples are tested for chlorine, ammonia, and surfactants which are important indicators of illicit discharge. It was specifically implemented for 2 outfalls in Dumpling Cove. The star in the map above designates where regular *Enterococci* testing takes place, the diamonds depict the locations of the stormwater outfalls.

In July, all Jamestown locations had readings of the maximum value of *Enterococci* although there was no weather event associated with that day. It was then COA realized that



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these samples had been tested incorrectly due to an error in the paperwork submitted to RIDOH. The samples had been marked as being freshwater rather than saltwater which makes them inaccurate.

COA announced the finding in a timely manner to the community and press. COA attended a council meeting to take ownership of the oversight and immediately corrected the paperwork for future samples.

From 7.15.2021 through the present day, saltwater testing for Enterococci has been done in Jamestown at three locations: Fort Getty, Dumping Cove, and Potter Cove. Ten weeks of data have been collected and they show that the overall water quality in these areas is excellent. During storm events, there were signs of highly elevated *Enterococci* levels (Table 1).

Table 1: *Enterococci* levels in Jamestown between July 15<sup>th</sup> and November 4<sup>th</sup>, 2021. Units are CFU/100mL. The maximum acceptable level of bacteria as dictated by the US Environmental Protection Agency is 60 CFU/100mL. All samples that exceed that limit have been highlighted in red in the data below. The geometric mean is also included as it is a more reliable measure for long-term sampling.

Date	Fort Getty	Dumping Cove	Potter Cove	Outfall 1	Outfall 2
7/15/2021	5	5	5		
7/22/2021	10	5	10		
7/29/2021	5	5	5		
8/5/2021	5	3870	15500		
8/12/2021	41	5	30		
8/19/2021	20	5	5		
8/26/2021	5	5	5		
9/2/2021	-	-	-		
9/9/2021	96	10	51		
9/14/2021	-	-	-		
9/23/2021	30	5	5	2420	525
9/30/2021	5	5	5		
10/7/2021	5	5	10		
10/14/2021	5	5	5	197	
10/21/2021	5	5	5		
10/29/2021	10	97	137		
11/4/2021	5	30	20		
<b>Geometric Mean</b>	<b>9</b>	<b>11</b>	<b>17</b>		

As mentioned previously, there are two outfall pipes at Dumping Cove. These have raised concerns with residents as the effluent often looks soapy. We began BST at Outfall 2 on 7.8.21 and results indicated levels of surfactants and chlorine exceeding acceptable limits. The sample for Outfall 1 was contaminated with saltwater due to high tide on 7.8.21 was first tested on 7.15.2021 instead. We continued to obtain samples from the 2 outfalls which had consistently elevated levels of surfactants and chlorine (Table 2). On 9.23.21 we obtained samples to test for Enterococci at the RIDOH to determine next steps with our BST. Samples came back as having extremely elevated levels of Enterococci. Outfall 1 had such high levels that it hit the maximum 2,420CFU/100mL and we decided to do a follow up test. A final BST



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sample was collected for Outfall 1 on 10.14.2021 to correlate with the Enterococci sample taken.

Table 2: Results from Bacterial Source Tracking at two outfalls. Reporting limits are Chlorine 0.02mg/L, Ammonia 0.5mg/L, and Surfactants, 0.25mg/L. All samples that exceed these reporting limits are highlighted in red.

Date	Outfall 1			Outfall 2		
	Chlorine	Ammonia	Surfactants	Chlorine	Ammonia	Surfactants
7/8/2021				2.2	0.25	3
7/15/2021	0	0.25	0.25	0.22	0.25	0.5
7/22/2021	0.08	0.25		0.19	0.25	1.5
8/5/2021	0.06	0.25		0.01	0.25	0
8/12/2021	0	0.25	0.25	0	0.25	0.25
8/19/2021	0.05	0.25	0.25	0.19	0.25	0.5
8/26/2021	0.08	0.25	0.25	0	0.25	1.5
9/2/2021	0.22	0.25	1	0.06	0	0.5
9/23/2021	0	0.25	0.5	0	0.25	0.75
10/14/2021	0.23	0.25	0.25			

#### RECOMMENDATIONS:

COA has performed sampling to test for *Enterococci*, chlorine, ammonia, and surfactants. This information all points to next steps of the town taking further steps to determine the source of high bacteria from the 2 outfalls in question.

#### OUTFALL PICTURES:





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To: Town Council, Town of Jamestown  
 From: Clean Ocean Access  
 Date: December 20, 2021  
 Subject: In-vessel Composting Opportunity

Clean Ocean Access is happy to share with the Town Council of the Town of Jamestown the opportunity to explore an In-vessel Composting System at the Town Transfer station.

In 2015 Clean Ocean Access initiated thoughts related to sustainability and waste management and realized that recycling of plastics was occasionally happening, but more emphasis needed to be put toward durable reusable materials and reducing the usage of single-use and low-value plastics. This theory of change allowed for successful action in numerous communities in Rhode Island to pass local ordinances to eliminate single-use plastic bags with the driving behavior change to educate and inspire the community to re-think all single-use materials and explore more sustainable alternatives. As these efforts and other projects (such as marina trash skimmers) activated, they shifted the focus of awareness to: "Improving Ocean Health Starts On Land".

In 2018 Clean Ocean Access initiated a new project that was envisioned to be a multi-year project entitled "Healthy Soils Healthy Seas Rhode Island" (HSHSRI). The premise of this project is to accelerate the idea that "Improving Ocean Health Starts On Land" by bringing about transformational behavior change as it relates to all waste in our daily lives, and to mobilize and incentivize this action by educating and inspiring the community to divert their food scraps from the landfill and embrace the benefits of composting. Composting as a transformational behavior change brings greater awareness to single-use and low-value materials and creates the opportunity to reduce these materials from our daily lives. These items are the common types of litter that become marine debris which impact ocean health. People get excited for the project for many reasons such as food recovery hierarchy (source reduction, feeding hungry people, feeding animals), environmental benefits (carbon sequestration, reduction in methane, improved vegetation, stormwater pollution control, litter reduction) and economics (circular economies, creates and sustains jobs).

Since the project started, we successfully accomplished the following with the community of Jamestown:

- Performed education and outreach at schools and events to promote composting
- Built community momentum for Sustainable Jamestown by encouraging waste reduction
- Over 100 residents are diverting food scraps from the landfill via twice monthly curbside pickup
- Several local restaurants are diverting food scraps from the landfill via weekly pickup
- Melrose School started lunchroom composting in 2020 and continue now in 2021
- Lawn School is scheduled to start lunchroom composting in January 2022

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These work efforts continue to build momentum and are primarily focused on the “collections” of food scraps. The next step in the circular process is to explore the “processing” options of an in-vessel processing system at the Jamestown transfer station for the residents that participate in the transfer station program.

An in-vessel composting system is a “shipping container” that has been transformed into a closed system to convert food scraps into finished compost. The containers are manufactured by “Green Mountain Technologies” and come in various sizes (20 feet, 40 feet, or longer). They perform the primary processes for composting within a few weeks as opposed to traditional methods that take a few months (the final stage of curing takes a couple additional months). They are fully contained which avoid smell and animal issues. They can be co-located in the community to benefit the community. They minimize the chance of food scraps being used for waste to energy. Finally, the finished compost can be applied to the ground to benefit the island. The internal workings of the in-vessel composting system is a mechanical auger shown below.



The key resources required for an in-vessel composting system are location, size of location, electricity, water, carbon (leaves), nitrogen (food scraps), equipment, and staff. Upon initial review, the transfer station seems like a good fit for this opportunity.

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For the 2020 statistics provided by the Rhode Island Resource Recovery Corporation (RIRRC), Jamestown put 2,206 tons of solid waste into the central landfill, and this was via 960 households. The Environmental Protection Agency (EPA) estimates that 63.1 million tons of food waste was generated in the commercial, institutional, and residential sectors in 2018, which is 21.6 percent of total municipal solid waste (MSW) generation. Applying this metric to Jamestown statistics above, approximately 476 tons of food scraps could be diverted from the landfill and instead composted on the island. A key element to the in-vessel composting system opportunity is education, outreach, awareness, and active participation from the community. The numbers listed above assume that 100% of the residents using the transfer station would start to separate their food scraps from their waste. Clean Ocean Access is committed to help with voluntary compliance and eventually with ordinances in the years to come. If 100% of the food scraps were diverted, the current municipal rate (under the CAP) is \$47/ton, and this would equate to an annual savings of \$22,395 for the Town of Jamestown.

Permitting of an in-vessel system is required and our initial research suggests that a medium scale permit would be permissible at the transfer station, however we need to confirm this operation would be permissible on the co-located capped landfill grounds. An important aspect of permitting is to make sure the output (finished compost) will be moved off the premises and used. There are many ways to use the finished compost, not limited to: Use to reduce fertilizer, increase vegetative growth, reduce watering, distribute to residents for flower and vegetable gardens, provide to schools for fundraising efforts to offset collections, use in stormwater control projects (modified recipe), use in shoreline access stabilization projects (modified recipe), sell to residents for flower and vegetable gardens, sell to landscapers and contractors.

The finances of an in-vessel system require a detailed budget of the income and expense and we are committed to working with the Town staff in the coming months to assemble this for the upcoming budget season. A key driver for this opportunity is the interest from 11th Hour Racing to assist with start-up and first year operating costs. We plan to bring together representatives from their organization and the Town of Jamestown in January and February.

The expenses will include the in-vessel system, infrastructure changes, other equipment and supplies, and start-up costs and first-year operating costs. The income streams may include grant funding from 11th Hour Racing, grant funding from RIRRC, grant funding from other sources, adjustments from reduced tipping fees, adjustments from finished compost transactions.

Looking beyond this initial phase of installation, long term opportunities for HSHSRI and Sustainable Jamestown include the following: scope of effort can include the entire community, residential waste can decrease and reach a minimum, align with pay-as-you-throw to incentivize reduced waste, food scrap diversion can increase and reach a maximum, tipping fees at landfill will increase (unlimited until at capacity), reduce Greenhouse Gases, residential knowledge of interconnected topics will increase, and for finished compost will increase, and Sustainable Jamestown efforts will advance policies.

Our next steps are aggressive but achievable. In December we plan to finish the discovery phase, idea sharing, and work on refining the scope. In January we plan to meet with various Town Staff to explore all logistical and financial considerations, and initiate grant writing. In February we plan to finalize all

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*Working for a Clean, Healthy Ocean that is Accessible to All*

details so they can be included in the upcoming budget process. Our goal is to meet this timeline so that it aligns with the regular steps that occur from March onward.

This is a wonderful opportunity for us to consider and on behalf of Clean Ocean Access we thank the entire Town of Jamestown, the Community, and the Town Staff for believing in our efforts that Improving Ocean Health Starts on Land. Thank you for the opportunity to work together, and please contact me if there are any questions at [dave.mclaughlin@cleanoceanaccess.org](mailto:dave.mclaughlin@cleanoceanaccess.org) or 401-236-2561.

**BOARD OF DIRECTORS**

Ben Tuff – *President*, Ian Estaphan Owen – *Treasurer*, Annie Becker – *Secretary*, Tricia Bielinski, Julie Frost, Liz Frank  
Clean Ocean Access • 21 John Clark Road, Middletown RI 02842 • 401-236-2561 • [www.cleanoceanaccess.org](http://www.cleanoceanaccess.org)



# Town of Jamestown

Town Clerk's Office  
Town Hall, 93 Narragansett Avenue  
Jamestown, Rhode Island 02835-1199  
401-423-9800 • Fax 423-7230  
email: rfagan@jamestownri.net

Roberta J. Fagan  
Town Clerk  
Probate Clerk

## Memo

**Date:** 12/13/21  
**To:** Roberta Fagan, Town Clerk  
**From:** Ray DeFalco, Recreation Director  
**RE:** Rhode Races – Event

---

After conducting an evaluation to identify and address concerns following the 2021 Rhode Races event the town administrator, police chief and myself met with the organizers of the Rhode Races event. We have asked for several changes to be made to ensure the race is safe for all participants and residents and allows for uninterrupted access to Fort Getty Park. The expectations are

- The event attendance will not exceed 300 persons
- That the number of vehicles in the park does not exceed 200
- The start and finish line will not impede entry into the park
- That runners stay inside of the coned off route
- That any spectators stay in safe locations away from traffic

Race organizers Karen Zyons and Susan Rancourt provided a detailed plan of how they would address each issue which included changing the race route, moving the start and finish line, a detailed parking plan with volunteer staff enforcing the changes, additional communication to the participants, and limiting registration numbers. In addition, the Parks and Recreation Department will have staff on site to ensure that all changes are followed to our expectation.

## Town of Jamestown

Town Administrator

93 Narragansett Avenue

Jamestown, Rhode Island 02835-1199

401-423-9805

Email: [jhainsworth@jamestownri.net](mailto:jhainsworth@jamestownri.net)



Jamie A. Hainsworth  
Town Administrator

**MEMORANDUM TO: Honorable Town Council**

**FROM: Town Administrator, Jamie A. Hainsworth**

**DATE: December 14, 2021**

**SUBJECT: Report for Town Council Meeting December 20, 2021**

**National Opioid Settlement, Agenda item:** The Town has been notified by Attorney Eva Mancuso's office of a settlement offer made by some of the Companies involved in the Opioid law suits filed across the Country. Ms. Mancuso represents Jamestown and many of the other Rhode Island Municipalities involved in the case. This offer is from three of the Distributors of the Drug; Amerisource Bergen, Cardinal Health, McKesson along with one manufacturer J&J (Janssen). The settlement offers are designed to incentivize higher participation rates. If the rate of subdivisions agreeing to the settlement reaches 95% the payment will be 100% of the offer. Lower rates of participation in the settlement decreases the offer with 70% as the least amount offered. The offer to Jamestown from the Distributors ranges from a minimum of \$53,667.85 (70%) and maximum of \$76,668.36 paid over 18 years. From the manufacture the minimum offer is \$12,454.19 (70%) and the maximum \$17,791.70 this one is paid over 7 years. The rates for each subdivision are based on the impact and affect the opioid drug had on the community. I recommend agreeing to both offers, if the Council agrees, I ask you authorize me to sign the two agreements. Note: There are additional companies that remain in litigation.

**Election Polling Place for the Fall Elections:** The Board of Canvassers are considering having the Fall 2022 polling place to be relocated from the Recreation Center to the Jamestown Golf Clubhouse. This is all to better accommodate handicap parking and access for our residents.

**Budget FY 2022-2023:** The Staff has begun the budget process, if the Council has any initiatives, please let me know.

**Covid 19 update:** From November 29<sup>th</sup> to December 14<sup>th</sup> there were thirty-two (30) new positive covid-19 cases reported in Jamestown.

**Town of  
Jamestown, Rhode Island**

PO Box 377  
Jamestown, RI 02835- 1509  
Phone: (401) 423-7220  
Fax: (401) 423-7229

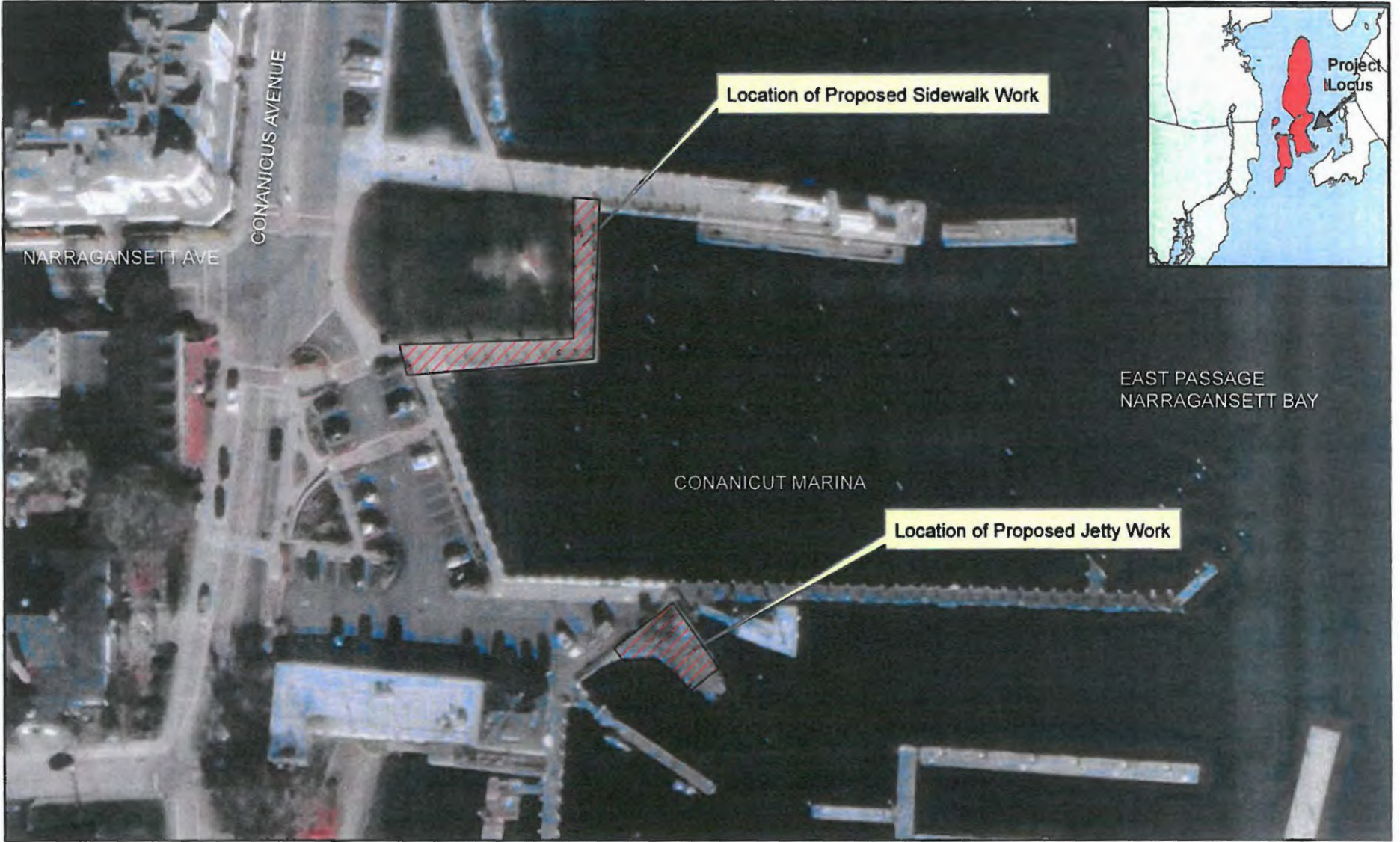


**Date:** December 13, 2021  
**To:** Jamie Hainsworth  
Town Administrator  
**From:** Michael Gray  
Public Works Director  
**RE:** Phase II  
East Ferry Improvements

The Town Council placed revenues from the 3 marina leases into a Waterfront Infrastructure Improvement account where funds could be set aside for use on capital projects. In the spring of 2018 the East Ferry Parking Improvement project was completed using funds from this account. That project focused on improvements to the public parking lot, sidewalks, crosswalks, and landscaping at East Ferry. The scope of work did not include improvements to the sidewalks around the Veterans Square due to available funding.

I would like to request the use of funding from this account to complete the reconstruction of sidewalks around Veterans square. I have provided photos showing the existing conditions of the sidewalk which are in need of replacement. The project will also include improvements beneath the sidewalk and at the seawall to support the gravel base. Based upon the project scope I have estimated that the improvements may be \$50,000-\$75,000.

Another project that I would like to present for consideration is the reconstruction of the old ferry landing located near the wood pile pier. There are two possible alternatives to reconstruct the landing; one is to drive piles around the perimeter and cover the landing with a wood deck structure; the second is to reconstruct the stone perimeter around the landing, fill with gravel and stone material, and construct a concrete surface similar to the East Ferry Sidewalks. The advantage to the second alternative is that the construction can be performed by a site contractor and a small excavator versus the need for a marine contractor to drive wooden piles to support a wooden deck. Based on the direction of the council I can provide a preliminary plan and estimate for the project.



**Veterans Square Sidewalk & Concrete Jetty Repair**

**East Ferry - AP 8, Lot 171  
Jamestown RI  
December 2021**

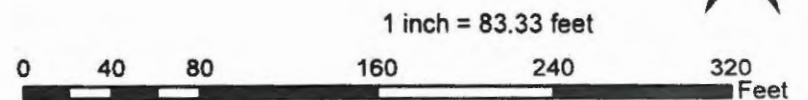




Photo looking East toward the Ferry Landing and the Wood pile pier in the background



Photo looking south across the Ferry Landing toward CMS marina



Photo looking East at the sidewalks along the Veterans square



Photo looking South at the sidewalks along Veterans Square

## JAMESTOWN TOWN COUNCIL MEETING

December 6, 2021

5:30 p.m.

### II. ROLL CALL

A regular meeting of the Jamestown Town Council was held on December 6, 2021. Town Council Members present were as follows: President Beye, Councilor Brine, Councilor M. White and Councilor R. White. Vice President Meagher absent.

Also in attendance: Town Administrator Jamie Hainsworth, Solicitor Peter Ruggiero, Police Chief Edward Mello, Finance Director Christina Collins, Public Works Director Michael Gray, Town Planner Lisa Bryer, Building and Zoning Official William Moore, Interim Senior Services Director Molly Conlon, Town Clerk Roberta Fagan, Jamestown Schools Superintendent Kenneth Duva, Director of Technology Samira Hakki, Lawn School Principal Nate Edmunds, Director of Student Services Erica Dickson, Director of Finance Jane Littlefield, Jamestown School Committee members Drew Allsopp, Agnes Filkins, Kristine Lapierre, Sally Schott

### III. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President Beye called the meeting of the Jamestown Town Council to order at 5:30 in Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance

Vice Chair Sally Schott called the Joint Town Council and School Committee work session to order at 5:31, all members present with the exception of Keith Roberts.

### IV. JOINT TOWN COUNCIL AND SCHOOL COMMITTEE WORK SESSION

- A) Review, discussion and/or potential action and/or vote of budget issues for the remainder of the current fiscal year (July 1, 2021 to June 30, 2022) and pre-budget review and discussion of issues for the next fiscal year (July 1, 2022 to June 30, 2023) pursuant to RIGL §16-2-21

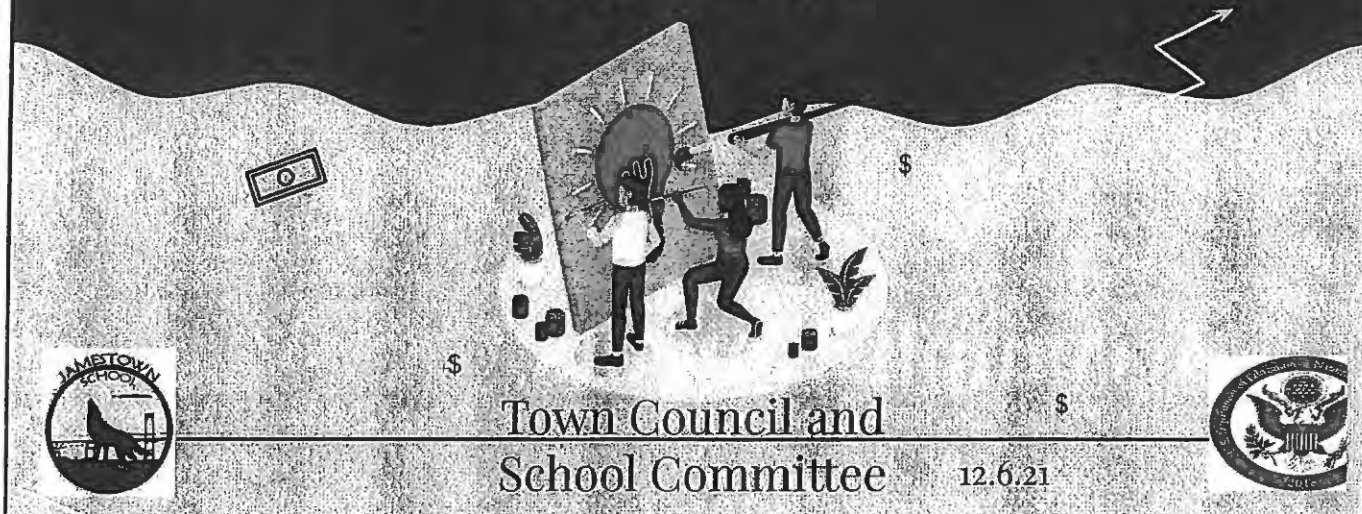
Superintendent Kenneth Duva gave a presentation on the FY 2023 JSD Preliminary Budget, highlighting accomplishments and COVID challenges, budget process, COVID impacts to the current and anticipated budget, as well as budgetary factors and facts. Presentation documents attached.

President Beye commends Jamestown School administration and School Committee on their service for the benefit of the Jamestown community.

A motion was made at 6:15 p.m. by Vice Chair Sally Schott to adjourn the joint Town Council and School Committee work session, with a second Agnes Filkins. Vote: Drew Allsopp, aye; Agnes Filkins, aye; Kristine Lapierre, aye; Sally Schott, aye.



# FY 2023 JSD Preliminary Budget Discussion



Town Council and School Committee 12.6.21

## Table of contents

- 01** **Accomplishments**  
21-22 current and in-process accomplishments
- 02** **Budget Process**  
The process and the priorities
- 03** **COVID & Budget Impacts**  
Current and anticipated
- 04** **Budgetary Factors and Facts**  
Knowns and unknowns



## Our Accomplishments



- Daily in-person learning, our schools were open all year; asynchronous instruction for our students who were in quarantine or isolation\
- Adoption of new 5 year District Strategic Plan & Portrait of the Graduate
- Unveiling of a new District Website with Edlio
- Year 2 of implementation of a new high-quality math program k-8, Ready Math
- Pilot of a new high-quality ELA program in grades k-8
  - Into Reading and Wit & Wisdom k-5
  - Expeditionary Learners, EL 6-8
- § ➤ Year 2 of implementing iReady Math and Reading
- Successful implementation of in-school COVID Testing program
- Start-up of Anchorage4Life student leadership program in both schools
- Implementation of Spanish instruction weekly in grades 3 and 4
- Library instruction in grades k-8



## Our Accomplishments

- New Chorus program for grade 4
- New programs at Lawn School driven by student interests
  - Library Book Club
  - Fingerboard Club
  - Student Alliance Club
- Maureen McGuirl; recognized by the National History Day organization for her participation in this fall's workshop *Inspiring Student Research*.
- Jim Kaczynski and Charlene Tuttle were aboard the Endeavor for ocean research experience with URI professors.
- Melrose students have been recognized in the Daily Dose Newsletter for their participation in the Choose Love program. Kindergarten Teacher, Colleen MacIntyre is one of the RI Ambassadors for the National Choose Love Program.

## Our Accomplishments

### School Construction Projects:

- Installation of new windows & vestibule at Lawn School
- Upgrade to the HVAC systems and controls for both schools
- Boiler replacement at Lawn
- Asbestos abatement and new flooring at Lawn School
- Expansion of Cafeteria at Lawn to accommodate COVID procedures



## Our Accomplishments

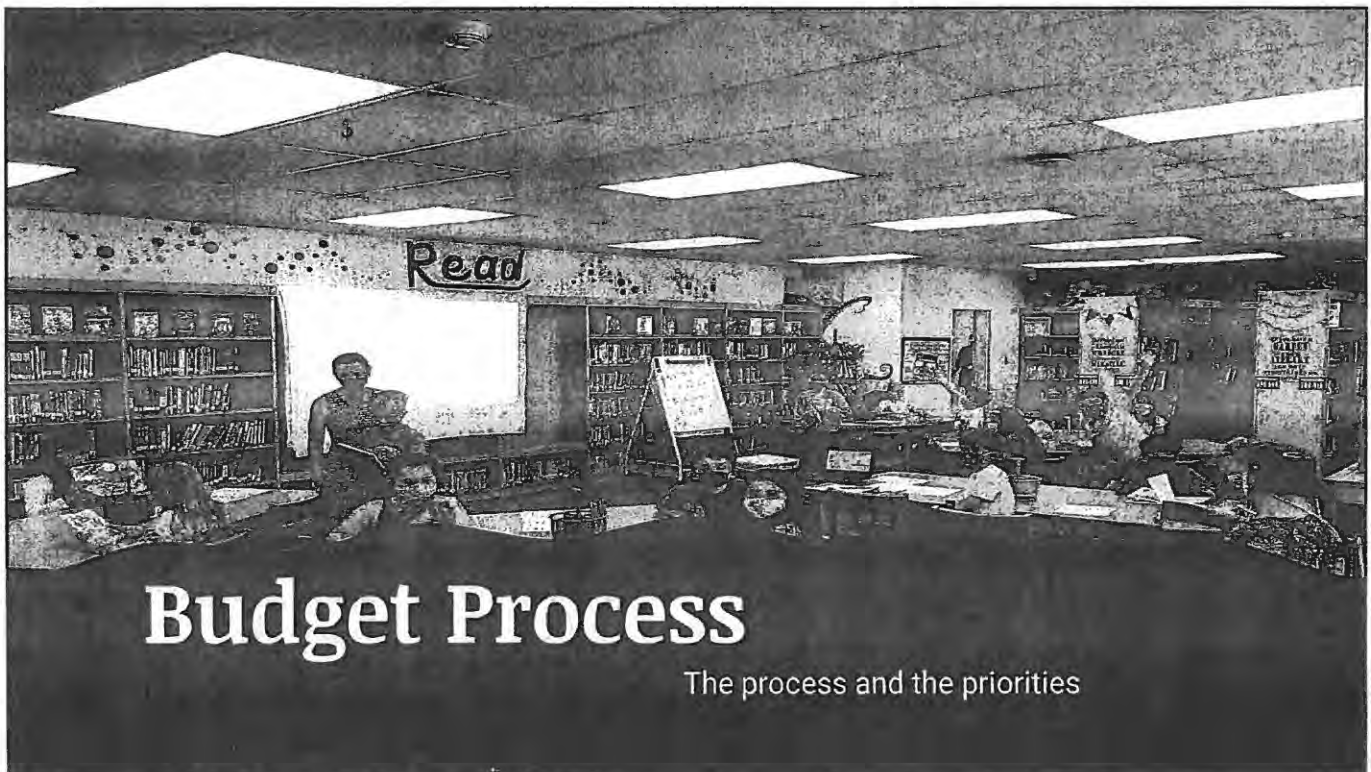
\$

### 2020/2021 RICAS ELA & Math Results: grades 3-8

- Second highest public school district in ELA - 67.6% Proficiency
- Second highest public school district in Math - 50.8% Proficiency
  - 2nd highest Elementary School in ELA - 73.9% Proficiency
  - 3rd highest Middle School in ELA - 64.1% Proficiency
  - 3rd highest Middle School in Math - 45.1% Proficiency
  - 7th highest Elementary School in math - 60.9% Proficiency

### 2020/2021 NGS Science Results: grades 5 & 8

- Highest public school district - 65.6%
- 2nd highest middle school - 65.6%



## Budget Process

The process and the priorities



## Zero Based Budgeting

- Start from a “zero base” analyzing every function and department within our school organization to identify its needs and costs
- All expenses are justified and aligned to our district strategic plan
- Decisions are made based on what is educationally right for students and teachers
- Our budget is designed to fund expenses related to the known student population and the needs of the upcoming school year to provide a high quality education based on the academic and social-emotional needs of all students pre-K through 12th grade.
- We consider the interests of the school community in developing our budget.
- Once developed, the budget is balanced considering any funding restraints.



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## Budget Priorities

- ★ Invest the community’s resources strategically to promote improvement, effectiveness, and efficiency with a focus on:
  - ★
    - Vision and goals of our District Strategic Plan
    - Projected student enrollment for each grade
    - Prioritizing academic and social-emotional needs of students
    - Prioritizing instructional needs of teachers and staff
    - Curriculum and instruction needs based on school achievements and new educational reform
    - Enhancement and sustainability of our Facility and Technology infrastructures
    - Human resources



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# COVID Impact

Current and Anticipated



## COVID-19 Impact 2021/2022 SY

- ★ Continue implementation of RI Department of Health and RI Department of Education procedures and policies that impact the maintenance of the school buildings through cleaning procedures, daily disinfecting of classrooms, school busses, and proper ventilation and air filtration.
- ★ Adopt and implement a school based COVID testing program for symptomatic and asymptomatic individuals
- ★ Implement a contact tracing and investigation team
  - Increased strain on our nursing staffing and budget for salaries

\$



## COVID-19 Impact 2021/2022 SY

### Federal Funding Support to Jamestown School Department

#### Elementary and Secondary School Emergency Relief Funds II - \$339,601

- Salaries & Benefits \$291,671
- Professional Development 26,050
- Curriculum Materials 21,880

#### Elementary and Secondary School Emergency Relief Funds III - \$762,934

- Due by January 31, 2022
- Performance period is from March 13, 2020 through September 30, 2023
  - At least 20% of funds must be allocated to address academic and social-emotional learning loss through evidenced based interventions (\$152,586)
  - Remaining funds may be allocated for extended learning, COVID-19 mitigations, and capital improvement upgrades.

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## Budget Impact 2021/2022 SY

- ★ Unpredictable student enrollment based on inconsistency of families moving into Jamestown
  - Increase in 2 teachers in Kindergarten and First Grade (unbudgeted)
  - \$147,000
- ★ Unknown student behavioral mental health needs
  - Increase in teacher assistant positions (unbudgeted)
    - Approximately \$100,000
  - Out of District Placement (unbudgeted)
    - Approximately \$60,000
- ★ Unknown Staff Leave of Absences
  - Approximately \$45,000

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## FY '21 Summary

### ◆ Preliminary Audit Figures show as of June 30, 2021:

- Revenue \$13,110,598
- Expenses \$13,302,819
- Projected Shortfall (\$192,221) We had a planned deficit of \$200,000 with the use of Fund Balance budgeted.



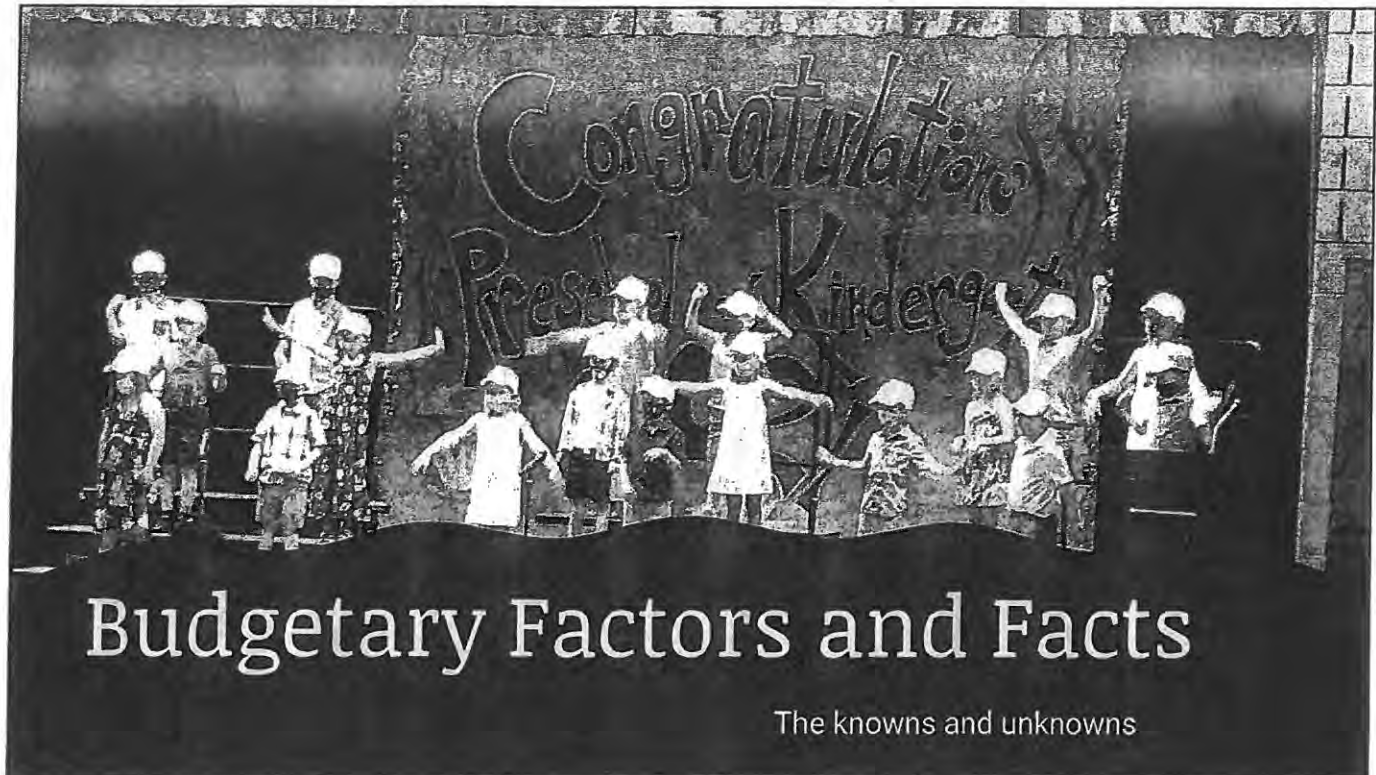
## Anticipated Budget Impact for 22/23 SY



- ❖ Plan for behavioral & mental health supports
- ❖ Plan for evidenced based interventions for academic learning loss
- ❖ Anticipated certified staffing for Kindergarten and First Grade
- ❖ Anticipated programming related to our Strategic Plan
- ❖ Contact tracing and testing
- ❖ Capital Improvement upgrades







## Quick View of District

<b>\$14,475,093</b>	<b>Total FY 22 School Budget</b>
<b>632</b>	<b>Total Enrollment</b>
<b>435</b>	Preschool through eighth grade
<b>189</b>	Secondary: ninth through twelfth grade
<b>8</b>	Out of District Placements
<b>21%</b>	<b>Percentage of Military Students (preschool-8th grade only)</b>
<b>4%</b>	<b>Percentage of Free and Reduced (preschool-8th grade only)</b>
<b>13%</b>	<b>Percentage of Differently Abled Learners (preschool -12+)</b>
<b>0.3%</b>	<b>Percentage of Multilingual Learners (preschool-8th grade only)</b>

## Current Enrollment Preschool-8 as of December 1, 2021

Grade	Count	Classrooms	Notes
Preschool	17	1	
Kindergarten	42	3	+2 this month
1st	40	3	+1 this month
2nd	40	3	
3rd	56	3	
4th	48	3	
5th	49	3	
6th	39	3	
7th	53	3	
8th	51	3	

**Total - 438**

19

## Normal Budgetary Factors Previous to COVID-19

- Transient student population that shifts throughout the year
  - Enrollment will change up through August 2022
  - Unknown number of Military Students
- Federally Regulated Education Services
  - IDEA (IEP),
  - ADA Section 504,
  - English Language Learner (ELL)
- Out of District Students
  - Tuitions and Transportation costs
- High School Tuition costs
  - Career Technical Education and Charter School Tuitions
- Salaries & Benefits of employees
- Facility Operations
  - Heating, Electric, Maintenance

\$

20

## \$ Budgetary Factors Related to Capital Improvement:

- **Planned Capital Improvement FY 23**
  - RIDE Approved School Construction Projects for 2022/2023 (year 5)
    - Reconfigure 5th, 6th grade, and library collaborative classrooms
    - Replace electrical panel at Lawn
    - Asbestos abatement classrooms Lawn (part 2)
  - **Upcoming projects for FY 22 include:**
    - Solar panels Melrose & Lawn
    - Upgrade fire alarm systems Melrose & Lawn
    - Replace generator Lawn



## Operating Budget History

FY 2014	\$11,638,648
FY 2015	\$11,583,891
FY 2016	\$11,652,671
FY 2017	\$11,860,021
FY 2018	\$12,140,553
FY 2019	\$12,678,360
FY 2020	\$13,174,127
FY 2021	\$13,365,064
FY 2022	\$13,441,338

FY21 to FY22 \$76,274 0.57% +  
 Percent change over the past 3 years

3.91%



1.45%



0.57%



Thank You!



Contact Info: [duva.ken@jamestownschoools.org](mailto:duva.ken@jamestownschoools.org)



## V. OPEN FORUM

*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 Council 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
- B) Non-scheduled request to address

Karen Butens, Columbia Lane addresses the Town Council, asks for update on cell-phone coverage committee.

**A motion was made by Councilor R. White to delay agenda item VI. Acknowledgements, Announcements, Presentations, Resolutions And Proclamations with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.**

## VI. PUBLIC HEARINGS, LICENSES AND PERMITS

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

- A) Licenses and Permits
  - 1) Review, Discussion and/or Action and/or Vote to **Approve a NEW Holiday Application** that has been received by the Town Council upon resolution of debts, taxes, State approval and appropriate signatures as well as, when applicable, proof of insurance for the year December 1, 2021- November 30, 2022
    - a) Milos Beauty Corporation, dba: Milos Nails & Spa, 23 Narragansett Avenue

**A motion was made by Councilor R. White to approve the new Holiday license application for Milos Beauty Corporation, dba: Milos Nails & Spa with second by Councilor Brine. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.**

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

*Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)*

**Town Administrator Hainsworth reported on the following:**

- A) Town Administrator's Report: Jamie A. Hainsworth
  - 1) Cellular/Wireless Service update

**Chief Mello and Town Administrator Hainsworth have requested meetings with the 3 cellular service companies. Verizon has provided updated information on the small sight cell project.**

2 of the 10 small sight cells have been installed as of November 1<sup>st</sup> on telephone poles located at North Main Road/Sloop Street, and East Shore Road/Seaview Avenue. The small sight cells are intended to enhance coverage in well place areas.

- 2) Friends of Jamestown Right of Way+Roads “Adopt A Right of Way program” (agenda item)

- 3) Interim Director for Senior Services

Town Administrator Hainsworth announced the appointment of Molly Conlon as the Interim Director of Senior Services. A review will take place in 60 days, with the intention of a full appointment at that time. President Beye thanked Ms. Conlon for her service at the Parks and Recreation Department, and wished her great success in her new position.

- 4) Request Towns Consent on Leasehold Mortgage at Dutch Harbor Marina. The Town has a Seasonal lease with Dutch Harbor Marina permitting the use of the parking lot for winter boat storage. Solicitor Ruggiero is in the process of reviewing the request and will advise before the Town consents to the Leasehold Mortgage.

- 5) LED Street Light replacement project

The installation of LED street lights has started. Once the installation project has been completed (one-to-one swap), the State of Rhode Island, Department of Transportation will take over the expense and maintenance of the lights, which will provide cost effective/energy efficient relief to the Town.

- 6) American Rescue Plan Act (APRA) Funding

Members of the Town staff are collaborating on the use of the APRA funds and will present a plan to the Town Council at a future meeting.

- 7) Covid 19 update

Town Administrator Hainsworth reported that 32 new COVID 19 cases have been recorded over the last 3 weeks.

## II. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Review, Discussion and/or Action and/or Vote to approve request of Jamestown Rights of Ways on procedure “Adopt a Right of Way”
  - 1) Friends of Jamestown ROW presentation
  - 2) Review by Council with Staff on proposed “Adopt A Right of Way” Stewardship Program
  - 3) CRMC “Adopt-An-Access” draft program MOU
  - 4) CRMC Maintenance Certification Application

Carol Nelson Lee, Buoy Street, summarized the mission/vision of the Friends of Jamestown Adopt A Right of Way Stewardship Program. ROW can add to quality of life for residents and a sense of community. The ROW Stewardship Program would be another example of a State agency, grass roots group and the Town working together for the benefit of the community. The proposed volunteer program would monitor designated ROW on a monthly basis. The proposed program has been endorsed by the CRMC and the Jamestown

Conservation Commission. The Friends of Jamestown ROW are requesting the Town Council endorse the program by way of a Memorandum of Understanding (MOU). Ms. Nelson Lee referenced the Taylor Point restoration program as successful example of a public/private program. The proposed ROW program would aim to identify grant programs to supplement and support the vision and mission objectives.

Councilor R. White requested clarification on the role of CRMC, Town of Jamestown, Jamestown Conservation Commission and the designated 14 locations before endorsing the program.

Councilor R. White requested a clear definition of the Town's role/responsibility in the revised MOU.

Town Administrator Hainsworth stated the MOU would be for 14 specific locations.

Joyce Antonello, Columbia Avenue, member of Jamestown Conservation Commission explained the role of JCC, which is to monitor ROW; ensuring no encroachments; and notifying the Town of maintenance and/or offenses. CRMC recommends maintaining a 6ft path. Some ROW are not all access points to beaches/coasts; some are specified locations to view beach/coast.

Councilor M. White makes clarifying statements regarding this MOU, and the 14 designated ROWs.

Sav Rebecchi, Sail Street, addressed the Town Council and provided historical context of original 39 ROW designations. Mr. Rebecchi was a former President of the Jamestown Shores Association. Every 3<sup>rd</sup> street was to have access to the water, and that is why there are so many ROWs designated. Deeded rights were turned over to the Town to maintain. The Town then turned them over to the CRMC, under the agreement the Town would maintain and the CRMC would own them.

Councilor Brine asks if the Conservation Commission and the Town are in support of the program.

Mr. Egan, Champlin Way, asks how this program is different from the existing CRMC Adopt a Way program.

Mary Jo Diem, founding member of Friends of Jamestown ROW. The presentation was intended to compliment documents distributed to the Town Council.

The Town Council requests a revision of the MOU to clearly define the roles of the CRMC, the Town of Jamestown, the Jamestown Conservation Commission and the Friends of Jamestown ROW; and review by Solicitor Ruggiero before the Town agrees to the MOU.

No vote or action taken.

## VIII. 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) Review, Discussion and/or Action and/or Vote: Short Term Rental discussion regarding engaging a Short-Term Rental data collection, compliance monitoring and enforcement company to assist the Town
- 1) Draft Short-Term Rental Ordinance

Town Planner Lisa Bryer provided highlights of the revised ordinance. The STR Committee would like to request funds to hire a host compliance company to monitor, identify and enforce the ordinance of registered units. The monitoring company would provide data analytics on compliance, rental activity, etc. to ensure an effective and enforceable STR ordinance. Additionally, the host compliance company would provide a 24/7 dedicated hotline for non-emergency issues.

Council R. White, had questions and concerns regarding the registration and inspections process. Would the Host Compliance company help develop rules, regulations and implementation of the ordinance?

Solicitor Ruggiero addressed the Town Council. Presently there is no ordinance to regulate Short-Term rentals. In developing the draft ordinance, the STR committee acknowledged that the Town does not have the experience and data to develop an all-encompassing ordinance. The draft ordinance if passed would then provide data that could be used to modify the ordinance in the future. The Town staff has requested permission to issue an RFP to identify a host compliance monitoring company and estimated cost to implement a Short-Term Rental compliance monitoring program.

The STR Committee intends to request a public hearing to be advertised for consideration for February 2022; and implementation and enforcement in time for the 2022 rental season. Solicitor Ruggiero provided a high-level overview: make units safe for homeowner, neighbors and occupants; monitor locations, preserve the rights of enjoyment of the community; and create an enforceable mechanism to register and monitor units.

Lengthy discussion ensued. Questions remain regarding the following: enforcement challenges; location restrictions; cap on the number of registered STRs; number of days in a year a rental unit is restricted to; parking requirements; and lack of clear definitions in rules and regulations of STRs.

David Clancy, North Road, addressed the Town Council and requested further consideration for home-owners that rely on supplemental rental income. Mr. Clancy suggested a test group rather than an overarching community ordinance.

A motion was made by Councilor Brine to approve authorizing the Town staff to develop an RFP for a Short-Term Rental compliance monitoring program with second by Councilor R. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

## IX. 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 2022 Town Council Meeting Date Calendar

A motion was made by Councilor R. White to approve the preliminary Town Council Meeting Date Calendar with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

**X. 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 Action and/or Vote:

Lengthy discussion ensued regarding the reappointment and appointment of applicants before the expiration of terms with the possibility of additional applications for vacancies. The Town Council also discussed the need to interview reappointments when appropriate.

Councilor Brine has not interviewed any of the re-applicants due to this being his first term. Councilor Brine has requested interviews when the number of applicants is greater than the number of vacancies.

Paul Sprague, Mast Street, asked for clarification on the number of vacancies and applicants for the Harbor Commission.

The Council agreed to continue the vote for reappointments and appointments of vacancies until January 2022.

- 1) Jamestown Fire Department Compensation Committee (One vacancy with a three-year term ending date of May 31, 2022); duly advertised
  - a) Letter of interest for appointment
    - i) Mary Ellen Coleman (previously interviewed)

A motion was made by Councilor R. White to approve the appointment of Mary Ellen Coleman to the Jamestown Fire Department Compensation Committee with second by Councilor Brine. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

- 2) Beavertail State Park Advisory Board (One vacancy with a three-year term ending date of December 31, 2024); duly advertised
  - a) Letter of interest for reappointment
    - i) Linda Warner
- 3) Jamestown Conservation Commission (Two vacancies with three-year term ending dates of December 31, 2024); duly advertised
  - a) Letter of resignation
    - i) Jessica Wurzbacher
  - b) Letter of interest for reappointment
    - i) Leo N. Orsi, Jr.

- 4) Jamestown Harbor Management Commission (Three vacancies with three-

year term ending dates of December 31, 2024); duly advertised

- a) Letters of interest for reappointment
  - i) Eric Lexow
  - ii) Wayne Banks
  - iii) Daniel Wurzbacher
- b) Letters of interest for appointment
  - i) Thomas Farrell
  - i) Paul D. Sprague
  - ii) Stephen J. Corbett

- 5) Jamestown Housing Authority – (Two vacancies with One five-year term ending December 31, 2026[Full Member] and One unexpired five-year term ending date of December 31, 2023[Resident Commissioner]; and; duly advertised

- a) Letter of interest for **reappointment (Full Member)**
  - i) Valerie Molloy
- b) Letter of interest for **appointment**
  - i) Susan Romano (previously interviewed)
  - ii) Robert Plain (previously interviewed)
- c) Letter of interest for appointment (**Resident Commissioner**) \*
  - i) Doreen Dell (**previously interviewed**)

**Barbara Szepatowski, Riptide Avenue, addressed the Town Council and asked if the JHA Board endorsement for a Resident Commissioner had been received. Councilor R. White confirmed the email endorsement dated Saturday December 4, 2021 from JHA Chair Molloy had been received, but a vote on the vacancy will be continued to January 2022.**

- 6) Jamestown Juvenile Hearing Board – Member (Two vacancies with three-year term ending dates of December 21, 2024); duly advertised
- a) Letter of resignation
    - i) Michael Lichtenstein
  - b) Letter of interest for reappointment
    - i) Barbara Szepatowski
  - c) Letter of interest for appointment – to move up to Full Member from Alternate Member
    - i) Nancy Ventrone
- 7) Jamestown Philomenian Library Board of Trustees (Two vacancies with three-year term ending dates of December 31, 2024); duly advertised
- a) Letter of resignation
    - i) Catherine Kaiser
  - b) Letter of interest for reappointment
    - i) Eugene Mihaly
  - c) Letter of interest for appointment

- i) Joseph Cannon (previously interviewed)
  - ii) Mackenzie Richards (previously interviewed)
- 8) Jamestown Planning Commission (Three vacancies with a four-year term ending date of December 31, 2025); duly advertised
  - a) Letter of resignation
    - i) Michael F. Smith (Term limit- 3 terms)
  - b) Letter of interest for reappointment
    - i) Bernd E. Pfeiffer
    - ii) Michael Cochran
- 9) Jamestown Tree Preservation and Protection Committee (Three vacancies with three-year term ending dates of December 31, 2024); duly advertised
  - a) Letter of resignation (full term)
    - i) Thomas Farrell
    - ii) Susan Shim Gorelick
  - b) Letter of interest for reappointment
    - i) Walter Bopp
  - c) Letter of interest for appointment
    - i) John Austin Murphy
    - ii) James Simmons
- 10) Jamestown Zoning Board of Review – Member (Two vacancies with a five-year term ending date of December 31, 2026); duly advertised
  - a) Letter of interest for reappointment
    - i) Dean J. Wagner
    - ii) Terence Livingston
- 11) Jamestown Zoning Board of Review – Alternate Member (Three vacancies with one-year term ending dates of December 31, 2022); duly advertised
  - a) Letter of interest to remain as Alternate Member
    - i) Judy Bell – 1<sup>st</sup> Alternate
  - b) Letter of interest for reappointment
    - i) John Shekarchi
    - ii) Alex Finkelman
  - c) Letter of interest for appointment
    - i) Richard Toselli

**President Beye requested interviews for the following applicants:**

Leo N. Orsi, Jr.	Conservation Commission	Re-appointment
Eric Lexow	Harbor Commission	Re-appointment
Wayne Banks	Harbor Commission	Re-appointment
Daniel Wurzbacher	Harbor Commission	Re-appointment
Thomas Farrell	Harbor Commission	New applicant
Stephen Corbett	Harbor Commission	New applicant
Valerie Molloy	Housing Authority	Re-appointment
Walter Bopp	Tree Preservation and Protection	Re-appointment

James Simmons  
Richard Toselli

Tree Preservation and Protection  
Zoning Board of Review

New applicant  
New applicant

A motion was made by Councilor Brine to approve acceptance of the consent agenda with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

## XI. CONSENT AGENDA

*An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately 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) November 15, 2021 (Executive Session)
    - a) Amend minutes to reflect vote taken during Executive Session
  - 2) November 15, 2021 (Regular/Water and Sewer Meeting)
  - 3) November 18, 2021 (Special Session)
- B) Minutes of Boards/Commissions/Committees
- 1) Jamestown Philomenian Library Board of Trustees (January 12, 2021)
  - 2) Jamestown Philomenian Library Board of Trustees (February 9, 2021)
  - 3) Jamestown Philomenian Library Board of Trustees (March 9, 2021)
  - 4) Jamestown Philomenian Library Board of Trustees (April 13, 2021)
  - 5) Jamestown Philomenian Library Board of Trustees (May 11, 2021)
  - 6) Jamestown Philomenian Library Board of Trustees (June 8, 2021)
  - 7) Jamestown Philomenian Library Board of Trustees (July 13, 2021)
  - 8) Jamestown Philomenian Library Board of Trustees (August 10, 2021)
  - 9) Jamestown Philomenian Library Board of Trustees (September 14, 2021)
  - 10) Jamestown Philomenian Library Board of Trustees (October 12, 2021)
  - 11) Jamestown Philomenian Library Board of Trustees (November 16, 2021)
  - 12) Jamestown Harbor Commission (April 14, 2021)
  - 13) Jamestown Harbor Commission (June 9, 2021)
  - 14) Jamestown Harbor Commission (July 14, 2021)
  - 15) Jamestown Housing Authority Board of Commissioners (October 4, 2021)
  - 16) Jamestown Housing Authority Board of Commissioners (October 13, 2021)
  - 17) Jamestown Housing Authority Board of Commissioners (October 20, 2021)
  - 18) Jamestown Housing Authority Board of Commissioners (October 21, 2021)
  - 19) Jamestown Housing Authority Board of Commissioners (October 29, 2021)
  - 20) Jamestown Tree Preservation and Protection Committee (October 20, 2021)
  - 21) Jamestown Zoning Board of Review (October 26, 2021)

### C) Tax Assessor's Abatements and Addenda of Taxes

ABATEMENTS TO 2021 TAX ROLL		
19-0763-56	UPDATED PROPERTY INFORMATION	\$513.36
ADDENDA TO 2021 TAX ROLL		
07-0034-20	PRO-RATION C/O DATE 06/20/2021	\$1527.08
23-0891-20	PRO-RATION C/O DATE 08/05/2021	\$791.37
04-0955-00	PRO-RATION C/O DATE 11/02/2021	\$665.55
23-1552-99	PRO-RATION C/O DATE 10/18/2021	\$787.15

13-1204-00	PRO-RATION C/O DATE 07/27/2021	\$1803.05
12-0599-75	PRO-RATION C/O DATE 11/02/2021	\$1115.93
03-1154-11	PRO-RATION C/O DATE 07/14/2021	\$1349.50
02-0678-00	PRO-RATION C/O DATE 09/16/2021	\$837.01
14-0035-15	PRO-RATION C/O DATE 11/22/2021	\$318.26
01-0001-39	PRO-RATION C/O DATE 07/26/2021	\$1732.71
06-0159-95	PRO-RATION C/O DATE 08/30/2021	\$1244.22
02-0904-00	PRO-RATION C/O DATE 09/09/2021	\$1253.80
<b>TOTAL ABATEMENTS TO 2021 TAX ROLL</b>		<b>\$513.36</b>
<b>TOTAL ADDENDA TO 2021 TAX ROLL</b>		<b>\$13,425.63</b>
<b>GRAND TOTAL</b>		<b>\$12,912.27</b>

- D) Letter to Jamestown Housing Authority Executive Director Sullivan and Commission Chair Molloy from President Beye requesting list of nominees for the JHA Resident Commissioner vacancy.

## **XII. 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 Received:
- 1) Copy of Letter to: Town Council  
From: Jessica and Bill Cushman  
Dated: November 10, 2021  
Re: Proposed pickleball courts at Fort Getty
  - 2) Copy of Letter to: Town Council  
From: Chris Cannon  
Dated: November 12, 2021  
Re: Cell phone service in the northern part of Jamestown
  - 3) Copy of email to: Town Council  
From: Mary Lou Sanborn  
Dated: November 14, 2021  
Re: Dog Leash Public Forum
  - 4) Copy of Letter to: STR subcommittee (Host Compliance Committee)  
From: Connie Slick  
Dated: December 1, 2021  
Re: Short-Term Rental Ordinance
  - 5) Copy of Letter to: Town Council  
From: North Smithfield School Committee  
Dated: November 16, 2021  
Re: Resolution to support the extension of S16-7-40 Increased School Housing Ratio

The Town Council acknowledged receiving Communications.

**XIII. ADJOURNMENT**

A motion was made by Councilor R. White to adjourn at 7:55 p.m. with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

**Attest:**

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**Roberta J. Fagan, Town Clerk**

Approved As Written

# Affordable Housing Committee Minutes

Via Zoom

**April 28, 2021**

**5:00 p.m.**

## I. **Call to Order**

The meeting was called to order Via Zoom at 5:05 p.m. and the following members were present: Joe Cannon, Sydney Keen, Nick Radesca, Fred Pease, Donna Andreozzi, Job Toll, Heather Lopes and Lisa Bryer, Town Planner

Also present: Christian Belden - CCHC Executive Director, Cinthia Reppe – Planning Assistant

## II. **Approval of Minutes June 15, 2020 review, discussion and/or action and/or vote**

A motion was made by Heather Lopes and seconded by Nick Radesca to approve the minutes as written. So unanimously voted.

## III. **91 Carr Lane – Affordable Housing Development – 91 Carr Lane, Property Owner: Town of Jamestown, Applicant: Church Community Housing Corp, A.P. 4 Lot 52, Application for Comprehensive Permit for Affordable Housing per Zoning Ordinance Article 17, a 4-Lot Minor Subdivision with Zoning Variances. Master Plan/Preliminary Review – Discussion, Review, Recommendation to Planning Commission**

Lisa Bryer said the town has purchased this property for open space and affordable housing, it was almost 7 acres, CCHC will purchase 1.3+ acres for this affordable housing project.

Christian Belden explained the project. Partnership program to create open space and affordable housing. The original plan was 3 affordable apartments and 3 affordable homes. Their funding sources were denied and CCHC was asked to go back and come up with a way to self-subsidize this project. These homes will be Net Zero homes, this is where much of the funding is coming from. Mr. Belden said they went before the Town Council and requested that they be allowed to sell the existing single-family home and

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April 28, 2021  
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also sell the garage lot at market rate to create funding for this project. The council agreed, however Councilor Meagher asked if the proceeds from the single-family home gains enough money to create 3 can we do that. The P&S has that included in it and the council has approved it.

Anything different from last year asked Ms. Lopes? Yes, they have town approval now. Parcel C shows the garage which may be demolished if they need to sell it. Plans reflect the new scenario.

Heather Lopes asked about the Project narrative's estimate number of occupants given the number of bedrooms for the affordable homes why does the first unit have only 2 occupants for a three bedroom? He knows who the potential buyers are so that is why he listed at 2. He explained the numbers and they try to reflect reality. In some instances, the number is greater. Lisa Bryer said we ask on the checklist so they have to estimate.

Job Toll asked have you considered putting the affordable housing parcels on A & C? Christian said they didn't because parcel C will be more expensive to develop. He explained they are doing Net Zero homes and it will be less money to do this with new homes. If the existing home generates enough they will develop 3 houses and convert the garage.

Job asked about getting the property appraised and Mr. Belden noted he has had conversations with an appraiser. Market is very hot right now but it depends when they get final approval for marketing so he is not certain yet. Values fluctuate.

Nick Radesca asked what is the dollar amount needed? They are estimating 391K for each market rate unit.

Lisa Bryer stated that we always send Affordable Housing projects to the AHC for a recommendation to the Planning Commission. We are here to review and make sure you understand and you can send a recommendation if all agree. Lisa Bryer mentioned the Technical Review Committee met this morning and gave a positive recommendation to the Planning Commission.

Ms. Lopes asked if we may see this again? No, Lisa said they are at master/prelim and then final approval is done administratively.

Heather asked about groundbreaking and Mr. Belden said it depends on how long it will take DEM for their approval.

A motion was made by Heather Lopes to send a positive recommendation to the Planning Commission in support of the 91 Carr Lane Affordable Housing Development project. Sydney Keen seconded the motion. Discussion ensued.



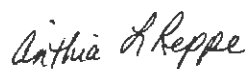
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Joe Cannon asked if the buyers need to come to the town for approvals to build. No, Zoning relief will already be granted. If they will be making substantial changes they may have to. The house lot will be sold as is. Based on CCHC's proposal they have their septic and well approvals by the time it is marketed for sale.

So unanimously voted.

A motion to adjourn at 5:49 was made by Fred Pease and Heather Lopes seconded the motion. So unanimously voted.

Attest:



Cynthia L Reppe – Planning Assistant

Approved As Written

# Affordable Housing Committee Minutes

November 17 2021

5:00 p.m.

93 Narragansett Ave.

Jamestown RI 02835

Conference Room

## I. Call to Order

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

Job Toll, Joseph Cannon, Bob Plain, Mike Leibhauser, Quaker Case, Lisa Bryer, Town Planner

Not present: Fred Pease, Nick Radesca, Donna Andreozzi

Also present:

Cynthia Reppe, Mary Meagher

## II. Introductions and Elections of President, Vice President etc.

Elections will be held at the next meeting.

Each member introduced themselves and explained why they wanted to be a member of this committee. Affordable Housing is important and this is why they have all joined the committee.

Lisa reviewed the information in the binder that was provided for each member as they join the committee. The older members were asked to bring their binders. The binder gives information on state and local affordable housing information. Bryer reported that over the last decade our numbers towards the 10% mandate have dropped because of all the new housing starts. A few of the cities and towns have met their 10%. Based on build out analysis and when we update the Comp Plan update we will revise the affordable housing development plan.

Job Toll asked about AirBnB's. It is allowed now but does not impact our affordable housing numbers. Getting more long term rentals back on the market is a goal. Quaker asked if there is a difference in taxes between long term and short term rentals. No.

## Affordable Housing Committee

November 17, 2021

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Bob Plain said South Kingstown is doing something in terms of real estate transfer tax. Lisa said applied for the same thing that Little Compton and BI have and we were denied years ago. She agreed that a RE transfer tax would help us. Mary Meagher said there are lots of things this group can lobby for.

We are talking about both purchase and rentals in terms of AH, same definition. People should not have to spend more than 30% of their income. In order to meet our numbers Joe said we need to be looking at the things we can and cannot control to improve the numbers.

### III. **Approval of Minutes April 28, 2021** review, discussion and/or action and/or vote

A motion was made by Job Toll and seconded by Mike Leibhauser to accept the minutes as written. So unanimously voted.

### IV. **Roll of the Affordable Housing Committee – Charge**

Lisa read the definition to the committee. This board has always sat as a review board as required in the charge, and as the committees change there is varying levels of interest to do special projects. Lisa said we have to remain inside our charge.

Bob Plain thinks it is cool that it is a broad definition and he thinks it gives us a broad brush to paint with. Maybe we can look it over and see if we want to change.

### V. **Tools and Techniques for Creating Affordable Housing in Jamestown**

Review of existing Zoning Ordinance provisions related to affordable housing.

- Presentation by Town Councilor Mary Meagher – Purchase of Development Rights for Affordable Housing; What Mary is trying to do with purchasing development rights is try to acquire some property and housing. Older people that may be on fixed income but probably own their property. Possibly older residents might sell the development rights to their property similar to a reverse mortgage. It might cost the town 10k a year to forgive their taxes, or pay them outright. Down the road affordability will be less likely.

Mary wants to know what everyone thinks. Bob Plain adores this idea and thinks it's Genius. Mary said we need to acquire the property. Mike Leibhauser inquired about process. Mary thinks the current tenant would stay there. No new unit but for the state purposes we would be adding. Many of them are more than likely seniors. Bob Plain said South Kingstown looked into doing this and they asked the state and they were told they could not do this, it is an unallowable mortgage assistance.

Lisa Bryer said affordable housing is defined as 1) not costing more than 30% of income and they have to be income qualified and 2) has to have a subsidy (local,

Affordable Housing Committee  
 November 17, 2021  
 Page 3

density, state) 3) and it has to be permanently (by state definition) affordable. In the comp plan we address both the big A (state qualified affordable housing) and little a.

Does CCHC do something similar to this? Yes, Mary explained.

Lisa said single family home ownership may not be a dream of younger generation and rentals may be more important here than home ownership at this time. Mike said what are the next steps that we should take? Mary asked a meeting or an ad in the paper? Lisa said let's meet with CCHC and the state. Mary will create an ad.

- Presentation by member Bob Plain – Accessory Family Dwelling Units (AFDU). Smaller secondary housing units is what he is talking about. One reason it works is a homeowner can make it more affordable. He would propose that we make it so it is not deed restricted. Impediment to what we have now with is the deed restriction. It won't help the 10% but it will help people get housing. Lisa felt it needs to not allowed for short term rentals or that is what it will be. Lisa noted that Jamestown has severe water issues in town and that is why it is not allowed "by right" now. Turning a big house into 2 apartments might work better. Mike asked how near are we to build out? We can only treat so much water here. Every 4<sup>th</sup> of July weekend we get close to not having water.

#### VI. Discussion

Future Schedule of Affordable Housing Committee

- Lisa discussed the future meetings and her desire to limit meetings to an hour and half max. Some members requested to have meeting during the day and was a possibility. Cyndee said she would query the members.

#### VII. Adjournment

A motion to adjourn was made by Quaker Case and seconded by Mike Leibhauser. So unanimously voted.

Attest:

Cynthia L. Reppe



## JAMESTOWN CONSERVATION COMMISSION

Tuesday, July 20, 2021, 6:30 p.m.

Virtual Meeting held on Zoom:

Meeting ID: 847 4331 2898

Join Zoom Meeting: <https://us02web.zoom.us/j/84743312898>

### Meeting Minutes

**In attendance:** S. Shim Gorelick, A. Kuhn-Hines, L. Orsi, G. Souza. **Absent:** J. Antonello, B. Lundy, J. Wurzbacher

- I. **Roll Call and Call to Order:** 6:35 PM; **NOTE:** Forgot to record meeting via Zoom
- II. **Approval of Minutes:** Regular Meeting Minutes: June 8, 2021 **Motion to approve Meeting minutes I<sup>st</sup> Susan Shim Gorelick, 2<sup>nd</sup> Leo Orsi - all in favor - motion passed.**
- III. **OPEN FORUM:**
  - A) Scheduled request to address: None
  - B) Non-scheduled request to address: None
- IV. **CORRESPONDENCE AND BILLS**
  - A) None: Have not yet received an invoice for the tree removal of fallen tree blocking the trail at the Conanicut Island Sanctuary Trail.
- V. **CRMC, RIDEM, & Town of Jamestown Ordinance Review:**
  - A) Section 308; review, discussion and/or potential action and/or vote concerning state RIDEM wetland setbacks. Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act:  
<https://rules.sos.ri.gov/promulgations/part/250-150-15-2>. No updates on proposed RIDEM Wetland rules.
  - B) CRMC: No relevant hearings in July for Jamestown  
[http://www.crmc.ri.gov/calendars/2021\\_07.html](http://www.crmc.ri.gov/calendars/2021_07.html)
- VI. **Old Business & Committee Reports:**
  - A) Rights of Way/Parks/Greenways & Public Access: Land Protection and Stewardship: Review updates on the 91 Carr Lane Mixed -Income Development project proposal. Update from the July 7, 2021 JTN Planning Commission Meeting regarding the 91 Carr Lane project proposal: The Church community Housing Corporation requested another delay so they could revise their proposal to reflect a reduction in the number of lots from 4 to 3 units, and the need to readvertise. No updates on the timeline or progress for the Hull Cove trail boardwalk project that received a 67K trail grant from RIDEM. Leo Orsi discussed stairway design options for possible access to water at the Wickford Avenue ROW-Leo has discussed these ideas with the Town Administrator (Jamie Hainsworth) and the JCC will look into applying for trail grants to support the building of a stairway to access water at Wickford Ave ROW.
  - B) The JCC discussed coordinating and collaborating with the JTN Tree Committee which is developing a walking "tree tour trail map" for significant, notable trees in the town/village area and conducting a tree inventory across the island. The JCC will form

- a sub workgroup to coordinate with the Tree Committee (Jamie Haines Matthews, Darcy Magratten, Tammy Fasano, etc.) on collaborating and incorporating the “tree tour trail map” into the revised/updated JCC Trail map. The JCC continued discussing the possibility of using drone aerial imagery for portions of the Trail map (e.g., Godena Farm and Parker Farm). Good quality aerial photos will be very useful for display board at events, Earth day, festivals, or Chamber events in Town in the future. Barbara Lundy has been in contact with a professional photographer who has taken amazingly beautiful professional aerial photos of various trail sites around Jamestown.
- C) Public education: The JCC continued discussing the coordination of future initiatives and community-wide collaborative coordination for environmental education with other JTN groups: e.g., Sustainable Jamestown, JAC, Conanicut Island Sailing Foundation, Taylor Point Restoration Association, JTN Friends of ROWs, etc. (Susan Shim Gorelick, JCC) <https://www.cc4es.org/>. Environmental education outreach initiatives could include water conservation, eco-friendly yard care, feeding wildlife, invasive plant control, dog waste/watershed protection; stormwater protection; coastal resiliency; community composting, etc.
  - D) Harbor Management Commission (G. Souza). Nothing new to update.
  - E) Tree Committee (G. Souza). George Souza and Susan Shim Gorelick the Tree Committee received a grant to do an island-wide tree inventory, and a grant to do capacity building, and identifying unique trees on the island. The JCC will coordinate with the Tree Committee on updating and revising the JCC trail maps to include the Tree Committee Tree tour trail.
  - F) Taylor Point Restoration Association (G. Souza). The TPRA have restarted their every other Saturday clean up events again and are busy removing and reducing invasive species near the black cherry woodlands at Taylor Point. They are also planting native tree species at Taylor Point.

## VIII. NEW BUSINESS

- G) Next JCC Meeting will be held Tuesday, September 14, 2021 at 6:30 pm.

## IX. ADJOURNMENT

Adjourn – 7:42 PM – Motion to adjourn George Souza 1<sup>st</sup>, Susan Shim Gorelick 2<sup>nd</sup>, all in favor - motion passed

*Respectfully submitted by Anne Kuhn-Hines*



## JAMESTOWN CONSERVATION COMMISSION

Tuesday, October 19, 2021, 6:30 p.m.

### Meeting Minutes

Meeting held at Jamestown Town Hall  
Council Chambers

**In attendance:** J. Antonello, B. Lundy, S. Shim Gorelick, A. Kuhn-Hines, G. Souza. **Absent:** L. Orsi, J. Wurzbacher

- I. **Roll Call and Call to Order:** 6:32 PM **NOTE: Meeting recorded in Council Chamber**
- II. **Approval of Minutes:** Regular Meeting Minutes: July 20, 2021 **Motion to approve Meeting minutes 1<sup>st</sup> Joyce Antonello, 2<sup>nd</sup> Susan Shim Gorelick - all in favor - motion passed.**
- III. **OPEN FORUM:**
  - A) Scheduled request to address: None
  - B) Non-scheduled request to address: None
- IV. **CORRESPONDENCE AND BILLS**
  - A) JCC will send a letter to Matt Largess, Largess Forestry, Inc., to thank him for him generously donating his labor, equipment and professional expertise for the removal of fallen tree blocking the trail at the Conanicut Island Sanctuary Trail.
- V. **CRMC, RIDEM, & Town of Jamestown Ordinance Review:**
  - A) Reviewed and discussed revised RIDEM wetland setbacks. Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act: <https://rules.sos.ri.gov/promulgations/part/250-150-15-2>. Revised Freshwater Wetlands Rules have been finalized and will go into effect on January 15, 2022. JCC members questioned how abutters/building official will be notified when an applicant requests a variance when building or installing OWTS. The JCC is interested in the details of the process and will look into the details for notifying abutters.
  - B) CRMC: Whilden Sugar Kelp aquaculture preliminary determination application approved by CRMC <http://www.crmc.ri.gov/calendars/2021.html>
- VI. **Old Business & Committee Reports:**
  - A) Rights of Way/Parks/Greenways & Public Access: Land Protection and Stewardship: No new updates on the 91 Carr Lane Mixed -Income Development project proposal. Update from the July 7, 2021 JTN Planning Commission Meeting regarding the 91 Carr Lane project proposal: The Church community Housing Corporation requested another delay so they could revise their proposal to reflect a reduction in the number of lots from 4 to 3 units, and the need to readvertise. Update on the timeline/progress for the Hull Cove trail boardwalk project that received a 64K trail grant from RIDEM- All of the plan details have been finalized with RIDEM/CRMC and the public works department will begin construction of the boardwalk this winter. The court case with the Town vs. Carey (neighbor to the southwest of the Hull Cove trail) who is suing the town for access is still in court, and the town is objecting-it is expected that it will be

quite some time before this case is settled. The town will continue moving ahead on constructing the boardwalk for the Hull Cove trail to reduce further erosion of the trail. Update on the Wickford Avenue ROW-the Town Administrator (Jamie Hainsworth) said that the town agreement with the neighbor to the south of Wickford Avenue has been legally finalized and the town will have access to the water. This legal agreement will not be affected by any subsequent sale of the neighbor's property (which is currently for sale). The JCC will look into applying for trail grants to support the building of a stairway to access water at Wickford Ave ROW. The JCC fully supports the Jamestown Friends of ROWs and Roads and will co-sign the MOU with the Friends of ROWs and Roads, the Town of Jamestown, Save the Bay and CRMC. J. Antonello and B. Lundy reported on the meeting held on September 29 with the Friends of ROWs and Roads, Town staff, CRMC and Save the Bay. It was a very productive meeting: setting up goals for identifying and prioritizing Town ROWs (top 5) that can be adopted as CRMC ROWs and in the "Adopt a ROW" program; setting up training for volunteer monitoring surveying program for ROWs; discussed options for posts and signage; discussed maintenance of ROWs with CRMC renewing the Town's assent permit for maintenance of the ROWs (trimming overgrown vegetation, access, etc.). J. Antonello reported and updated about the Hull Street violations-clearcutting in the coastal buffer zone- the Town issued a "cease & desist" order and the CRMC will fine the violators and require a restoration plan for the property. The JCC discussed a proposal to create two dead ends on the midsection dirt road portion of Steamboat Street (between Beacon and Beach Avenues) at the lowest, wettest portion of the road. This would allow the chronically rutted and potholed section of Steamboat Street to revert back to wetlands-which are surrounding both sides of the road. BJ Whitehouse-a resident on Steamboat was enthusiastically supportive of the proposal. This proposal makes ecological and economic sense as the Public Works Dept has to continually regrade and patch potholes on this muddy section of Steamboat Street. The JCC voted unanimously to support this proposal and to write a letter to Town Council and town staff supporting the proposal. Motion to support the proposal 1<sup>st</sup> Barbara Lundy, 2<sup>nd</sup> Susan Shim Gorelick - all in favor - motion passed.

- B) The JCC discussed coordinating and collaborating with the JTN Tree Committee which is developing a walking "tree tour trail map" for significant, notable trees in the town/village area and conducting a tree inventory across the island. The JCC will be in touch to coordinate with the Tree Committee on incorporating the "tree tour trail map" into the revised/updated JCC Trail map, when further developed. The JCC continued discussing the possibility of using drone aerial imagery for portions of the Trail map (e.g., Godena Farm and Parker Farm). The JCC discussed looking into purchasing the high-quality aerial photos (with the Town) that will be very useful for display board at events, Earth day, festivals, or Chamber events in Town in the future. Barbara Lundy has been in contact with the professional photographer who has taken amazingly beautiful professional aerial and landscape photos of various trail sites around Jamestown.
- C) Public education: The JCC continued discussing the coordination of future initiatives and community-wide collaborative coordination for environmental education with other JTN groups: e.g., Sustainable Jamestown, JAC, Conanicut Island Sailing Foundation, Taylor Point Restoration Association, JTN Friends of ROWs, etc. (Susan Shim Gorelick, JCC) <https://www.cc4es.org/>. The JCC will plan to coordinate a meeting with the other environmental groups working across Jamestown to discuss setting up a website supported by the Town. Education outreach initiatives could include water conservation, eco-friendly yard care, feeding wildlife, invasive plant control, dog waste/watershed protection; stormwater protection; coastal resiliency; community composting, etc.



- D) Harbor Management Commission (G. Souza). Ben Goetsch (CRMC) discussed with the HMC the plans and proposals for restoring the southern portion of Gould Island for human use.
- E) Tree Committee (G. Souza). George Souza and Susan Shim Gorelick the Tree Committee received a grant to do an island-wide tree inventory, and a grant to do capacity building, and identifying unique trees on the island. The JCC will coordinate with the Tree Committee on updating and revising the JCC trail maps to include the Tree Committee Tree tour trail.
- F) Taylor Point Restoration Association (G. Souza). The TPRA have restarted their every other Saturday clean up events again and are busy removing and reducing invasive species (greenbrier) near the black cherry woodlands at Taylor Point. They are also planting native tree species at Taylor Point.

#### **VIII. NEW BUSINESS**

- G) Next JCC Meeting will be held Tuesday, November 9, 2021 at 6:30 pm.

#### **IX. ADJOURNMENT**

**Adjourn – 7:45 PM –Motion to adjourn Susan Shim Gorelick 1<sup>st</sup>, Barbara Lundy 2<sup>nd</sup>, all in favor - motion passed**

*Respectfully submitted by Anne Kuhn-Hines*

**Jamestown Conservation Commission 2021 Meetings-Attendance**

January 12, 2021:

In attendance: Susan Shim Gorelick, Leo Orsi, Barbara Lundy, George Souza, Jess Wurzbacher, Anne Kuhn-Hines

Absent: Joyce Antoniello

February 9, 2021

In attendance: Joyce Antoniello, Susan Shim Gorelick, Leo Orsi, Barbara Lundy, George Souza, Jess Wurzbacher, Anne Kuhn-Hines

March 9, 2021

In attendance: Joyce Antoniello, Susan Shim Gorelick, Leo Orsi, Barbara Lundy, George Souza, Jess Wurzbacher, Anne Kuhn-Hines

April 13, 2021

In attendance: Joyce Antoniello, Susan Shim Gorelick, Leo Orsi, Barbara Lundy, George Souza, Jess Wurzbacher, Anne Kuhn-Hines

May 11, 2021

In attendance: Joyce Antoniello, Susan Shim Gorelick, Leo Orsi, Barbara Lundy, Jess Wurzbacher, Anne Kuhn-Hines

Absent: George Souza

June 8, 2021

In attendance: Joyce Antoniello, Susan Shim Gorelick, Leo Orsi, Barbara Lundy, George Souza, Anne Kuhn-Hines

Absent: Jess Wurzbacher

July 20, 2021

In attendance: Susan Shim Gorelick, Leo Orsi, George Souza, Anne Kuhn-Hines

Absent: Joyce Antoniello, Barbara Lundy, and Jess Wurzbacher

October 19, 2021

In attendance: Joyce Antoniello, Susan Shim Gorelick, George Souza, Barbara Lundy, Anne Kuhn-Hines

Absent: Leo Orsi, Jess Wurzbacher

November 9, 2021

In attendance: Joyce Antoniello, Susan Shim Gorelick, Leo Orsi, Barbara Lundy, Jess Wurzbacher, Anne Kuhn-Hines

Absent: George Souza

December 14, 2021

**JAMESTOWN HOUSING AUTHORITY  
BOARD OF COMMISSIONERS Meeting  
Wednesday, November 17<sup>th</sup>, 2021 10:00am**

**CALL TO ORDER; ROLL CALL: 10:02am**

**Commissioner:** Valerie Molloy-Present

**Commissioner:** Barbara Szepatowski-Present

**Commissioner:** Kathy Powers -Present

**Commissioner:** Lisa Rafferty- Present

**Commissioner:** Joe Cannon- Present

**Also present:** Louise Marcus- Esq, Executive Director Marica Sullivan, Bethany Hashway (Note Taker),

**Members of Public:** Doreen Dell, Michelle Ring, Jim Anderson, Jerry Precious, Bernie Courtney, Randy White, Nancy Beye and Mary Meagher, and Rain Daugherty, CCHC/CDBG

**READING AND APPROVAL OF MINUTES:**

Minutes for October 4<sup>th</sup> and October 13<sup>th</sup> approved first by Commissioner Szepatowski, seconded by Commissioner Powers. Passed unanimously

October 20<sup>th</sup> and October 21<sup>st</sup> minutes were approved first by Commissioner Szepatowski, seconded by Commissioner Powers. Passed unanimously

October 29<sup>th</sup> minutes were approved first by Commissioner Szepatowski, seconded by Commissioner Powers. Passed unanimously

**FINANCIALS AND BILLS** – The JHA Board may review, discuss and /or take potential action and/or vote on the following items:

A. Executive Director's Update on Agency Operations, including status of CDBG grant application. Executive Director Marcia Sullivan gave a report regarding the CDBG grant and that many people have been cheering this on. Marcia reported that Cheryl is coming in tomorrow 11/18/21 to do the bookkeeping. Marcia signed contract with Feeney and Pinkerton for JHA's accountant. Marcia reported she is addressing the backlog from HUD and the list is long. Bethany will be coming in a day a week to help -out in the office. There is a problem with the heating system in the 35 unit housing and old heating system. HUD won't release second shortfall money because items haven't been checked off improvements. Coming close to reverse money. There is money to pay bills. Marica reported she had a meeting with Lisa and Rain and spoke with them about the heating and plumbing and she has a resolution for the board, that a commissioner needs to introduce the resolution. Commissioner Rafferty introduced the resolution that the Board Authorizes the Executive Director to explore the possibility with the state office of Housing and Community Development and the Town of Jamestown to modify the program year CDBG Affordable Housing Application for Assistance to reduce the number of bathroom unit renovations and to include upgrades to the plumbing, heating and cooling system to address critical water quality conditions and ongoing mechanical failures. Also she is looking to hire a bookkeeper and housing manager. Limited office schedule. The 12 units at Pemberton Place had a REAC review and she can't see the score because she doesn't have an M number yet from HUD to get into the system.

B. Procurement Policy Clarification of Board Of Commissioner's Role and proposed edit to clarify ambiguous provision in JHA Procurement Policy ( attached ) Commissioner Szepatowski made a

motion to strike after the resolution of the Board of Commissioners seconded by Commissioner Molloy passed all

- C. Procure Local Vendors for Emergency Matters- Commissioner Szepatowski put this on to add more local vendors to your list of contacts and local ones.

#### REPORTS:

- A. Resident Commissioner Update: Commissioner Powers reported on the following that people have come to her regarding the enclosures to store things that are in back of buildings, wanted to know where we are with door locks. Marica reported that there is a grant but not enough to cover it. Marica did report that there is a policy regarding lockout and that residents should be charged even during the day.
- B. Farewell and Thank You- Commissioner Molloy thanked Commissioner Powers for her service while serving on the board. Marica reported that the Town Council is going to be contacting Marica regarding find a new resident commissioner for public housing.

#### COMMUNICATIONS –

- A. **Public Comment** – Three (3) minutes per person for new, non- repetitive comments.
  1. Bernie Courtney- Was looking back at past minutes, asked about the Shortfall money from March 25<sup>th</sup>,2021 she reported that she, found a report from past accountant regarding COVID funding wanted to know if they could get more. Marcia reported that there is no more COVID funding and that money is all done.
  2. Randy White- The Town Council wanted to Thank Kathy Powers for her years of Service for 4 years. It is the Town Council’s responsibility to appoint Commissioner for Public Housing and resident commissioner with the Town Council’s application process. The housing authority will have a selection when they get nominates.
  3. Jim Anderson- Listening to Marica, he reports it’s sounding like a replay with looking for a housing manager and only having part-time people. Wanted to know if we’d ever have a full time Executive Director at JHA. Marica said it would be up to board for staffing upgrades. Commissioner Molloy reported we can have a part -time executive director and bookkeeper and full time person in office. He thinks JHA is flying by the seat of they pants. JHA needs to have patience and we are trying Commissioner Molloy responded
  4. Mary Meagher- In regards to Jim’s comment that is comment be put on future agenda and that the board is in Open session.
  5. Doreen Dell- Reported that we are independent but we are still part of Newport County and they have been re-built and wanted to know why we can’t money to fix the boiler and Newport gets money.
  6. Bernie Courtney- Wanted to know how the application process works for the resident Commissioner Position, Marica reported she will put out a notice to residents and they can apply and will have a certain amount of days to apply
  7. Doreen Dell- reported she already applied for the position and wanted to know if she has to re-apply again for the Resident Commissioner and the Town Council said she didn’t and application is already on filled.

#### 6. Open and Closed Session, Board Discussion and possible vote.

Per the RI Open Meetings Act RIGL Section 42-46-5(a) the board will meet in both open and closed sessions to clarify and discuss the performance of the Board’s job duties. The Board members have been

notified in advance in writing and advised that they may require that the discussion be held at an open or a closed meeting. Because both options were chosen, said discussions will take place in both open and closed sessions.

Chairwoman made a motion to move into closed session first approved by Commissioner Szepatowski, seconded by Commissioner Powers at 11:09a.m.

Closed Session:

Commissioner Szepatowski Made a Motion to close the closed session, Commissioner Rafferty Seconded the Motion. Unanimous Vote of Yeas

Commissioner Szepatowski Made a Motion to Sign and Seal the closed session minutes.

Commissioner Rafferty Seconded the Motion.

Unanimous Vote of Yeas

When back in Open Session:

Chairperson Molloy stated on the record No Votes were taken in closed session.

Commissioner Rafferty stated on the record a recap of what was discussed in closed session:

1.- The Board discussed a new protocol to convey to residents about how JHA will address resident issues. All housing-related issues are to be directed from residents to the new Executive Director, Marcia Sullivan, The Board is not to talk or engage with residents about residents' housing-related issues, that is **management's job**. Executive Director Marcia Sullivan will be posting at the office available times for residents to schedule a short meeting with Marcia if residents need to discuss housing-related issues.

2.- Commissioner Rafferty also stated that whether, or not any Board member(s) were showing favoritism to certain residents, perception is reality. Therefore, Commissioners must be mindful of not giving the perception of showing favoritism to any resident(s). Board members need to be clear with residents about the Board's role.

Commissioner Szepatowski made a motion to adjourn the meeting which, Commissioner Powers seconded the Motion. Meeting was Adjourned at 12:43pm.

Next JHA Board meeting is scheduled for Wednesday, December 8<sup>th</sup>,2021 at 10am.

### Jamestown Housing Authority Attendance Log 2021

Present: P

Absent: A

	Jan 21	Feb 16	Mar 25	Apr 15	May 27	Jun 30	Jul 28	Aug 31	Sep 17	Oct 4	Oct 13	Oct 20	Oct 21	Oct 29	Nov 17	Dec 8
Valerie Molloy	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Barbara Szepatowski	P	Town Coun. Meet	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Kathy Powers (Resigned 11/30/2021)	P	Town Coun. Meet	P	P	P	P	P	P	P	P	P	P	P	P	P	X
Karen Bell (Resigned 04/15/2021)	P	Town Coun. Meet	P	P	X	X	X	X	X	X	X	X	X	X	X	X
Lisa Rafferty (Appointed 10/8/2021)	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P
Joe Cannon (Appointed 11/1/2021)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P

\*Per state requirements due to Covid, meeting was held via Zoom

\*\*Meeting cancelled due to scheduling conflicts

\*\*\*Meeting cancelled due to Covid concerns re state in-person meeting requirements



## TOWN OF JAMESTOWN

P.O. Box 377

93 Narragansett Ave.

JAMESTOWN, RHODE ISLAND 02835

Approved As Amended

### PLANNING COMMISSION MINUTES

Planning Office - 423-7210

October 20, 2021

Fax - 423-7226

7:00 PM

Jamestown Town Hall

93 Narragansett Ave.

#### I. Call to Order and Roll Call

The meeting was called to order at 7:02 p.m. and the following members were present:

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

Also present:

Lisa Bryer, AICP – Town Planner  
 Wyatt Brochu – Town Solicitor  
 Cinthia Reppe - Planning Assistant  
 John Mancini – Esq.  
 Rico DiGregorio – Applicant  
 Anthony DiGregorio  
 Christian Infantolino – Esq.  
 Bill Munger – Applicant  
Polly Hutcheson  
Marianne Kirby

#### II. Old Business

1. 29 Narragansett Avenue, AP 9 Lot 631, Jamestown, RI. Proposal to develop a 3 residential unit, 3 commercial unit Multi-Family Structure in CD Zoning District.

##### Discussion and/or action and/or vote

- a. Development Plan Review; review under Zoning Ordinance Article 11,
- b. Recommendation to Zoning Board on:
  - i. Special Use Permit for Multi-Family Structure per Zoning Ordinance 82-301
  - ii. Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required
  - iii. Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2
  - iv. Variance for Building Height, 35 feet permitted, 40 feet 10 inches proposed

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Planning Commission Chair Mike Swistak said we are here for discussion and potential action for this application.

Attorney Mancini, on behalf of the owner applicant, Rico DiGregorio said they are requesting Development Plan Review, a special use permit and variances. They submitted plans and they have reviewed the motion from the planner and they ask for approval of the plans.

Chair Swistak asked if Bill Moore reviewed the plans prior but there are still plans listed in the motion that says they need to be updated. Lisa Bryer noted the biggest thing updated was showing the building is set back 2 feet from the western property line on the site plan. They also need to amend the dimensional table on the cover sheet that shows that is still proposed to be 35 feet and it is 40.5 feet. The applicant said they will take care of updating the cover sheet tomorrow.

Commissioner Pendlebury indicated the landscape plan shows plantings on south property line of privets. He was concerned about Privet getting enough light. The applicant indicated an alternate landscape plan was proposed. There are 2 different landscape plans and lighting plans submitted. Chair Swistak stated that they should be marked 1A and 1B to show the difference.

Commissioner Swistak said this commission has been very strict about exceeding the 35 feet and it would be helpful to hear your point of view as to why that additional height is so critical to this project. The roofline is 37.5' and the peak is 42'10".

Mr. Mancini said they are requesting a variance from zoning for height. It has to be considered in the entirety of the project. There have been different variations of this building since January. It is a unique parcel located in the commercial district. The height is driven by the design. The original design was 35 feet and it changed over time because of the dormers being added. There was not an increase in square footage inside, just height.

Commissioner Enright asked if you are going to include in the condo agreements that there will be no short term rentals, it is one of the conditions. Planner Lisa Bryer said when you approved the condo project on Narragansett Ave. it was included also because the applicant volunteered that was a goal. The same is true here. The applicant stated previously that was not their intent and they would ensure that. Wyatt Brochu stated the condo association will have an obligation to comply with the conditions and the town can enforce it. Chair Swistak stated the condo docs will come to planning and be reviewed by our solicitors too.

Donna Cameron Grigus – Green Lane. She wants to suggest that the Narragansett Ave pipes be replaced. The Planning Commission has been gung ho on building. The noises and vibrations have been loud. She said pipes on Green Lane and Union tie into her rentals and her pipe is the original pipe and it has not been relined, and the pipes are over 100 years old. Before putting new buildings on Narragansett Ave. you should consider putting new pipes in. What date will they be fixed?

A discussion ensued with changes being made to the draft motion.  
Commissioner Swistak said there will be 2 motions and votes

Commissioner Swistak made a motion seconded by Commissioner Pendlebury to grant conditional Development Plan approval and recommend to the Zoning Board of Review approval of the



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application of We Dig Investments, at 29 Narragansett Avenue to build a 6-unit multi-family structure (which includes 3 residential and 3 commercial units), including the request for a Special Use Permit based on the following findings and subject to the following conditions of approval. So voted:

Michael Swistak – Aye	Duncan Pendlebury – Aye
Rosemary Enright – Aye	Mick Cochran - Aye
Bernie Pfeiffer - Aye	Dana Prestigiacomo - Aye
Michael Smith – Aye	

Motion carries 7-0

Commissioner Swistak made a motion seconded by Commissioner Pendlebury, the Planning Commission to grant conditional Development Plan approval and recommend to the Zoning Board of Review approval of the application of We Dig Investments, at 29 Narragansett Avenue to build a 6-unit multi-family structure (which includes 3 residential and 3 commercial units), including the request for 3 variances from the standards of the Zoning Ordinance based on the following findings and subject to the following conditions of approval.:

- Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required
- Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2
- Variance for Building Height, 35 feet permitted, 40 feet 10 inches proposed

Commissioner Cochran said this is going to be the largest building on Narragansett Ave. except for the Bay View Condominiums and the biggest on the Avenue.

So voted:

Michael Swistak – Aye	Duncan Pendlebury – Aye
Rosemary Enright – Aye	Mick Cochran - Nay
Bernie Pfeiffer - Aye	Dana Prestigiacomo - Aye
Michael Smith – Aye	

Motion carries 6-1

#### Findings of Fact

1. The Town Planner met with the applicant in November 2020 to discuss concepts for the site at 29 Narragansett Avenue including the Jamestown Pattern Book and Design Guidelines and the 2008 special area study of 29 and 35 Narragansett Avenue;
2. The applicant's Architect, Ivy Design delivered a 69-page design study on December 10, 2021;
3. The Town Planner met with and provided comments to the applicant's development team;
4. The Public Works Director and the Town Planner met with the applicant team and their Engineer by phone on March 25, 2021 to discuss site considerations;
5. The applicant submitted an incomplete application dated 4/27/21 and additional information was subsequently submitted with a new application on 5/27/21;
6. The TRC reviewed this application on May 19, 2021, and May 25, 2021. The original versions of the building design generated major concerns with regards to the scale and context with the surrounding structures. The TRC encouraged the applicant to increase the height of the building slightly to allow for architectural features which would visually

- reduce the scale and mass of the building. The IRC agreed that a slight height variance would allow for a final design which yields the appearance of a two-story building even though there is significant livable area on the third floor.
7. The Planning Commission reviewed this application on June 2, 2021 and June 16, 2021;
  8. The Planning Commission authorized the Town Planner, Lisa Bryer to initiate the Peer Review Process at the June 16, 2021 meeting per Zoning Ordinance 82, 410, *Project Review Fees*;
  9. The Town Planner held two meetings with Donald Powers, Architect, Union Studios;
  10. The Applicant submitted plans dated 4/14/2021, 6/9/2021, 7/30/2021 and 9/17/2021;
  11. There were multiple discussion points and issues discussed at the meetings listed above but the primary discussion point at all meetings is the proposed new buildings' stature, placement and design on Narragansett Avenue;
  12. The Planning Commission received the detailed architectural graphics and comments from Donald Powers dated August 24 and September 30, 2021;
  13. Architect Donald Powers noted in his September 30, 2021 correspondence that the "...actual detailing of the building will be very important to the design's appropriateness and success in this location, we recommend that review and approval of those exterior details be a condition of final approval and construction permits";
  14. On October 6<sup>th</sup> and 20<sup>th</sup>, the applicant presented final plans to the Planning Commission. The applicant was represented by Attorney John Mancini and Principal Architect Junko Yamamoto;
  15. The proposed multi-family structure is permitted by Special Use Permit with 20,000 square feet;
  16. The Lot proposed for development is 10,254 square feet where 20,000 square feet are required for a multi-family structure;
  17. The Village Special Development District permits 2 stories maximum, where the net floor area of the third floor (attic) of a structure should not exceed 75 percent of the area of the ground floor. Due to the vaulted second floor ceiling into the third-floor area, the third-floor net area is 75 percent of the ground floor but the third-floor volume proposed is 100 percent of the ground floor area;
  18. The building height in the CD district and throughout the island is 35 feet. The proposed structure is 40'-10" at the center peak where the base roofline is 37'-7.5";
  19. The applicant's attorney testified that the height variance was needed to improve the success of the project;
  20. The Town of Jamestown has made several statements over the last decade regarding building height on the island. First, during the Village Charrette process it was discussed whether a small but specific zone should be permitted at the four corners in order allow greater density and height (of one additional story). This was discussed at length and not adopted for reasons of uniformity of maximum height throughout the island of 35 feet. In addition, last October 2020, the Planning Commission amended the definition of building height to ensure that all buildings within the special flood hazard areas would comply with

the maximum 35-foot building height in Jamestown and not be permitted to increase based on base flood elevation. It was at this time “how to calculate average grade” was amended and this can be found at [https://library.municode.com/ri/jamestown/codes/code\\_of\\_ordinances](https://library.municode.com/ri/jamestown/codes/code_of_ordinances)

21. A municipal sewer line which services the dwelling at 7 Green Lane cuts across the south-east corner of the applicant’s property.
22. Town Consulting Architect, Don Powers noted that while the current drawings presented for approval suggest appropriate traditional materials and patterns, they contain limited specific detail. To ensure the final selection of materials matches the design presentation, the Planning Commission agreed that Don Powers would remain engaged throughout construction to review the materials selected. The applicant had no objection to this requirement.
23. The applicant indicated that they do not intend to Short Term Rent the residential units. The Planning Commission accepted that commitment;
24. The applicant confirmed that and drainage to Green Lane and Narragansett Avenue will be mitigated to prevent pooling of water or icy conditions especially on the west side of the building where the setback to the retaining wall is narrow.

#### Conditions

1. This approval is for a multi-family structure containing 3 residential units and 3 ground floor commercial units;
2. Prior to Final Development Plan Approval, the applicant shall receive Zoning Board of Review approval for the following:
  - a. Special Use Permit for Multi-Family Structure per Zoning Ordinance 82-301
  - b. Variance for Lot Size, 10,254 square feet, where 20,000 square feet are required
  - c. Variance for 3 story building where 2 stories max are permitted per Zoning Ordinance Table 3-2
  - d. Variance for Building Height, 35 feet permitted, 40 feet 10 inches proposed
3. The Town’s consulting Architect, Donald Powers shall be responsible for review and approval of the exterior building detailing and materials prior to approval of the construction documents by the Building Official. Any discrepancy or disagreement shall be reviewed by the Planning Commission. This shall be paid for by a fee to be determined by the Town Planner per 82-410. This fee shall be paid for at the time of the building permit;
4. The site will be developed in strict adherence with the plans as approved by the Planning Commission and the Zoning Board of Review:

#### Plans by Junko Yamamoto Architect:

- a. Mixed Use Development Cover Sheet undated (NOT updated regarding height and parking).
- b. North Elevation – No Date
- c. South Elevation – No Date
- d. East Elevation – No Date
- e. West Elevation – No Date

- f. A1.0 Site Plan dated 10/7/21
- g. Site Lighting Plan dated 10/7/21
- h. A 1.1 First Floor Plan dated 10/1/21
- i. A 1.2 Second Floor Plan dated 10/1/21
- j. A 1.3 Third Floor Plan dated 10/1/21
- k. A 1.4 Roof Plan dated 10/1/21
- l. A2.0 Exterior Elevations dated 10/7/21
- m. A 2.1 Exterior Elevations dated 10/7/21
- n. A 3.0 Building Sections dated 10/1/21
- o. A 3.1 Building Sections dated 10/1/21

Plan by Advanced Civil Design, Inc:

- p. Site Plan – Mixed Use Development dated revised 10/15/21 showing Emerald Green Arborvitae on the south side of the property
5. No structures shall be built over the underground pipes at the southeast corner of the property in the parking lot/buffer area servicing the neighbor at 6 Green Lane (two-family with 6 Green Lane, Plat 9 Lot 570);
  6. Town Consulting Architect Don Powers shall remain engaged to assist the Building Official with the building details to ensure compliance with the intent of the Planning Commission approval. Mr. Powers is engaged per Zoning Ordinance Section 410 – Project Review Fees. The fee for these ongoing services shall be determined and paid by the applicant at the time of the building permit submission.
  7. All Stormwater shall be in accordance with the Jamestown regulations and the State of RI Stormwater Manual and shall be mitigated to prevent pooling of water or icy conditions especially on the west side of the building where the setback to the retaining wall is narrow;
  8. The applicant shall install new sidewalks and curbing along the Narragansett Avenue and Green Lane frontage to match the specifications (including of the existing Narragansett Avenue sidewalks to include the raised aggregate feature.
  9. Landscape maintenance standards shall be developed by a registered landscape architect and submitted to the Planning Commission for review and approval at final approval. These maintenance standards shall be included in the Condominium documents.
  10. Rental of the 3 residential units for less than 30 days shall be prohibited and this shall be included in the Condominium documents;
  11. Approval of the Board of Water and Sewer Commissioners shall be received prior to Final Approval;
  12. The Condominium Documents shall be reviewed and approved by the Planner and Solicitor prior to final approval and recording;
  13. Final Development Plan approval shall be granted by the Planning Commission;

Commissioners Swistak and Smith recused and joined the audience for the next agenda item.

2. **CMS boatyard, Freebody LLC, Conanicus Avenue. Plat 8 Lot 278 (260 Conanicus Avenue) and 760 (115 Bayview Drive), Administrative Subdivision requiring Zoning Board of Review amendment to the special use permit in place for the facility at 260 Conanicus Avenue. Conditional Administrative Subdivision Approval, Recommendation to the Zoning Board: review, discussion and/or action and/or vote**
  - a. Letter from Marianne Kirby dated September 19, 2021, 83 Bay View Drive re: CMS Boatyard Subdivision
  - b. Memorandum from Mark E. Liberati, Esq. received October 12, 2021 re: CMS, Freebody, LLC, Res Judicata and Administrative Finality

Commissioner Pendlebury will chair this portion of the meeting.

This project has been discussed on several occasions.

Commissioner Pendlebury read from the zoning ordinance Section 82-602. Burden on the applicant. Before any special use permit shall be granted, the applicant shall show to the satisfaction of the zoning board:

That the granting of the special use permit will not result in conditions inimical to the public health, safety, morals and welfare. He read from the Planning memo dated August 25<sup>th</sup> for the Sept 1 planning meeting.

Christian Infantolino attorney for CMS/Freebody said at the last meeting they were asked for a lighting schematics and landscaping plan which was submitted tonight. Mike Darveau prepared a proposed and current plan in terms of the buffer. He discussed the buffer on Bay View Dr. within the 30-foot setback there will be a 20-foot buffer and in the memo, **Commissioner Enright suggested she put it down to 15 feet wide** and they were ok with that. There was a discrepancy regarding the buffer of 50 feet they are going to maintain as much of the buffer as they can of the mature trees. Referring to item 4 b of the memo A discussion ensued regarding the buffers. The 30-foot setback is based on zoning setback not 50 feet Christian said. Commissioner Enright asked if trucks would be parked against the 30-foot setback. Fence will be 30 feet back which doesn't change the 20-foot buffer Commissioner Pendlebury said. Buffer will be between the fence and the 30-foot setback.

Commissioner Pendlebury stated that the buffer that exists on the southern side of the lot they originally said it was going to be left as vegetative, we are pointing out that even though there is no mention of it in our zoning code we want 20 feet between this commercial use and the residential lot. Pendlebury said there should be a 20 ft buffer. Attorney Infantolino stated that there is not a defined number in our zoning code for a situation such as this and the buffer they are requesting is consistent with the buffers in the neighborhood and in Jamestown. Commissioner Cochran said until that residential lot gets developed the buffers do not matter. Buffer as proposed is proposed within the easement of R20 property and if it is developed in the future.

Lisa Bryer said this is not a "normal" situation. We have a use that is permitted only by Special Use Permit that has been amended multiple times over the years with multiple conditions that we are trying to navigate. We are not going by zoning standards because this is a Special use permit based on specific conditions. Bryer stated that she feels strongly that the buffer should occur on the lot that is providing the impact, being lot 278, not the new residential lot.

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Commissioner Enright said she could go for 15 and she understands that when the property is purchased, if this was approved hypothetically it could be enforced on the commercial lot. Lisa Bryer said no leverage at that point. The boatyard has always been responsible for the buffer and this should not change.

The private easement agreement of 125 feet between Munger and Webster, does it ever go away Cochran asked? They have not worked out all the details on that yet. It might stay there in perpetuity Christian Infantolino said.

Pendlebury asked about replacing the buffer as an easement on the adjoining property, the reason it was not proposed on the commercial lot is because there are berms and other obstacles. Bryer wanted to clarify about the 125 ft easement, it has nothing to do with the town, it is not our jurisdiction. She stated that we are concerned with buffering the commercial lot from the residential. We need to be clear about a buffer compared to easement. Pfeiffer asked about the arborvitae and the applicant stated it is green giant which will give you the spread. Any other comments about location of buffer Commissioner Pendlebury asked.

Commissioner Pendlebury said lot 760 will accommodate some development in the future. This kind of commercial operation should have at least a 15 foot buffer as Commissioner Enright suggested and Pendlebury said he thinks 20 feet is consistent with other buffers in town. They are not against leaving the easement on 760 but he thinks it should be a 20 ft easement/buffer. The northern property line the lack of vegetation was done by the bridge authority Bill Munger said, they cut it down and it should be their responsibility to replant, 2 commercial uses abutting each other. They do not want this to be a requirement or condition if the bridge authority declines this.

Cochran said they are not a good neighbor. Bryer noted that that her memo of Sept 9 shows the boatyard property cleared all the understory and boatyard buildings are visible from the bridge for that reason. All the trees there will be cleared as well given the plan. She believes buffer plantings should be done along the stone wall. They have cleared up to the stone wall. Munger is looking for the bridge and turnpike authority to do their part to help shield his property.

Pendlebury said you need a confirmation that you are going to plant that buffer if the bridge authority does not participate. Cochran said I don't understand why we are asking them to do this put a buffer in from the bridge authority to Mungers property. Cochran said looking from the bridge to the boatyard and looking at bridge authority. If they cut it down they should plant it back. Munger said it appears to be a picture of on a ladder the picture is prior to the clearing. Cochran thinks this is a minor thing.

Bryer reminded the Commission that the view from the bridge was an important one to the Town Council, so much so that they objected to the solar field on that lot because it would make the boatyard visible from the bridge and Conanicus Avenue.

They discussed the landscape plan being conditional and approved at final. They provided an 8.5 x 11 plan prior and just tonight provided a bigger plan.

If the abutter doesn't replace the plantings the Planning Commission is asking the applicant to replace it, Commissioner Pendlebury said. Commissioner Cochran said it should not be put in as a condition of approval. Commissioners Pfeiffer and Cochran agree, Enright said it doesn't matter, Commissioner Prestigiacommo said it should be the responsibility of the Bridge Authority.

Bill Munger said they cleared some of the land to the stone wall, and the center of the lot has been cleared.

The Planning Commission asked CMS needs the full dimension on the dog leg in order to store the trailers as proposed and would it be utilized for business use right to the stone wall? Munger said yes.

The Planning Commission conceded to let CMS and Bridge deal with it.

Attorney Infantolino stated that the abutter Quentin Anthony requested a 25 foot protection buffer and they agreed and Mr. Stearle will be getting a buffer too since he is adjacent. He wants to note it and Commissioner Cochran said this is not a zoning requirement the applicant said they want it out there, what they are willing to do it, it is going to be a natural vegetative buffer. This is an agreement between abutters we would not put it as a condition of approval, its adding extra protections. Solicitor Wyatt Brochu said it can be put on as a buffer so the town and neighbor can enforce it. If you want buffer there put it on the plan. They will be put on the plan and we will make note of it.

Mark Liberati, attorney on behalf of the Websters, he submitted a memo for the packet that deals with a fundamental issue of the southern private easement. This use is a contract between CMS and the town for boat storage, in 1994 there was a decision that created a 100 foot buffer on all sides done by Warren Hall and that plan was the basis on which the zoning board approved it. The zoning board said the 100 foot buffer should extend from the area of disturbance, which he pointed to was the circular driveway of the boatyard. This application seems to cut the land area in half and intensify all the uses in half the land area. Essentially this will reverse all prior zoning decisions and allowing residential use right next to commercial. Maybe this issue is more appropriate for the zoning board than the planning commission. This issue will be raised at zoning. He fully understands that this is a private issue of the easement and the only way it goes away is if lot 278, in its original configuration, becomes strictly residential. They are discussing whether a dedicated easement to the land trust or the municipality, they would like to reach an agreement with CMS. What they are asking for is to keep the Websters 125 foot easement and an additional 100 feet from the boatyard use. Attorney Liberati showed a series of aerial photographs that he noted is intended to show that over the decades it has not changed as far as use and he is not sure where this notion of the boatyard not being as busy is coming from by the applicant.

Commissioner Pendlebury stated from the standpoint of planning they have always tried to listen to land owners on how they use their land, CMS wants to use the land more efficiently and more compact. The intention is to provide a more usable plan for the

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property owner. He thinks the zoning board will make the final decision and accept the Planning Commission's recommendation. Those prior zoning decisions have been submitted and listed as findings of fact. We can attach this and these maps need to be part of the record. they will have them reduced and provide the town with them. Chronological plans from 1994, 1997, 2008, 2020, 2021 they will be attached to the memo.

Marianne Kirby 83 Bayview Dr. - she submitted a letter and read the letter, attached at the end of the minutes.

Polly Hutchinson 75 Bayview Dr. – she listened to the presentation, her grandfather came here in 1880 and she has been her for over 50 years, she understands the points, you are a planning board and thoughtful use of the land is what you do. The town trucks won't access Bay View Dr. They are concerned with lighting and setbacks, talk about consistency of 10 foot buffers this is residentially zoned land and the town decided it was an appropriate use when they granted the special use permit. They are not affected because they live on Mt Hope, the 125 foot easement says it will be maintained unless the entire property is used as residential. She recognizes that there are private agreements. And final point bridge authority if all the vegetation is removed.

Wyatt Brochu asked Infantolino if they are on the zoning meeting next week. He did not know. Wyatt noted that they need to re-advertise and that they should not do so until they have the recommendation from planning. Some of these same elements from buffering, planting and lighting. If zoning doesn't have clear recommendation from planning, this is his concern for zoning.

A discussion ensued with Town Solicitor Wyatt Brochu and Attorney Christian Infantolino regarding having all the information tonight. We will add the plan under findings of fact and that is not listed, there will be issues at zoning and Brochu's concern is procedural and completeness because things are not in final form. He knows the applicant wants to go to zoning next week but things are not finalized with all the edits, it is a straight forward application but there are proposals and things from the neighbors, he does not think it can be finalized tonight but it's up to the commission.

There is a signature required from Commissioner Pendlebury he said, the details of the changes need to be on the plans too. Does the commission feel that Pendlebury can review the plans and memo or we have a special meeting or handle it tonight? Enright in condition 8 the existing driveway easement should that become a recorded easement rather than an unrecorded easement? Infantolino said it is not a written recorded easement. She is not sure how they can condition an unrecorded easement. It makes sense what you're saying Bryer said. It should be formal and the applicant said they have no problem doing that.

Infantolino said the Planners Memo states that it is not consistent with the Comprehensive Plan and he wants the findings of fact to say it is consistent with the comp plan by use of special use permit. Christian Infantolino agreed that maybe this should be finalized at the next meeting. The planning commission discussed additions and changes to the motion of approval that will be presented at the next meeting on November 3, 2021.



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Commissioners Swistak and Smith rejoined the commission.

3. **Discussion and/or action and/or vote regarding date of Planning Commission meetings**  
 She is going to recede her request.

### III. Correspondence

- a. Letter from Karen Morales Potter dated October 12, 2021, re: Short Term Rentals – Received  
 Council has last draft to advertise for public hearing, they want to make some more changes and have created a subcommittee and it is going back to the subcommittee. Mary is keeping them informed and Swistak is going to be part of the subcommittee too.

### IV. Approval of Minutes October 6, 2021: review, discussion and/or action and/or vote

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

Page 1, Call to order, add Michael Smith as present.

Yunko Yamamoto throughout the minutes changed to Junko Yamamoto pages 1,2,3

Page 4, 2<sup>nd</sup> paragraph, The development team is comfortable **recognizes the numbers are incorrect and they will correct them before going forward.** ~~and taking the responsibility for the final numbers possibly not being correct.~~

Page 4, 3<sup>rd</sup> paragraph,

Swistak asked ~~for a poll of who is comfortable coming back and voting on the 20<sup>th</sup>.~~ All Commissioners were in favor. **“Now, we’ll just, the commissioners, just to in good faith give them an indication of where you are today in terms of the recommendation based on the draft motion in front of you and those conditions that we added regarding sidewalks and landscaping and the fact that the applicant will come back for final development plan review approval after their stop in zoning. So based on that, I just want to, the question is, “Would you vote for a recommendation on the 20th of October?”**

**Commissioner Cochran said “I’m not willing to commit either way.”**

**Ms. Bryer asked “So Mr. Chairman, you’re asking if they’re willing to come back on the 20th? Is that what you just asked them?”**

**Chairman Swistak said “yes, that was what he was asking. 6 Yay 1 Undecided**

So unanimously voted.

### V. Citizen’s Non-Agenda Item – nothing at this time

### VI. Reports

1. Town Planner’s Report
  - Future meetings – topics and applications - 113-115 Melrose Ave. Riven Rock is coming back for preliminary plan review as a public hearing for the next meeting.

### VII. Adjournment

A motion to adjourn the meeting at 9:47 p.m. was made by Commissioner Enright and seconded by Commissioner Cochran.

So unanimously voted.

Attest:

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Cynthia I. Reppe  
Planning Assistant

Marianne Kirby  
83 Bay View Drive  
Jamestown, RI 02835  
401-862-7878  
mariannemkirby@gmail.com

September 19, 2021

Jamestown Planning Commission  
Jamestown Town Hall  
93 Narragansett Avenue  
Jamestown, RI 02835

Dear Planning Commission,

I have resided at 83 Bay View Drive for thirty years this June. There have been changes to the neighborhood, but it has maintained its quiet residential feel. It's a neighborhood street that has seen generations learn to ride a bike or skateboard, walk countless dogs, and push strollers. I myself have pushed my children's strollers and now my grandchildren's strollers down this street. Any given day you will see numerous bike riders, runners and walkers making their way south or north of the island. I think the town itself gave a nod to the nature of this quietude by forbidding traffic access traveling south from beyond Newport Overlook.

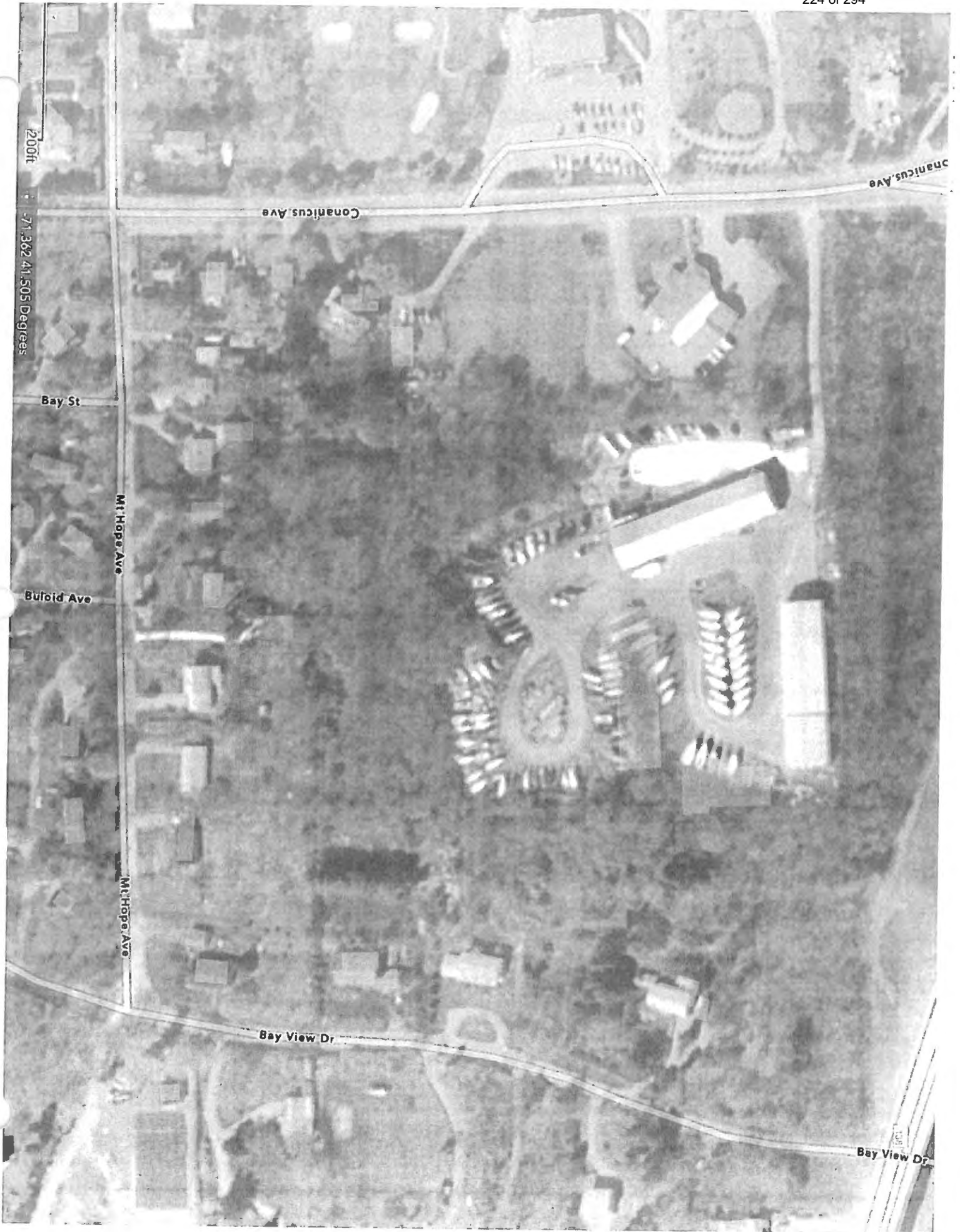
I write concerned about the changes the Conanicut Marine Services are seeking to their special use permit to operate the boat yard. I recognize this entity is an important contributor to Jamestown's economy, yet I believe the expansions they seek are not in the best interest of the citizens living in the neighborhood.

Specifically the expansion of boat storage now proposed to encroach within 30 feet of Bay View Drive, mounted lights, and an exit onto Bay View Drive. I prefer none of this be allowed and the residential property on 115 Bay View Drive not be part of the special use permit for storage. This sets the precedent of expansion that future owners may interpret differently. Mounted lights seem extraneous as the business does not provide evening hours of operation, again something a future owner may interpret differently. Finally, the proposal of an emergency exit again opens up interpretations. What and who determines an emergency? But an exit/entrance once in place becomes one by default for future owners.

Please deliberate on this matter with care. I certainly do not begrudge the success of a business, but this business seeks to alter the character of a residential neighborhood. Having been granted special use permits in the past, it now seeks to reconfigure its land use to support what exactly? I do ask you to uphold the residential characteristics of the neighborhood and support the citizens living here by denying this application.

Sincerely,

Marianne Kirby









Conanicus Ave

Conanicus Ave

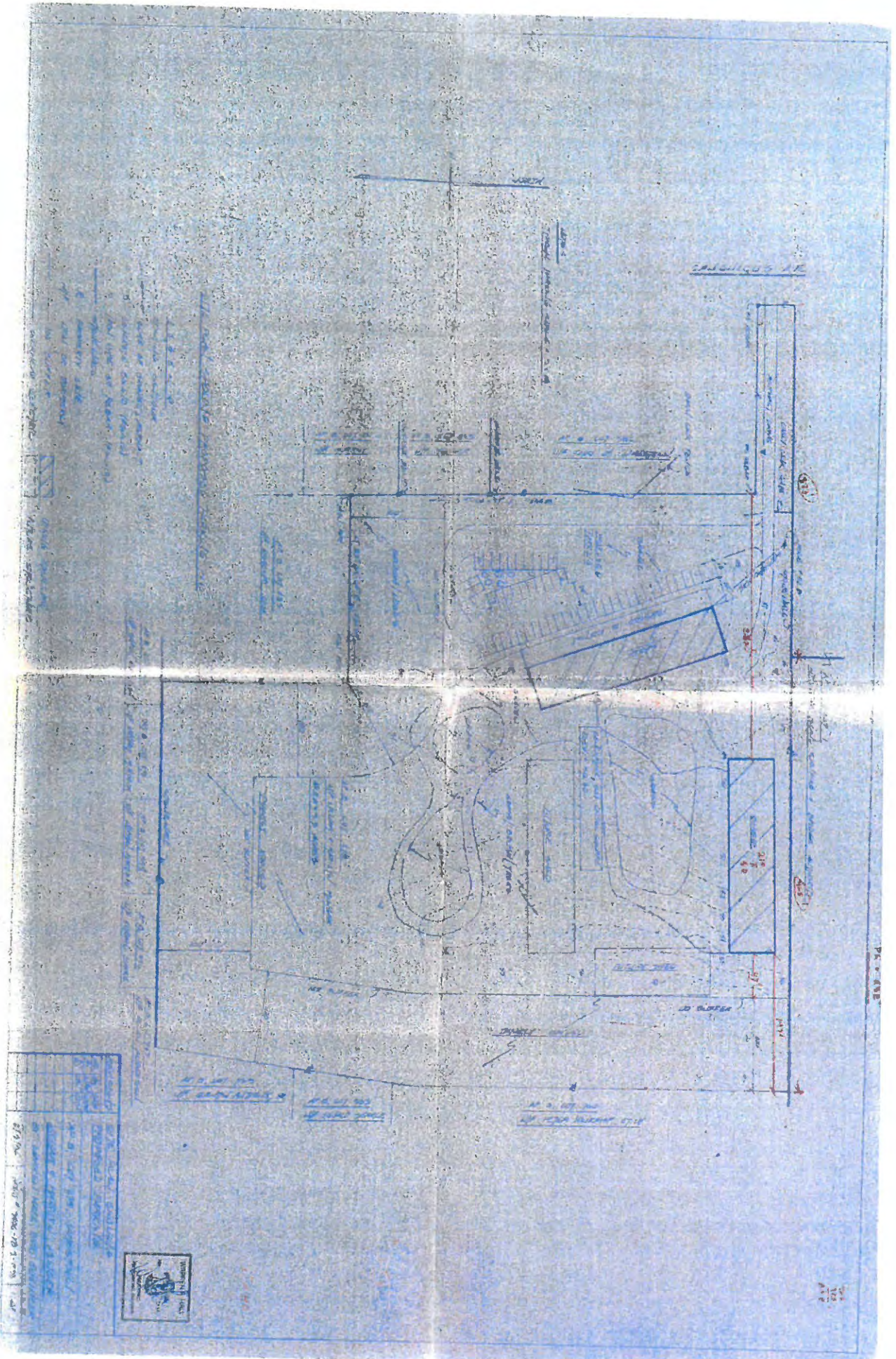
200ft

7136541507/DeGraas

Mt Hope Ave

Bay View Dr

Bay View Dr





**Approved As Amended**  
**PLANNING COMMISSION MINUTES**  
**November 3, 2021**  
**7:00 PM**  
**Jamestown Town Hall**  
**93 Narragansett Ave.**

**I. Call to Order and Roll Call**

The meeting was called to order at 7:03 p.m. and the following members were present:

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

No present:

Michael Smith

Also present:

Lisa Bryer, AICP – Town Planner  
David Petrarca – Town Solicitor  
Cynthia Reppe – Planning Assistant  
Deb Foppert – ESQ  
William Salmons – applicant Riven Rock  
Clayton Carlisle  
Christian Infantolino – ESQ

Commissioner Swistak recused and joined the audience for the next two Old Business agenda items.

**II. Old Business**

**Public Hearing**

**1. Riven Rock (113-115 Melrose Avenue) two-lot Major Subdivision - Preliminary Review and Public Hearing, Tax Assessors Plat (AP) 8 Lot 31: review, discussion and/or action and/or vote**

Deb Foppert is representing the applicant, for preliminary subdivision approval. The property is owned by Riven Rock Inc. most recently they were before the planning commission for a Comprehensive Plan amendment and Rezoning. Ms. Foppert reviewed the application for the audience and the planning commission. The amendments were approved by the Town Council. The property has maintained 2 structures from before zoning came into effect. All the

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shareholders of Riven Rock are family members, both houses are serviced separately with utilities. The houses have been in the same location since the early 1900's. Mr. Salmons plans to live on the property. TC approved Zoning and comp plan amendments, CRMC plan has been approved. The Soil Erosion plan was sent to Lisa Bryer. Easements are all in place.

With respect to the Fee in lieu of condition, the applicant asked for a waiver since the houses have been there and are existing and no additional residences are being added. Given the circumstances they are asking for a waiver. The subdivision is not adding to the population of the town.

Commissioner Pendlebury said they received the Master Plan approval letter and he calls her attention to the previous approval that conditioned the fee in lieu of land dedication in lieu of waterfront access as required by ordinance. It is in the minutes of the meeting and TRC minutes for master plan approval and the letter that went to the applicant.

Bill Salmons 115 Melrose Ave; They will withdraw the request knowing this now. Town Planner Lisa Bryer said when this was talked about previously there was not adequate shoreline access and it was problematic to invite the public. When we all talked about at TRC she had forgotten and now realized it was part of the original approval. We can discuss this now.

Clayton Carlisle 25 West Passage Dr. his one concern was about the proposed driveway access to parcel B which cuts across West Passage Dr. he thinks it's a safety concern. He pointed out previously that there is a much safer way to get onto the property by utilizing a shared driveway. He thinks there should be an easement from Riven Rock so the access point into the new Pebble property in terms of privacy, drainage control and mostly for traffic safety.

Lisa said the Technical Review Committee felt the traffic volume of that neighborhood which is 9 homes and at that kind of angle there will be good site distance and so the TRC did not feel it was a problem. Mr. Salmons met with an engineer on the property and there is plenty of site distance coming in and out of where the driveway is proposed to be located.

A motion was made by Commissioner Pendlebury and seconded by Commissioner Cochran At the November 3, 2021 meeting the Jamestown Planning Commission voted to grant Preliminary Plan approval of a Major Land Development in accordance with the Town of Jamestown Subdivision Regulations, R.I.G.L. § 45-23-37 and the plans entitled "**Riven Rock Preliminary Plan Proposed Conditions Plan; Assessors Plat 8, Lot 31, Jamestown, Rhode Island; prepared for Riven Rock Inc; prepared by Alpha Associates, LTD, 35 Rocky Hollow Road, East Greenwich, RI 02818, phone 401-884-8506; Dated September 2021** based on the following Findings of Fact:

**A. Findings of Fact**

The Commission makes the following findings:

1. The subject lot currently has two dwellings were built circa 1911 (Riven Rock) and 1906 (The Pebble);
2. The subject property, has received a conditional zone change, amending Existing Zoning Map #4 from R-40 to R-20 based on the Planning Commissions recommended approval. This, along with the subdivision will rectify the non-conformity of having two dwellings on

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- one lot and the proposed subdivision will conform to the standards and provisions of the Zoning Ordinance once subdivided;
3. The applicant has received a conditional amendment to the Jamestown Comprehensive Plan Future Land Use Map #5 – change Plat 8 Lot 31 from Moderate Density Residential to Moderate High Density Residential so that the proposed subdivision will be consistent once subdivided;
  4. The Public Water and Sewer Service Area Map #22 – has been amended by the Board of Water and Sewer Commissioners to include Plat 8 Lot 31 in the Urban Water and Sewer District;
  5. The Planning Commission held a public hearing for the Preliminary Plan, November 3 where, the applicant was represented by Attorney Deb Foppert;
  6. The applicant has offered “no further subdivision” of parcel A; Riven Rock. As proposed, it has the proper size for subdivision but not the proper frontage;
  7. No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance since both proposed lots are serviced by public sewer. Both lots will have individual sewer service connections. The applicant has provided a “cross easement agreement” between 113 and 115 Melrose until the driveway for the Pebble can be relocated onto its own property;
  8. There is no evidence of significant negative environmental impacts from the proposed development as shown on the plans, with all required conditions for approval. CRMC approval has been granted by Assent No: A2021-06-089;
  9. The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable. There are two existing dwellings and two total dwellings are proposed;
  10. All subdivision lots have adequate and permanent physical access to a public street, namely, Melrose Avenue. The proposed subdivision parcel A (Riven Rock) has street frontage on the developed portion of Melrose Avenue. The proposed subdivision parcel B (Pebble) has street frontage on the undeveloped portion of Melrose Avenue. Lot frontage on a public street without physical access shall not be considered compliant with this requirement therefore a waiver has been requested and is granted below;
  11. The subdivision provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water runoff, for suitable building sites and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community (See 14 and 16 below). The applicant received approval of the Soil Erosion and Sediment Control Plan during the CRMC review and approval process;
  12. It was noted in correspondence dated December 23, 2020 from RIHPHC that “the site is within the Jamestown Archaeological District, which was listed on the National Register of Historic Places (in 1984)” and “Riven Rock, the existing structure, is not listed in the National Historic Register. However, during RIHPHC’s 1994 survey of the architectural resources of Jamestown, we noted that it deserves consideration and further study for entry in the National Register”;
  13. The design and location of building lots, utilities, and other improvements in the subdivision minimize flooding and soil erosion (see 12 above);
  14. Melrose Avenue discontinues at the subject property and continues onto West Passage Drive without any traffic signals. Melrose Avenue exists as a paper road to the north side of the subject parcel but not to Narragansett Bay. This unimproved portion was a natural

channel for stormwater for the neighborhood up hill and is subject to severe stormwater runoff. The Town permitted and coordinated with the two abutters to pipe the stormwater from the neighborhood, including the Melrose School, to the Bay, mitigating the unnecessary overland channeling of stormwater flow on this paper road. Additional stormwater is mitigated by not developing the paper portion of Melrose Avenue. The town continues to own and maintain that paper road and it is not a public right-of-way to the shore;

15. The Building Official and Public Works Director participated in the Technical Review Committee meeting on October 21 and their comments are reflected throughout this motion.
16. All lots in the subdivision have access to sufficient potable water for the intended use as both lots are connected to public water; and,
17. This application is a major subdivision as a result of the requested waivers from the Subdivision and Land Development Regulations.

**B. Waivers from the Subdivision and Land Development Regulations**

The Planning Commission agrees to grant the following waivers:

1. Article 13.B.1. Frontage on Improved Street. Requires that the area to be subdivided shall have frontage on an existing or proposed to be “improved” public street.
2. Article 13.b.8. – Cul-de-sacs – all dead-end streets shall end in a cul-de-sac with center island with 50-foot radius (100 feet total width).
3. Article 13.C.3.d. – Shoreline Access – where a subdivision has waterfront shoreline, there shall be provided a pedestrian easement for access to the shore by the general public.

**C. Findings of Fact for Granting Waivers**

In Support of the waivers, the Planning Commission makes the following findings of fact:

1. The applicant seeks to utilize the unimproved portion of Melrose Avenue by crossing over a corner of it to access the proposed parcel B. The proposed lot access from the developed Melrose Avenue is more in keeping with the rural character of the town and neighborhood by not developing the frontage of the unimproved portion of Melrose Avenue and creating more paved surface;
2. A full cul-de-sac that is compliant with the Subdivision Regulation exists at the end of West Passage Drive, 200 feet to the north of this subdivision parcel;
3. If subdivided, the two subdivision parcels would each have an existing dwelling and the existing combined driveway would be separated but parallel;
4. Melrose Avenue is not listed as a CRMC Shoreline Access Point nor as an existing or recommended shoreline access point in the Jamestown Report on Public Shoreline Access. The full shoreline on the existing lot is approximately 400 feet. If created, a shoreline access point would be within 70 feet of the existing house on Parcel A, 30 feet from the existing house on parcel B, 50 feet from the abutting house and 25 feet from the adjacent abutters dock at 2 West Passage Drive (AP 8 Lot 858, owned by Ross). If a shoreline access easement were granted to the Town, no safe access to the shoreline is provided, no parking is provided, and no amenities such as bathrooms or benches are provided. This is not listed as a priority 1, 2 or 3 in the Towns shoreline

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Access Report so funding would not be readily available as allocation of funding should follow the priorities listed;

5. For the reasons stated above, the request for "Waivers" to the Subdivision Regulations is reasonable and within the general purposes and intents of the Subdivision Regulations; and,
6. Literal enforcement of the regulation is impracticable and will exact undue hardship because of peculiar conditions pertaining to the project parcel as described above.

**D. Conditions of Approval**

1. This approval is for a total of 2 lots, both lots will have an existing dwelling. No further subdivision of Riven Rock property shall occur, which shall be noted on the recorded Final Record Plan;
2. The Cross Easement Agreement is able to be removed once the driveway for Parcel B is developed and the driveway for Parcel A (Riven Rock) shall be removed from Parcel B;
3. That payment of a fee in-lieu-of land dedication shall be required for this subdivision in the amount required by Article IID of the Jamestown Subdivision Regulations for the new lot. This fee in-lieu-of will serve as the alternative to dedication of land for public purposes, including the release of the requirement to provide shoreline access on the subdivision parcel. This fee shall be determined at the time of filing of the final plat and paid prior to recording of the final plan.
4. Granite monuments shall be placed at all corner points at the new property line prior to Final Approval;
5. Prior to Final Approval, the applicant must provide the following legal document, acceptable to the Town Solicitor:
  - a) Sewer force main agreement between the two subdivision lot dwellings and 95 Melrose Avenue;
6. This approval shall be recorded with the Town Clerk within 30 days of approval; and,
7. This approval shall expire one year from the date of approval by the Planning Commission unless Final plan submission has occurred; and,
8. The Planning Commission delegates final plan review to the Town Planner with the signature of the Planning Chair to appear on the Final Record Plat.

So voted:

Duncan Pendlebury – Aye

Rosemary Enright – Aye

Mick Cochran - Aye

Bernie Pfeiffer - Aye

Dana Prestigiacomo - Aye

A motion was made by Commissioner Cochran and seconded by Commissioner Pfeiffer for final approval to be done administratively. So unanimously voted.

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**2. CMS boatyard, Freebody LLC, Conanicus Avenue. Plat 8 Lot 278 (260 Conanicus Avenue) and 760 (115 Bayview Drive), Administrative Subdivision requiring Zoning Board of Review amendment to the special use permit in place for the facility at 260 Conanicus Avenue. Conditional Administrative Subdivision Approval, Recommendation to the Zoning Board: review; discussion and/or action and/or vote**

Commissioner Pendlebury said at the last meeting we went through and put together a lengthy motion that had a few outstanding items to be submitted. The only thing that they have not submitted is a hard copy of the easements and updated plans.

He went over the plans that were submitted on Tuesday after the packet went out that shows the landscaping schematic, site improvement plan. The planning commission asked for a picture of the light fixture. Attorney Christian Infantolino said he showed a picture of the proposed lighting to Commissioner Pendlebury. Infantolino is happy to get the information to us, Pendlebury said we need the intensity of the lamp; his concern is it could possibly be too bright. Examples shown to Commissioner Pendlebury were from the yacht club. Are you asking for the make model etc. Pendlebury said what we need to understand is how much light are you trying to get out of this? Infantolino asked whether they can they make it the same style or similar wattage as the yacht club? What if they cannot get that same style. The lighting is fairly new at the yacht club Bryer said. Infantolino said that is what they are proposing.

Pendlebury has a few comments on the landscaping plan. The buffer along the Sterle property is described as a buffer but not describing the material of the 20 foot buffer that is proposed as the same. Mr. Anthony was presented with something and has not responded negatively or positively. What is the buffer dimension along Bayview Drive asked Commissioner Pendlebury? There was not a distance that was provided, it is currently all natural vegetation? Commissioner Pendlebury said if you are going to leave a certain amount of vegetation he wants a 20 foot dimension so it matches. If this is developed as residential, Infantolino said you are squeezing it. Pendlebury said he has no objection to it being a lawn and Infantolino agreed.

A discussion ensued with Commissioner Pendlebury, Lisa Bryer and Christian Infantolino. The arrow that points on south side of 278 shows a recommended 20 foot buffer easement: its not recommended, it is required. The lower left planting diagram it says native shrubs as needed and should say to be approved by the planner. There needs to be some effort. Infantolino says it should be done by a landscape expert. Pendlebury said the norm is to inspect it after 1 year, can we add that to the drawing? Yes. Bryer said that should be added to conditions of approval. Bryer noted that there is no relationship between the plantings and the diagram. The number that identify the plantings are not translated onto the diagram and it should be. Infantolino said that will be determined by the landscape architect. Bryer noted it must be on there with some relationship to the diagram. Infantolino said when the landscape architect gets involved he will determine what needs to be where. Bryer is confused as to why the graphic is there then. Usually it is specific to the site she said. The graphic should be labeled and Pendlebury agreed with Bryer. Enright agreed this graphic doesn't mean anything right now.

Commissioner Enright said she wants to know the intention of the stone wall comment on the plan that said that the maintenance of the vegetation along stone wall will be coordinated with RITBA.

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Infantolino was going to ask to have that condition stricken. It was noted on the plan that they will work out who is doing what between CMS and RITBA. Bill Munger will contact the bridge authority. At that time the commission said they didn't feel that Munger would be required to plant everything that RI Bridge and Turnpike removed but they would discuss planting on CMS property where vegetation was clear cut. We want to see a letter from Munger to the RI Bridge and Turnpike; that they have made an effort. We want to keep a few of those trees that are currently there on Mungers property. Planning Commission wants proof of coordination; at least an attempt to coordinate. Cochran asked when Bridge authority cut it down did the town require anything then? He has an issue with the wording we cannot force them to coordinate. If the Bridge authority says its not their problem then where does that leave his client? Infantolino said. If they fail to coordinate and RIBTA says no we are doing nothing where does it leave them? The Planning Commission said they are looking for proof of evidence of an attempt to coordinate.

A discussion ensued about the motion and there were changes made as follows:

A motion made by Duncan Pendlebury and seconded by Commissioner Pfeiffer.

At the November 3, 2021 Planning Commission meeting, the Planning Commission voted to grant conditional Administrative Plan approval and recommend approval to the Zoning Board of Review of the amendments detailed on the plans in accordance with the Town of Jamestown Subdivision Regulations, RIGL 45-23-37 and the 4 plans entitled:

1 and 2) **"Re-Subdivision Plan of Land for Freebody LLC, Plat 8 Lots 278 & 760" Sheet 1 & 2 of 2** prepared by Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864; dated Oct. 29, 2021;

3) **"Schematic Site Improvements and Land Use Plan for Freebody, LLC", Plat 8 Lots 278 & 760" Sheet 1 of 1** prepared by Darveau Land Surveying, Inc., P.O. Box 7918, Cumberland, RI 02864; dated Oct. 29, 2021; and,

4) **Buffer Planting Plan, Freebody, LLC, 260 Conanicus Avenue & 115 Bayview Drive, Jamestown RI** prepared by Atlantic Lawn and Garden, dated 11/10/2021, based on the following Findings of Fact and subject to the following Conditions of Approval:

**A. Findings of Fact**

The Commission makes the following findings:

- 1) The subdivision is consistent with the requirements of the Jamestown Comprehensive Plan having received relief from the Jamestown Zoning Board of Review as a Special Use Permit on the following dates (decisions attached):
  - a) November 23, 1982 – Denied
  - b) October 2, 1984 – Granted
  - c) August 26, 1986 – Granted
  - d) July 28, 1987 – Granted
  - e) November 27, 1990 – Denied
  - f) May 3, 1994 – Granted
  - g) March 24, 1998 – Granted
  - h) October 27, 1998 – Appeal by Mary Webster regarding buffers in 1998 decision - Withdrawn. Also filed appeal in Newport Superior Court: NC98-162. Both suits resolved with easement agreement filed in Jamestown Land Evidence Book 317 pg. 287
  - i) October 3, 2000 – Denied
  - j) September 25, 2007 – Granted

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- k) March 26, 2014 - Granted
- 2) Lots 278 and 760 conform to the dimensional standards and provisions of the Jamestown Zoning Ordinance. The use on Lot 278 is permitted by Special Use Permits listed in #1 above;
  - 3) No building lot is designed and located in such a manner as to require relief from Article 3, Section 308 of the Zoning Ordinance as long as any new OWTS is appropriately located from the freshwater wetlands located on proposed lot 760. Both lots are in located in the Rural Water and Sewer District and therefore not entitled to hookup to the Town Water and Sewer system by-right. Lot 278 has approval for one sewer hookup for the boatyard office, which is accessed by easement across Plat 8 Lots 493, Proposed Lot 760 and Lot 833;
  - 4) Proposed Lot 760s highest density potential is multi-family and is not being proposed for development at this time. Therefore, it can only be stated that as of the approval of this project, there will be no significant negative environmental impacts from the proposed development as shown on the plans, with the required conditions for approval;
  - 5) The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and buildings standards would be impracticable;
  - 6) All subdivision lots have adequate and permanent physical access to a public street, namely, Conanicus Avenue and Bay View Drive. Lot frontage on a public street without physical access shall not be considered compliant with this requirement. The frontage and access for Lot 278 is changing from a split access on Conanicus Avenue to reduced access on Conanicus Avenue and new access on Bay View Drive. The condition of approval for a locked gate along the Bay View Drive access to Lot 278 meets this standard;
  - 7) The subdivision provides for safe circulation of pedestrian and vehicular traffic, and for a suitable building site that contributes to the attractiveness of the community;
  - 8) The design and location of streets, building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;
  - 9) All lots in the subdivision have access to sufficient potable water for the intended use **at this time**. The proposed boatyard on Lot 278 currently utilizes water from cisterns and a well. The sole residential structure, a house, on proposed lot 760 utilizes a well and OWTS. Both lots are located in the Rural Water and Sewer District;
  - 10) No new lots are being created. The approval is for the reconfiguration of Plat 8 Lot 278 from 10.2 acres to 5.6 acres and Plat 8 Lot 760 from 2.3 acres to 6.9 acres being a total of 2 lots, one with an existing boatyard (278) and one with an existing residential structure (760);
  - 11) A private easement of 125' exists along the southern property boundary of Lot 278 between CMS Inc and Mary M and Dennis H Webster;
  - 12) Attorney Mark Liberati submitted a Memorandum dated received October 12, 2021 to the Jamestown Planning Commission in regards to CMS, Freebody, LLC titled Res Judicata and Administrative Finality. This Memo indicates that the tenets of administrative finality applies to the buffers as well as the private southern property line easement on Lot 278 and it is not necessarily the jurisdiction of the Planning Commission;
  - 13) Attorney Mark Liberati, along with abutter Dennis Webster presented Aerial Photographs of the boatyard from 1997, 2008, 2020, and 2021, as well as a 1994 plan by Warren Hall PE that accompanied the 1994 Zoning application from CMS and approval by the Zoning Board of Review (attached);
  - 14) Abutter Marianne Kirby read her letter dated September 19, 2021 (attached); and,
  - 15) Abutter Polly Hutcheson testified that the Planning Commission should be involved in thoughtful deliberation of future use of the property not just regulation.



**B. Conditions of Approval – Numbering was amended as shown below to be correct**

1. That payment of a fee in-lieu-of land dedication shall not be required for this subdivision per Article IIID of the Jamestown Subdivision Regulations since no new lots are being created at this time. When new dwelling units/house lots are developed on either Lot 278 or Lot 760 the fee shall be determined at that time;
2. Granite monuments or where granite monument are not suitable, other suitable survey markers other than concrete, shall be placed at all new corner points at the new property line;
3. The four plans noted above, as updated shall be provided to the Zoning Board as part of this decision/recommendation;
4. A Buffer Planting plan by Atlantic Landscaping dated 11/10/2021 has been reviewed and accepted by the Planning Commission with required changes as noted in this approval. This plan shall be required to remain in place by Freebody LLC (or other property owner of Lots 278 and 760 until such time as lot 278 is redeveloped as residential and the Planning Commission determines that it is either not necessary or can be reconfigured to another form;
5. In lieu of the significant buffers previously recommended by the Zoning Board of Review, on the south, east and north side, the following buffer easements shall be created, planted and maintained by the owner/operator of the boat yard. The plan showing such vegetated buffers is attached and this plan shall be submitted to the Zoning Board of Review for approval:
  - a) A 20-foot-wide buffer easement shall be recorded as shown on the plan along the north property boundary of proposed lot 760 and shall be planted in accordance with the landscape plantings as shown on the Buffer Planting Plan by Atlantic Lawn and Garden dated (11/10/2021);
  - b) A 20-foot-wide vegetative buffer, as also described in 5 above, shall be planted within the 30-foot setback area along Bayview Drive leaving 15-feet unplanted for a residential style locked gate, to be approved by the Planning Commission at Final Approval. This access to Bayview Drive shall be utilized only as emergency vehicle access and the Town shall be provided with a key or combination to the gate for such purposes;
  - c) The applicant met with and agreed to provide an additional 20-foot easement along the Searle (Plat 8 Lot 583) and Anthony (Plat 8 Lot 739) property which shall is shown on the amended Buffer Planting plan dated 11/10/2021;
  - d) Freebody LLC/CMS boatyard shall provide proof of coordination with the RI Turnpike and Bridge Authority regarding their replacement of the vegetative buffer along the north-eastern property boundary of proposed Lot 278;
  - e) The applicant shall pay a fee for landscape review, planting and inspection per 82-410. All plantings as shown on the Landscape buffer planting plan shall be determined in coordination with the town review Landscape Architect and planted by a knowledgeable arborist and inspected one year after planting by the Town approved registered Landscape Architect to insure the greatest long-term survival;
6. The new lighting shown on the plan shall be further detailed in terms of footprint related to foot-candles and shown on a plan or lights as installed at the CYC yacht club parking lot shall be specified for locations as shown on the plans above. The lighting shall be accepted by the Planning Commission at final approval;

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7. All existing easements (1) 15-foot sewer easement over plat 8 lot 833 for the benefit of plat 8 lot 278 shall remain in full force and effect; and (2) the unrecorded driveway easement over the new plat 8 lot 760 for the benefit of plat 8 lot 493 shall be recorded and remain in full force and effect;
8. The 20-foot-wide buffer easement on reconfigured Plat 8 Lot 760 is shown on the Buffer Planting Plan by Atlantic Landscaping dated 11/10/2021 and shall also be provided in an accompanying written easement, which shall be reviewed by the Town Planner, Solicitor and recorded in the office of the Jamestown Town Clerk;
9. This administrative subdivision shall not receive final approval by the Planning Commission until the Special Use Permit for the Boatyard on Lot 278 is amended and approved; and,
10. This approval shall expire one year from the date of approval by the Planning Commission unless Zoning Board approval is received per #8 above. Once Zoning Board approval is received, the applicant has one year to exercise the right granted in the amended special use permit. This will allow time for the applicant to transition to the new storage area prior to final Planning Commission approval;

So voted:

Duncan Pendlebury - Aye  
Bernie Pfeiffer - Aye

Rosemary Enright - Aye  
Dana Prestigiacommo - Aye

Mick Cochran - Aye

Commissioner Swistak re-joined the planning commissioners.

### III. Correspondence – nothing at this time

#### IV. Approval of Minutes October 20, 2021: review, discussion and/or action and/or vote

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

Page 1 under also present: **Polly Hutcheson, Marianne Kirby**

Page 7 – 2<sup>nd</sup> paragraph: **Commissioner Enright suggested** ~~she put it down to~~ 15 feet wide and they were ok with that.

Page 10 - Polly Hutcheson 75 Bayview Dr.

So unanimously voted:

Duncan Pendlebury – Aye  
Bernie Pfeiffer - Aye

Rosemary Enright – Aye  
Dana Prestigiacommo – Aye

Mick Cochran - Aye  
Michael Swistak - Aye

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

Planning Chair Mike Swistak said he received from Mary Meagher an email regarding Short Term Rentals, she made some public comments and inflated some comments of what he thought was a private email and made it public and made it look like he was representing the planning commission, which he was not, she apologized to him several times. The short term rental subcommittee continues to talk, what they presented to the council will look significantly different than what we sent to them.

Planning Commission Minutes  
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**VI. Reports**

1. Town Planner's Report

- Future meetings – topics and applications

The solicitor informed Lisa that neither he nor Wyatt Brochu would be available for our next meeting and we do not have any applications.

**VII. Adjournment**

A motion was made by Commissioner Enright and seconded by Commissioner Cochran to adjourn the meeting. So unanimously voted.

Attest:

  
Cynthia L. Reppe

### Tax Assessment Board of Review Attendance Log 2021

Present: P

Absent: A

	Jan	Feb 25	March 9	March 25	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
William Dawson		P	P	P								
Stuart Rice		P	P	P								
Dave Dolce		P	P	P								
Beth Smith		P	P	P								
Christine Brochu		P	P	P								

**One meeting in February, two meetings in March. All members present at all meetings.**

*\*Per state requirements due to Covid, meeting was held via Zoom*

*\*\*Meeting cancelled due to scheduling conflicts*

*\*\*\*Meeting cancelled due to Covid concerns re state in-person meeting requirement*

## JAMESTOWN ZONING BOARD OF REVIEW

## Minutes of the November 23, 2021 Meeting

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

Richard Boren, Chair  
 Dean Wagner, Vice-chair  
 Terence Livingston, Member  
 James King, Member  
 Jane Bentley, Member  
 Judith Bell, 1<sup>st</sup>. Alt  
 John Shekarchi, 2<sup>nd</sup> Alt.  
 Alex Finkelman, 3<sup>rd</sup> Alt.

Also present: William L. Moore, Zoning Officer  
 Wyatt Brochu, Counsel  
 Brenda Hanna, Stenographer  
 Pat Westall, Zoning Clerk

Mr. Boren welcomed Jane Bentley as a new member of the Board.

MINUTESMinutes of October 26, 2021

A motion was made by Dean Wagner and seconded by Terence Livingston to accept the minutes of the October 26, 2021 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

CORRESPONDENCE

Dumpling Land

An e-mail dated Nov. 17, 2021 from William Burgin, AIA representing Dumplings Land requesting to continue the application to the December meeting.

A motion was made by Dean Wagner and seconded by Terence Livingston to continue the application of Dumplings Land to the December 14, 2021 meeting.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

CMS

An e-mail dated Nov. 19, 2021 from Christian Infantolino, Esq. representing CMS requesting a continuance of the application.

A motion was made by Dean Wagner and seconded by Terence Livingston to continue the application of CMS to the December 14, 2021 meeting.

The motion was amended to change the date to the January 25, 2022 meeting to allow time for re-advertisement.

The amended motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

All other correspondence was in reference to items on the agenda.

We Dig

John Mancini, Esq. representing the applicant questioned if they would be heard tonight being that they are at the end of the agenda.

A motion was made by Dean Wagner and seconded by Terence Livingston to continue the application of We Dig to the December 14, 2021 meeting. Mr. Boren requested that Architect Donald Powers be at the meeting.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

### NEW BUSINESS

#### Sedgewick

A motion was made by Terence Livingston and seconded by Dean Wagner to grant the request of Robert & Linda Sedgewick, whose property is located at 158 Walcott Ave., and further identified as Assessor's Plat 10, Lot 8, for a one-year extension of a previously granted variance from Art. 3, Sec. 8-.302 Table 3-2 District Dimensional Regulations & Art. 6, Sec. 82-605 & 606 variances authorized by this ordinance. To demolish & construct a new single-family dwelling 30' from Stanton Rd. where 40' is required. Said property is located in a R80 zone and contains 33,397 sq. ft.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

#### Giovan

A motion was made by Terence Livingston and seconded by Dean Wagner to grant the request of Alkione Giovan, whose property is located at 74 Ship St., and further identified as Assessor's Plat 15, Lot 58 for a variance from Article 3, Section 82-302, Table 3-2 & Art. 6, Sec. 82-605 & 82-606 to add a second floor, connecting bedroom at level one to a living room and add 2 bedrooms and full bathroom upstairs by way of a second-floor addition. Seeking relief on side lot for 8'6" where 10' is allowed and rear setback of 26' where 30' is allowed.

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

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

1. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
2. The contractor will get a signed letter from the homeowner stating he is their agent authorized to present the project before full approval is granted.
3. No more than 2 bedrooms shall be allowed in the home in order to maintain compliance with RI DEM OWTS.
4. Maintenance and inspection of the existing OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 7405 sq. ft.
2. The contractor Mr. Banger presented the project and testified it is the least relief necessary and the Board accepts his testimony.
3. The home is non-conforming and the 2<sup>nd</sup> floor addition will be within the current setbacks.
4. The height of the building will be no more than 23' from grade.
5. The house is currently 2 bedrooms, one bedroom will remain on the first floor and one bedroom will be moved to the 2<sup>nd</sup> floor.
6. The house is currently a 1970 style house and will be made more current.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.



SHM Jamestown Boat Yard

A motion was made by Dean Wagner and seconded by Terence Livingston to continue the application of SHM Jamestown Boat Yard to the January 25, meeting.

Mr. Infantolino, Esq. and Kelly Fracassa, Esq. are to submit briefs/memorandums of law by January 16, 2021.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

ADJOURNMENT

A motion was made and seconded to adjourn at 9:00 p.m. The motion carried unanimously.

ZONING BOARD OF REVIEW  
Attendance 2021

\*= Attendance

Date	Jan. 26	April 27	May 25	June 28	July 25	Aug. 22	Sept. 27	Oct. 26	Nov. 23	Dec. 15
Richard Boren	*	*	*	*	*	*	*	*	*	
Dean Wagner	*	*	*	*	-	*	-	*	*	
Terence Livingston	*	*	-	-	*	*	*	*	*	
Edward Gromada	*	*	*	*	*	*	(Resigned Aug. 31, 2021)			
James King	-	*	*	*	*	*	*	-	*	
Jane Bentley				(Appointed Oct. 25, 2021)					*	
Judith Bell	*	*	*	*	*	*	*	-	*	
John Shekarchi	*	*	*	-	*	*	*	*	*	
Alex Finkelman	*	*	*	*	*	*	-	*	*	

PLEASE NOTE: NO Feb. & March, meeting.



**Town of Jamestown  
Tax Assessor**

**93 Narragansett Avenue  
Jamestown, RI 02835**

**Phone: 401-423-9802  
Email: [cbrochu@jamestownri.net](mailto:cbrochu@jamestownri.net)**

To: COUNCIL PRESIDENT BEYE, JAMESTOWN TOWN COUNCIL

From: CHRISTINE BROCHU, JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS & ADDENDA OF TAXES FOR THE **DECEMBER 20, 2021** MEETING

Please see the attached.

RESPECTFULLY SUBMITTED,

*Christine Brochu*

CHRISTINE BROCHU  
TAX ASSESSOR

BAA/COC Listing Report

TYPE: All

JAMESTOWN

YEAR: 2011 TO 2021

Page 1

Conditions:

District:

Reported Type: All

DATE: 12/14/2021

YEAR	NAME/ADDRESS	COC INFO	ACCOUNT # UNIQUE ID LIST NUMBER	GROSS OLD GROSS NEW	EXEMPT OLD EXEMPT NEW	NET OLD NET CHANGE NET NEW	TAX OLD TAX CHANGE TAX NEW	SEWER OLD SEWER CHANGE SEWER NEW	
2021	[REDACTED]	18618M	01-0005-09M	4,112	2,197	1,915	27.61	0.00	
Accept	[REDACTED]	12/10/2021	01-0005-09M	0	1,915	-1,915	-27.61	0.00	
	[REDACTED]	SOLDIER & SAILOR EXEMPT	58049	4,112	4,112	0	0.00	0.00	
2021	[REDACTED]	18620M	01-0004-85M	1,029	508	521	7.51	0.00	
Accept	[REDACTED]	12/14/2021	01-0004-85M	0	521	-521	-7.51	0.00	
	[REDACTED]	SOLDIER & SAILOR EXEMPT	58022	1,029	1,029	0	0.00	0.00	
2021	[REDACTED]	18621M	01-0004-85M	16,215	3,164	13,051	188.20	0.00	
Accept	[REDACTED]	12/14/2021	01-0004-85M-2	0	13,051	-13,051	-188.20	0.00	
	[REDACTED]	SOLDIER & SAILOR EXEMPT	58023	16,215	16,215	0	0.00	0.00	
Totals For -2021 M						-15,487	-223.32		
						Total Inc's:	0.00		
						Total Dec's:	-223.32		
2021	[REDACTED]	18617R	19-0468-25	1,378,700	0	1,378,700	11,415.64	0.00	
Accept	[REDACTED]	12/07/2021	10/8	-73,371	0	-73,371	-607.52	0.00	
	[REDACTED]	RIGL 44-5-71-DEMO REMOVAL	2821	1,305,329	0	1,305,329	10,808.12	0.00	
2021	[REDACTED]	18619R	01-0002-24	0	0	0	0.00	0.00	
Accept	[REDACTED]	12/14/2021	2/95	112,952	0	112,952	935.24	0.00	
	[REDACTED]	PRO-RATION-C/O DATE 11/22/21	3750	112,952	0	112,952	935.24	0.00	
Totals For -2021 R						39,581	327.72		
						Total Inc's:	935.24		
						Total Dec's:	-607.52		
TOTAL	# Of Accts 5					24,094	104.40		
						Grand Total Inc's:	935.24		
						Grand Total Dec's:	-630.84		

## SETTLEMENT AGREEMENT

This Settlement Agreement regarding a tax assessment for certain property identified, subsequently, herein, (the "Agreement"), is made this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between the Town of Jamestown, Rhode Island (the "Town"), and Elizabeth J. Lee ("Lee").

WHEREAS Lee owns that certain parcel of real estate located at 55 Florida Avenue in Jamestown, Rhode Island which is designated as Assessor's Plat 9, Lot 385 (the "Property"); and

WHEREAS Lee has filed a civil action in the Superior Court for Newport County, Rhode Island alleging an over-assessment of the Property, which action is designated as C.A. No. NC-2020-0116 (the "Complaint"); and

WHEREAS the Town has denied all the material allegations in the Complaint; and

WHEREAS the parties wish to resolve the Complaint without the cost and burdens associated with further litigation.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which each party acknowledges, the parties hereby agree and promise as follows:

1. **Credit Provided By Town.** The Town shall recognize and apply a credit (the "Credit") in the amount of Four Hundred Nineteen Dollars and Zero Cents (\$419.00) against the 2019 and 2020 property taxes due and owing on the Property. The Town shall apply to credit(s) to all tax liability for tax year 2021 as on off-set. Lee shall owe the balance of the 2021 real property taxes, less the credit off-set.
2. **Assessed Value Of Property.** The Town shall set the assessed value of the Property at \$1,001,000 for tax years 2019, 2020 and 2021. The Town shall maintain this assessment until tax year 2021. At that time the Town may set the assessment of the Property in accordance with its normal procedures.
3. **Dismissal Of Actions.** Within ten business days after the Jamestown Town Council has approved this settlement, Lee shall cause the Complaint to be dismissed with prejudice.
4. **Costs And Fees.** Lee and the Town shall each bear their own costs and attorney fees with respect to the Complaint.
5. **Representations And Warranties.** Lee and the Town represent and warrant that they have the authority to enter into this Agreement and that they have received independent legal advice of their choosing with respect to the advisability of entering into this Agreement.
6. **Governing Law.** This Agreement is to be governed and interpreted in accordance with the laws of the State of Rhode Island.

7. Drafting Parties. Each party and its counsel have reviewed and revised this Agreement. The rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation hereof. This Agreement shall be deemed to have been drafted by each party hereto.

8. Enforcement. The parties hereto may take any action in law or in equity required to enforce their rights under this Agreement. The prevailing party in such action shall be entitled to recover from the non-prevailing party its reasonable attorney fees, costs and expenses incurred in prosecuting such action.

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement as of the date first written above.

TOWN OF JAMESTOWN

ELIZABETH J. LEE

\_\_\_\_\_  
By: Jamie Hainsworth, Town Administrator

*Elizabeth J. Lee*  
By: \_\_\_\_\_

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

Date: 11/23/2021

## SETTLEMENT AGREEMENT

This Settlement Agreement regarding a tax assessment for certain property identified, subsequently, herein, (the "Agreement"), is made this 29th day of November, 2021, by and between the Town of Jamestown, Rhode Island (the "Town"), and Blue Rock, LLC, a Rhode Island limited liability company ("Blue Rock").

WHEREAS Blue Rock owns that certain parcel of real estate located at 41 Emerson Road in Jamestown, Rhode Island which is designated as Assessor's Plat 8, Lot 202 (the "Property"); and

WHEREAS Blue Rock has filed a civil action in the Superior Court for Newport County, Rhode Island alleging an over-assessment of the Property, which action is designated as C.A. No. NC-2020-0114 (the "Complaint"); and

WHEREAS the Town has denied all the material allegations in the Complaint; and

WHEREAS the parties wish to resolve the Complaint without the cost and burdens associated with further litigation.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which each party acknowledges, the parties hereby agree and promise as follows:

1. **Credit Provided By Town.** The Town shall recognize and apply a credit (the "Credit") in the amount of One Thousand Three Hundred Seventy-One Dollars and Zero Cents (\$1,371.00) against the 2019 and 2020 property taxes due and owing on the Property. The Town shall apply to credit(s) to all tax liability for tax year 2021 as an off-set. Blue Rock shall owe the balance of the 2021 real property taxes, less the credit off-set.
2. **Assessed Value Of Property.** The Town shall set the assessed value of the Property at \$2,823,600 for tax years 2019, 2020 and 2021. The Town shall maintain this assessment until tax year 2021. At that time the Town may set the assessment of the Property in accordance with its normal procedures.
3. **Dismissal Of Actions.** Within ten business days after the Jamestown Town Council has approved this settlement, Blue Rock shall cause the Complaint to be dismissed with prejudice.
4. **Costs And Fees.** Blue Rock and the Town shall each bear their own costs and attorney fees with respect to the Complaint.
5. **Representations And Warranties.** Blue Rock and the Town represent and warrant that they have the authority to enter into this Agreement and that they have received independent legal advice of their choosing with respect to the advisability of entering into this Agreement.
6. **Governing Law.** This Agreement is to be governed and interpreted in accordance with the laws of the State of Rhode Island.

7. Drafting Parties. Each party and its counsel have reviewed and revised this Agreement. The rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation hereof. This Agreement shall be deemed to have been drafted by each party hereto.

8. Enforcement. The parties hereto may take any action in law or in equity required to enforce their rights under this Agreement. The prevailing party in such action shall be entitled to recover from the non-prevailing party its reasonable attorney fees, costs and expenses incurred in prosecuting such action.

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement as of the date first written above.

TOWN OF JAMESTOWN

BLUE ROCK, LLC

\_\_\_\_\_  
By: Jamie Hainsworth, Town Administrator

  
\_\_\_\_\_  
By: Jennifer Kyner, Sole Agent for Blue Rock, LLC

Date: \_\_\_\_

Date: November 29, 2021





**Jamestown School Department**  
76 Melrose Avenue  
Jamestown, Rhode Island 02835

Telephone (401) 423-7020  
Fax (401) 423-7022  
TTY Relay 1-800-745-5555



**J**

Nathaniel Edmunds  
*Principal, Lawn School*

Jennifer Kiltredge  
*Principal, Melrose School*

**Kenneth A. Duva, Ed.D.**  
**Superintendent**

Erica B. Dickson  
*Director of Student Services*

Jane Littlefield  
*Director of Finance*

*"Rise Between the Bridges and Beyond!"*

**Date: 12.15.21**

**To: Jamie Hainsworth, Jamestown Town Administrator and Jamestown Town Council**  
**From: Dr. Kenneth Duva, Superintendent of Schools on behalf of the Jamestown School Committee**  
**RE: Bid Award for Melrose and Lawn Schools Fire Alarm Project and Lawn Generator**

At the December 16, 2021 School Committee Meeting the School Committee will vote to approve a contract to EW Burman, Inc. to complete the fire alarm upgrades for the Melrose and Lawn Schools as well as the replacement of the generator at the Lawn School. The bid for the replacement of the emergency lighting for the Melrose School came in over budget. We have decided to postpone the replacement of the emergency lighting at this time. We will replace the lights and batteries in stages.

We have evaluated the two bids received on December 13, 2021, for these projects. The bids were reviewed by Peter Anderson, Director of Facilities, Ken Duva, Superintendent, and Kyle Robinson, Lead Architect from Saccoccio and Associates. The bids consist of electrical and construction costs and materials. The spreadsheet of bids is attached.

Saccoccio's estimate for the fire alarm and generator replacement including A&E and O&M services = \$363,284.00

The low bid was submitted by EW Burman Inc. in the amount of \$314,265.00.  
Additional Architectural and Engineering and Operations & Management 11%= \$34,569.15

Our evaluation of the experience, reputation, and financial condition of EW Burman Inc. indicates that they are capable of completing the work required. Therefore, we are asking the Jamestown Town Council to recommend the award of a contract for the construction of the above mentioned projects in the amount of \$314,265.00.

**Attachments:**

1. Summary of Bids from Superintendent
2. Recommendation Letter from Saccoccio Architects

**Jamestown Schools: A School Community Partnership**

The Jamestown School Department, in partnership with the community, provides a respectful environment that challenges each child to fulfill his/her unique potential, and to develop the knowledge and skills necessary to become active and engaged 21st century learners and citizens.



**SACCOCCIO & ASSOCIATES**  
ARCHITECTS

December 14, 2021

Mr. Kenneth A. Duva, Ed. D  
Superintendent of Schools  
Jamestown School Department  
76 Melrose Ave  
Jamestown RI, 02835

**Re: Fire Alarm and Electrical Upgrades at Lawn and Melrose Schools**

Dear Superintendent Duva,

Saccoccio & Associates has reviewed the bids for the above referenced project and have evaluated the low bidder, E. W. Burman, Inc. of Warwick, RI. Through scope review conversations with Mr. Dandeneau, reference checks and past experience working with this company, we recommend award of the project to E.W. Burman, Inc. in the amount of **\$314,265.00**, based on the revised scope of work as outlined below.

In the review of the bids and based on the project budget Base Bid #4 for Melrose School Emergency Lighting does not fit within the current budget that has been identified for these projects. The other base bid items (#1, 2 and 3) are within the budgeted amount. Based on the significant cost difference between the budgeted amounts for the Melrose School Emergency Lighting it is recommended that this portion of the project not be undertaken at this time. Below is a breakdown of the total project number for each bidder, the amount of Base Bid #4 for each bidder and the revised total after Base Bid #4 has been removed.

- |  |              |
|--|--------------|
| • E.W. Burman Total Base Bid                     | \$369,800.00 |
| • E.W. Burman Base Bid #4                        | \$55,535.00  |
| • E.W. Burman Revised Total Based Bid            | \$314,265.00 |
| • Martone Service Company Total Base Bid         | \$397,229.00 |
| • Martone Service Company Base Bid #4            | \$57,390.00  |
| • Martone Service Company Revised Total Base Bid | \$339,839.00 |

If you have any questions, please contact me at your earliest convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kyle Robinson', with a long, sweeping horizontal stroke at the end.

Kyle Robinson, AIA, NCARB  
Project Architect

SACCOCCIO & ASSOCIATES, INC.														
Bid Summary														
Project: Jamestown School Department - Fire Alarm and Electrical Upgrades														
Date: 12/13/2021														
Time: 10:00 AM							UNIT PRICES							
BIDDER	BASE BID #1	BASE BID #2	BASE BID #2 Breakout Price	BASE BID #3	BASE BID #4	TOTAL BASE BID	A	B	C	D	E	F	G	H
E.W. Burman, Inc.	\$68,334	\$190,119	\$86,350	\$55,812	\$55,535	\$369,800	\$850	\$950	\$850	\$850	\$825	\$775	\$775	\$700
Martone Service Company, Inc.	\$88,485	\$181,915	\$86,350	\$69,439	\$57,390	\$397,229	\$860	\$960	\$855	\$860	\$830	\$780	\$780	\$750

In attendance at Bid Opening

Ken Duva	Jamestown School Department
Peter Anderson	Jamestown School Department
Kyle Robinson - Via Phone	Saccoccio & Associates
Robin Quinn	Martone Service Company, Inc.
Robert Dandeneau	E.W. Burman, Inc.

**Town of Jamestown**

Town Administrator

93 Narragansett Avenue

Jamestown, Rhode Island 02835-1199

401-423-9805

Email: [jhainsworth@jamestownri.net](mailto:jhainsworth@jamestownri.net)Jamie A. Hainsworth  
Town Administrator**MEMORANDUM TO: Honorable Town Council****FROM: Town Administrator, Jamie A. Hainsworth****DATE: December 16, 2021****SUBJECT: School Department Bid Review and Authorization****For the December 20th Town Council Meeting: Consent item.**

In accordance with the Bond Resolutions previously approved by the Town Council in support of the borrowing of funds in the amount of \$5.9 million dollars for improvements to school buildings. I have attached the bid award anticipated to be ratified at the School Committee meeting on December 16, 2021.

In this case, the Finance Director and I have reviewed the bid award as presented:

This bid award is for fire alarm upgrade at both Lawn and Melrose Schools. As well as the replacement of the generator at Lawn School.

School Superintendent, Dr. Duva recommended the bid total of \$314,265.

The bid details are attached for your review and consent. The bid award: \$314,265 to EW Burman Inc., the qualified low bidder.

The Town Administration is in support to this bid award as presented and authorizes the School Department to proceed with the scheduled work as planned.

If you have any questions or concerns, please contact me for more information.

Thank you.

Attachments:

Letter dated 12-15-21 from Supt. Ken Duva

# 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](mailto:ccollins@jamestownri.net)



**Christina D. Collins**  
Finance Director

## MEMORANDUM

**TO:** Jamie A. Hainsworth, Town Administrator

**FROM:** Christina D. Collins, Finance Director

**DATE:** December 15, 2021

**SUBJECT:** Budget to Actual- General Fund

A handwritten signature in blue ink, appearing to be "CC", is written over a light blue rectangular background.

Attached is Budget to Actual report for the Fiscal Year 2022. The report contains the expenses that have been paid through November 30, 2021.

Please do not hesitate to contact me with any questions or concerns.

State of Rhode Island

Jamestown

City/Town

# Board of Licensing Commissioners

## Annual Report of Beverage License Violations

For License Year **December 1, 2020 to November 30, 2021**

**Violations:**

Number:	Class of License (A, BT, BV, BVL, D)	Suspensions				Revocation				Warnings			
		A	BT	BV	D	A	BT	BV	D	A	BT	BV	D
_____	Minors												
_____	Gambling												
_____	After Hour Sales												
_____	Sunday AM Sales												
_____	Illegal Liquor												
_____	Miscellaneous												
_____	<b>Total</b>	<b>Total</b>				<b>Total</b>				<b>Total</b>			

Jamestown Town Council  
Board of License Commissioners

Date 11/14/2021  
Form LAC-7 500 8-65

Denise Gamon, Town Clerk's Assistant

# Town of Jamestown, Rhode Island

93 Narragansett Ave – Jamestown, RI 02835

## INVITATION TO BID



### Feasibility Study for a Community Network

Proposed Bid Price:\$ \_\_\_\_\_

Bid Price in words: \_\_\_\_\_

The undersigned bidder hereby states that they have carefully examined this **INVITATION TO BID** and further agrees to the provisions, requirement, terms and conditions, all of which are acknowledged to be part of this **BID PROPOSAL**.

Name of Bidder: \_\_\_\_\_

Address of Bidder: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**ALL BIDS DELIVERED TO: Town Finance Director's Office  
93 Narragansett Avenue,  
Jamestown, RI 02835**

Bids must be received in this form at this office until 11:00 am, **Thursday, January 6, 2022** where they will be publicly opened and read shortly after in the Conference Room at the Jamestown Town Hall located at 93 Narragansett Avenue, Jamestown, RI. Bid documents shall not be separated and are to be submitted in a sealed envelope or carton and clearly marked as: "**Feasibility Study for a Community Network**"

All questions regarding this RFP must be submitted online at [www.bidnet.com](http://www.bidnet.com) and prior to 4:30PM EST **Tuesday, January 4<sup>th</sup>, 2022**. All answers to questions for this RFP will be posted online and at the convenience of the Town.



## 1. Overview

The Town of Jamestown believes that a robust broadband infrastructure is critical to the livelihood and enjoyment of its citizens and to future growth of Town commerce. Along with many residents and businesses of Jamestown, the Town has concluded that the Town's broadband communications needs are inadequately served by existing providers. The Town wants to explore options for a community directed Town-wide network. This Request for Proposal (RFP) solicits bids for a Feasibility Study, which will make recommendations to the Town relating to the viability of a Town-owned broadband network and other considerations that include:

- Level of community support and estimated subscription rate
- Funding options for construction and operation
- Long term financial plan that ensures continuity and growth
- Physical network proposal and technical options
- Estimated costs of design plan and options
- Competition from other providers and technologies

The Town desires to start this study as soon as possible and for the study to be completed no later than **June 30, 2022**.

The Town is soliciting responses from qualified network consulting firms that have extensive experience working together with towns and cities on strategic network planning, financial analysis and community relations. The selected firm will be expected to interact with Town officials and interested residents while preparing its report and to provide detailed information specific to Jamestown as described in the Scope of Work (Appendix A.)

This RFP provides information and requirements for responses from interested firms (Respondents), as well as information and requirements for interviews, to which multiple qualifying Respondents may be invited.

## 2. Evaluation Process and Criteria

All Respondents shall submit their bid response using Appendix B (Submittal Requirements) as a template.

Responses will be evaluated on the degree to which they help the Town meet the specific requirements of this RFP. The Town will review and analyze each response, which must contain:

- Scope of services – Comprehensive descriptions of proposed services
- Expertise – Demonstrated competency for all required services

- Timeliness – Ability to begin work with the Town promptly and along with a reasonable schedule to complete deliverables
- Price – The cost of requested services and if needed, prices for optional tasks and deliverables

Proposals will be evaluated on the assumption that the RFP response offers the Respondent's most favorable terms to the Town. The Town expressly reserves the right to negotiate with any Respondent, using the Respondent's RFP response as a basis for obtaining a best and final offer prior to award. Award may not be based on the lowest bid, but on the Town's sole opinion of which proposal best meets all RFP requirements.

For this solicitation, the Town is declaring that time is of the essence. By submitting a response, the Respondent agrees to negotiate in good faith with the Town to complete and finalize a contract in a manner consistent with the Project's proposed milestone dates as defined in this RFP.

### **2.1 Evaluation Criteria**

The following criteria will be used by the Town's evaluation committee review of each Respondent's proposals:

- Experience with identical or similar projects
- Expertise in identifying and defining requirements for a Town-owned network
- Ability to comply with the proposed project schedule
- Qualifications of Respondent's personnel proposed for this project
- Respondent's project management, resources and financial standing
- Proposed prices for services

### **2.2 Liability for Costs Incurred for Proposal Preparation**

The Town is not, and shall not be, liable or responsible for any costs or expenses incurred by a Respondent firm for the investigation, preparation, submission and production of a proposal, for expenses for any retained consultants or for any work performed by the Respondent's firm prior to an award. All proposal costs and expenses are the sole responsibility of each Respondent.

### **2.3 Right of Evaluation and Selection**

Upon completion of the Town's evaluation and review of all responses, the Town may choose to select a short list of Respondents to interview prior to the start of any

negotiations. If interviews are deemed unnecessary, the Town may select one or more of the highest-ranking Respondents to begin contract negotiations. If the Town cannot negotiate a contract successfully with the initial selected Respondent, the next highest-ranking Respondent will be contacted to begin contract negotiations.

The Town expressly reserves the right to:

- Conduct discussions with any or all Respondents regarding any content in their proposal
- Waive or decline to waive, any defect or non-compliant response in any proposal
- Cancel or amend this RFP or issue additional requests for proposals
- Request and receive presentations about proposals if the Town believes additional information is needed to support the selection of a Respondent
- Select one or more Respondent's proposals based solely on the Town's analysis and evaluation of all proposals
- Not select any proposal

The Respondent acknowledges, understands and agrees to be bound by the requirements set forth in this RFP and further agrees that it is compliant with all requirements. The Respondent additionally agrees that the Town shall not be liable, under any circumstances, for disclosure of any materials submitted by the Respondent for or in support of their pursuit of obtaining a contract for services as required under this RFP.

It is the policy of the Town that contracts are awarded only to responsive and responsible Respondents. To qualify as responsive, the Respondent must provide thorough and complete responses as required by this RFP. To qualify as responsible, the Respondent must prove it has all necessary experience, resources, organization, staffing and facilities as required by this RFP.

Any proposal determined to be non-responsive, including instructions governing the submission of proposals, will be disqualified without evaluation unless the Town determines that the noncompliance is in its best interest to request corrective action or to waive.

Unless otherwise specified in this RFP, all communications, responses, and documentation must be in English and all costs or figures be in U.S. currency.

Respondents are prohibited from communicating directly with any elected Town official, Town employee or Town contractor except as specified within this RFP and individually identified to Respondents during the proposal development, submittal and review processes.

A Respondent may withdraw its proposal prior to the RFP response deadline. Proposals received after the deadline will not be considered. Proposals will be opened and initially documented on or after the response deadline. Proposal reviews will begin at the convenience of the Town. All proposals received by the Town become the property of the Town on the date and time of this RFP deadline. All proposals that are the property of the Town may be released to the public in whole or in part as required under applicable laws, including the requirements of granting authorities, Freedom of Information Act and Rhode Island General Laws. Pricing and all other information that is an integral part of a proposal is not to be considered as or is to be marked confidential.

The proposal constitutes an offer by the Respondent to do business with the Town under the terms, conditions and pricing offered by the Respondent, and all proposal terms offered shall be irrevocable for ninety (90) days after the RFP response deadline.

The Town, at its sole discretion, may incorporate any portion of a Respondent's proposal, including all answers or other information provided by the Respondent during presentations or negotiations contained within that proposal into an agreement between the Respondent and the Town.

Any information provided to the Town prior to the date of issuance of this RFP, either verbally or in writing, shall not be binding upon the Town in any manner.

The Town reserves the right to use all concepts and any other information contained in any proposal to obtain the most beneficial and effective means to achieving the Town's goals and objectives for this project. Selection or rejection of any proposal shall not affect this right. At the Town's discretion, an award may be made to one or more Respondents that demonstrate the ability to deliver all or portions of this project's requirements in a timely and cost-effective manner.

On submission of their proposal, the Respondent attests to have read, understood and agreed to all requirements, terms and conditions of this RFP, including all attachments, exhibits, appendices and published addendum prior to this RFP response deadline.

Respondents must identify any conflict of interest that may arise from providing services to the Town. In addition, the Town reserves the right to:

- Disqualify a Respondent or reject any proposal at any time if a real or perceived legal or policy conflict of interest is presented;
- Require the Respondent to take any action or supply information necessary to remove any conflict; or
- Terminate any contract arising from this solicitation if any such relationship is

found to constitute or have potential to create a real or perceived conflict of interest that cannot be resolved to the Town's satisfaction

#### **2.4 Response Requirements**

A response will not be deemed received in full until the Town has received six (6) bound hard copies and one (1) electronic copy of a response. Hard copies shall be sent by regular mail, hand delivered or sent via commercial courier to the Town of Jamestown, 93 Narragansett Avenue, Jamestown, RI 02835. Faxed or telephone proposals will not be accepted. Additionally, an electronic copy of the response must be provided on a USB drive that is enclosed with the required hard copies. Respondents assume all risks for their selected method of delivery.

#### **2.5 Questions Regarding RFP**

All questions regarding this RFP must be submitted online at [www.bidnet.com](http://www.bidnet.com) and prior to 4:30PM EST **Thursday, January 6, 2022**. All answers to questions for this RFP will be posted online at this site. Answers to questions will be at the convenience of the Town.

#### **2.6 Availability of Proposals**

Any information that the Respondent requires to be restricted under a non-disclosure agreement cannot be included in their proposal.

#### **2.7 Timeline and Due Dates**

Project Timeline – *all dates are subject to change at the Town's discretion.*

- 11/5/2021 – RFP Released
- 12/3/2021 – RFP Addendum Released
- 11/5/2021-1/4/2022 – Online RFP questions and answers
- 1/6/2022– RFP Due – 11:00AM EST
- 1/7/2022 – Begin Town reviews of responses
- 2/7/2022 – Estimated start of Finalist interviews
- 2/28/2022 – Estimated Respondent Selection
- 3/2/2022 – Estimated start of contract negotiations
- 6/30/2022 – Proposed Due Date of Final Report

It is anticipated that this project will be completed within five months of award. The final report is proposed to be completed by **6/30/2022**. A proposed schedule for this project is required as part of the response and will be a component of the criteria for award of the contract.

### 3. Background and Project Scope

The Town of Jamestown occupies Conanicut Island in Narragansett Bay. It is approximately 8.7 miles long in its entirety and varies from 1 to 1.6 miles in width, with an area of 9.44 sq. miles.

The year-round population reported in the 2010 census was 5,600 and the 2020 census is anticipated to report a population of more than 6,000.

Over the past two decades, Jamestown has experienced an assimilation into the suburban spread moving from Providence southward and along the Rhode Island coastline. Construction of new and improved roads has made Jamestown a more desirable place to live for those employed elsewhere in the State. Subdivisions and in-fill housing development have further changed Jamestown into a more suburban town, although the Town still has many rural and village characteristics.

The primary broadband service provider in Jamestown is Cox Communications, which currently offers DOCSIS 3.0/3.1 in most areas of the Town. Verizon offers DSL service and has publicly stated that it has no plan to bring FIOS service to Jamestown.

For the southern portion of the island, Verizon, AT&T and T-Mobile are currently macro site tenants on Town-owned property and collectively provide 3G/4G/5G cellular services.

OSHEAN (Ocean State Higher Education and Economic Development and Administrative Network) provides broadband transport services and internet access to both the Town and School district at Jamestown Town Hall and Melrose Avenue school, respectively. The Town Library is also connected to OSHEAN's network, but through another OSHEAN Internet reseller and provider, OLIS (Ocean State Library & Information Services).

The OSHEAN Beacon 2.0 48 strand fiber backbone traverses all of Jamestown and employs laterals to provide fiber services. For the Town of Jamestown, OSHEAN's fiber runs east and west, and leads off the island in two locations. OSHEAN directly peers to the global educational network, Internet2.

The role of OSHEAN as an infrastructure resource and potential partner for the Town's municipal network should be evaluated as a component of this study.

#### 3.1 Project Scope

Residents and businesses of Jamestown have long considered that their needs for a robust, modern communications infrastructure have not been adequately addressed by the Town's broadband and cellular providers noted in Section 3.

To date, the Town is not aware of any plans by these companies to deploy new network technology island-wide that would simultaneously and equitably provide and offer new tiers of high-performance Internet services for all Town residents, businesses and visitors.

Jamestown requires substantially better Internet services to enable residents to work at home and for businesses to improve their access to all forms of Internet services through new island-wide communications paths. Visitor's expectations are to have equal or higher quality of service that they enjoy in their home communities.

The Town recognizes that there are significant economic considerations that make it unlikely that any major incumbent provider or new service providers will adequately address the Town's existing and future communications requirements and needs through new construction or major island-wide upgrades to their networks.

The Town of Jamestown has decided to commission this study to evaluate the feasibility of creating an island-wide network, specifically designed and to be operated to provide network-based services to all Town's residents, businesses and visitors.

We are aware that many municipalities have considered and used the feasibility study process to determine if creating a community-based network is a viable option to solve the need to invest for the future. We have chosen this process because we also believe it is the most viable approach for Jamestown to determine if its residents and businesses fully support the creation of an on-island community network.

This RFP solicits proposals from experienced network planning organizations and others that have helped towns of similar size and characteristics to Jamestown. We will require that the selected Respondent work closely with the Town, Town government and other interested parties to gain an accurate understanding of this community's needs, expectations and concerns. We further require that the selected Respondent will propose a network design or alternate designs with estimated construction costs, offer one or more funding strategies and develop a multi-year financial model.

A more detailed scope of required services is found in Appendix A of this document.

## Appendix A: Scope of Work

- 1) Assessment of community needs and interest:
  - a) Assess residential needs with regards to services, cost expectations and estimated subscription rate. This should include an evaluation of the entire Town's interest in telephone services that could be offered for both residential and business use.
  - b) Assess business needs with regards to services required and desired, cost expectations and estimated subscription rate. Consider both small and medium storefront businesses and at home businesses.
  - c) Assess how an island-wide network could fulfill unidentified opportunities due to the absence of adequate cellular service in multiple geographic locations on the island
  - d) Compare a needs assessment with current services and identify and characterize shortfalls
  - e) Discuss how your proposal will determine needs of the Town's non-resident property owners and summer visitors and estimate any additional requirements to assess these needs
  - f) Explain how these assessments be performed and the plan to engage the entire community in the process. Detail any past or current experiences with community volunteers and advocacy groups.
  
- 2) Assessment of Jamestown's requirements compared to communities engaged in similar projects:
  - a) Provide information on municipalities that have built community networks. Provide data for municipalities with a measurable percentage of non-resident property owners and a seasonal population.
  - b) Municipalities that have started a community-wide project, but opted out or failed during planning, deployment or operation
  - c) Discuss the importance of municipal wiring infrastructure and/or maintenance facilities, since Jamestown does not have a municipal light and power company. Provide examples and discuss how municipalities have built and operated networks without municipal-owned utilities.
  - d) Discuss the potential of collaboration with the Town's electrical power provider National Grid through any planned or future SmartGrid deployment.
  - e) Discuss any advantages and disadvantages of including neighboring communities to achieve scale for deployment. Provide examples of similar collaborations.
  
- 3) Assessment of competitive and other challenges:
  - a) Discuss the expected reactions from incumbents and opinions of what objections will be raised and if blocking issues are likely to be presented
  - b) Discuss possible alternative responses from incumbents, such as Fixed



Wireless and how this type of response could be evaluated against that of a community-wide network deployment

- c) Note any environmental, economic, legal challenges that may be specific to Jamestown and Rhode Island
- 4) Provide recommendations for a distribution network topology and underlying technology components:
- a) Propose one or more network designs for Jamestown that show a fiber backbone, neighborhood distribution plans and other supporting infrastructure
  - b) Discuss the advantages and disadvantages of deployment strategies such as Fiber to the Premises (FttP), fixed wireless and alternative technologies that should be considered
  - c) Discuss the advantages and disadvantages of a mixed deployment strategy for neighborhoods with limited distribution characteristics, e.g., all underground utilities
  - d) Discuss technology choices in terms of operational costs, flexibility to support tiered services and future viability. These should include Active Ethernet optical networks, GPON/NG-PON optical networks, 5G macro/small cell wireless and fixed wireless (mmWave mesh and/or CBRs).
  - e) Discuss any special considerations for providing services to Jamestown's summer population and visitors
  - f) Discuss the OSHEAN backbone and if it has advantages over potential backbone/backhaul offers by incumbent providers
  - g) Discuss how the proposed network can evolve to increase capacity and incorporate future Internet services and network-based technologies, e.g., driverless vehicles
  - h) Discuss how the proposed network addresses likely needs and performance shortfalls of incumbent's existing networks and potential for continued hybrid infrastructure deployment, e.g., small cells
- 5) Network construction:
- a) For the proposed network design(s), estimate the cost of construction for:
    - i) Network backbone
    - ii) Neighborhood laterals
    - iii) Residences and businesses
    - iv) Routing, switching and endpoint access technologies
    - v) Network huts or other support structures on Town-owned or controlled parcels
  - b) Estimate cost differences for aerial, underground, microtrenched or other installation methods
  - c) Estimate benefits/disadvantages of build-once versus construction on subscription
  - d) Discuss possible strategies to lower initial construction costs

- e) The Town currently owns ~190 parcels throughout the island of which ~140 parcels have no easements and could be made available to support this project. Indicate how these parcels could be of use for construction, operations and maintenance.
- 6) Recommendations for funding of network construction and early operation:**
- a) Discuss various options for public, public/private partnership and fully private funding with terms for future Town ownership
  - b) Discuss project bonding strategies
  - c) Discuss consequences of a pure finance arrangement versus a financing and operations partnership
  - d) Discuss any funding methods that could be considered, such as property assessment, RI/Federal economic development under Broadband funding programs or other means of long-term funding
  - e) Potential revenue from dark fiber leasing
- 7) Network operator recommendations:**
- a) Existing ISPs, including incumbents, Town run or other private network operator(s), including discussion of important licensing, contractual and other terms, e.g., length of contract
  - b) If voice and video services are found to required, discuss how those services would be provided and managed by network operators in a) above
  - c) Discuss strategies for the community to maintain local control of the entire network and to enable long-term responsiveness to change in needs
- 8) Provide a pro forma analysis and show all assumptions for the first 10 years of operation of the most viable design and operations approach. Note that RI laws regarding prevailing wages must be included for all cost modeling.**

## Appendix B: Submittal Requirements

Responses to this Request for Proposal must include the following information in sections as numbered below:

All respondents should provide proposals in the following format:

**1. Cover Letter:** Indicate your firm's interest in the project. Include company name, address, contact name, email, and phone.

**2. Overview of Respondent** Include company(s) history, number of employees by major roles, company locations, location of office where this project will be primarily managed, location of primary workforce, plans to procure additional resources or subcontractors for this project, length of time Respondent's firm has provided similar services and other relevant information.

**3. Project Team, Roles and Resources:** Identify proposed Team members and their roles in this project. Include all subsidiaries, business partners and subcontractors.

**4. Contingencies:** Provide any known or anticipated resource(s) or time constraints, potential project conflicts, conflicts of interest or issues that could limit or prevent performance of the work required in this RFP.

**5. Project Experience:** Provide information about comparable project experience for any projects that are currently in progress or have been completed within the last five years:

- 1) Project Name
- 2) Project Location
- 3) Project Type
- 4) Client Name
- 5) Client Contact Name, Title, Address, Telephone Number and Email
- 6) Date of Completion, length of project
- 7) Other Project summary information

Respondent must provide at least one completed feasibility or design study that contains many or all examples of the requirements of this RFP.

**6. Insurance:** Provide insurance certificates confirming coverage as set forth in the paragraphs below, that the Town shall be notified not less than thirty (30) days prior to any cancellation or material change in coverage, that coverage secured by the Respondent shall be on a "Per Occurrence" basis, that all insurance policies shall be obtained and maintained with companies rated "A" or better by AM Best. Respondent's insurance shall cover its subcontractors that perform any of the work on this RFP, or the Respondent shall

require its subcontractor to maintain insurance of the type and amounts required of the Respondent.

Insurance coverage shall be written for not less than the limits of liability described in the following paragraphs or such limits as may be required by law, whichever are greater:

1. Workers' Compensation and Employer's Liability Insurance covering all employees of the Respondent and any of its subcontractors wherever they may be in the United States, so long as they are engaged in the work covered by this Contract. Workers' Compensation insurance in amounts required by applicable law and Employer's Liability insurance with a limit of at least two million dollars (\$2,000,000.00) per occurrence is required.
2. Commercial General Liability Insurance (Bodily Injury and Property Damage) which shall provide not less than five million dollars (\$5,000,000.00) combined single limit liability insurance, per job aggregate, on a per occurrence basis, protecting the Respondent and any of its subcontractors from liability arising out of the work on this RFP for:
  - (1) bodily injury, sickness, or disease, including death at any time resulting therefrom, sustained by any person; and
  3. damage to or destruction of property, including loss of use thereof.
3. Protection and Indemnity Policy in an amount not less than two million dollars (\$2,000,000).
4. An Excess/Umbrella policy in an amount not less than two million dollars (\$2,000,000).
5. "All Risk" property insurance in an amount equal to the replacement cost of any and all equipment owned, leased, or borrowed while in the Respondent's or its subcontractor's care, custody, or control, including while in transport at the direction of the Respondent or its subcontractors. Such "All Risk" insurance shall also cover all materials and equipment stored on a project site for incorporation into the work on this RFP.
6. Automobile liability insurance covering death or injury to any person or persons, or damage to property arising from the operation of vehicles or equipment, with limitations of not less than two million dollars (\$2,000,000).
7. Professional liability insurance, with limitations of not less than one million dollars (\$1,000,000) combined single limit for each occurrence and two million dollars (\$2,000,000) in the aggregate.

Include a statement that the Town, its subsidiaries, affiliates, directors, officers and owners shall be listed as additional insureds for general liability, protection and indemnity, excess liability, and automobile liability coverages required under the final contract with the Town. This coverage shall be primary and non-contributory. In addition, the Respondent and all of its subcontractors will waive all rights of subrogation against the Town, its subsidiaries, affiliates, directors, officers and owners, and the Respondent will waive any and all rights to recover against the Town, or its subsidiaries, affiliates, directors, officers and owners, for any loss or damage to the Respondent arising from any cause covered by any insurance required to be carried.

**8. Time Schedule:** Indicate a proposed timetable, based upon the scope of work, and experience with similar projects in type and scope.

**9. Proposed Project Cost Summary:** Provide a detailed project cost using Appendix C.

### Appendix C: Cost Summary

The Town strongly encourages respondents to bid on the entire Scope of Work described in Appendix A. All respondents must estimate the level of effort they will expend on each component. The Town, at its sole discretion, may consider bids where respondents choose to exclude one or more of the components in the Scope of Work and only if exceptions are clearly noted.

The Town may consider an award for work only in a subset of components.

**All prices must be inclusive of all costs and fees.**

Responses must provide estimated project, cost, time and supporting information as shown below. The format of each Scope of Work response is at the discretion of the Respondent.

	Scope of Work	Estimated time, cost	Requirements, dependencies, comments or other information
1	Assess needs, interests, concerns		
2	Assess build out requirements and opportunities		
3	Assess competition, obstacles and challenges		
4	Propose Network topology and technologies		
5	Estimate Network construction, infrastructure		
6	Funding model(s) for construction, operations, maintenance		
7	Candidate operators, support/maintenance contractors		
8	Pro Forma models		
	<b>TOTAL COST, EST TIME</b>		

**Frederick K. Uttley  
57 Spirketing Street  
Jamestown, RI 02835**

**David B. O'Neill  
186 Beach Avenue  
Jamestown, RI 02835**

Via e-mail and Postal

December 1, 2021

Ms. Nancy A. Bye, President  
Jamestown Town Council  
Jamestown Town Hall  
93 Narragansett Avenue  
Jamestown, RI 02835

Re: Proposed Dead End on Steamboat Street

Dear President Bye:

We are writing to you as a follow-up to the attached recent article published in the Jamestown Press on November 18, 2021 (page 7 at the below link) entitled "Steamboat St. dead ends get OK'd by group" whereby the Conservation Commission approved a proposal to make Steamboat Street a two-way dead end in their October meeting.

Page Viewer - Jamestown Press - 2021-11-18

My (Fred's) wife Jean and I have been residents of Jamestown for the past thirty-five years and have lived at our current home at 57 Spirketing Street since we were married. We consider ourselves very fortunate to be residents of Jamestown where we have raised two grown children.

My (David's) wife Melissa and I have been residents of Jamestown for the past five years and have lived at our current home at 186 Beach Avenue which is located at the intersection of Beach Avenue and Spirketing Street. We too are very happy new residents of Jamestown and were so fortunate to have our oldest son back with us this summer while he served his first assignment as an officer in the Navy this summer. We are enjoying island living with our teenage son and two dogs and are easy to spot making our daily walks from home to Sunset Beach and back.

Based upon the Jamestown Press article referenced above, Ms. Kuhn-Hines, Chairwoman of the Conservation Commission, stated, in part, that closing that section [i.e. the unpaved midsection of Steamboat Street (Steamboat) between Beacon and Beach Avenues] to traffic makes ecological sense because it will restore a section of wetlands, and also makes economic sense because Gray's department (Michael Gray, PE, Director of Jamestown Public Works) will not have to "constantly

Ms. Nancy A. Bye, President  
Jamestown Town Council  
December 1, 2021  
Page 2

repair and maintain a chronically deteriorating road.” The article further stated that Ms. Kohn-Hines said that “despite a sign that prohibits trucks, Kuhn-Hines said residents in the neighborhood complain about the section of street serving as a primary shortcut for trucks, with speeding vehicles “bouncing down the narrow” road dodging potholes. It was reported that Town Administrator Jamie Hainsworth updated the town councilors about the proposal at their meeting Monday night (i.e. November 15) and he plans to present the council with more details at “a future meeting” after he discusses the proposal with public safety officials and Mike Gray, director of the public works, to evaluate their concerns and the cost of the project.

As a structural engineer, I (David O’Neill) am aware that Steamboat bisects wetlands on each side. A good portion of the Jamestown shores is a high groundwater district with engineering challenges to integrate residences and roadways with the natural landscape. The unpaved area of Steamboat is a short stretch of road and an engineered solution is completely feasible to improve the grading so that a functional and serviceable paved asphalt road can be installed that residents of Steamboat deserve and vehicular traffic can utilize. We believe that this is the correct course of action to address the current condition of Steamboat.

We are uncertain as to the origin of the suggestion of the proposed dead-end on Steamboat (an unpaved road) and are very concerned about the increased traffic on Spirketing if the proposal is passed. Spirketing Street would then be the most southern through access between Beach and Beacon Avenues as vehicles access Route 138 West and the Jamestown Bridge.

We are specifically uncertain if the proposed Steamboat dead-end is simply a reaction to Steamboat residents complaining about traffic on their street or if there are environmental concerns. Steamboat has been an operational road for vehicles before the new Jamestown Bridge was constructed in the late 1980s, during which time there was extensive public discussions about the new traffic patterns and access to Route 138 as it’s access specifically from Beach Avenue was eliminated. We are not aware of any discussions at that time or since that time if there were any environmental concerns about maintaining Steamboat as an operational road, subject to its current truck limitations. If there were environmental concerns at that time, I would think they would have been properly vetted at that time as traffic on Steamboat certainly would have increased with the Beach Avenue/Route 138 access being eliminated.

Currently, Spirketing is the most northerly paved road access between Beach and Beacon for vehicles looking for access to Route 138 West.

Although we have no need to travel on Steamboat to gain access to Route 138 West, we are certain that many residents north of Steamboat and those at Top O’ the Mark, among others I am sure, use Steamboat and would then have to use Spirketing as their regular travel pattern to access Route 138 (East or West), thus increasing traffic flow on Spirketing Street.

Ms. Nancy A. Bye, President  
Jamestown Town Council  
December 1, 2021  
Page 3

We frequently witness excessive speeding on Spirketing and have repeatedly called the Jamestown Police to report the excessive rates of speed on it as well as those traveling on Beach to Spirketing. Spirketing is a primary road for pedestrians, dog walkers and cyclers to access Seaside and Head's Beach (Sunset Beach). The intersection of Spirketing and Beach is also a bus stop with parent's walking their young children down Spirketing every school morning. The intersection of Beach Avenue and Seaside creates a cut-through for traffic to access Spirketing and the bridge. Cars habitually travel at excess rates of speed on this stretch of road. David's wife Melissa has made inquiries to have more police patrols and to have a stop sign installed at the intersection of Beach (traveling South) and Spirketing but her request was denied. Spirketing has several short driveways with blind spots making exiting onto Spirketing a challenging task due to traffic entering Spirketing without being slowed by a stop sign. Therefore, it is our opinion that this stretch of road that is shared by pedestrians and vehicular traffic often traveling at excess rates of speed is already in need of increased police monitoring and potentially speed bumps or stop signs to reduce current hazardous conditions and should not be made more dangerous by adding more traffic approaching from both directions. The recommendation by the Conservation Commission to close Steamboat appears to have merits upon first glance but could have serious or potentially tragic real consequences that should be taken into serious consideration.

As for Ms. Kunes-Hines reference to the additional cost that the town incurs to maintain Steamboat, isn't that simply a responsibility of the town to serve all residents? I suspect that there are many examples of town-owned property that require maintenance.

We respectfully request that the Town Council Committee not approve the Conservation Committee's suggestion to make Steamboat a dead-end but rather improve Steamboat for vehicle traffic, while enforcing current traffic regulations, so that the local traffic pattern remains as-is and to not unfairly burden traveling on Spirketing Street and its impact on its residents.

The sentiment of other Spirketing Street residents, some with very young families share our feelings on this issue as I am certain that you will receive additional feedback directly from them.



Ms. Nancy A. Bye, President  
Jamestown Town Council  
December 1, 2021  
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We would appreciate you keeping us informed as you evaluate this proposal. Fred can be contacted at [fkuttley@cox.net](mailto:fkuttley@cox.net) and (401) 952-1120 / 423-2305 and David can be contacted at [dboneill1966@gmail.com](mailto:dboneill1966@gmail.com) and (401) 465-6281.

Your consideration is greatly appreciated.

Very truly yours,



Frederick K. Uttley



David B. O'Neill

Attachment

CC: Mary E. Meagher, Vice President Town Council  
Erik G. Brine, Town Council  
Michael G. White, Town Council  
Randall White, Town Council  
Jamie Hainsworth, Jamestown Town Administrator  
Anne Kuhn-Hines, Chair - Planning Commission Liaison  
Mr. Thomas Tighe, Chairman Jamestown Traffic Committee  
Chief Edward A. Mello, Jamestown Police Department

(All CCs with attachment)



## WINDING, WINDY ROAD

Waves crash over the Conanicus Avenue seawall during a storm Friday that featured wind gusts of 60 mph. For the second time in three weeks, the wind forced the Rhode Island Bridge and Turnpike Authority to put temporary travel restrictions on the Newport and Jamestown bridges because of safety concerns.

PHOTO BY NORMAN KAPLAN

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### HOLIDAY SCHEDULE

### Trash & Recycling Pickup Will Be One Day Early

Island Rubbish Service will alter its trash and recycling schedule for THANKSGIVING DAY. All Thursday customers will be picked up on **Wednesday, November 24, 2021** with our regular Wednesday customers.

## Steamboat St. dead ends get OK'd by group

The conservation commission at its October meeting unanimously voted to support a proposal that would create two dead ends at the unpaved midsection of Steamboat Street between Beacon and Beach avenues.

Town Administrator Jamie Hainsworth updated the town councilors about the proposal at their meeting Monday night. He plans to present the council with more details at "a future meeting" after he discusses the proposal with public safety officials and Mike Gray, director of the public works, to evaluate their concerns and the cost of the project.

According to an Oct. 29 memo from Anne Kuhn-Hines, chairwoman of the conservation panel, the midsection of Steamboat Street is a "dangerous" shortcut. She said it is "chronically rutted" with potholes, and is "prone to flooding."

"This is not surprising since this section of the street runs between two major wetlands that are constantly trying to rejoin into one contiguous wetland," Kuhn-Hines wrote.

According to Kuhn-Hines, closing that section to traffic makes ecological sense because it will restore a section of wetlands, and also makes economic sense because Gray's department will not have to "constantly repair and maintain a chronically deteriorating road."

Despite a sign that prohibits trucks, Kuhn-Hines said residents in the neighborhood complain about the section of street serving as a primary shortcut for trucks, with speeding vehicles "bouncing down the narrow" road dodging potholes.

— By Tim Riel

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#### JAMESTOWN



**86 Mount Hope Avenue** \$725,000  
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#### NARRAGANSETT



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Each Office is Independently Owned and Operated.

December 12, 2021

TO: Members of the Jamestown Town Council

RE: Draft Rental Ordinance

I am writing to the members of the council regarding the proposed short term rental ordinance currently under consideration. As a few of you may know, until my retirement three years ago, I was a rental specialist at Island Realty for 18 years. At this point, I no longer have a financial interest or agenda regarding the final resolution of your rental ordinance. However, after having written several thousand of the Island's short-term leases and managed many of our rental properties, I have first-hand knowledge of this subject and a unique perspective regarding the implications of this challenging undertaking. As well intentioned as the council may be in drafting the ordinance, I'm concerned that some decisions may be attributed to a paucity of information and misperceptions based on isolated anecdotal evidence. Given my unique perspective, I feel an obligation to share what I have learned over the years in the hope that it will inform the Council's decisions going forward.

- **Who are the typical short term/vacation renters that come to Jamestown?**

With very few exceptions, they are either families with young children (our no-surf beach is less interesting to teenagers) or retired couples who often bring their children and grandchildren. The peaceful ambiance of Jamestown attracts them. These mostly affluent families support our businesses, e.g., restaurants, shops, market, etc. They rent bikes and kayaks, pay the daily rate to park at our town beach and spend freely while they are here, as many of us tend to do on vacation. The additional income to these local businesses can make the difference between success and failure for many of them. The short-term/vacation rental season on the Island is only 7 weeks and follows the school vacation. June and September are very slow as are the last weeks in August (back to school shopping). The demand for the balance of the year is minimal.

The younger, single, bar scene crowd head for Narragansett or Newport. Fortunately, they self-eliminate Jamestown because they find our Island far too boring. Of course, there are exceptions: In my 18 years of experience, there were less than a handful of tenants that caused a disturbance to neighbors and the police were able to deal effectively with those rare incidents. A quick check of the department's records should confirm that fact. I'll be surprised if the proposed "Complaint Hotline" is used more than a few times each summer for anything of significance.

- **Which owners should pay a higher registration fee?**

Clearly, owners who live in their residences and rent summer weeks should pay the least. But there are others who should be in that category as well. More than a few rental homes are owned by non-residents who purchased with the intention of eventually retiring here. Renting only in the winter doesn't come close to covering the expenses, so vacation rentals make their purchase more viable. I recall many War College families being in this group. They are not running a business and, in fact, benefit the community in several ways. Most importantly, they add to the available housing for military personnel assigned to the War College, of which there is always a shortage. I think we can all agree, these military families contribute to our community on many levels.

Landlords who own homes under a corporation (LLC or otherwise) or the few who own multiple rental homes on the Island, which constitutes a business, should pay an increased fee. Ownership by Trust is simply an estate planning decision and should not be penalized.

- **Under what circumstances should Landlords be fined?**

The complaint I received frequently from short-term tenants was due to owners who during the rental term were unavailable or unresponsive when issues arose at their home. Implementing a significant fine for Landlords when either they or their assigned caretaker is not responsive within 2 hours of a tenant's call is not unreasonable. Obviously, Landlords who are not responsive to other ordinance regulations are subject to fines as well.

- **Should there be tenant occupancy limits and parking restrictions?**

RI Landlord-Tenant law allows 2 occupants per legal (ISDS compliant where applicable) bedroom, regardless of age, and that should apply to short term rentals as well. Infants should not be counted.

Homes that have adequate off-street parking should be permitted to use that space without restriction subject to the 2 persons per bedroom limitation. Homes, particularly in the Village, that lack adequate off-street parking should be permitted 1 car on-street, where that is legal. Additional parking limitations become onerous and serve no purpose

other than to discourage family members who drive separately, from sharing the vacation rental.

- **Do short-term rentals negatively impact the affordability of homes on the Island?**

Unfortunately, home affordability is a fact for those who teach in our schools, serve on our police department and most importantly, volunteer on our fire department.

Reducing the number of short-term rental homes is unlikely to have an impact on this problem and I would argue, can have unintended consequences. Many owners rely on renting summer weeks to offset their housing expense.

The most affordable Island homes are non-waterfront or water view in the Shores, and with few exceptions, they are also the least in demand for short-term vacation rentals. As a result, there is negligible competition between buyers who want to occupy those homes and those who are seeking a rental investment opportunity.

- **Will short-term rental homes negatively impact our neighborhoods?**

Over my tenure specializing in rentals, I've seen the rental home inventory fluctuate greatly. When the economy is good and interest rates are affordable, there are fewer available rental homes. When the home sales market is off, owners often rent their properties until the market improves. Essentially, there is an inverse relationship between number of homes available for rent and those available for sale. Over time the number of short-term rental homes stay within a limited range and there is no reason to believe it will expand. In fact, the dramatic increase in the price of single-family Island homes will likely inhibit available rentals. For these reasons, I don't foresee a time when the number of short-term rental homes increase to the point where they negatively impact neighborhoods.

In conclusion, Jamestown doesn't have an out-of-control short-term rental issue. In some respects, I see a solution in search of a significant problem. I believe there may be a tendency to overreact when developing new regulations, however, a rental ordinance is clearly needed. In this situation, less can be more with the option of considering additional provisions later. Let's be welcoming in sharing the Island we love with those who come to visit, if only for a summer week or two.

Sincerely,

Daniel Shapiro  
138 Narragansett Avenue



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PUBLIC SCHOOLS

## Smithfield School Department

Administration Office  
49 Farnum Pike  
Smithfield, RI 02917  
(401) 231-6606 / Fax (401) 232-0870  
www.smithfield-ps.org

**Judith Paolucci, Ph. D.**  
Superintendent

**Sara Monaco, Ed. D.**  
Assistant Superintendent

### Smithfield School Committee Resolution Change to RIGL §16-7-40 (c) and (d)

Please consider a subtle change to RIGL §16-7-40 (c) and (d), which aligns the expiration of all six temporary Housing Aid bonuses and affords LEAs an additional year in planning and construction lost addressing COVID-19, along with the global supply chain challenge.

#### Section 16-7-40. Increased school housing ratio.

(c) For purposes of addressing health and safety deficiencies as defined by the school building authority, including the remediation of hazardous materials, the school housing aid ratio shall be increased by five percent (5%) so long as the construction of the project commences by December 30, 2023, is completed by December 31, 2027, and a two hundred fifty million dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot, in order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

(d) For purposes of educational enhancement, including projects devoted to the enhancement of early childhood education and career and technical education, the school housing aid ratio shall be increased by five percent (5%) so long as construction of the project commences by December 30, 2023, is completed by December 30, 2027, and a two hundred fifty million dollars (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000) must be specifically directed to these purposes.

NOW, THEREFORE, BE IT RESOLVED: That the Smithfield School Committee respectfully requests the Rhode Island General Assembly support the extension of § 16-7-40. Increased school housing ratio.

RESOLVED: That a copy of this Resolution be forwarded to every Rhode Island Municipality, School Committee, State Senator, State Representative, and the Governor.

WHERETO: The following bear witness:

Virginia Harnois  
Virginia Harnois, School Committee Chair

December 6, 2021  
Date RECEIVED  
DEC 14, 2021 09:57 AM  
Roberta J. Fagan  
TOWN OF JAMESTOWN Town Clerk