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TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, November 7, 2022
6:30 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:
<http://www.record-server.net/Jtown/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:
<https://jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2022-meetings-minutes>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

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) Unfinished Business: Review, Discussion, and/or Action and/or Vote:
 - 1) Review current outdoor water restrictions, daily water usage, and reservoir levels.

The Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners

IV. 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

V. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Gould Island Committee presentation by Chair David Sommers
 - 1) Letter to the Town Council from Gould Island Committee Chair David Sommers and Memorandum from Town Planner Lisa Bryer to Town Administrator Hainsworth regarding the Gould Island Committee.
 - 2) Review, Discussion and or Action and/or Vote: Resolution 2022-14 Request to RIDEM fund in FY24 the development plan for recreation on Gould Island.
 - 3) Review, Discussion and or Action and/or Vote: Resolution 2022-15 Requesting support from neighboring Bay municipalities for Gould Island Committee development plan.
 - 4) Review, Discussion, and or Action and/or Vote: Authorization for the Gould Island Committee to follow up on the letter to neighboring Bay municipalities, and/or authorize Town Administrator Hainsworth to follow up on the letter to neighboring Bay Communities.

VI. PUBLIC HEARINGS, LICENSES AND PERMITS

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

- A) **Town Council Sitting as the Alcohol Beverage Licensing Board**
 - 1) The Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956, and as amended, the following license application has been received under said Act for a one-day license(s) on November 11, 2022, at the Out of the Box Gallery:

CLASS F (NON-PROFIT)

Out of the Box Gallery
11 Clinton Avenue
Jamestown, RI 02835

- a) Review, Discussion, and/or Action and/or Vote for Approval of the **CLASS F (NON-PROFIT) LIQUOR LICENSE**

The Town Council Adjourn from Sitting as the Alcohol Beverage Licensing Board

B) Licenses and Permits

- 1) One-Day Event/Entertainment License: All One-Day Entertainment license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:
 - a) Applicant: Jamestown Arts Center
Event: Newport Live with Dori Freeman
Date: November 5, 2022, 7:00 p.m. – 8:30 p.m.
Location: 18 Valley Street
 - b) Applicant: Jamestown Arts Center
Event: Newport Film – All the Beauty and Bloodshed
Date: November 17, 2022, 6:00 p.m. – 8:00 p.m.
Location: 18 Valley Street
 - c) Applicant: St. Mark Church
Event: Christmas Bazaar
Date: December 3, 2022, 10:00 a.m. – 3:00 p.m.
Location: St. Mark Church basement, 60 Narragansett Ave
 - d) Applicant: Jamestown Chamber of Commerce
Event: Ugly Sweater Sidewalk Parade & Fashion Show
Date: December 17, 2022, 11:00 a.m. – 1:00 p.m.
Location: Village and Jamestown Recreation Center

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)

- A) Town Administrator's Report: Jamie A. Hainsworth
 - 1) Reservoir Level and Consideration of Present Restrictions (agenda item)
 - 2) Event applications for the Jamestown Chamber of Commerce (agenda item)
 - 3) Jamestown Library temporary relocation during construction
 - 4) Hull Street CRMC Right of Way (ROW) #G-6
 - 5) Spindrift CRMC Right of Way (ROW) #G-4
 - 6) Covid 19 update

VIII. UNFINISHED BUSINESS

- A) Review, Discussion and or Action and/or Vote: Request of Conanicut Island Sailing Foundation (CISF) for permission to locate a new classroom trailer at the site of the current operations at Fort Getty:
 - 1) Letter and supporting documentation from CISF Executive Director Meg Myles.

- B) Review and Discussion of correspondence received concerning the current Short-Term Rental (STR) Ordinance
 - 1) Letter to the Jamestown Town Council from a group of STR owners dated October 24, 2022.
 - 2) Letter to the Jamestown Town Council from Denise Rounds dated October 25, 2022.

IX. NEW BUSINESS

- A) Review, Discussion and/or Action and/or Vote: Proposed changes to the Fire Fighters Incentives/Tax Abatement Plan and EMS Incentive/Tax Abatement Plan
 - 1) Fire Incentive/Tax Abatement Plan proposal: 2022/2023
 - 2) EMS Incentive/Tax Abatement Plan proposal: 2022/2023
 - 3) H6521: An Act Relating to Property Tax Relief in the Town of Jamestown, and Jamestown Code of Ordinances, Division 3 Jamestown Fire Department, Sec 66-86 thru 66-89.

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) Ordinances; Discussion and Possible Action to *Order to Advertise* in the Jamestown Press; Notice of a Public Hearing for Proposed Amendments to the Code of Ordinances, Chapter 38 Offenses and Miscellaneous Provisions, Article VII Cannabis, Section 140-143.
 - 1) Memorandum from Town Planner Lisa Bryer

XI. FUTURE MEETINGS AND CALENDER

- A) Review, Discussion and/or Action or Vote:
 - 1) November 21, 2022 swearing in of the newly elected Town Council.

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) October 17, 2022 (Regular Meeting)
 - 2) October 18, 2022 (SFTM)
 - 3) October 21, 2022 (Special Meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Planning Commission (October 5, 2022)
 - 2) Jamestown Zoning Board of Review (September 27, 2022)

- C) Abutter Notifications: Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing on November 15, 2022, at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following:
- 1) Application of John and Pamela Connors whose property is located at 222 Beacon Avenue and is further identified as Tax Assessor's Plat 16, Lot 73 for a Special Use Permit under Article 3, Section 82-314 entitled "High Groundwater and Impervious Layer Overlay District" for development in Subdistrict A and Article 6, Section 82-601 et seq. entitled "Special Use Permits Authorized by this Ordinance". Applicants seek to construct a two bedroom home. The seasonal high groundwater table is equal to 18 inches which places this parcel in Subdistrict A of Section 82-314. Said property is located in an R-40 zone and contains 14,400 square feet.

- D) Tax Assessor's Abatements and Addenda of Taxes

ABATEMENTS TO 2021 TAX ROLL		
23-1005-10	UPDATED PROP. INFORMATION	\$ 766.59
02-0854-99	UPDATED PROP. INFORMATION	\$ 37.35
11-0573-25	UPDATED PROP. INFORMATION	\$ 41.42
16-1095-01	UPDATED PROP. INFORMATION	\$ 557.46
19-0005-10	UPDATED PROP. INFORMATION	\$ 33.27
11-0483-00	UPDATED PROP. INFORMATION	\$ 988.63
ADDENDA TO 2021 TAX ROLL		
	NONE	
	TOTAL ABATEMENTS TO 2021 TAX ROLL	\$2424.72
	TOTAL ADDENDA TO 2021 TAX ROLL	\$ 0.00
	GRAND TOTAL	\$2424.72

- E) Resolution of the Town Council Authorizing Issuance of Up To \$3,100,000 In Bonds And/Or Notes for The Renovation, Repair And/Or Expansion of The Jamestown Philomenian Library Including Related Equipment Therefor And All Costs Incidental Thereto, No. 2022-13.
- F) Approve the request of the Jamestown Chamber of Commerce for permission to hang holiday wreaths on the decorative light poles located on Narragansett Avenue from the Fire Station to/and at East Ferry Square.

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: Ron Ratcliff and Denise Rounds
Dated: October 24, 2022
Re: Jamestown Tow Ordinance Chapter 14: Buildings and Regulations, Article V- Short-Term Rentals
 - 2) Copy of Letter to: Town Council President Beye
From: Denise Rounds
Dated: October 25, 2022
Re: Short-Term Rental Ordinance
 - 3) Copy of Letter to: Town Clerk Roberta Fagan
From: Marian Falla
Dated: October 25, 2022
Re: Tax Exemption
 - 4) Copy of Email to: Town Administrator Hainsworth
From: CRMC Office Manager Lisa A. Turner
Dated: October 19, 2022
Re: CRMC Public Hearing Notice- Revolution Wind 2021-07-005 Amended October 19, 2022
 - 5) Email From: Daniel Breen US. Army Corps of Engineers
Dated: October 27, 2022
Re: Margaret Testa Takata residential pier extension and boat lift
- B) Proclamations and Resolutions from Other Rhode Island Cities and Towns
- 1) Resolution of the Town of Barrington Urging the Rhode Island General Assembly to Recognize June 19th, Juneteenth National Independence Day, As An Official Rhode Island State Holiday.

XIV. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Recreation Center. Notice is also posted at the Jamestown Police Station and on the Internet at 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 November 3, 2022



Office of the Town Planner MEMORANDUM

TO: Jamie Hainsworth, Town Administrator
FROM: Lisa W. Bryer, AICP, Town Planner
RE: Gould Island Committee
DATE: October 27, 2022

Tonight, the Gould Island Committee discussed the objective *to request RIDEM to develop a plan for public recreation on the southernmost portion of Gould Island* in order to satisfy the Federal Delegation request of “having a plan” so that the ACOE could decide how to move forward, (ie: what level of clean up) with the final cleanup of Gould Island.

The following votes were unanimous by the Committee:

1. Request the Town Council to support by Resolution: To request RIDEM fund in FY24 the development of plan for recreation on Gould Island (potential for accelerating the southernmost 16.9-acres). Such RIDEM support for a plan and subsequent Plan to be presented to the Federal Delegation;
2. Request the Town Council to support by Resolution: Requesting support from neighboring Bay municipalities for plan development. This will be sent to other municipalities by Town administration with a cover letter;
3. Ask for Town Council authorization for the Gould Island Committee to follow up on letter with Bay municipalities. Alternatively, request for Town Administration to follow up with municipalities.

David P. Sommers
758 East Shore Road
Jamestown, RI 02835

October 28, 2022

Jamestown Town Council
c/o Jamestown Town Administrator
93 Narragansett Avenue
Jamestown, RI 02835

Dear Town Council Members,

Since our last update to you in 2021, the Town Gould Island Committee has met on June 16th and on October 27th 2022 to review the status of the development of public recreation on State property on Gould Island. I would like to update you on our findings:

- The Army Corps of Engineers has continued to assert that they are not able to do the further physical remediation required to make Gould Island safe for public access without additional funding and authority from Congress.
- The Federal Delegation has stated that they will not be able to provide authorization and funding for the Army Corps of Engineers to do the additional required physical remediation during the Army's current environmental remediation engagement on Gould. They have also stated that their preferred path is to seek funding for RIDEM to do that remediation.
- The Delegation has also asked for RIDEM and the Town to develop a Plan for public recreation on Gould, including a benefits statement and a demonstration of public support for the Plan, before they will seek funding for the further remediation required.
- In taking these positions, the Delegation has disagreed with our initial approach in which we were asking for the Federal Government, acting through the Army Corps, to return Gould to the usable state that it was in prior to their seizure of the Island a century ago, and allow the State and the Town to plan later for its use for public recreation.
- This has resulted in the accelerated the need for a Plan from RIDEM, as the landowner for the State, for a benefits statement to support the plan and for public support for the plan beyond Jamestown.
- In July, Jamie Hainsworth met with RIDEM Director, Terry Gray, to discuss how to move forward. The Committee's understanding is that in that meeting the creation of a Plan to meet the Delegation's request appeared to be the best approach and that Terry expressed openness to creating such a Plan but that he did not commit to do so. On October 26, ahead of the last Committee meeting, Terry Gray sent an email, confirming that position.

- The Committee, in its June meeting, identified a significant issue regarding the scope of benefits possible from public recreation, if public access to Gould remains limited to August 15 through March 31, outside the bird nesting season. Such limited availability would severely weaken any benefits statement supporting the Plan. Accordingly, the Committee developed an alternate proposal for the use of Gould. Rather than divide use of the Island by time, we recommend dividing the Island physically, providing the southern portion of Gould for year-round public recreation and leaving the northern portion of the State property, nearest the Navy-owned parcel on the north end, as a wildlife sanctuary. This would allow a full season of recreation on the most attractive portion of the Island, facing the Pell Bridge and Newport while leaving the larger portion as a wildlife sanctuary. The southern section is the most straightforward to develop for public access since it is flat, has gently sloping shorelines and beaches and has fewer physical hazards remaining to be cleared.

After consultations with Jamie Hainsworth and Lisa Bryer, the Committee met on October 27, 2022, and resolved to propose to the Council, the development of a Plan by RIDEM for recreation on southernmost 16.9 acres of Gould. This 16.9 acre parcel was chosen because, when it was originally transferred to the State in 1975, it was designated by the Federal Government for public recreation. Subsequently, the State and the Federal Government agreed to remove that original public recreation restriction and replace it with a wildlife sanctuary restriction. That restriction will have to be modified again, back to the original public recreation purpose. RIDEM has advised that such modification should be straightforward. Based on our understanding of the Town's experience with the Beavertail Master Plan development, we believe that the RIDEM's cost to develop the Plan could amount around a hundred thousand dollars.

The advantage of this approach is twofold. First, since the area is smaller and less hazardous, it will be easier to fund and provide services for. Second, the request for funding from the Federal Government can be for the entire project of creating public recreation on Gould, rather than it was in the prior proposal, only for the remaining physical hazard cleanup, and which would have left the funding of public recreation infrastructure up to the State in the future.

In consideration of the above facts and circumstances, the Committee has passed a resolution which I am forwarding with this letter. The resolution requests the Town Council to take the following three actions:

1. Approve a Resolution requesting that RIDEM create a Plan for recreation on the southernmost 16.9 acres of Gould Island, in conjunction with the Town of Jamestown, that RIDEM would present to the Federal Delegation for their assistance in securing funding. And further requesting that RIDEM provide funding for the development of the Plan in their upcoming fiscal 2024 budget.

2. Approve a Resolution requesting that other Narragansett Bay Area Municipalities join Jamestown in advocating for public recreation on Gould Island, for the development of a Plan by RIDEM for such public recreation, and for the submission of that Plan to the Federal Delegation for the purpose of securing Federal funding. The purpose of this Resolution is to begin to demonstrate broader public support for the Plan.
3. Authorize the Gould Island Committee to engage with the appropriate officials of the other Bay Area Municipalities to provide background and explain the proposals and path forward. Or alternatively, if the Council prefers in its discretion, to request the Town Administration to so engage with the other Municipalities.

I am enclosing the Gould Island Committee's Resolution to the Council, and drafts of the Council Resolutions which embody requested actions 1 and 2. I expect to be on the Council's agenda for the November 7th meeting to present these proposals and to be available for your questions.

Thank you for your support of our efforts for a public access future for Gould Island.

Sincerely,

David Sommers
Chair, Jamestown Gould Island Committee

Cc: Fritz Attaway
Wayne Banks
Steven Bois
Lisa Bryer
David Cain
Jaimie Hainsworth
Jon Hulme

Town of Jamestown
Resolution of the Ad Hoc Gould Island Committee

RESOLUTION REQUESTING TOWN COUNCIL ACTION
IN SUPPORT OF DEVELOPMENT OF PUBLIC RECREATION
ON SOUTH GOULD ISLAND

Resolved: The Jamestown Gould Island Committee requests that the Jamestown Town Council:

1. Pass a Resolution requesting that the Rhode Island Department of Environmental Management create a Plan to develop public recreation on the southern 16.9 acres of Gould Island as further detailed in the attached proposed draft Council Resolution to RIDEM.
2. Pass a Resolution requesting that other Narragansett Bay Area Municipalities' join Jamestown in advocating for public recreation on south Gould Island, including development of a Plan by RIDEM for such public recreation as further detailed in the attached proposed draft Council Resolution to Bay Area Municipalities.
3. Authorize the Gould Committee to follow up Resolutions with the Bay municipalities by contacting municipal leaders to provide context and promote the requested actions
 - Alternatively, request for Town Administrator to follow up

Authorized by unanimous vote of the Jamestown Gould Island Committee:

David P. Sommers
Chair, Jamestown Gould Island Committee

On behalf of:

Fritz Ataway
Wayne Banks
Steven Bois
David Cain
Jon Hulme

November 7, 2022 Proposal for Jamestown Town Council Resolution to RIDEM Requesting Plan for South Gould Island Recreation

Whereas:

- The State of Rhode Island owns the southern 39 acres of Gould which are administered by Rhode Island Department of Environmental Management
- The Federal Government transferred that property to the State of Rhode Island in two tranches: In 1975, the southernmost 16.9 acres were transferred for the purpose of public recreation, which restriction was subsequently removed and replaced with a wildlife sanctuary restriction, and then, in 1989, 22.5 acres immediately north were transferred for use as a wildlife sanctuary.
- The Department of Environmental Management, declared in 2018 that in the future South Gould should be open for public recreation outside bird nesting season as part of the planned Bay Islands Park System.
- The Department of Environmental Management has requested the US Army Corps of Engineers to perform an extensive physical hazard remediation
- The US Army Corps of Engineers has stated that their legal authority under the Formerly Used Defense Sites program is limited and does not allow them to perform an extensive physical remediation without additional US Congressional authorization and funding.
- The office of US Senator Reed has called for “local and state partners ... to coalesce around a plan and shared commitment” for the future recreational use of South Gould before additional Federal funds can be secured for a more extensive remediation.

Therefore Be It Resolved That:

- The Council requests that the Department of Environmental Management prepare a plan for public recreation on the southernmost 16.9 acres of Gould Island
- The Council requests that the Department of Environmental Management provide funding for development of such plan in their FY2024 budget.
- The Council requests that the Department of Environmental Management collaborate with the Town of Jamestown to ensure that such plan provide for:
 - Removal of the wildlife sanctuary deed restriction
 - Remediation of physical hazards to enable public access
 - Provision of potable water and sanitary facilities
 - Creation of transportation infrastructure to enable public access
 - Construction of fencing or other separation from the wildlife sanctuary to the north
 - Provision of transportation and emergency services
- The Council authorizes the Town Administrator to coordinate with The Department of Environmental Management in the development the plan and the presentation of the plan to the Federal Delegation for the purpose of securing Federal funding.
- The Council authorizes the Town Administrator to transmit this Resolution to the Department of Environmental Management, to the Federal Delegation and to other interested municipalities for the purpose of securing their support.

November 7, 2022 Proposal for Jamestown Town Council Resolution to Bay Area Municipalities on RIDEM Plan Request

Whereas:

- The Town of Jamestown has requested that the Rhode Island Department of Environmental Management develop a Plan to provide public recreation on the southernmost 16.9 acres of Gould Island, as described in the attached Town Council Resolution ##-###, dated xxxxxxxx.
- The Rhode Island Federal Delegation has expressed willingness to seek Federal funding for development of public recreation on South Gould Island, subject to development of an acceptable Plan from RIDEM and the Town of Jamestown and subject to the demonstration of public support for the Plan within Rhode Island.

Therefore Be It Resolved That:

- The Council requests that other Narragansett Bay Area Municipalities join Jamestown in advocating for the use of 16.9 acres of Gould Island for public recreation
- The Council requests that other Narragansett Bay Area Municipalities join Jamestown in sending resolutions to RIDEM requesting preparation of a Plan for public recreation on Gould island as requested by the Federal Delegation
- The Council further requests that other Narragansett Bay Area Municipalities request that RIDEM submit the Plan to the Rhode Island Federal Delegation for the purpose of securing Federal Funding for the Plan

November 7, 2022 Proposal for Jamestown Town Council Resolution to Bay Area Municipalities on RIDEM Plan Request

Whereas:

- The Town of Jamestown has requested that the Rhode Island Department of Environmental Management develop a Plan to provide public recreation on the southernmost 16.9 acres of Gould Island, as described in the attached Town Council Resolution ##-###, dated xxxxxxxx.
- The Rhode Island Federal Delegation has expressed willingness to seek Federal funding for development of public recreation on South Gould Island, subject to development of an acceptable Plan from RIDEM and the Town of Jamestown and subject to the demonstration of public support for the Plan within Rhode Island.

Therefore Be It Resolved That:

- The Council requests that other Narragansett Bay Area Municipalities join Jamestown in advocating for the use of 16.9 acres of Gould Island for public recreation
- The Council requests that other Narragansett Bay Area Municipalities join Jamestown in sending resolutions to RIDEM requesting preparation of a Plan for public recreation on Gould island as requested by the Federal Delegation
- The Council further requests that other Narragansett Bay Area Municipalities request that RIDEM submit the Plan to the Rhode Island Federal Delegation for the purpose of securing Federal Funding for the Plan



Resolution of the Town Council

No. 2022-14

A RESOLUTION TO RIDEM REQUESTING A PLAN FOR SOUTH GOULD ISLAND PUBLIC RECREATION

WHEREAS the State of Rhode Island owns the southern 39 acres of Gould which are administered by the Rhode Island Department of Environmental Management

WHEREAS the Federal Government transferred that property to the State of Rhode Island in two tranches: In 1975, the southernmost 16.9 acres were transferred for the purpose of public recreation, which restriction was subsequently removed and replaced with a wildlife sanctuary restriction, and then, in 1989, 22.5 acres immediately north were transferred for use as a wildlife sanctuary.

WHEREAS the Department of Environmental Management, declared in 2018 that in the future South Gould should be open for public recreation outside bird nesting season as part of the planned Bay Islands Park System.

WHEREAS the Department of Environmental Management has requested the US Army Corps of Engineers to perform an extensive physical hazard remediation

WHEREAS the US Army Corps of Engineers has stated that their legal authority under the Formerly Used Defense Sites program is limited and does not allow them to perform an extensive physical remediation without additional US Congressional authorization and funding.

WHEREAS the office of US Senator Reed has called for “local and state partners ... to coalesce around a plan and shared commitment” for the future recreational use of South Gould before additional Federal funds can be secured for a more extensive remediation.

NOW, THEREFORE, BE IT RESOLVED the Town Council of Jamestown requests that the Department of Environmental Management prepare a plan for public recreation on the southernmost 16.9 acres of Gould Island

And the Town Council of Jamestown requests that the Department of Environmental Management provide funding for the development of the such plan in their FY2024 budget.

And the Town Council of Jamestown requests that the Department of Environmental Management collaborate with the Town of Jamestown to ensure that such a plan provides for:

- Removal of the wildlife sanctuary deed restriction
- Remediation of physical hazards to enable public access
- Provision of potable water and sanitary facilities
- Creation of transportation infrastructure to enable public access
- Construction of fencing or other separation from the wildlife sanctuary to the north
- Provision of transportation and emergency services

And that the Town Council of Jamestown The Council authorizes the Town Administrator to coordinate with The Department of Environmental Management in the development of the plan and the presentation of the plan to the Federal Delegation for the purpose of securing Federal funding.

And that the Town Council of Jamestown authorizes the Town Administrator to transmit this Resolution to the Department of Environmental Management, to the Federal Delegation, and to other interested municipalities for the purpose of securing their support.

This resolution takes effect upon passage.

By Order of the Jamestown Town Council

Nancy A. Beye, President

IN WITNESS WHEREOF, I hereby attach my hand and the official

Seal of the Town of Jamestown this ____ day of November 2022.

Roberta J. Fagan, Town Clerk



Town of Jamestown
Resolution of the Town Council

No. 2022-15

A RESOLUTION TO REQUEST OTHER NARRAGANSETT BAY AREA MUNICIPALITIES JOIN THE TOWN OF JAMESTOWN IN SUPPORT OF THE REQUEST TO RIDEM FOR THE SOUTH GOULD ISLAND PUBLIC RECREATION PLAN

WHEREAS the Town Council of Jamestown has requested that the Rhode Island Department of Environmental Management develop a Plan to provide public recreation on the southernmost 16.9 acres of Gould Island, as described in the attached Town Council Resolution 2022-14, dated November 7, 2022.

WHEREAS the Rhode Island Federal Delegation has expressed willingness to seek Federal funding for development of public recreation on South Gould Island, subject to the development of an acceptable Plan from RIDEM and the Town of Jamestown and subject to the demonstration of public support for the Plan within Rhode Island.

NOW, THEREFORE, BE IT RESOLVED the Town Council of Jamestown requests that the other Narragansett Bay Area Municipalities join Jamestown in advocating for the use of 16.9 acres of Gould Island for public recreation.

And the Town Council of Jamestown requests that other Narragansett Bay Area Municipalities join the Town of Jamestown in sending resolutions to RIDEM requesting the preparation of a Plan for public recreation on Gould island as requested by the Federal Delegation.

And the Town Council of Jamestown requests that other Narragansett Bay Area Municipalities request that RIDEM submit the Plan to the Rhode Island Federal Delegation for the purpose of securing Federal Funding for the Plan.

This resolution takes effect upon passage.

By Order of the Jamestown Town Council

Nancy A. Beye, President

IN WITNESS WHEREOF, I hereby attach my hand and the official

Seal of the Town of Jamestown this ___ day of November 2022.

Roberta J. Fagan, Town Clerk

Jamestown
City or Town

State of Rhode Island

Board of Licensing Commissioners

Application for License by Corporation, Independent or Caterer

Retailer Class:

F (beer/wine) -or- F1 _____ (full bar)
*Liability Insurance Policy MUST accompany this form upon submission**

Date of Event: 11/11/22 Hours of Event: 5-8pm

Location of Event: Out of the Box Gallery 11 Clinton Ave.

Name of Applicant: Casey Weidust Jamestown RI 02835

DBA: _____ Applicants Phone #: _____
[Redacted phone numbers]

Does applicant have a draft system? YES -or- NO

Will Entertainment be provided? YES -or- NO

Has an Entertainment License been requested and/or applied for? YES -or- NO

Does Applicant Own Premise? YES -or- NO Is Property Mortgaged? YES -or- NO

Is Property Leased? YES -or- NO Is Property Town Owned? YES -or- NO

Name Address, Phone # and Date of Birth of all Corporation Officers:

President: _____ Vice President: _____

Secretary: _____ Treasurer: _____

See attached

Classes of Stock: (attach additional sheet if necessary)

Amount of Each Authorized: _____ Amount of Each Issued: _____

Names and Addresses of All Registered Owners of Each Class and Amount Owned:

If any of the above stock is hypothecated or pledged provide details:

If application is on behalf of undisclosed principal or party in interest, give details:

Have any Officers, Board Members or Stockholders ever been arrested or convicted of a crime? YES -or- **NO** (if Yes explain): _____

Is any other business to be carried on in Licensed Premises? YES -or- **NO** (if Yes explain): _____

Is any Officer, Board Member or Stockholder engaged in any manner as a Law Enforcement Officer? YES -or- **NO** (if Yes explain): _____

Is Applicant or any of its Officers, Board Members or Stockholders interested directly or indirectly, as principle or associate, or in any manner whatsoever, in any retail license issued under Chapter 3-7 of the General Laws of Rhode Island, 1956, as amended? If yes, explain.

Is Applicant the owner or operator of any other business? YES -or- **NO** If yes, explain: _____

State amount of capital invested in the business: _____

I hereby certify that the above statements are true to the best of my knowledge and belief.

Caserta
Applicant

10-28-22
Date

Caserta
Corporation Owner/Caterer

10-28-22
Date

Eileen R. Echevarria 10/28/22

Witness of Licensing Board or Notary Public Date of Witness or Notary Public

Eileen R. Echevarria
Notary Public, State of Rhode Island
My Commission Expires 07/01/2025

Instructions for Corporation Applicants

1. Every question on the Application Form must be answered. Any false statement made by the Applicant will be sufficient grounds for the denial of the application or the revocation of the license in case one has been granted.
2. Corporations having 25 or more stockholders need not file a list of the names and addresses of stockholders (question #8).
3. Attention is called to the requirements of the 1963 amendment of Section 3-5-10 of the General Laws.
 - a. All newly elected officers or directors must be reported to the Board of License Commissioners within 30 days.
 - b. Any acquisition by any person of more than 10% of any class of corporate stock must be reported within 30 days.
 - c. Any transfer of 50% or more of any class of corporate stock can be made only by written application to the licensing board subject to the procedures for a transfer license.

(Copy Shall Be Forwarded To Liquor Control Administration By Town Clerk)

Town of Jamestown, Rhode Island
Board of License Commissioners
Alcoholic Beverage License Application

As part of the application process for a liquor license in the Town of Jamestown, the Alcoholic Beverage Licensing Commission of said town conducts an investigation to determine if the applicant has ever been convicted of any crime in this state or any other state. The applicant acknowledges the same, and consents to the investigation by the Commission or its designee, including the Jamestown Police Department, and the release of any information relating to a past criminal conviction of the applicant by any federal, state or municipal source to the Commission or its designee.



Signature of Applicant: Casey [Signature]

For Office Use Only

Certificate of Liability Insurance: _____

F License Fee (Beer/Wine): \$15.00

Date Paid: _____

F1 License Fee (Full): \$35.00

Date Paid: _____

Approval: Please Sign & Date

Chief of Police: _____

Fire Chief: _____

Zoning Official: _____

Water & Sewer Clerk: _____

Tax Collector: _____

Public Works Director: _____

This application has been GRANTED/DENIED by the Jamestown Town Council at a meeting held on the _____ day of _____, 20____ for the day of the event to be held on: _____;

Location: _____

Issued: _____

Roberta J. Fagan, Town Clerk

Please keep this license on hand for the duration of the event

RECEIVED:
SEP 28, 2022 12:52 PM
Robert J. Fagan
TOWN OF JAMESTOWN Town Clerk



TOWN OF JAMESTOWN

One Day Event/Entertainment Application

Previously approved
Modified to provide alcohol.

\$5.00 Application Fee

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: (if applicable) IRISH EYES

Date of Event: Nov. 11, 2022 Hours of Event: 5-8pm

Location of Event: 11 Clinton Ave Number of people attending: 20-30

Name of Applicant/ Business: Out of the Box STUDIO & Gallery

Mailing Address: 2 Hammett Ct. Business [REDACTED]

List the type of entertainment being requested, if applicable (Band, DJ, etc.) _____

Who will the event benefit? Members of the community - OOTB artists

Type of Operation: (Private, State Sponsored, Non-Profit) Non Profit

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): _____

If the applicant is a Non-Profit organization, is it registered with the _____

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50

All vendor/peddlers must submit an application to the Town Clerk's Office

What types of items will be sold at this event? _____

Will alcohol be provided and/or served at this event? If yes, Alcohol Liability Insurance must be provided Yes No

Will traffic control be needed? Yes No

If yes, Please contact the Jamestown Police Department

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property, naming the Town of Jamestown as an additional Certificate Holder.

Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

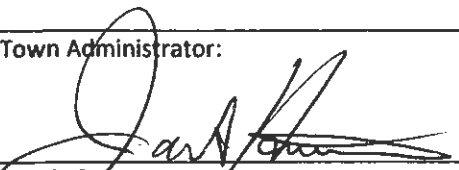
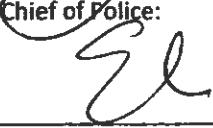


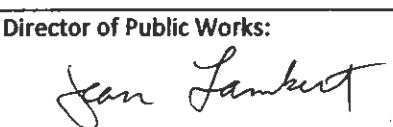
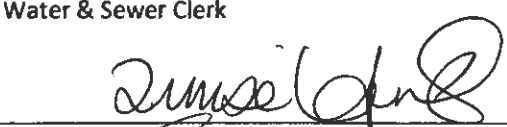

Signature of Applicant: [Signature]

Please attend the Town Council meeting on the _____ day of _____, 20____ for Council review.

Modified 10/21/2022

For Office Use Only

For Approval: Please sign & date

Department	Date	
Town Administrator: 	10/6/22	
Chief of Police: 	10/4/22	
Fire Chief: 	9.29.22	
Zoning Official: 	9.29.22	
Director of Parks & Recreation: _____		
Director of Public Works: 	9.29.22	
Water & Sewer Clerk 	9/29/22	
Tax Collector 	9/28/2022	

This application has been GRANTED/DENIED by the Jamestown Town Council at a meeting held on the 3 day of Oct, 20 22 for the event scheduled for: (date) 11/11/22 (time) 5-8:00 with a location of 11 Clinton Ave
 Issued: 10/11/22 Roberta J Fagan

Roberta J. Fagan, Town Clerk

Please keep this license on hand for the day of the event.



RECEIVED:
NOV 17 2012 01:54 PM
ROBERT J. FAZON
TOWN OF JAMESTOWN Town Clerk

TOWN OF JAMESTOWN

One Day Event/Entertainment Application

\$5.00 Application Fee

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous function (please explain)
Film Screening

Name of Event: (if applicable) Newport Film - All the Beauty and Bloodshed

Date of Event: 11-17-22 Hours of Event: 6-8pm

Location of Event: 18 Valley St Number of people attending: 125

Name of Applicant/ Business: Jamestown Arts Center

Mailing Address: P.O. Box 97 Business Phone #: 401-560-0979
Jamestown, RI 02835 Email Address: [REDACTED]

Contact Person: Mawson Coleman Phone Number: 401-480-2232

List the type of entertainment being requested, if applicable (Band, DJ, etc) _____

Who will the event benefit? JAC

Type of Operation: (Private, State Sponsored, Non Profit): Non-Profit

R.I. Show Promoter's Permit Number, per RI GL § 44-19-1, (if applicable): _____

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: C [REDACTED] Non-Profit ID #: [REDACTED]

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50

All vendor/peddlers must submit an application to the Town Clerk's Office

What types of items will be sold at this event? _____

Will alcohol be provided and/or served at this event? If yes, Alcohol Liability Insurance must be provided Yes No

Will traffic control be needed? Yes No

If yes, Please contact the Jamestown Police Department

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property, naming the Town of Jamestown as an additional Certificate Holder.

Certificate of Insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

Signature of Applicant: _____

Please attend the Town Council meeting on the _____ day of _____, 20____ for Council review

Class A License



State of Rhode Island
Department of Business Regulation
Liquor Section



Caterer Class P License

Bartending By Dennis Inc DBA _____ of **Rhode Island**

has been granted this, a retailer's beverage license Class P, under §3-7-14.2 Title 3 of the Rhode Island General Laws, authorizing the holder hereof within the State of Rhode Island, to keep for sale and to sell at a premises, beverages for consumption on the premises of a catered event.

This license expires at midnight on 12/01/2022 and be good throughout the State of Rhode Island, and it shall be kept at the licensed premises and a copy of this license shall be in possession of the licensee at all catered events where such beverages are sold.

This license is subject to such conditions, rules and regulations as the Department has established or shall in the future establish, and to the terms and provisions of Title 3 of the General Laws of Rhode Island.

IN WITNESS WHEREOF, the Associate Director has caused this license to be issued and authenticated by his or her signature.

LICENSE NUMBER:

DATE OF ISSUANCE: 11/08/2021

ASSOCIATE DIRECTOR

Subject to terms set forth on attached Exhibit A.



TOWN OF JAMESTOWN

One Day Event/Entertainment Application

Oct 20, 2022 10:11 AM
Roberta J. Fasan
TOWN OF JAMESTOWN Town Clerk

\$5.00 Application Fee

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: (if applicable) Christmas Bazaar

Date of Event: Dec 3, 2022 Hours of Event: 10am-3pm

Location of Event: St. Mark church basement Number of people attending: N/A

Name of Applicant/ Business: St. Mark Church

Mailing Address: 60 Narragansett Ave Business Phone #: 401 423 1421

Jamestown, RI 02835 Email Address: secretary@stmarkjtn.org

Contact Person: Marlene Murphy Phone Number: [REDACTED]

List the type of entertainment being requested, if applicable (Band, DJ, etc.) N/A

Who will the event benefit? St Mark parish ministries

Type of Operation: (Private, State Sponsored, Non-Profit): Non profit

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): N/A

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: [REDACTED] Non-Profit ID #: _____

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50

All vendor/peddlers must submit an application to the Town Clerk's Office

What types of items will be sold at this event? handmade, greenery arrangements, white elephant gift items, baked goods

Will alcohol be provided and/or served at this event? If yes, Alcohol Liability Insurance must be provided Yes No

Will traffic control be needed? Yes No

If yes, Please contact the Jamestown Police Department

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property, naming the Town of Jamestown as an additional Certificate Holder.

Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

Signature of Applicant: Rev. Douglas Grant

Please attend the Town Council meeting on the _____ day of _____, 20____ for Council review.



TOWN OF JAMESTOWN

One Day

Event/Entertainment Application

RECEIVED
NOV 22 10:12 AM
TOWN OF JAMESTOWN TOWN CLERK

\$5.00 Application Fee

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures

Please complete the following information:

- Seasonal Event
- Parade (sidewalk only)
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: (if applicable) Ugly Sweater Sidewalk Parade & Fashion Show
 Date of Event: 12/17/22 Hours of Event: 11AM - 1 PM
 Location of Event: Village + Rec Center Number of people attending: unavailable @ this time
 Name of Applicant/ Business: Jamestown Chamber of Commerce
 Mailing Address: P.O. Box 35 Business Phone #: 423-3650
Jamestown, R.I. 02835 Email Address: village@jamestownri.com
 Contact Person: Joan Goldstein Phone Number: [REDACTED]

List the type of entertainment being requested, if applicable (Band, DJ, etc.) _____

Who will the event benefit? Community

Type of Operation: (Private, State Sponsored, Non-Profit): Non-Profit

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): _____

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: [REDACTED] Non-Profit ID #: [REDACTED]

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50

All vendor/peddlers must submit an application to the Town Clerk's Office

What types of items will be sold at this event? _____

Will alcohol be provided and/or served at this event? If yes, Alcohol Liability Insurance must be provided Yes No

Will traffic control be needed? Yes No

If yes, Please contact the Jamestown Police Department

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property, naming the Town of Jamestown as an additional Certificate Holder.

Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

Signature of Applicant: Joan Goldstein

Please attend the Town Council meeting on the _____ day of _____, 20____ for Council review.

Town Administrator

93 Narragansett Avenue

Jamestown, Rhode Island 02835-1199

401-423-9805

Email: jhainsworth@jamestownri.net



Jamie A. Hainsworth
Town Administrator

MEMORANDUM TO: Honorable Town Council
FROM: Town Administrator, Jamie A. Hainsworth
DATE: November 7, 2022
SUBJECT: Report for Town Council Meeting November 7, 2022

Reservoir Level and Consideration of Present Restrictions, Agenda Water and Sewer Commission: As of October 24th, the north reservoir water level was at forty-seven inches (47) below the spillway. At the previous Water and Sewer Commission meeting there was discussion about relaxing some of the conservation restrictions on outdoor water uses.

I thought it may be helpful for you to have the current daily demands on the limited supply. The plant pumped 157,000 gallons on Friday the 21st, 160,000 gallons on Saturday the 22nd and 178,000 gallons on Sunday the 23rd. The average weekday for the past month has been 158,000-160,000 per day. This past summer uses for many weekend days were just above 300,000 gallons. Typically, during our peak season, the use is about double our average off peak daily demand. With the recent rainfall we are now able to transfer water from South Pond to North Pond to offset the daily demand without impacting supply. Our reservoir is now rising and increasing our storage volume which will continue through the winter and spring.

Event application Chamber of Commerce: The Jamestown Chamber of Commerce in cooperation with the Recreation Department, is organizing holiday events and requesting permission to conduct the following:

Saturday, December 10th - Holiday Wreath Decorating at Fort Getty for families and other civic groups (for example, Seniors, Scouts, JAC etc.) The event is open to the public with prior sign ups, and is limited to 25 groups. Participants will supply decorations for the wreath making with solar lighting provided by the Chamber. The Chamber has requested permission to hang the wreaths with names of families/groups on the decorative light poles on Narragansett Avenue. There are 25 designated poles. The Chamber has arranged for TPG Marina as a sponsor. Michael Gray will design and coordinate the method of hanging the wreaths.

Saturday, December 17th - Ugly Sweater Parade and Fashion Show. All ages will be invited to participate. Participants meet at the Fire Station and parade into town (possibly led by Lew Kitts firetruck, if available). They will walk on the sidewalk around Veteran's Square and cross the street at the crosswalk and then enter the Recreation Center for the Fashion Show. Voting will take place at that time and winners announced for various categories. They expect it to be no more than ten minutes for the parade from start to finish.

Jamestown Library Relocation during construction: The Library has temporarily closed to the public as of October 24th. The Staff has begun packing in preparation for the renovation. The Department of Public Works is assisting in emptying the building of its contents. A small portion of the items will be moved to the clubhouse for the temporary library which is expected to open on November 7th. A large amount of the items will be stored in a container at the former Ambulance Building parking lot on Knowles Court. Additionally, the School Department facilities staff has begun moving approximately 1300 boxes of books and supplies that will be stored at the school.

Hull Street CRMC Right of Way (ROW)# G-6: In August of 2021, an abutting property owner conducted some excavation and clearing on their property as well as encroaching onto this ROW. The Town was notified and soon learned this work would have required a CRMC assent and also learned none was issued. CRMC and the Town issued a cease-and-desist order to the abutting owners and have since worked with CRMC to have the area restored in accordance with the coastal feature regulations. The abutting owner submitted a restoration plan, including a soil erosion control for their property and the ROW properties, which was approved. The initial erosion control methods were soon completed; however, the restoration planting and the pathway had not been completed. This past week the DPW staff completed the approved restoration plan. The ROW path has been restored and signs supplied by CRMC will complete this project within the next week. The Town will pursue reimbursement for this work from the abutters.

Spindrift CRMC Right of Way (ROW) #G-4: Several neighbors in the area of the Spindrift ROW requested some work be done to the walking path. After reviewing with staff and Anne Kuhn Hines, chair of the Conservation Commission. We submitted a maintenance application to complete the work in accordance with the regulations. CRMC approved the application. This past week the maintenance staff from Park and Recreation began cutting the brush for the 6-foot-wide path and will erect a sign clearly marking the path for the general public use.

Covid 19 Testing update: From October 11, 2022 to October 28th there have been Fifteen (15) new positive covid-19 cases reported with a total of 1339 for Jamestown, according to the RI Department of Health.

RECEIVED:
 OCT 24 2022 11:57 AM
 Roberta J. Fagan
 TOWN OF JAMESTOWN Town Clerk

October 24, 2022

Nancy A. Beye, President
 Mary E. Meagher, Vice-President
 Erik G. Brine, Member
 Michael G. White, Member
 Randall White, Member

RE: Jamestown Town Ordinance Chapter 14, Buildings and Regulations, Article V – Short Term Rentals.

On August 22, 2022, the Town Council approved a new ordinance to regulate Short Term Rentals (STRs) in Jamestown. At that time, members of the Council stated their willingness to revisit provisions in the ordinance. Since then, a group of STR owners have formed to review the ordinance and its potential impact. Members of this group (see signers at end) have had discussions with some of you as well as with our Town Planner, Lisa Bryer and our Town Administrator, Jamie Hainsworth. These discussions have generally been very helpful in expanding our understanding of the intent and provisions of the ordinance.

Using Town Council minutes and Jamestown Press accounts, our review of the long process in writing the ordinance appears to show over time the provisions in the STR ordinance became progressively more restrictive, charged higher registration fees, and required more record keeping than when the process started and considerably greater than similar STR ordinances in surrounding communities.

Our objective in writing this communication is simply to affect some very reasonable changes to the ordinance, many of which will significantly reduce the administrative burden on the town. Our suggestions, which we hope to have the ability to present in person at the November 7th Town Council Meeting, appear below:

1. **Sec. 14-82. Para f):** Definitions.

Change sought: Strike “a business entity and/or trust is not defined as a resident for the purposes of this ordinance.”

Rationale: A consistent point raised throughout the drafting process was the desire to prevent out-of-town owners from unduly profiting on local short-term rentals. As written, the ordinance unduly penalizes locally owned STR properties that may be titled as LLCs or Trusts for various reasons (e.g., because they are owned with other family members, for insurance and estate planning purposes, or to account for other important issues attendant to the property.

2. **Sec. 14-82. para g):** Definitions.

Change sought: Exempt Owner Occupied Dwellings

Rationale: Surrounding communities exempt owner occupied STRs. An owner sharing a bedroom or two in their home, is distinctly different from renting an entire dwelling

and is much like having friends or family visit. The benefit to the community of having year-round residents sharing a part of their home contributes to the sustainability of Jamestown. This distinction is not trivial and should be treated as such.

3. **Sec. 14-83. para a)** Registration, Inspections, and License.

Change Sought: Strike all words and reference to “license” and “Licensing Authority.” Reword this paragraph to read: “Every Short-term Rental Unit shall obtain a compliance certificate and shall be registered by the record property owner with the Registrar. The Registrar, upon receipt of the compliance certificate will issue a **permit** for the record property owner to rent the Short-term Rental Unit.”

Rationale: The requirement to license a Short-term Rental Unit adds a wholly unwarranted and unduly lengthy administrative layer to the process that does not exist in any other STR ordinance in surrounding communities. Licensing, as written in the ordinance, requires the Registrar to “place all completed applications on a Licensing Authority agenda for consideration, discussion, and potential action” and to “cause an advertisement to be made no less than two (2) weeks prior to the date selected for the License Authority meeting containing the list of applications...”. These provisions also establish an immense record keeping requirement for town officials to manage and enforce. In addition, the licensing requirement requires a public hearing be made “available to any person so requesting to make comment or contest any Short-term Rental application pending before the License Authority” which extends the registration process beyond any reasonable period. Obtaining a **permit** to offer a Short-term Rental Unit obviates these excessive and undue requirements.

4. **Sec. 14-83. para b)** Registration, Inspections, and License.

Change Sought: Strike all words and any references to, “State Building Codes.”

Rationale: As written, the ordinance would require all STR units to conform to 2022 building codes. This would require many existing STR units to be remodeled, something surely the Town Council did not intend. Existing STR units have the required Certificate of Occupancy and that should be sufficient for the purposes of this ordinance. Further, **none of the STR ordinances in surrounding communities have the requirement to conform to current state building code.**

Change Sought: Strike the words, “but not limited to smoke and C.O. detectors are installed and compliance with the State Fire Code for dwelling units and Short-term Rental units and to determine the number of off-street and on-street parking spaces available.”

Rationale: This verbiage is repetitive of the already stated purpose of the inspection.

5. **Sec. 14-84. para a)** Compliance certificate, registration and license forms.

Change Sought: Strike the word and any reference to “license” in the title of this section. Provide wording that identifies the specific “relevant and appropriate information as deemed necessary to constitute compliance with the relevant provisions this ordinance”.

Rationale: The specific “relevant and appropriate information” deemed necessary needs to be articulated in this section to prevent subjective or different interpretation of the ordinance’s requirement that may be contrary to the ordinance’s intent.

6. **Sec. 14-84. para c)** Compliance certificate, registration and license forms.

Change Sought: Replace the word “license” with “permit”.

Rationale: As argued in para 3 above, requirement to license a Short-term Rental Unit adds a wholly unwarranted and overly lengthy administrative layer to the process that does not exist in any other STR ordinance in surrounding communities. Obtaining a **permit** to offer a Short-term Rental Unit obviates these excessive and unnecessary requirements.

7. **Sec. 14-86. para a).** Registration and License Fee.

Change sought: Reduce annual registration and license fee to \$50 annually. Replace the word “license” with “permit”.

Rationale: The Jamestown fee is three to fourteen times higher than registration and permitting fees charged by neighboring communities. Middletown (Host Compliance contracted) is \$55 for each bedroom in the unit with a minimum fee of \$55 and \$55 per dwelling fee, regardless of the number of bedrooms for an owner occupied dwelling; Narragansett (proposed) is \$120 registration fee and \$75 per bedroom - owner occupied exempt; Portsmouth (Host Compliance contracted) is \$130 including inspection (broken down as \$100 registration and \$30 inspection) - owner occupied exempt; Westerly is \$50.

As written Jamestown will collect between \$80,000 and \$110,000 annually from registration fees and STR taxes. That amount is in addition to the more than \$100,000 Jamestown has already received from the State over the past four years (not including 2022) from the 1% STR tax levied on all STRs. The only justification that seems to have been considered was the recommendation by the outside STR consulting firm, Host Compliance, that a “significant fee” be charged.

8. **Sec. 14-87. para b):** Maximum number of occupants per room.

Change sought: Exclude children under the age of twelve.

Rationale: The intent of this provision is to prevent the overloading by adults of a rental unit beyond its capacity. Children under 12 don't cause this problem.

9. **Sec. 14-88. para c):** Owner Obligations:

Change Sought: Strike “and any tenants or guests” from the first sentence and strike “and for 90 (ninety) days thereafter;” from the second sentence. Replace “owner and/or local representative” with “the hosting platform” in the first and second sentences.

Rationale: This requirement is extraordinarily excessive and unreasonable. Hotels and other commercial lodging are not required to acquire and hold the personal information of every occupant or guest in their premises. Also, there are strict privacy laws that likely will be violated by such excessive collection and retention of **Protected Personal Information (PPI)** by non-government officials. [Rhode Island General Laws 11-49.3-2, Risk-based information security program]. Currently all hosting platforms including real estate agencies do background checks and maintain identification information for the principal signatory for the short-term lease. Jamestown police have the necessary authority to acquire identification of any other individuals involved in a disturbance. It should be noted that Narragansett has withdrawn this requirement in their rental ordinance regarding college students due to outcries from the public over concerns about privacy and the protection of PPI.

10. **Sec. 14-89. para a).** Posting of Notice by Owner.

Changes sought: Reword this section to state: “Owners shall provide tenants with an internet link to all applicable town regulations” (content to be made available by the Town of Jamestown if not already available). And,

Strike: “lease and registration form to be readily available for inspection by police”

Rationale: As written, this section requires owners to post more pages of town regulations than there is wall space in the rental unit to post them. A similar requirement in Middletown, RI, **requires an STR owner to post over one hundred pages** of town ordinances in the rental unit [www.middletownri.com/DocumentCenter/View/722/Midd-Short-Term-Rental-Rules]. Almost all the information required by this section is or can be stipulated in rental contracts that are written with specific and clear warnings about excessive noise, limitations on the size of gatherings, occupancy limit, etc. Town ordinances not covered in the STR contracts can easily be made available to tenants online. Water conservation is a seasonal consideration wholly dependent on the weather and almost exclusive to the summer season; posting this information is excessive and for most of the year non-applicable. Trash pickup and recycling are always part of a tenant information sheet given to each renter upon occupying the premises. For what purpose is there a need for the “lease and registration form to be readily available for inspection by police”?

11. **Sec. 14-90. para c).** Local Representative.

Change Sought: Change the time required to respond to the police or other town official from 2 hours to 4 (four) hours.

Rationale: There are innumerable reasons why people must turn off their phones during the day for more than a couple of hours. Four hours is more than enough time for owners or their representative to respond to **non-emergency issues** that would be raised by the police or town officials regarding tenant behavior. Police records from the past four years show that every issue that has arisen with short-term tenants has been resolved immediately on the spot without further action needed.

12. **Sec. 14-90. para d).** Local Representative.

Change sought: Allow the owner to provide more than one point of contact.

Rationale: Changing the point of contact every time the owner or representative leaves town puts an unnecessary burden on the administrative system. Instead of requiring the owner to change the designation of the local representative on the registration, change the ordinance to allow owners to provide the name and phone number of the backup representative if they can't be reached. The onus of having someone available to respond within 4 hours doesn't change.

13. **Sec.14-93.** Limits on Short-term Rental Units.

Change sought: Strike this section in its entirety.

Rationale: This section violates state law (Title 42 State Affairs and Government, chapter 63.1, Tourism and Development, R.I. Gen. Laws 42-63.1-14 Offering residential units through a hosting platform.) Recently, the town solicitor for Middletown informed their town council that Newport's ordinance limiting STR's violated state law and any such provision in the Middletown ordinance would certainly be challenged and overturned in court.

(See: www.newportri.com/story/news/local/2022/05/04/middletown-short-term-rentals-ban-nixed-attorney-warns-state-law/9625885002/).

In addition to these specific changes, The Jamestown STR group recommends the Town Council review of the STR Inspection and Registration. In particular, Sections 14-83, 14-84, 14-85 and 14-88 raise several questions:

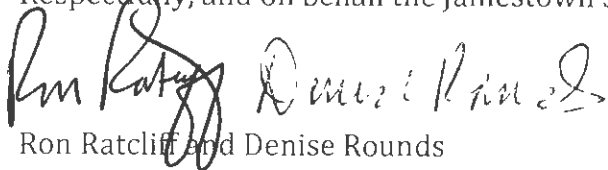
- a. What is the fee for the inspections conducted by the Building Official and Jamestown Fire Marshall?
- b. Is the compliance certificate in effect for two years?
- c. What is the effective date of the compliance certificate?
- d. If the compliance certificate is issued during the calendar year to satisfy the October 1st rental registration form deadline, will it then expire on December 31st and be required to be renewed annually?
- e. Is an owner required to complete and submit two forms to the Registrar, a rental registration form and a permitting application, or are they one and the same?
- f. Will the Registrar provide the necessary rental registration and **permit** (as written) for the premises to attach to the short-term rental unit agreement?

The Jamestown STR group also recommends the Town Council consider changing all inspection requirements to a **"self-certification" process** rather than bringing in an outside inspector. The rationale for this is two-fold: First, currently Jamestown does not have the capacity within the Fire Department or Building Inspector's Office to take on the additional work that will be required by this ordinance. Second, the Town of Jamestown, through the inspection regimen required by this ordinance, will automatically become a liable party to any lawsuit that might arise from the certifications issued by the Town pursuant to the STR ordinance. Self-certification, with the requirement to adhere to clearly

stated Jamestown requirements will address both issues and put the onus for compliance on the owner and not on the Town.

Finally, the Jamestown STR Ordinance still contains several references to parking restrictions that need to be removed to reflect the intent of the Town Council when it passed the ordinance. [Sec 14-83 para b) Registration, Inspection and license; Sec 14-89 para a) Posting of Notice by Owner; Sec 14-90 para b) Local Representative.]

Respectfully, and on behalf the Jamestown STR Group members listed below,



Ron Ratcliff and Denise Rounds

Enclosure (1) Supporting Information
Enclosure (2) Shapiro Letter to Jamestown Council

Jamestown STR Group Members:

- Hali Beckman
- David Clancy
- Nancy Cresser
- Wayne Cresser
- Robin Foote
- Jeffrey Gravidahl
- Mark Holland
- Cynthia Long
- Hugh Maxwell
- Katherine Maxwell
- Molly McDonough
- Peter Muckell
- Brenda Ratcliff
- Ron Ratcliff
- Paul Raterron
- Alyce Robinson
- Denise Rounds
- Nancy Sall
- Kerry Sheehan
- Paula Shevlin
- Connie Slick
- Barbara Lee Trout
- Vivi Valentine
- Paul Vodola
- Andy Wassel
- Ron Wassel
- Ross Williams

Jonilee Zimmerman
Bo Zimmerman
Susan Zwick
Howard Zwick

Cc: The Jamestown Press

Enclosure (1)

Supporting Information for Recommended Changes to Jamestown Short Term Rental Ordinance

The recommended changes to the Jamestown STR Ordinance have been informed by the following observations of the several years' process that preceded its passage in August 2022. Please know that short-term rental owners generally support regulation of Jamestown's STR market, but seek regulations that are reasonable and fair, that reflect the unique nature of Jamestown's housing rental market and are in line with the ordinances that have been passed in neighboring municipalities.

As reported in the minutes of the Town Council meetings and covered in the Jamestown Press, the requirements of the various drafts of the STR ordinance over the past eighteen months seemed to grow progressively more restrictive and administratively burdensome. Despite warnings from members of the planning commission and the town solicitor that many of the provisions were becoming too severe, restrictive, and, in some cases, in violation of state law, those warnings appeared to go unheeded as the Town Council strove to pass an ordinance before the 2023 rental season. The ordinance was presented to the public with one week's notice and passed in a single evening without an opportunity for all that wished to speak to be heard. While several individuals spoke against provisions of the ordinance and some modifications were made, the inability to have a back-and-forth debate resulted in many contentious issues going unchallenged, despite being worthy of further consideration as described below.

In January 2020 the Town Planner and planning commission were directed to work "expeditiously" on the STR ordinance. According to the Jamestown Press, both the council and Town Planner expressed their desire to include the public in their discussions. Unfortunately, the desire to include the public was significantly constrained by the State's prohibition on all in-person public meetings, limiting them to electronic forums only. The unintended consequence of that prohibition was to practically eliminate any input from the public. Instead, work on the ordinance proceeded with little opportunity for the larger public to participate in that process.

Over the past seven years, much has been said in Town Council meetings that STRs have been "a source of noise, congestion, disruption and disorderly behavior" and that they have "disturbed the repose, comfort, and quiet enjoyment of people in their homes." Yet, scant evidence has ever been presented to substantiate those claims. A review of articles in the Jamestown Press from 2014 to present, shows only three complaints were raised at Town Council meetings: one in 2014 for noise at an East Shore Road residence; one in 2015 for noise at a Seaside residence; and one in 2019 by a Green Lane resident who complained the high turnover of short-term renters was "causing a negative impact to her neighborhood."

A review of Jamestown police records for the past four years shows local residents, not short-term renters, were responsible for almost all noise and disturbance complaints. Specifically, for the period 2019 to present day, Jamestown Police logs show 162 noise and disturbance complaints were made to the police of which local residents were responsible for 95 percent (153) of them. Of the 9 noise complaints attributed to short-term renters, 2

Enclosure (1)

Enclosure (1)

occurred in 2019, 4 in 2020, 2 in 2021 and 1 so far in 2022. None of the complaints made about short-term renters resulted in citations and all were resolved on the spot. To put those complaints in perspective, when one considers that Jamestown STRs provide roughly 10,000 “rental days” over the course of a year, 2 incidences of noise or disturbance by short-term renters equates to 1 such complaint for 5,000 days of STRs.

Jamestown is not Newport or Narragansett where short-term renters have been an acknowledged major and chronic problem over the years. Unlike those municipalities, Jamestown attracts a much different clientele, primarily comprised of families with young children and older and more affluent guests, all looking for a quiet vacation near the ocean. Our tenants are neither the college students of Narragansett or the nightlife crowd of Newport. They are often-time extensions of families already living in Jamestown that want a quiet and peaceful vacation experience.

It has been speculated that STRs are responsible for the lack of long-term rentals and affordable housing in Jamestown. These observations are at best a theory based on limited studies that have not proven to be conclusive. A review of studies on the impact of STR’s on housing markets provides no evidence that communities who have limited or eliminated STRs have improved either the availability of long-term rentals or the affordability of housing. What is clear, however, is that every community’s housing market and STR posture is unique. This point was raised in a letter to the Town Council in 2021 by Dan Shapiro, a retired local real estate agent who specialized in the Jamestown rental market for eighteen years, both with long-term as well as short-term rentals. He explained in detail why it is a false assumption that STRs in Jamestown were causing a lack of long-term rentals and affordable housing. [See Enclosure (2)].

The contention that Jamestown has been beset with “commercial interests” that are buying up available properties and turning them into hotel-like rentals has not been supported by any in-depth study. That is not to say there are no incidences of such activity, but such activity is neither wholesale or so pervasive to justify claims it is causing serious harm to the character of Jamestown’s neighborhoods or limiting long-term rentals and affordable housing. We believe that the vast majority of short-term rentals are locally-owned and operated by individuals who have only one such property.

In 2019, Tina Collins, the interim town manager, informed the Town Council her offices had been communicating with **Host Compliance**, after receiving the 2016 Seaside noise complaint about Jamestown’s STR market. To our knowledge, the extent of these interactions has never been shared with the public. The only description made by Collins was that Host Compliance was a company that encouraged “a significant registration fee as a mechanism to *support program costs and enforcement staffing*” [emphasis added]. When researching Host Compliance, they boast that “...customers are able to recover more revenue from the STR market by increasing regulatory tax and permit compliance. In fact, many customers are seeing 5-20 times the return on investment from their STR program.” No information has ever been provided to the public about what services Host Compliance would provide or its associated costs. Clearly these companies have a vested interest in having Jamestown levy “a significant registration fee.” Importantly, the Town Council

Enclosure (1)

Enclosure (1)

discussion of fees has made no mention of the tax revenue Jamestown is already receiving annually from the State from the one percent tax paid on all STRs. According to town records, over \$100,000 has been received to date for the years 2018-2021. Since this revenue stream is a direct result of STR's, we believe it is logical and reasonable that it be used to fund the costs of administering the ordinance.

Concern for the "health, safety, and welfare of the community" has often been cited as one of the major reasons an STR ordinance was needed in Jamestown. Notably absent from that discussion was any mention of a similar concern for persons who have long-term rentals. The omission of such concern for long-term renters, arguably the most vulnerable to these issues, contradicts the rationale for including them as a basis for the inspections of STRs required by the Jamestown ordinance. This further begs the question, why are homes that are rented for one day longer than STRs not subject to the same level of scrutiny?

Finally, often lost in the discussion of STRs is an appreciation for the magnitude of spending in local business by short-term renters. Arguably, tourism is the #1 source of revenue for the business community in Jamestown. It provides a wide variety of employment opportunity for our residents. Each year short term renters provide Jamestown businesses with their three most lucrative months during the year. The group's research has found that neither the Town or the Jamestown Chamber of Commerce have tried to assess the economic impact on local businesses of curtailing or eliminating STRs in Jamestown. If one were to take the rough estimate that Jamestown has 10,000 rental days annually and apply a conservative estimate of family spending of \$100 a day, that equates to \$1 million being spent in Jamestown by short-term renters. We should not forget and appreciate that short-term rentals have been a part of the fabric of this community for longer than any of us can remember.

The group recognizes the STR market has grown as both a consequence of increased demand for summer vacation locations and the appearance of online platforms that have made it easier for consumers to find those locations. The recommendations provided for changes to the Jamestown STR Ordinance are presented with full appreciation for the need to have regulations to ensure the Jamestown STR market is administered properly with the interests of everyone in the community.

In closing, again, the information provided above is not intended to criticize the hard work expended by all involved to draft a completely new ordinance. Rather, it is intended to provide the perspective of those who will be impacted who believe the final product falls short of fairly representing the interests of all involved. The Jamestown STR ordinance is much more restrictive, charges higher registration fees, and requires record keeping that is considerably greater than similar STR ordinances presently under consideration or recently passed by surrounding communities.

Enclosure (1)

Enclosure (2)

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 an issue for those who teach in our schools, serve on our police department and most importantly, volunteer on our fire

Enclosure (2)

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 expenses.

The most affordable Island homes are non-waterfront or without water views 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 “affordable” 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

Title 42

State Affairs and Government

Chapter 63.1

Tourism and Development

R.I. Gen. Laws § 42-63.1-14

§ 42-63.1-14. Offering residential units through a hosting platform.

(a) For any rental property offered for tourist or transient use on a hosting platform that collects and remits applicable sales and hotel taxes in compliance with § 44-18-7.3(b)(4)(i), §§ 44-18-18, and 44-18-36.1, cities, towns or municipalities shall not prohibit the owner from offering the unit for tourist or transient use through such hosting platform, or prohibit such hosting platform from providing a person or entity the means to rent, pay for or otherwise reserve a residential unit for tourist or transient use. A hosting platform shall comply with the requirement imposed upon room resellers in § 44-18-7.3(b)(4)(i) and § 44-18-36.1 in order for the prohibition of this section to apply. The division of taxation shall at the request of a city, town, or municipality confirm whether a hosting platform is registered in compliance with § 44-18-7.3(b)(4)(i).

(b) Any short-term rental property listed for rent on the website of any third-party hosting platform that conducts business in Rhode Island shall be registered with the department of business regulation. The registration shall provide the information necessary to identify the property pursuant to subsection (d) of this section. For purposes of this section, the term "short-term rental" means a person, firm, or corporation's utilization, for transient lodging accommodations, not to exceed thirty (30) nights at a time.

(c) The department of business regulation shall contact all hosting platforms who list property in Rhode Island on their website for rent and who submit hotel taxes to the division of taxation and shall provide notice of the registration requirement, pursuant to this section, instructing the hosting platforms to notify their listed properties to register with the department of business regulation by December 31, 2021 or be subject to fines pursuant to § 42-63.1-14.1.

(d) The state registration pursuant to this section shall include:

- (1) The principal place of business of the owner, or if outside the state, the agent for service of process or property manager for the owner;
- (2) The phone number of the owner of the property and/or property manager;
- (3) The email address of the property owner and/or property manager;

- (4) The address of the rental property;
 - (5) The number of rooms for rent at the property;
 - (6) Whether the registrant rents or owns; and
 - (7) Intended use (entire space, private room or shared space).
- (e) The assigned registration number shall consist of numeric and alpha characters, the alpha characters shall correspond to the city/town where the property is located and shall be uniform for the remaining properties in said city/town.
- (f) The department of business regulation shall notify all hosting platforms to contact all listed properties by December 31, 2021, to ensure compliance with this section and if the listed properties are not duly registered after six (6) months, the hosting platform shall remove the property listing from its website.
- (g) The department of business regulation shall promulgate rules and regulations to correspond with and enforce this section and § 42-63.1-14.1 and may charge a registration fee to property owners registering with the department pursuant to this section.
- (h) The department of business regulation shall create an online database to store all registered short-term rental units, and each unit shall have an online identification number in said database to correspond with subsection (e) of this section.
- (i) Any owner of the property who fails to register with the department of business regulation as prescribed herein and lists the property as a short-term rental on a hosting platform website shall be subject to a civil fine as follows:
- (1) Two hundred fifty dollars (\$250) for the first thirty (30) days of non-compliance;
 - (2) Five hundred dollars (\$500) for between thirty-one (31) and sixty (60) days of non-compliance; and
 - (3) One thousand dollars (\$1,000) for more than sixty (60) days of non-compliance.

History of Section.

P.L. 2015, ch. 141, art. 11, § 3; P.L. 2021, ch. 425, § 1; P.L. 2021, ch. 429, § 1.

RECEIVED:
OCT 25, 2022 01:18 PM
Roberta J. Fasan
TOWN OF JAMESTOWN Town Clerk

14 Harbor Street
Jamestown RI 02835

October 25, 2022

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

RE: Short-Term Rental Ordinance

Dear Nancy,

Your interest in listening to our group of year-round Jamestown residents is needed. You should have received your copy of our specific ordinance concerns along with supporting data and a copy of the state law that were delivered to the town office yesterday. It is important for us to be heard.

We respectfully request to be included on the agenda of the November 7, 2022 Town Council Meeting.

Sincerely, and with all due respect,


Denise Rounds



Fire Incentive/Tax Abatement Plan proposal: 2022/2023

Tax abatement Program:

Any "member in good standing" is eligible for an annual tax abatement from the Town of Jamestown.

A "member in good standing" is when an individual member meets the following criteria:

- A. Actively participates in 24 JFD training sessions, approved outside training classes or approved outside continuing education courses.
- B. Responds to a minimum of twenty percent (20%) of the total fire incidents during the previous award year.
- C. Any active member who qualifies as a member in good standing will receive a property tax abatement if they own property or the cash equivalent.
- D. Any active member of the Department who has completed twenty-five (25) "member in good standing" years of service and has reached age (55) shall receive an annual \$ 2,000.00 property tax abatement or the cash equivalent if they do not own property.
- E. Any active member of the department who retires after July 1, 2022, and who has completed twenty-five (25) "member in good standing" years of service and has reached age (55) shall receive an annual \$ 2,000.00 property tax abatement or the cash equivalent if they do not own property. This benefit is transferable to a surviving spouse until they are deceased or re-marry.

Abatement Schedule:

Base Abatement Award:

1-9 years of service	=	\$ 1,000.00
10-19 years of service	=	\$ 1,500.00
20+ years of service	=	\$ 2,000.00

Total Maximum Abatement Award = \$ 2,000.00

Incentive/Call Member Program:

A member will receive \$ 25.00 for every call they respond to. A member will receive \$ 12.50 per hour for every call over two hours.

Members will be paid quarterly for the calls they respond to.



EMS Incentive/Tax Abatement Plan proposal:

Tax abatement Program:

Any "member in good standing" is eligible for an annual tax abatement from the Town of Jamestown.

A "member in good standing" is when an individual member meets the following criteria:

- A. Actively participates in 24 weekly training sessions, approved outside training classes or approved outside continuing education courses.
- B. Worked a minimum of 40 EMS shifts during the previous award year. A shift is defined as 6am-12pm, 12pm-6pm & 6pm-6am. Shift pay is \$ 7.50 per six-hour shift for EMTs and \$ 4.00 per six-hour shift for Drivers.
- C. Any active member of the Department who has completed twenty-five (25) "member in good standing" years of service and has reached age (55) shall receive an annual \$ 2,000.00 property tax abatement or cash equivalent if they do not own property (excludes training and shift requirements in A and B above.)
- D. Any active member of the department who retires after July 1, 2022, and who has completed twenty-five (25) "member in good standing" years of service and has reached age (55) shall receive an annual \$ 2,000.00 property tax abatement or the cash equivalent if they do not own property. This benefit is transferable to a surviving spouse until they are deceased or re-marry.

Abatement Schedule:

Base Abatement Award:

1-9 years of service = \$ 1000.00
10-19 years of service = \$ 1500.00
20+ years of service = \$ 2000.00

Total Maximum Abatement Award = \$ 2,000.00

Dual members of both Fire and EMS are only allowed to receive one (1) property tax abatement.

Incentive Call/Member Program:

There will be two (2) or three (3) Call/Member positions each shift:

EMT1 and EMT2 = EMTB or EMTC working in the EMT position

DRIVER = Certified Driver or EMT working in the Driver position

EMT1 and EMT2 = Will be compensated \$ 7.50 per six-hour shift

DRIVER = Will be compensated \$ 4.00 per six-hour shift

EMT 1 & the Driver will be compensated \$ 25.00 per call in addition to their shift incentive. Members responding to second or third EMS calls will also receive the \$ 25.00 per call incentive.

Members will be paid quarterly for the calls they respond to.

A N A C T
RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN

Introduced By: Representative Bruce J. Long

Date Introduced: May 24, 2005

is enacted by the General Assembly as follows:

SECTION 1. Section 1 of chapter 67 of the public laws of 1989, as amended, entitled "An Act Providing for Tax Relief for the Members of the Jamestown ~~Volunteer Ambulance Corps~~ Emergency Medical Services and Volunteer Fire Department" is hereby amended to read as follows:

The town council of Jamestown may, by ordinance, grant to every member of the Jamestown ~~Volunteer Ambulance Corps~~ Emergency Medical Services and the Jamestown Volunteer Fire Department, who is a citizen and resident of the town of Jamestown, and to the surviving spouse of any deceased member of the same, who is a citizen and resident of the town of Jamestown, on proper claim being made therefore, a tax exemption.

The town council of Jamestown may, from time to time, by ordinance, make such rules and regulations as they deem necessary to promote the purpose of this act.

The schedule of exemptions shall be as follows: An exemption not to exceed ~~fifty~~ seventy-five thousand dollars (~~\$50,000~~) (\$75,000) of the assessed valuation; and such exemption shall be in addition to any other exemption to which said person shall be entitled. Provided, however, that he or she shall have presented to the assessor a true and exact account of his or her taxable estate as provided for in title 44, chapter 5, sections 15 and 16 of the general laws of 1956, as amended, for the year for which exemption is claimed together with due evidence that he or she is so entitled to such exemption.

SECTION 2. Any ordinance or amendment to any ordinance passed by the town council of Jamestown to provide tax relief for the surviving spouses of deceased members of the Jamestown ~~Volunteer Ambulance Corps~~ Emergency Medical Services and/or the Jamestown Volunteer Fire Department shall become effective upon passage; provided, however, that said ordinance shall provide tax relief only for taxes assessed December 31, 1990, and thereafter; and further provided that such ordinance shall be preceded by a public hearing to be advertised.

SECTION 3. The question of the acceptance or rejection of this act shall be submitted to the qualified electors of said town, entitled to vote upon a proposition to impose tax or for the expenditure of money, at any special or regular financial town meeting to be held after the passage of the act, and no other action shall be taken under the authority of this act unless a majority of said electors voting on said question at said town meeting vote to accept this act.

However, any action taken in the year ~~2002~~ 2005 by the town meeting shall be as valid and effective as if this act were in effect at the time of issue, posting and publication of the warrant for such meeting and at the time of the taking such action.

The town clerk of the town of Jamestown shall forthwith after said town meeting certify to the secretary of state the result of this vote upon the question at the ~~2002~~ 2005 or a subsequent financial town meeting; any ordinance passed by the town council of Jamestown to provide tax relief for the spouses of deceased members of the Jamestown ~~Volunteer Ambulance Corps~~ Emergency Medical Services and Jamestown Volunteer Fire Department shall become effective upon passage, provided, however, that such ordinance adoption shall be preceded by a public hearing.

SECTION 4. This section and section 3 of this act shall take effect upon passage, and the remaining sections shall take effect if and when the electors of the town of Jamestown qualified to vote upon a proposition to impose a tax or for the expenditure of money vote to accept this act.

DIVISION 3. - JAMESTOWN FIRE DEPARTMENT

Footnotes:

— (3) —

Editor's note— Section 1(Exh. A) of an ordinance adopted June 18, 2012, amended div. 3 in its entirety to read as herein set out. Former div. 3, §§ 66-86—66-89 pertained to Jamestown Volunteer Fire Department Emergency Medical Services Company, and derived from the 1982 Code, §§ 7-41—7-44; the 2003 Code, §§ 66-86—66-89; an ordinance adopted Oct. 19, 2009, § 1; and an ordinance adopted June 20, 2011(2).

Sec. 66-86. - Definitions.

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

Due evidence means no abatement from taxation of property, as provided in this division, shall be allowed, except upon written application therefore, which application shall be on a form prescribed by the assessor and received by the tax assessor prior to March 15 of each tax year. The assessor may, at any time, inquire into the right of the claimant to an abatement under this division or any continuance of the abatement; and, for that purpose, he may require the filing of a new application or the submission of such proof as he shall deem necessary to determine the right of the claimant to an abatement in the original instance or any continuance of the abatement.

Life member means a member of the town fire department who has achieved life membership status, as such status is defined in the rules and regulations of the fire department and who has reached the age of 55 years. Should a member die before reaching their 55th birth date, and is otherwise qualified as a life member, their spouse shall commence receipt of the tax abatement in the year the life member would have attained the age of 55 years.

(Ord. of 6-18-2012, § 1(Exh. A))

Sec. 66-87. - Abatement.

The town council grants to every member of the Jamestown fire department, and to the surviving spouse of any deceased member of the same who satisfies the eligibility qualifications stipulated in the incentive policies adopted by the town and the fire department, which said policies shall be reviewed and approved by the town council annually, a tax abatement, on proper claim being made thereof, commencing in the year of adoption hereof, in the amount of \$700.00. Such abatement shall be in addition to any other abatement or pay incentive to which said person shall be entitled. Provided,

however, that such abatement shall not be allowed in favor of any person unless he or she shall have been certified by the fire department, in accordance with, established policies, rules and regulations of said organization for the year for which the abatement is claimed, together with due evidence that he or she is so entitled to such abatement. In the event that a person does not own property within the town of Jamestown or is unable to take advantage of said tax abatement for any reason, the cash equivalent shall be paid up to the amount earned.

(Ord. of 6-18-2012, § 1(Exh. A))

Editor's note— Public Laws of 1989, chapter 67, as amended by Public Law of 1992, chapter 4, authorizes the granting of the exemption adopted in this section.

Sec. 66-88. - Eligibility.

- (a) To qualify for a tax abatement the member or spouse of a deceased member must own one or more taxable real estate or other property within the town as of the date of assessment for the year for which the abatement is claimed. In the event that a person does not own property within the town of Jamestown or is unable to take advantage of said tax abatement for any reason, the cash equivalent shall be paid up to the amount earned.
- (b) For a member to qualify for an abatement under this division, he or she must be certified to be a member in good standing, , as defined in the policies, rules and regulations of the fire department.
- (c) A life member shall be entitled to an abatement under this division if he or she has been entitled to an abatement under this division for 13 years or he receives an abatement under this division for not less than one-half of the years remaining between the date life membership status is acquired and the effective date of the ordinance from which this division is derived, or he has achieved life membership status as of the effective date of the ordinance from which this division is derived.
- (d) Notwithstanding any language to the contrary, any retired life member currently receiving a tax abatement or cash equivalent shall continue to be eligible.

(Ord. of 6-18-2012, § 1(Exh. A))

Sec. 66-89. - Administration.

- (a) The town council shall appoint a compensation committee for the fire department. The committee shall consist of five persons, three of whom shall be members of the fire department and two persons who are not members. Each member shall serve for a three-year term.
- (b) Members shall be appointed for overlapping three-year terms so that no more than two membership terms will expire each year. In the event

of resignation during a term, the town council shall appoint a new member to fill the unexpired portion of the term. It shall be the duty of such committees to make annual recommendations to the tax assessor regarding the eligibility for an abatement under this division of each member. Pursuant thereto, such committees shall promulgate rules and regulations for the maintenance and safekeeping of such attendance records as are reasonably calculated to provide suitable evidence of eligibility under this division.

- (c) The town council may review and approve the rules, regulations and policies of the fire department annually for compliance with the terms and provisions of these sections.

(Ord. of 6-18-2012, § 1(Exh. A))

Secs. 66-90—66-105. - Reserved.



Office of the Town Planner MEMORANDUM

TO: The Honorable Town Council, Nancy Beye, President
Jamie Hainsworth, Town Administrator
FROM: Lisa W. Bryer, AICP, Town Planner
RE: Zoning Ordinance Amendment related to Cannabis
DATE: October 28, 2022

At the October 19 Planning Commission Meeting, the Commission voted unanimously to forward zoning ordinance amendments related to cannabis sections: 82-103, 82-301 and 82-1800 to Town Council for advertisement, public hearing and adoption. The amendments are as follows:

Additions to Sec. 82-103 Definitions

The following new definitions should be added.

Cannabis cultivator. As defined under Sec. 21-28.11-3(11) of the Rhode Island Cannabis Act, an entity licensed to cultivate, process and package cannabis, to deliver cannabis to cannabis establishments and to transfer cannabis to other cannabis establishments, but not to consumers.

Cannabis establishment. A cannabis cultivator, cannabis testing laboratory, cannabis product manufacturer, cannabis retailer, hybrid cannabis retailer or any other type of licensed cannabis-related business.

Cannabis product manufacturer. As defined under Sec. 21-28.11-3(14) of the Rhode Island Cannabis Act, an entity licensed to obtain, manufacture, process and package cannabis and cannabis products, to deliver cannabis and cannabis products to cannabis establishments and to transfer cannabis and cannabis products to other cannabis establishments, but not to consumers.

Cannabis retailer. As defined under Sec. 21-28.11-3(16) of the Rhode Island Cannabis Act, an entity licensed pursuant to § 21-28.11-10.2 to purchase and deliver cannabis and cannabis products from cannabis establishments and to deliver, sell or otherwise transfer cannabis and cannabis products to cannabis establishments and to consumers.

Cannabis testing laboratory. As defined under Sec. 21-28.11-3(17) of the Rhode Island Cannabis Act, a third-party analytical testing laboratory that is licensed annually by the commission, in consultation with the RI Department of Health, to collect and test samples of cannabis and cannabis products pursuant to regulations issued by the commission and is: (i) Independent financially from any medical cannabis treatment center or any licensee or cannabis establishment for which it conducts a test; and (ii) Qualified to test cannabis in compliance with regulations promulgated by the commission pursuant to this chapter.

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The term includes, but is not limited to, a cannabis testing laboratory as provided in § 21-28.11-11.

Hybrid cannabis retailer. As defined under Sec. 21-28.11-3(28) of the Rhode Island Cannabis Act, a compassion center licensed pursuant to chapter 28.6 of title 21 that is in good standing with the RI Department of Business Regulation and that has paid the fee pursuant to § 21-28.11-10 and has been authorized to sell non-medical or adult use cannabis to consumers.

Additions to Sec. 82-301 Uses and Districts

The following Use Category and Uses should be added to Table 3-1 Permitted Uses:

X. Cannabis Establishments

Cannabis retailer/hybrid cannabis retailer: Mark as 'N' for all districts, except mark as 'S' in the CD.

Cannabis cultivator: Mark as 'N' for all districts, except mark as 'S' in the RR-80.

Cannabis product manufacturer: Mark as 'N' for all districts, except mark as 'S' in the CD.

Cannabis testing laboratory: Mark as 'N' for all districts, except mark as 'S' in the CD.

The following should be deleted from Table 3-1 Permitted Uses:

Category G – Miscellaneous Retail, Use Code 14 (below) – prohibited in all zoning districts

Marijuana growing, processing, cultivating, testing, and sales, including but not limited to: marijuana compassion center; licensed marijuana cultivator; marijuana processing and testing; marijuana wholesale and retail sales. (Excludes state medical marijuana program for individual qualified patient cardholder, primary caregiver, and licensed medical marijuana cooperative).++

...

++ Uses as defined in G.L. 1956, § 21-28.6-3

New Article 18 Special Use Standards for Cannabis Establishments

Article 18. – Special Use Standards for Cannabis Establishments

Sec. 82-1800. - Cannabis establishments, by special use permit in certain zones as set forth in Sec. 82-301, shall be subject to the following requirements:

- (a) Pursuant to Sec. 21-28.11-17.1(b)(3) of the Cannabis Act, the proposed cannabis establishment must not be located within five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one through twelve (12). This distance shall be measured by a straight line from the

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- nearest property line of the premises on which the proposed cannabis facility is to be located to the nearest property line of the parcel on which the school is located.
- (b) The proposed cannabis establishment shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing cannabis and shall ensure that each location has an operational security/alarm system.
 - (c) The proposed cannabis establishment shall fully comply with all other licensing requirements and laws of the state.

Subsequent to this discussion and vote by the Planning Commission, further discussion ensued regarding the potential cannabis growing in the RR-80 zoning district which covers the majority of the north end, the dumplings and Beavertail. Specifically, the discussion surrounded the need for internal growing of cannabis and potential size of greenhouses and how this will significantly impact neighborhoods since these structures will be exempt from zoning as they are covered under the right-to-farm act. The Planning Commission agreed that Town Planner Bryer should forward the cannabis motion with a memo to the Town Council and the memo will mention the discussion regarding greenhouses.

C: Roberta Fagan, Town Clerk
Jamestown Planning Commission

TOWN COUNCIL MEETING MINUTES October 17, 2022

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on October 17, 2022. Town Council Members present were as follows: Nancy A. Beye, Mary Meagher, Michael G. White, Randy White, and Erik Brine

Also, in attendance: Town Administrator Jamie Hainsworth, Solicitor Peter Ruggiero, Police Chief Edward Mello, Finance Director Christina Collins, Public Works Director Michael Gray, Water and Sewer Clerk Denise Jennings, Senior Services Director Molly Conlon, and Town Clerk Roberta Fagan.

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

A motion was made by Vice President Meagher with a second by Councilor M. White to convene as the Town Council Sitting as the Board of Water and Sewer. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

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

- A) Approval of Minutes; Review, Discussion, and/or Action and/or Vote:
1) None

- 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

Report of Town Officials: Review, Discussion, and/or Action and/or Vote:

- 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

- C) Letters and Communication: Review, Discussion, and/or Action and/or Vote:
1) Copy of letter dated August 2, 2022, from Colin Walsh of 183 Narragansett

Ave. re: request for relief from the 06/22 Water and Sewer bill

- D) Unfinished Business: Review, Discussion, and/or Action and/or Vote:
 - 1) None
- E) New Business: Review, Discussion, and/or Action and/or Vote:
 - 1) None

The Board of Water and Sewer Commissioners recess and the Town Council continues the open session.

A motion was made by Vice President Meagher with a second by Councilor M. White to recess from sitting as the Board of Water And Sewer Commissioners. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

IV. 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

Jean Britton, 21 Pemberton Avenue, Unit 101. Ms. Britton made the request to the Town Council to consider improving the ambulance barn on Knowles Court and moving the Senior Center from the Grange. The Town has made improvements to the fire department, and golf course, and supported the planned renovations to the library. Parking on West Street currently is problematic. Ms. Britton would like a decent place for senior to eat and conduct the Senior center programs.

V. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS, AND PROCLAMATIONS

- 1) None

VI. PUBLIC HEARINGS, LICENSES, AND PERMITS

A motion was made by Vice President Meagher with a second by Councilor M. White to convene as the Town Council sitting as the Alcohol Beverage Licensing Board. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- A) **Town Council Sitting as the Alcohol Beverage Licensing Board**
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended.
 - 1) Review, Discussion, and/or Take Action and/or Vote for the following: To set the Alcoholie Beverage License limits for 2022-2023

A motion was made by Vice President Meagher with a second by Councilor M. White to approve setting the Alcohol Beverage License limits for 2022-2023. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

The Town Council Adjourn from Sitting as the Alcohol Beverage Licensing Board

A motion was made by Vice President Meagher with a second by Councilor M. White to adjourn from sitting as the Alcohol Beverage Licensing Board. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

B) Licenses and Permits

1) **One-Day Event/Entertainment License: All One-Day Entertainment license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:**

- a) Applicant: Out of the Box Studio and Gallery
 Event: Funhouse Closing Reception
 Date(s): October 28, 2022, 5 p.m.-8p.m.
 Location: 11 Clinton Avenue

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the one-day event license for the Funhouse Closing Reception on October 28, 2022, 5 p.m. – 8 p.m. at Out of the Box Studio and Gallery, 11 Clinton Avenue. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- b) Applicant: Out of the Box Studio and Gallery
 Event: Irish Eyes
 Date(s): November 11, 2022, 5 p.m.-8p.m.
 Location: 11 Clinton Avenue

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the one-day event license for Irish Eyes on November 11, 2022, 5 p.m. – 8 p.m. at Out of the Box Studio and Gallery, 11 Clinton Avenue. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- c) Applicant: Jamestown Arts Center
 Event: Newport Live with Dori Freeman
 Date(s): November 5, 2022, 7 p.m.-8:30p.m.
 Location: 18 Valley Street

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the one-day event license for Newport Live with Dori Freeman, November 5, 2022, 7 p.m. – 8:30 p.m. at the Jamestown Arts Center, 18 Valley Street. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- d) Applicant: Jamestown Arts Center
 Event: Newport Live with Erin McKeown
 Date(s): November 19, 2022, 7 p.m.-8:30p.m.
 Location: 18 Valley Street

A motion was made by Councilor M. White with a second by Vice President Meagher to approve the one-day event license for Newport Live with Erin McKeown, November 19, 2022, 7 p.m.-8:30 p.m., at the Jamestown Arts Center, 18 Valley Street. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- e) Applicant: Jamestown Arts Center
 Event: Newport Live with Alisa Amador
 Date(s): December 3, 2022, 7 p.m.-8:30p.m.
 Location: 18 Valley Street

A motion was made by Councilor M. White with a second by Vice President Meagher to approve the one-day event license for Newport Live with Lisa Amador, December 3, 2022, 7 p.m.-8:30 p.m., at the Jamestown Arts Center, 18 Valley Street. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- 2) One-Day Vendor/Peddler License: All One-Day Vendor/Peddler license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:
- a) Applicant: Catherine Potter/Newport Chowder Company, LLC (sub-applicant)
 Event: Halloween/Jamestown Police Department
 Date(s): October 31, 2022, 4 p.m.-8:00p.m.
 Location: Michelle Bush/Clinton Avenue

A motion was made by Councilor M. White with a second by Vice President Meagher to approve the one-day vendor/peddler license for Catherine Potter/Newport Chowder Company, LLC (sub-applicant), on October 31, 2022 from 4 p.m.-8 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; 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)

- A) Town Administrator's Report: Jamie A. Hainsworth
 1) Fort Getty Gate House Project

The construction for the Fort Getty Gatehouse and drive realignment will begin sometime after the last event of the season (Fright Night). Work will be done by our Public Works Department under the supervision of Michael Gray.

- 2) RI Department of Transportation review road projects

Earlier this month Councilors Beye, Meagher, members of the Staff and Town Administrator Hainsworth had a virtual meeting with RIDOT Road Works leaders. Pending projects and concerns on Jamestown state-owned roads were discussed. RIDOT shared the estimated time schedules for road improvements in Jamestown. There was a considerable amount of

discussion on improvements such as crosswalks, bike lanes, traffic calming designs, reconstruction and resurfacing. A subsequent meeting with the DOT traffic safety division to discuss several road safety project requests was arranged.

During the discussion of North Road (Great Creek area), DOT announced they would be hosting a multi-state Peer Exchange on Road Infrastructure Resilience on October.12th. The purpose of the peer exchange was to brainstorm with a diverse range of people working in transportation (planning and engineering), natural resources, hydrology, and coastal management and to gather insights and lessons learned from other jurisdictions regarding how infrastructure and nature-based solutions have been and could be used to increase the resilience of highways exposed to coastal hazards, including sea level rise.

Town Administrator Hainsworth along with Councilor Brine, met with the group on a site visit of North Road, at the Great Creek. Assessment of the conditions of the existing infrastructure in order to identify adaptation strategies and potential infrastructure improvements. RIDOT also considered nature-based solutions that would improve its resilience to ensure that it can continue operating, both now and in the future. The project timeline estimate as follows: design & permitting 2022-2025 and construction 2026-2028, completion 2029. The condition of the sea wall and issues on Conanicus Avenue were also discussed. However, at this time RIDOT has no plans for this section of roadway.

3) Reservoir Level

As of October 11th, the north reservoir water level was at forty-seven inches (47”) below the spillway. Notices in the Jamestown Press and use of roadside signs displaying restrictions will continue. Monitoring and water restrictions will remain in place until the north reservoir level goes below the forty-three-inch (43”) threshold.

VIII. UNFINISHED BUSINESS

- A) Review, Discussion and/or Action, and/or Vote:
1) None

IX. NEW BUSINESS

- A) Review, Discussion, and/or Action and/or Vote:
1) None

X. ORDINANCES, APPOINTMENTS, VACANCIES, AND EXPIRING TERMS

- A) Appointments, Vacancies, and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
1) Jamestown Affordable Housing Committee, One (1) vacancy with an unexpired term ending May 31, 2024
a) Letter of Interest
i) Gregory DiGasper

The Town Council made the request to interview Gregory DiGasper at 6:15 p.m on November 7th, 2022 just prior to the regularly scheduled Town Council meeting.

A motion was made by Vice President Meagher with a second by Councilor M. White to accept the Consent Agenda. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; 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 the 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) September 6, 2022(Regular Meeting)
 - 2) September 13, 2022(Executive Session)
 - 3) September 19, 2022 (Regular Meeting)
 - 4) October 3, 2022 (Regular Meeting)
 - 5) October 3, 2022 (Executive Session)
- B) Minutes of Boards/Commissions/Committees
- 1) Jamestown Affordable Housing Committee (September 7, 2022)
 - 2) Jamestown Planning Commission (August 17, 2022)
 - 3) Jamestown Planning Commission (September 21, 2022)
 - 4) Jamestown Zoning Board of Review (August 23, 2022)
- C) Tax Assessor's Abatements and Addenda of Taxes

ABATEMENTS TO THE 2022 TAX ROLL		
14-0210-00	UPDATED PROP INFORMATION	\$ 222.72
14-0392-70	UPDATED PROP INFORMATION	\$548.64
01-0355-00	UPDATED PROP INFORMATION	\$5304.34
ADDENDA TO 2022 TAX ROLL		
01-0305-00	UPDATED PROP INFORMATION	\$1776.94
05-0361-00	UPDATED PROP INFORMATION	\$2264.47
TOTAL ABATEMENTS TO 2022 TAX ROLL		\$6075.70
TOTAL ADDENDA TO 2022 TAX ROLL		\$4041.41

Communications were acknowledged

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 Email to: Jamestown Town Council
From: Connie Slick
Date: September 21, 2022
Re: Short-Term Rental Ordinance
 - 2) Copy of Letter to: Jamestown Town Council
From: Denise R. Rounds
Date: October 6, 2022
Re: Short-Term Rental Ordinance
 - 3) Copy of Email to: Town Clerk Roberta Fagan
From: Nancy K. Hendry

Date: October 5, 2022
Re: Short-Term Rental Ordinance

- 4) Copy of Email to: Town Administrator Hainsworth
From: Nick Bakios
Date: October 6, 2022
Re: Potters Cove and Jamestown Beaches
- 5) Copy of Email Invitation to: Jamestown Town Council
From: Samira Hakki/Rolling Agenda
Date: October 10, 2022
Re: Bike ride invitation
- 6) Copy of Email Invitation to: Jamestown Town Council
From: Beth Herman/ Jamestown Tree Protection & Preservation
Date: October 3, 2022
Re: Champion Tree Lecture and Tree Tour

A motion was made by Vice President Meagher to move into Executive Session- Board of Water and Sewer Commissioners with a second by Councilor M. White at 7:20 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

XIII. EXECUTIVE SESSION- BOARD OF WATER AND SEWER COMMISSIONERS

The Town Council Sitting as the Board of Water and Sewer Commissioners may seek to enter into Executive Session for review, discussion and/or potential action and/or vote on the following:

- A) The Board of Water and Sewer Commissioners: 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: CLP TRUST – 2016, by and through its Trustee, Joseph R. Paolino, Jr., vs. Town of Jamestown, C.A. No. 1:22-cv-00339

Discussion ensued.

The Board of Water and Sewer Commissioners adjourn from Executive Session and return to open session

A motion was made by Councilor M. White to seal the minutes and adjourn from Executive Session-Board of Water and Sewer Commissioners with a second by Vice President Meagher. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

It was announced that no votes were taken.

A motion was made by Vice President Meagher to move into Executive Session with a second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

XIV. EXECUTIVE SESSION- TOWN COUNCIL

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; Conanicut Marine Services, Inc. v. Town of Jamestown, use of East Ferry access point

The Town Council adjourn from Executive Session and return to open session

A motion was made by Councilor M. White to seal the minutes and adjourn from Executive Session with a second by Vice President Meagher. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

It was announced that no votes were taken.

The Town Council reconvenes the regular meeting.

A motion was made by Vice President Meagher with a second by Councilor M. White to adjourn at 8:56 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, aye; Councilor R. White, Aye.

XV. ADJOURNMENT

Attest:

Roberta J. Fagan, Town Clerk

**TOWN OF JAMESTOWN
SPECIAL FINANCIAL TOWN MEETING MINUTES
October 18, 2022**

Call to Order

Moderator Susan Romano calls the Special Financial Town Meeting to order at 7:43 p.m. in the Lawn Avenue Gymnasium, 55 Lawn Avenue, Jamestown and led the Pledge of Allegiance

Town Council members present:

Nancy A. Beye, President
Mary E. Meagher, Vice President
Erik G. Brine
Michael G. White
Randy White

Also in attendance:

Susan Romano, Town Moderator
Jamie A. Hainsworth, Town Administrator
Christina D. Collins, Finance Director
Edward A. Mello, Police Chief
Fred F. Pease, Town Sergeant
Lisa Sheley, Library Director
Peter D. Ruggiero, Town Solicitor
Roberta J. Fagan, Town Clerk

Library Board of Trustees members present:

Eugene Mihaly
Paul Houseberg
Peter Carson
Christopher Walsh
Devi Ross
Robert Flath
Marla Romash

Meeting Procedures and Voting Overview

Town Moderator Romano reviewed the meeting procedures and voting overview. There were 270 voters present at 7:43 p.m.

Vice President Meagher made a motion to waive the reading of the Warrant, with a second by President Beye.

Motion passes by a majority vote in the affirmative

Town Council President Nancy A. Beye

Moderator Romano introduced President Beye, who thanked Moderator Romano and all those assembled. She then introduced Library Board of Trustees Chair Eugene Mihaly.

Library Board of Trustees Chair Eugene Mihaly

Moderator Romano introduced Chair Eugene Mihaly, who thanked Moderator Romano and addressed the assembled voters:

Good evening/welcome. Tonight, is a pivotal moment – a culmination - of a project that has been developing intensely since 2018.

Specifically, we are here to vote on a \$600,000 bond which the Town will issue But the State of RI will pay for (as it will pay for the \$1.5 million bond we voted on in 2020).

This sounds paradoxical. Let me give brief background and explain the financial arrangement.

Even earlier than 2018, the library realized it faced two sets of issues: first, major mechanical and structural systems of the building were showing signs of impending failure; and the building was not configured to deliver the services that the community wanted and needed.

The 2018 bond of \$1 million was intended to repair the building and to make a start on reconfiguration. But it turned out that the repairs alone would cost close to \$1.5 million.

The library commissioned a fine design and launched a fundraising campaign. By 2020, with the passage of the \$1.5 million bond and heavy support from residents and foundations, we were fully funded and ready to go.

Then came Covid which stalled processing by the state. We lost two years. Then came inflation in construction and materials. A \$3.6 million project in 2020 became a \$4.99 million project in 2022.

Thanks to a major anonymous gift, we were left with a \$600,000 rather than \$1 million gap. That gap had to be filled if the project was to go forward and not be sent back to the drawing board next year.

Then the state came in with a decision to support the project to \$2.1 million. That covered the 2020 bond as well as the bond on the table tonight.

The state has supported library construction projects for years. Towns issue bonds; the state pays principle and interest for the life of the bonds.

So, our decision tonight does not involve town taxes. But it does involve a very, very important investment in the quality of life in Jamestown for years to come.

I urge a vote in favor of the bond

Chair Mihaly asks Library Director Sheley to say a few words.

Library Director Lisa Sheley

Library Director Sheley thanked the Library Board of Trustees and all those assembled for coming. She then asked the Jamestown Library staff to stand in recognition of their efforts.

Voting on the Warrant:

Resolution Number 1 - Appropriation For The Renovation, Repair, And/Or Expansion Of The Jamestown Philomenian Library Including Related Equipment Therefor And All Costs Incidental Thereto Through Issuance Of Bonds And/Or Notes not to exceed in the whole, the sum of Six Hundred Thousand (\$600,000.00) Dollars.

Moderator Romano stated she would entertain a motion on the Warrant.

A motion was made by Vice President Meagher with a second by President Beye to approve the Warrant.

Moderator Romano asked if there was any discussion and gave those assembled the opportunity to ask questions

Moderator Romano called for all those in favor please signify by saying yes.
Moderator Romano called for all those opposed please signify by saying no.

Motion passes by a majority vote in the affirmative.

Moderator Romano stated this concludes our business and called for a motion to adjourn.

A motion was made by Vice President Meagher with a second by Councilor Brine to adjourn.

Motion passes unanimously.

The Special Financial Town Meeting was adjourned at 7:52 p.m.

Attest:

Roberta J. Fagan, Town Clerk

**JOINT TOWN COUNCIL and
JAMESTOWN PHILOMENIAN LIBRARY BOARD OF TRUSTEES
SPECIAL METING MINUTES
October 21, 2022**

I. ROLL CALL TOWN COUNCIL MEMBERS

A special meeting of the Jamestown Town Council was held on October 21, 2022. Town Council Members present were as follows: Nancy A. Beye, Mary Meagher, Michael G. White, and Randy White. Erik Brine was absent.

Also, in attendance: Town Administrator Jamie Hainsworth, Solicitor Peter Ruggiero (via zoom), Library Director Lisa Sheley, Finance Director Christina Collins, Public Works Director Mike Gray, and Town Clerk Roberta Fagan.

II. ROLL CALL JAMESTOWN PHILOMENIAN LIBRARY BOARD OF TRUSTEES

Library Board of Trustees(LBOT) present were as follows: Eugene Mihaly, Robert Flath, Marla Romash, Devi Ross, Peter Carson, Paul Houseberg, and Christopher Walsh

III. CALL TO ORDER

Town Council President Beye called the meeting of the Jamestown Town Council to order at 4:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and led the Pledge of Allegiance.

IV. Review, Discussion and/or Action and/or Vote of the Jamestown Philomenian Library Board of Trustees:

- A) Recommendation of a bid award to the Jamestown Town Council for the Addition and Renovation to Jamestown Philomenian Library Project be awarded to the lowest responsive and responsible bidder, E.W. Burman, Inc. for a base bid sum of \$4,266,000 with the following Add Alternates as specified in the Bid Documents:
- Add Alternate #1 – Dumbwaiter for \$80,000
 - Add Alternate #2 – Roof Shingle for \$68,200
 - Add Alternate #3 – Membrane Roof for \$88,700
 - Add Alternate #4 – Roof Shingle for \$140,500
- This necessitates a total award of \$4,643,400.
- B) Recommend acceptance of the following unit costs as detailed in the bid received from E.W. Burman, Inc. that will be used as a basis for additions and deductions to the contract, as may be required during the life of the contract:
- 1) General and structural earth excavation

	by machine, depth less than 10 feet	\$250.00/ CY
2)	Hand Earth excavation less than 5'	\$107.00/ CY
3)	Trench and pit earth excavation and backfilling by machine on dry less than 6'	\$250.00/CY
4)	Dewatering, including pumps per 8 hour	\$1,500.00
5)	Extra backfill in place form site place by equipment	\$100.00/ CY
6)	Removal of excavated material from site	\$150.00/CY
7)	Removal of excavated rock from site	\$450.00/CY
8)	General Fill in place	\$100.00/CY
9)	Reinforcing steel in place Planner Lisa Bryer	\$2.00/Town

LBOT member Chris Walsh read the recommendations.

A motion was made by Chris Walsh with a second by Robert Flath to make recommendation A) and recommendation B) to the to the Jamestown Town Council. Vote: Eugene Mihaly, Aye; Robert Flath, Aye; Marla Romash, Aye; Devi Ross, , Aye; Peter Carson, , Aye; Paul Houseberg, Aye; and Christopher Walsh, Aye.

V. Review, Discussion and/or Action and/or Vote of the Jamestown Town Council:

A) Approval of Bid Award for the Addition and Renovation to Jamestown Philomenian Library Project to E.W. Burman, Inc.

1) Approval of bid award for the Jamestown Philomenian Library Addition and Renovation Project be awarded to the lowest responsive and responsible bidder, E.W. Burman, Inc., for a base bid sum of \$4,266,000 with the following Add Alternates as specified in the Bid Documents:

- Add Alternate #1 – Dumbwaiter for \$80,000
- Add Alternate #2 – Roof Shingle for \$68,200
- Add Alternate #3 – Membrane Roof for \$88,700
- Add Alternate #4 – Roof Shingle for \$140,500

This necessitates a total award of \$4,643,400.

B) Acceptance of the following unit costs by the Town Council as detailed in the bid received from E.W. Burman, Inc. that will be used as a basis for additions and deductions to the contract, as may be required during the life of the contract:

1) General and structural earth excavation

	by machine, depth less than 10 feet	\$250.00/ CY
2)	Hand Earth excavation less than 5'	\$107.00/ CY
3)	Trench and pit earth excavation and backfilling by machine on dry less than 6'	\$250.00/CY
4)	Dewatering, including pumps per 8 hour	\$1,500.00
5)	Extra backfill in place form site place by equipment	\$100.00/ CY
6)	Removal of excavated material from site	\$150.00/CY
7)	Removal of excavated rock from site	\$450.00/CY
8)	General Fill in place	\$100.00/CY
9)	Reinforcing steel in place Planner Lisa Bryer	\$2.00/Town

Memorandum from JPL Director Lisa Sheley and Public Works Director Michael Gray regarding the Jamestown Philomenian Library Addition and Renovation Project Bid Award

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the A) bid award for the addition and renovations and B) acceptance of unit costs for the addition and renovation to the Jamestown Philomenian Library Project. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

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
- B) Non-scheduled request to address

None.

VII. ADJOURNMENT OF THE JAMESTOWN PHILOMENIAN LIBRARY BOARD OF TRUSTEES

A motion was made by Eugene Mihaly with a second by Robert Flath to adjourn at: 4:34 p.m. Vote: Eugene Mihaly, Aye; Robert Flath, Aye; Marla Romash, Aye; Devi Ross, , Aye; Peter Carson, , Aye; Paul Houseberg, Aye; and Christopher Walsh, Aye.

Approved as amended
PLANNING COMMISSION MINUTES
October 5, 2022
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

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

Mike Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright, Secretary – arrived at 7:14pm.	Diane Harrison
Bernie Pfeiffer	Dana Prestigiacomo

Not present: Mick Cochran,

Also present:

Lisa Bryer, AICP – Town Planner
Carrie Kolb - Planning Assistant
Jeff Davis - Horsely Witten
David Petrarca, Jr., Esq. – Town Attorney with Ruggiero, Brochu & Petrarca
Patrick Freeman, PE, American Engineering
John Connors, Applicant 222 Beacon Ave
Christian Infantolino, Esq., Attorney for 35 Sloop Street

II. Citizen’s Non-Agenda Item - none

III. Correspondence

A. 91 Carr Lane Preliminary Plan Comprehensive Permit/ 3 Lot Subdivision Approval letter
Letter was recognized as received.

IV. New Business

1. **High Groundwater Table and Impervious Overlay District – Zoning Ordinance
Section 314 - Sub-district A review and recommendation to the Jamestown Zoning
Board:**
 - A. **35 Sloop, LLC; AP 3 Lot 471, 35 Sloop Street, Jamestown, RI - review, discussion
and/or action and/or vote**

Christian Infantolino, Esq., with Murphy Prior & Infantolino represented the applicant.

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A motion was moved by Commissioner Swistak and seconded by Commissioner Pendlebury to accept Patrick Freeman, PE, with American Engineering as expert witness. All in favor. Patrick reviews the site plans of 35 Sloop Street, AP 3 Lot 471. The site is within High Groundwater Subdistrict A. The existing house will be demolished and a slightly smaller dwelling will be built in its place. Freeman described the well, OWTS and the addition of a rain garden to meet a 10-year storm. The impervious lot coverage will be reduced from 20.1% to 17.9%.

Commissioner Swistak asked if they are using the existing foundation? Freeman answered that they are using part of the existing foundation.

Commissioner Pendlebury asked if there is a crawl space? Freeman answered there is.

Commissioner Pfeiffer asked what the chances of making the drive way into something pervious?

Freeman answered that they are not proposing to remove the driveway because it is existing.

Discussion ensued. Commissioner Pendlebury noted that other lots in High Groundwater District have removed their impervious driveways. Commissioner Swistak asked Infantolino if removing the driveway was non-negotiable? Infantolino answered that he has not been authorized to remove the driveway. Discussion on the improvements to the property ensued. The applicant called Infantolino, who received permission to accept the call in the hallway. Infantolino was authorized to remove the concrete driveway and the new figure for impervious lot coverage is 10.3%.

Commissioner Enright asked if the porches and decks are permeable? Infantolino said that this could be a condition of approval.

Motion moved by Commissioner Swistak and seconded by Commissioner Pendlebury as follows:

At the October 5, 2022 Planning Commission meeting, the Planning Commission voted unanimously to recommend to the Jamestown Zoning Board, approval of the application of 35 Sloop LLC, applicant: AP 3 Lot 471, 35 Sloop Street, Jamestown, RI; being reviewed under Zoning Ordinance Section 314 - High Groundwater Table and Impervious Overlay District Sub-District A review in accordance with the plans entitled "Town Submission for 35 Sloop, LLC., Located at AP 3 Lot 471, Jamestown RI" dated 9/1/22, and the supporting material prepared by American Engineering, Inc., 400 South County Trail – Suite A 201, Exeter, RI 02822, 401-294-4090.

The recommendation for approval is based on the following findings of facts and recommended conditions of approval as noted in the Memo from Jean Lambert, PE dated September 21, 2022 and amended at the Planning Commission meeting:

Findings of Fact Section 314

1. The property is 8,177 square feet (sf) in area;
2. The existing site is developed with a house, concrete driveway, concrete stairway and a utility pad (total existing impervious area is **1,650 sf or 20.1%**);
3. Topography on the lot slopes from south to north on the site;
4. There are no freshwater wetlands on the property;

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5. Soil evaluation results show that the site falls under **Sub-district "A"** requirements of the High Groundwater Table and Impervious Overlay District with 18" to the seasonal high-water table and 14" to impervious soil;
6. The maximum impervious cover allowed is **10.0% or 818 sf**;
7. The applicant is proposing to raze the existing house and rebuild a new house (843 sf) on a slightly different foundation;
8. The total proposed impervious cover will be **843 sf (10.3%), a decrease of 807 sf**;
9. The existing concrete driveway is to be removed and replaced by a permeable surface driveway;
10. A new advanced treatment OWTS (RIDEM #2115- 1472: Septitech to bottomless sand filter) is proposed. The OWTS permit is for 2-bedrooms and was issued on 7/15/2022;
11. A new rain garden is proposed. Although the applicant is proposing to decrease the impervious area on the site, **The existing site exceeds the allowable impervious cover area by 25 sf**;
12. Mitigation of the 10-year storm peak flow for the entire new 843 sf rooftop is provided. A rain garden with a total treatment volume of 224 cf is will be installed;
13. The applicant's representative Patrick Freeman, PE of American Engineering, Inc, was accepted as an expert witness, and present at the Planning Commission meeting representing the application before the Planning Commission on October 5, 2022;
14. Jamestown Engineer Jean Lambert provided correspondence to the Building File and Lisa Bryer, Town Planner dated September 21, 2022 regarding the application (attached);
15. The proposed project proposes a reduction in impervious surfaces on the site from 20.1% existing to 10.3%, a reduction of 9.8%. The site exceeds the 10% allowable impervious cover but otherwise complies with the requirements of the HGWT.
16. The addition of stormwater mitigation and replacing an old substandard OWTS is a positive addition to the site and surrounding area;
17. The applicant will utilize part of the existing foundation as part of the new construction and the existing house and the new dwelling will have a crawl space.

Recommended Conditions of Approval

1. Erosion and sediment controls must be installed at the down gradient limits of site disturbance and maintained until stabilization of the site is attained;
2. After installation, Maintenance and inspection of the existing OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance;
3. The rain gardens shown on the approved site plans must be installed and maintained as outlined on the notes on the approved site plan and the operation and maintenance plan. The Operation and Maintenance (O & M) Plan (reproduced in 8.5" x 11" for the stormwater mitigation (rain garden) shall be recorded in the Office of the Town Clerk with the Zoning Approval and evidence of such shall be provided to the Zoning Enforcement Officer as well as the Planning Department;
4. Any additional future site work including a change to the driveway surface that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance;
5. Plans will be updated and reflect that the existing concrete driveway will be removed and replaced prior to submitting to the Zoning Board;

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6. The applicant will confirm that the front and reach porches with no overhang are permeable and decks shall be permeable without lining;
7. Final review was completed administratively based on plan submitted 10/6/2022 illustrating removal of concrete driveway and replacing with crushed stone (attached).

So voted:

Commissioner Pendlebury - aye Commissioner Enright – aye
 Commissioner Harrison – nay Commissioner Pfeiffer – aye
 Commissioner Prestigiacomo - aye Commissioner Swistak - aye
 Motion carries: 6-0

B. John & Pamela Connors, AP 16 Lot 73, 222 Beacon Ave, Jamestown, RI - review, discussion and/or action and/or vote

Patrick Freeman, PE with American Engineering also represents the applicant John Connors, who was present. The applicant is seeking recommendation to Zoning Board. The proposal is to develop the site with a 2-bedroom house, crushed stone or permeable paver driveway, deck well and an advanced treatment OWTS. The total proposed impervious cover will be 1,440 sf or 10.0%. An existing 120 sq ft shed that was previously allowed under the HGWT Ordinance exemption in September 2020 will remain. A rain garden is proposed to provide water quality treatment and stormwater mitigation.

Discussion ensued regarding permeable driveway. Bryer stated that the applicant need to look at the permeable coefficient for the pavers, and work with Jean Lambert at the building phase to ensure the impervious lot coverage does not change.

A motion moved by Commissioner Swistak and seconded by Commissioner Rosemary as follows:

At the October 5, 2022 Planning Commission meeting, the Planning Commission voted unanimously to recommend to the Jamestown Zoning Board, approval of the application of John and Pamela Connors, applicant: 222 Beacon Avenue AP 16 Lot 73, Jamestown, RI; being reviewed under Zoning Ordinance Section 314 - High Groundwater Table and Impervious Overlay District Sub-District A review in accordance with the plans entitled "Town Submission for John Connors, Located at AP 16 Lot 73, Jamestown RI" dated 9/1/22, and the supporting material prepared by American Engineering, Inc., 400 South County Trail – Suite A 201, Exeter, RI 02822, 401-294-4090.

The recommendation for approval is based on the following findings of facts and recommended conditions of approval as noted in the Memo from Jean Lambert, PE dated September 21, 2022 and amended at the Planning Commission meeting:

Findings of Fact Section 314

1. The property is 14,400 square feet (sf) in area;

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2. The existing site is currently undeveloped. It is the site of the former Jamestown Shores “club house”. There is an existing shed on site;
3. Topography on the lot generally slopes to the northwest on the site towards Beacon Avenue;
4. There are no freshwater wetlands on the property;
5. Soil evaluation results show that the site falls under **Sub-district “A”** requirements of the High Groundwater Table and Impervious Overlay District with 18” to the seasonal high-water table and 60” to impervious soil;
6. The maximum impervious cover allowed is **10.0% or 1440 sf.**;
7. The applicant is proposing to develop the site with a house, crushed stone driveway, deck, well, and an advanced treatment OWTS (Septitech to bottomless sand filter: RIDEM #0215-0162). The OWTS permit for 2- bedrooms was issued on 8/11/2022;
8. The total proposed impervious cover will be **1440 sf or 10.0%**. An existing 120 sf shed that was previously allowed under the HGWT Ordinance exemption in September 2020 will remain;
9. A rain garden is proposed to provide water quality treatment and stormwater mitigation of new rooftop runoff. The required stormwater treatment volume for the new rooftop is 611 cubic feet (cf). The total proposed volume is 638 cf.;
10. The proposed impervious cover is **10.0%**. The maximum allowable impervious coverage is 10%. The rain garden provides treatment and mitigation for the new impervious rooftop in compliance with Section 314;
11. The applicant’s representative Patrick Freeman, PE of American Engineering, Inc, was accepted as an expert witness, and present at the Planning Commission meeting representing the application before the Planning Commission on October 5, 2022;
12. Jamestown Engineer Jean Lambert provided correspondence to the Building File and Lisa Bryer, Town Planner dated September 21, 2022 regarding the application (attached).

Recommended Conditions of Approval

1. Erosion and sediment controls must be installed at the down gradient limits of site disturbance and maintained until stabilization of the site is attained;
2. After installation, Maintenance and inspection of the existing OWTS shall continue as required by the Town Onsite Wastewater Management Ordinance;
3. The rain gardens shown on the approved site plans must be installed and maintained as outlined on the notes on the approved site plan and the operation and maintenance plan. The Operation and Maintenance (O & M) Plan (reproduced in 8.5” x 11” for the stormwater mitigation (rain garden) shall be recorded in the Office of the Town Clerk with the Zoning Approval and evidence of such shall be provided to the Zoning Enforcement Officer as well as the Planning Department;
4. Any additional future site work including a change to the driveway surface that increases the area of impervious coverage will require a review following the requirements of the High Groundwater Ordinance.

So voted:

Commissioner Pendlebury - aye	Commissioner Enright – aye
Commissioner Harrison – nay	Commissioner Pfeiffer – aye
Commissioner Prestigiaco - aye	Commissioner Swistak - aye

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Motion carries: 6-0

V. Old Business

1. Jamestown Zoning Ordinance update - review, discussion and/or action and/or vote

A. **Land Use Legislative Update concerning Accessory Dwelling Units, Cannabis, Required Education for Board Members and Quorum & Voting Changes from Ruggiero, Brochu & Petrarca**

B. **Legal Review of Accessory Dwelling Units, Cannabis and Zoning Board Quorum & Voting memos from Ursillo, Teitz & Ritch, Ltd. with Jeff Davis, Horsley Witten Group**

Petrarca and Davis presented together. Petrarca reviewed the changes to Accessory Dwelling Units (ADUs). ADUs can now be in primary structure or accessory structure. ADUs have a mandatory provision by-right in a primary owner-occupied residence for disabled family members or person 62 years of age or older or to accommodate other family members (which are not defined). Communities that permit ADUs shall not impose any excessive restrictions that are defined as: not limiting tenancy to familiar relationship, no unreasonable fees; require infrastructure improvements; impose unreasonable dimensional requirements, etc. ADUs shall be permitted by-right in any residential zone with a minimum lot size of 20,000 sq ft or greater. ADUs are to be included in a municipality low-and moderate-income housing attainment goals as a one-half unit. Municipalities are required to provide annual reports to the division of statewide planning on ADUs by February 1 of each year.

Davis stated that there is so much ambiguity with the law. The law will be interpreted differently by each town. He expects the law will be changed due to how it was written at the next session starting in January 2023. The question that is asked by towns: what do we do about this? Towns can choose to do nothing, which is not advised. Davis advised that Jamestown eliminate LMI/ADU and make some tweaks to the existing AFDU ordinance to comply with the new law.

Petrarca stated that that it is incumbent on Jamestown to decide: do you want to allow ADUs under the new law? It's an all or nothing proposition. The default is ADUs are not allowed. The Town has to take action to allow them. There are two types of ADUs are permitted by right in the new law: 1) a family ADU and 2) structure that is already existing within a zoning district over 20,000 sq ft. The law is not clear: 1) definition of family member and 2) any piece of land within a zoning district of 20,000 sq ft?

Davis stated that his interpretation is you can put in reasonable dimensional requirements and standards into the ordinance. The Town is not allowed to look at the ability to provide adequate water.

Commissioner Prestigiacomo asked about providing adequate septic? Petrarca replied if there is a sewer connection then go by bedroom count by DEM.

Bryer stated that it's the same as the existing ordinance, if the property is not on town water and sewer then the applicant needs to comply with bedroom count by DEM.

Commissioner Swistak asked if there was no restriction on who can occupy an ADU? Petrarca answered correct. Commissioner Swistak asked if any restrictions can be placed? Davis stated

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that you cannot explicitly place restrictions. Commissioner Swistak asked about renting for 12 months are year? Petrarca stated that the LMI section of the law needs a year-long lease but a standard ADU does not have any requirements.

Discussion ensued regarding the "existing structure" clause within the law. Existing structure is not defined. Davis views this as of July 1, 2022 and said to put that date in the ordinance. Petrarca gave an example of an applicant getting a permit to build a garage and once it is built coming in to get a permit to add a bathroom and kitchen, since it is an existing structure.

Commissioner Enright asks a question if a house could be cut in half and called a duplex? Davis said that the town can still have dimensional requirements and it is not unreasonable to say that you cannot do that. Bryer said that the current standard is that an AFDU is less than 33% of the total primary.

Commissioner Prestigiacomio asked Davis if Horsley Witten will come up with a proposal? Davis answered yes that this evening he wanted to get the feelings of the Commission. Bryer brought up that the short-term rental ordinance states that they are not permitted in accessory structures.

Bob Plain, 18 Calvert Place, Chair of the Jamestown Affordable Housing Committee stated that he thinks that ADUs are a good idea. This law was designed for the Jamestown's of the State because we have not met the minimum for affordable housing. He thinks the town has to be proactive and do something. He thinks that the lawmakers and the law are being vague because we are not doing enough. ADUs are a way to have police, fire fighters, servers as a way to live in the community.

Discussion about water and ADUs ensued. Commissioner Enright stated that there are water and sewer problems. The zoning in the shores area allows for ADUs. We can't do much about water. The big houses aren't able to produce the water that is needed. We have to link water and sewer to ADUs. Commissioner Prestigiacomio asked if we can link a series of guidelines or restrictions for water? Davis answered no.

Discussion ensued about what should be in the Jamestown ordinance. Davis stated that the Town should start with the new law minimums, look at the dimensional requirements, add the date in July 2022 for existing structures by right, add 20,000 sq ft zoning by right, and make some other tweaks.

Mandatory Continuing Education:

Petrarca stated starting in January 2023 the Commission will have to complete 3 hours of annual continuing education, and an hour of continuing education each year after that. He is checking if the presentation this evening will count towards the requirement.

Quorum and Voting Amendments

A simple majority of the board present is what is needed moving forward. As of January 1, 2023.

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Low- and Moderate-Income Housing Act

Petrarca stated the same voting rules for Quorum apply with simple majority of members present when a Board votes on LMI Housing.

Cannabis

Petrarca stated RI Cannabis Act passed. The Town has put the issue before the voters, and if it passes then the Town must have an Ordinance to address the four issues. Davis stated that Bryer asked him to draft a cannabis ordinance. There is not much wiggle room in this because all the definitions come from the state. There has to be at least one zone where things are allowed. CD District makes the most sense. Prohibiting within 500 feet of public and private schools is a pre-existing.

Commissioner Prestigiaco asked if public and private schools includes daycare? Can we add daycare? Davis replied – no it does not include daycare and daycare cannot be added.

Commissioner Swistak asked if the Town could have final approval of the ordinance before 12-1-22, the date that the State has given?

Petrarca stated that the State does not have the applications ready for use ready yet. Bryer said that if the Town is not ready with Zoning Ordinances by 12-1-22 then cannabis can go anywhere in the Town.

Commissioner Swistak gave the option for the Planning Commission to meet on November 9, the day after the referendum, instead of November 2.

Petrarca suggested that cannabis be on the next agenda timing of the proposed ordinance be discussed. Another option is for the Planning Commission to send proposed Zoning Ordinances to Town Council after meeting on October 19th and then the Town Planner will work with Town Clerk for advertising.

VI. Reports

1. Planner's Report –
 - Future meetings – topics and applications

Bryer gave the update that Mike Gray is returning as the Public Works Director. Peter Medeiros has been hired as the new Building Official and Zoning Officer. Medeiros comes from Little Compton and lives in Middletown and will start on October 11th.

The meeting on October 19th will have a presentation on the Jamestown Energy Plan and there will be time for discussion and review of Zoning Ordinance issues like ADUs and Cannabis.

VII. Approval of Minutes – review, discussion and/or action and/or vote

1. September 21, 2022

A motion was moved by Commissioner Pfeiffer and seconded by Commissioner Harrison to approve the minutes from September 21, 2022 as written. Commissioner Swistak and Commissioner Enright abstain from voting. All in favor.

VIII. Adjournment

A motion to adjourn at 9:34 pm was moved by Commissioner Enright and seconded by Commissioner Pendlebury. So unanimously voted.

Planning Commission Meeting
October 5, 2022
Page 9 of 9

Attest:

Carrie Kolb

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the September 27, 2022 Meeting

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

Richard Boren, Chair
Dean Wagner, Vice-chair
James King, Member
Jane Bentley, Member
Judith Bell, 1st Alternate
John Shekarchi, 2nd Alternate

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

MINUTES

Minutes of August 23, 2022

A motion was made by James King and seconded by Jane Bentley to accept the minutes of the August 23, 2022 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, James King, Jane Bentley, Judith Bell and John Shekarchi voted in favor of the motion.

Dean Wagner was not seated and Terence Livingston was absent.

CORRESPONDENCE

An e-mail stating that the Carlson application will be withdrawn from Mark Liberati, Esq. their attorney.

All other correspondence received was in reference to agenda items.

OLD BUSINESS

McGivney

The McGivney decision could not be acted on because there was not a quorum for this matter.

A motion was made by Richard Boren and seconded by Dean Wagner to continue the application of Mark & Betty Lou McGivney to the Oct. 25, 2022 meeting for the decision only.

The motion carried by a vote of 5 -0.

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

John Shekarchi was not seated and Terence Livingston was absent.

CYC

A motion was made by Richard Boren and seconded by James King to grant the request of Conanicut Yacht Club whose property is located at 24 Whittier Rd., and further identified as Assessor's Plat 8, Lot 352 for a variance from Article 3, Section 82-312, Lighting, Article 6, 82-605, 606, & 607 to the installation of new paddle court pole lighting system at a height of 23 feet instead of the required 15 feet.

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 condition:

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

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 2.32 acres.
2. The paddle courts were built approximately 24 years ago.
3. The present lighting is antiquated.

4. The present lighting can't be replaced.
5. The present lighting consists of 8-foot fluorescent tubes that are light polluters.
6. The paddle courts are used from October to April each year.
7. The courts shut off by timers at 9:00 pm.
8. The present lighting system is obsolete.
9. Replacement diffusers are no longer available.
10. The first option of replacing the current lighting system with LED lights will not reduce the light pollution into the neighbor's yard.
11. Based upon the credible testimony of Charles Beale, Commodore of CYC and a paddle tennis player, and Raymond Russell a senior sales professional in the lighting industry, the replacement of the lighting system with 23-foot poles with LED lights is the least relief necessary.
12. The new system will decrease light pollution by about 50%.
13. 20 feet above the playing surface is industry standard (23 feet above grade).
14. Any lower will interfere with play.
15. Two neighbors testified that the new lighting system will be an improvement in reducing light pollution.

The motion carried by a vote of 5 -0.

Richard Boren, James King, Jane Bentley, Judith Bell and John Shekarchi voted in favor of the motion.

Dean Wagner recused and Terence Livingston was absent.

New Business

Clancy

A motion was made by Dean Wagner and seconded by Jane Bentley to grant the request of David and Jennifer Clancy whose property is located at 382 North Main Road, Jamestown, Rhode Island, and further identified as Tax Assessor's Plat 7, Lot 22 for a variance from Article 3, Section 82-302 entitled " District Dimensional Regulations", Table 3-2 and Article 6, Section 82-605 entitled " Variances Authorized By This Ordinance" to construct an addition to an existing dwelling which adds storage space, a bedroom and bath 2.2 feet from the westerly property line along North Main Road (fifty feet required) and 36.4 feet from the southerly property line (40 feet required).

This Board has determined that this application does satisfy the requirements of Article 6, Section 600, Section 606, and Section 607, Paragraph 2.

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

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

This motion is based on the following findings of fact:

1. Said property is located in a R200 zone and contains 65,340 sq. ft.
2. On June 22, 2021 this Board granted the applicants request for variances to construct an addition to an existing dwelling located 5 feet from the westerly property line along North Road and 38 feet from the southerly property line/
3. The Boards decision dated June 22, 2021 is incorporated herein by reference. The restrictions/conditions of the June 22, 2021 decision are incorporated herein by reference.
4. Prior to construction the applicant had a survey done which revealed that the existing dwelling was actually 2.2 feet from the westerly property line (not 5 feet) and 36.4 feet from the southerly property line (not 38 feet).
5. The Jamestown Historical Society has reviewed the new survey and indicated that the variance request is a technical correction of the lot dimensions in the earlier variance and does not change in any way the dimensional or visual relationship between the windmill and the new structure.
6. No one has objected to the application.

The motion carried by a vote of 5 -0.

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

John Shekarchi was not seated and Terence Livingston was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:25 p.m.
The motion carried unanimously.

Town of Jamestown as an abutter.

Town property: Plat 16, Lots 54 & 60

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE JAMESTOWN ZONING BOARD OF REVIEW WILL HOLD A PUBLIC HEARING NOVEMBER 15, 2022, AT THE JAMESTOWN TOWN HALL 93 NARRAGANSETT AVENUE, JAMESTOWN, RHODE ISLAND AT 7:00 P.M. UPON THE FOLLOWING:

Application of John and Pamela Connors whose property is located at 222 Beacon Avenue and is further identified as Tax Assessor's Plat 16, Lot 73 for a Special Use Permit under Article 3, Section 82-314 entitled "High Groundwater and Impervious Layer Overlay District" for development in Subdistrict A and Article 6, Section 82-601 et seq. entitled "Special Use Permits Authorized by this Ordinance". Applicants seek to construct a two bedroom home. The seasonal high groundwater table is equal to 18 inches which places this parcel in Subdistrict A of Section 82-314. Said property is located in an R-40 zone and contains 14,400 square feet.

BY ORDER OF THE ZONING BOARD OF REVIEW

RICHARD BOREN, CHAIRMAN

PETER MEDEIROS, ZONING OFFICER

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

The public is invited to observe and participate in the deliberations of this meeting, in person @ Town Hall.

TO VIEW THE MEETING LIVE STREAM WITH NO INTERACTION, PLEASE VISIT THE FOLLOWING LINK:

<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

PLEASE NOTE: All Correspondence you wish the Board to consider on any of the above matters must be received by the Zoning Office no later than Nov. 2, 2022. Email to pwestall@jamestownri.net or via drop box located on the West Street side entrance of Town Hall, or by regular mail 93 Narragansett Avenue, Jamestown, RI 02835.

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



**Town of Jamestown
Tax Assessor**

**93 Narragansett Avenue
Jamestown, RI 02835**

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

To: COUNCIL PRESIDENT BEYE, JAMESTOWN TOWN COUNCIL

From: CHRISTINE BROCHU, JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS OF TAXES FOR THE **NOVEMBER 7, 2022** MEETING

Please see the attached.

RESPECTFULLY SUBMITTED,

Christine Brochu

CHRISTINE BROCHU
TAX ASSESSOR

COC INFO	ACCOUNT #	GROSS OLD	EXEMPT OLD	NET OLD	TAX OLD	SEWER OLD
	UNIQUE ID	GROSS CHANGE	EXEMPT CHANGE	NET CHANGE	TAX CHANGE	SEWER CHANGE
	LIST NUMBER	GROSS NEW	EXEMPT NEW	NET NEW	TAX NEW	SEWER NEW
18679R	23-1005-10	2,229,100	0	2,229,100	15,135.59	0.00
10/14/2022	9/590	-112,900	0	-112,900	-766.59	0.00
UPDATED PROP. INFORMATION	3349	2,116,200	0	2,116,200	14,369.00	0.00
18680R	02-0854-99	1,526,400	0	1,526,400	10,114.26	0.00
10/14/2022	8/249	-5,500	0	-5,500	-37.35	0.00
UPDATED PROP. INFORMATION	325	1,520,900	0	1,520,900	10,076.91	0.00
18681R	11-0573-25	630,300	0	630,300	4,279.74	0.00
10/14/2022	8/501	-6,100	0	-6,100	-41.42	0.00
UPDATED PROP. INFORMATION	1716	624,200	0	624,200	4,238.32	0.00
18682R	16-1095-01	1,149,500	0	1,149,500	7,805.11	0.00
10/14/2022	9/411	-82,100	0	-82,100	-557.46	0.00
UPDATED PROP. INFORMATION	2507	1,067,400	0	1,067,400	7,247.65	0.00
18683R	19-0005-10	485,000	0	485,000	3,293.15	0.00
10/14/2022	15/222	-4,900	0	-4,900	-33.27	0.00
UPDATED PROP. INFORMATION	2750	480,100	0	480,100	3,259.88	0.00
18684R	11-0483-00	2,637,200	0	2,637,200	17,906.59	0.00
10/19/2022	9/26	-145,600	0	-145,600	-988.63	0.00
UPDATED PROP. INFORMATION	1695	2,491,600	0	2,491,600	16,917.96	0.00
				-357,100	-2,424.72	
				Total Inc's:	0.00	
				Total Dec's:	-2,424.72	
				-357,100	-2,424.72	
				Grand Total Inc's:	0.00	
				Grand Total Dec's:	-2,424.72	



Town of Jamestown

Resolution of the Town Council

No. 2022-13

**RESOLUTION OF THE TOWN COUNCIL
AUTHORIZING ISSUANCE OF UP TO \$3,100,000 IN BONDS AND/OR NOTES FOR
THE RENOVATION, REPAIR AND/OR EXPANSION OF THE JAMESTOWN
PHILOMENIAN LIBRARY INCLUDING RELATED EQUIPMENT THEREFOR
AND ALL COSTS INCIDENTAL THERETO**

RESOLVED THAT:

Section 1. Pursuant to Local Acts 52 and 53 of the Rhode Island Acts and Resolves of 2020 approved by the voters at the general election of November 3, 2020, Local Acts 148 and 151 of the Rhode Island Acts and Resolves of 2018 approved by the voters at the general election of November 6, 2018, the Resolution adopted at the Special Financial Town Meeting of October 18, 2022 and Chapter 45-12 of the General Laws of the State of Rhode Island, the Finance Director and the President of the Town Council are authorized to borrow and issue bonds in the name of the Town up to the amount of Three Million One Hundred Thousand Dollars (\$3,100,000.00) to finance the renovation, repair and/or expansion of the Jamestown Philomenian Library including related equipment therefor and all costs incidental thereto (the "Project") and other costs related thereto including payment of costs of issuance and repayment of any advances made from the general fund heretofore made for architectural and engineering costs.

Section 2. Pending said issuance of bonds, said officers from time to time may issue and refund interest bearing or discounted notes ("notes") under Section 3 of said Local Acts, and as provided in said Resolution, in anticipation of the issue of said bonds.

Section 3. The bonds and any notes shall be signed by the manual or facsimile signatures of the Finance Director and the President of the Town Council. The manner of sale, denominations, maturities, interest rates and other terms, conditions and details of any bonds and notes issued hereunder may be fixed by the aforesaid officers authorized to sign the bonds or notes. Any bonds and notes issued under this Resolution and any other authorized issue of bonds and notes of the town may be consolidated and issued at the same time as a single bond or note issue.

Section 4. The designation of a securities depository and paying agent, not fixed by provisions of law, may be fixed by the Finance Director.

Section 5. The Finance Director is hereby authorized to execute and deliver on behalf of the Town such additional agreements as are necessary to effect the issuance of bonds and notes hereunder, the due authorization thereof being conclusively demonstrated by his or her execution and delivery of such agreements. The Finance Director is hereby authorized to deliver such bonds and notes to the purchasers thereof and said officer is authorized and instructed to take all actions, on behalf of the Town, necessary to ensure that the interest on the bonds will be excludable from gross income for federal income tax purposes, and to refrain from all actions which would cause interest on the bonds and any notes to be subject to federal income taxes. The Finance Director is authorized to deem the bonds and any notes, and to the extent not deemed to be, to designate the bonds and any notes as "qualified tax-exempt obligations" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986 as amended. The Finance Director is hereby authorized to take such action as to comply with Rule 15 c 2 - 12 (b) (5) of the Securities and Exchange Commission and is authorized to execute and deliver a Continuing Disclosure Certificate.

Section 6. Pending the issuance of bonds under Section 1 hereof or notes under Section 2 hereof, the Finance Director may expend funds from the general treasury of the Town for the purposes specified in Section 1 under contracts awarded by this Council, including but not limited to the award to E.W. Burman, Inc. in the amount of \$4,643,400 made by this Council on October 21, 2022 Any advances made under this Section 5 shall be repaid without interest from the proceeds

of bonds or notes issued hereunder or from the proceeds of applicable federal or state assistance or from other available funds.

Section 7. The Town hereby declares that it reasonably expects to reimburse the expenditures authorized in Section 6 with proceeds of debt to be issued by the Town. This Resolution is a declaration of official intent under Treasury Regulation 1.103-18.

Section 8. This Resolution shall take effect upon its passage.

By Order of the Jamestown Town Council

Nancy A. Beye, President

Mary E. Meagher, Vice President

Eric G. Brine

Randall White

Michael G. White

IN WITNESS WHEREOF, I hereby attach my hand and the official seal of the Town of Jamestown this ____ day of November, 2022.

Roberta J. Fagan, Town Clerk

To: Roberta J. Fagan
93 Narraganset Ave.
Jamestown, RI
Date:25Oct2022
Subject: Tax Exemption

Can this following item please be added to a future TC agenda?

Agenda item: Tax Exemption

Background:

Jamestown's character has changed materially since we moved here in 1984. The JT TC has in the past attempted to limit commercial activities in residential areas by zoning (i.e., Bed and Breakfast) and the recent STR ordinance. With Jamestown's growing popularity, it is recommended that the Town of Jamestown also revisit tax and property classification of properties/commercial entities within residential areas.

The rental challenges related to STRs highlight areas in Jamestown current tax and residential property classification that may need to be reviewed. The *commercial aspects* of residential rentals, the growth of this industry in JT and the growing number of properties that are *not* occupied by residents, warrants *the review of the existing tax and property classification. In this way the tax classification would better align with conditions that exist today.*

Other island and coastal communities are evaluating or have modified their tax and property classifications to address these evolving commercial market conditions. (See attached Newport and Middletown related articles)

JT Potential Actions:

Now that the STR ordinance is enacted, can JT TC explore tax relief options for its residents who are not using their residential property commercially? Some sort of tax exemption maybe appropriate. It is suggested that JT TC established an ad-hoc tax relief committee to evaluate what other coastal communities are doing to address this challenge and then provide the TC with recommendations/options.

As I understand, Jamestown's goal is to maintain its residential base since this is the backbone of its charm and character. Some type of tax classification change/exemption could result in a benefit to this existing residential base and attract additional non-commercial residents to JT.

In summary, it is suggested that JT TC evaluate what other communities have done and maybe have a subcommittee investigate options related to the implementation of a tiered tax structure and/or implementation of a tax exemption for JT residents.

Thank you,
Marian Falla
75 Green Lane
Jamestown RI, 02835

Newport takes step toward giving full-time residents a property tax break. Here's how.

Savana Dunning

Newport Daily News

NEWPORT — After two years contemplating ways to establish **higher property** tax rates for residents who don't live in the city year-round, the City Council unanimously submitted a bill proposal for local legislators to sponsor at the General Assembly that would allow them to do just that.

“This comes from the work the **(Ad Hoc Taxation Relief Committee)** has been doing, based on many discussions from this council where we talked about the need to try and find ways to make living in Newport year-round easier for our residents,” Councilor Jamie Bova said Wednesday. “I think that it would really benefit all Newporters and make our city more livable for years to come if we can put this into law.”

This decision comes a month after the Town of **Middletown's new tiered tax rate system** for full-time residents went into effect.

Newport currently taxes residential and commercial real estate properties at different rates, but the city has been **exploring tax relief** options for year-round residents, as opposed to summer home owners, since 2020.

The resolution and accompanying bill proposal was presented to the City Council by the city's **Ad Hoc Taxation Relief Committee** as an alternative to enacting a **homestead exemption**. Like several cities across Rhode Island, Newport has had the authority to create a homestead exemption since 2002, but it has yet to draft an ordinance to define it further and has not implemented it into the city budget.

City Manager Joe Nicholson, who worked as a part of the Ad Hoc Taxation Relief Committee, said a homestead exemption didn't provide the kind of tax relief the city wanted, but the city's specific homestead exemption statute in the Rhode Island General Laws limited its authority to enact other types of differential tax rates.

Bova presented a similar resolution to the City Council in 2020 that would have asked for permission from the General Assembly to create a split-tax system in lieu of a homestead exemption. However, after the proposal received pushback from then-Councilor Jeanne Marie Napolitano and Councilor Kathryn Leonard, then-Mayor Bova moved to table the resolution in favor of a workshop instead.

Napolitano later co-sponsored a resolution in March 2020 alongside Leonard and Councilor Lynn Underwood Ceglie that **proposed specifically taxing short-term rentals differently than residential properties**. This, too, was tabled in favor of discussing the options at the tax workshop.

The Ad Hoc Taxation Relief Committee was born from said workshop as the council decided it needed more research done on the subject.

More: Newport City Council seeks options on tax break for full-time residents

The resolution passed Wednesday is the culmination of the ad hoc committee's work. Comprised of City Manager Joe Nicholson, City Solicitor Christopher Behan, City Finance Director Laura Sitron, other city staff members and several members of the public, **the committee reviewed the current homestead exemptions in place throughout Rhode Island and a 2021 report on property tax relief throughout the country from the Lincoln Institute of Land Policy to recommend a specific model that would raise residential taxes for non-resident property owners without unintended side effects for other properties.**

The model proposed by the report calculates a base rate for all residential properties, estimates how much money would be discounted from year-round residents' taxes based on average property value, then increases the rate for non-qualifying property owners enough to make up for the loss.

Since the proposed model calculates the non-qualifying property tax rate based on a flat dollar amount to be raised, year-round residents with higher property values would see less of a percent discounted from their tax bill than those with lower property values.

At the Wednesday meeting, Leonard said the committee's report, which was attached to the resolution, was too difficult to understand for the general public and the proposed taxation model distributed the tax discount unfairly among qualifying properties.

"Maybe I'm wrong, but the fairness of it, I think, is that everybody gets what would be probably an equal amount, so that it's fair to everybody" Leonard said. "I don't think this is self explanatory at all."

More:Middletown is giving its full-time residents a tax break. Here what you need to know.

Nicholson agreed the report was complex, but said the issue itself is complex and "has an effect on this city at-large." He reminded the council that the resolution was just to receive the authority to enact a split residential tax system from the state, and the council would need to take further action to implement any actual changes to the city's tax rates.

Councilor Angela McCalla also raised concerns about the proposed tax model in the report, though she and Leonard recognized this was not what they were taking action on. McCalla said she looked forward to having further discussions on the fairness of the proposed model.

More:Middletown is giving its full-time residents a tax break. Here what you need to know.

“(I’m thinking about) how much our taxation is disproportionately affecting our low to moderate income families,” McCalla said. “I think those are the questions I would want to know going forward: Is this equitable? What are the mechanisms that are put in place?”

Napolitano ultimately called for a vote, saying discussions about the specifics before acquiring the proper enabling legislation could prove problematic and the council approved the resolution unanimously.

Roberta Fagan

From: Jamie Hainsworth
Sent: Thursday, October 27, 2022 8:54 AM
To: Roberta Fagan
Subject: FW: Amended 10-19-2022 - CRMC Public Hearing for Special Exception -- 2021-07-005 Revolution Wind - (Cable)
Attachments: CRMC Public Hearing Notice -- Revolution Wind 2021-07-005 Amended 10-19-2022.pdf

Roberta, good morning

Please add this to the Council communications for the next meeting.

Jamie A. Hainsworth
 Town Administrator
 Town of Jamestown
 93 Narragansett Avenue
 Jamestown, RI 02835
 401-423-9805

From: Lisa Turner <lturner@crmc.ri.gov>
Sent: Wednesday, October 19, 2022 2:01 PM
To: 'Anne Kuhn-Hines, Jamestown Conservation Comm Chair' <Kuhn.Anne@epa.gov>; Chief Edward Mello <emello@jamestownri.net>; Christina Collins <ccollins@jamestownri.net>; Christine Brochu <cbrochu@jamestownri.net>; 'David E. Cain, Chair, Jamestown Harbor Comm' <Decainjr@aol.com>; Erin Liese <eliese@jamestownri.net>; Gary Dorfman <gsdorfman.homeoffice@cox.net>; 'Gary Girard Jamestown PCBC' <garg8@cox.net>; 'Jamestown Shores Association' <info@jamestownshores.org>; Jamie Hainsworth <jhainsworth@jamestownri.net>; Jean Lambert <jlambert@jamestownri.net>; Chief James Bryer <jbryer@jamestownri.net>; 'Justin Jobin, GIS, Jamestown' <jjobin@jamestownri.net>; Kim Devlin <kdevlin@jamestownri.net>; 'Kristine Trocki, President, Jamestown Town Council' <kst@trockilaw.com>; Lisa Bryer <lbryer@jamestownri.net>; Mark Campbell <mcampbell@jamestownri.net>; 'Maureen Coleman' <maureencoleman1@gmail.com>; Michael Gray <mgray@jamestownri.net>; Pat Westall <pwestall@jamestownri.net>; 'Sharon Purdie' <SPurdie@Wesleyan.edu>; Stephen Evangelista <sevangelista1@cox.net>; William Moore <wmoore@jamestownri.net>
Subject: Amended 10-19-2022 - CRMC Public Hearing for Special Exception -- 2021-07-005 Revolution Wind - (Cable)

Good Afternoon: Please see attached amended (see asterisks) Public Hearing notice. Thank you!

Lisa A. Turner, Office Manager
 Coastal Resources Management Council
 Oliver Stedman Government Center
 4808 Tower Hill Road; Room 116
 Wakefield, RI 02879
 401-783-3370

From: Lisa Turner [<mailto:lturner@crmc.ri.gov>]
Sent: Wednesday, October 19, 2022 9:45 AM
To: 'Anne Kuhn-Hines, Jamestown Conservation Comm Chair' <Kuhn.Anne@epa.gov>; 'Chief Edward Mello, Exec Dir Harbor Dept' <Emello@jamestownri.net>; Christina Collins, Jamestown Finance Director <ccollins@jamestownri.net>; 'Christine Brochu, Jamestown Tax Assessor' <cbrochu@jamestownri.net>; 'David E. Cain, Chair, Jamestown Harbor Comm' <Decainjr@aol.com>; 'Erin Liese, Jamestown Town Clerk' <Eliese@jamestownri.net>; Gary Dorfman <gsdorfman.homeoffice@cox.net>; 'Gary Girard Jamestown PCBC' <garg8@cox.net>; 'Jamestown Shores Association' <info@jamestownshores.org>; Jamie Hainsworth, Jamestown Town Administrator <jhainsworth@jamestownri.net>; Jean Lambert, Jamestown Engineering Dept.' <JLambert@jamestownri.net>; 'Jim Bryer, Fire Chief, Jamestown' <JBryer@jamestownri.net>; 'Justin Jobin, GIS, Jamestown' <jjobin@jamestownri.net>; 'Kim Devlin, Jamestown Harbour Office' <kdevlin@jamestownri.net>; 'Kristine Trocki, President,



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

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

NOTICE OF PUBLIC HEARING

(*Amended October 19, 2022)

CRMC File No.: 2021-07-005

Date: October 18, 2022

In accordance with and pursuant to the provisions of the "Administrative Procedures Act", (Chapter 42-35 et. seq. of the General Laws of Rhode Island), and the Rules and Regulations of the Coastal Resources Management Council, a hearing will be held on the petition of:

Revolution Wind, LLC
Attn: Mark Roll, Permit Manager
56 Exchange Terrace; Suite 300
Providence, RI 02903

relative to Title 46, Chapter 23, of Section 6 A, B, C, D, E, Title 46 Chapter 23 Section 18(b), Title 46, Chapter 6, Section 1, Title 46, Chapter 6, Section 2 of the Rhode Island General Laws of 1956, as amended, for a State of Rhode Island Assent for:

Two submarine export transmission cables (275 kilovolt high voltage alternating current (AC)) have been proposed for the project. Each cable measures approximately 23 miles in length and has been proposed to be installed in CRMC Type 4 and 6 Waters in Rhode Island Sound and the West Passage of Narragansett Bay, making landfall at the Quonset Business Park, North Kingstown. The export cable will cross an Area of Particular Concern as identified by Ocean Special Area Management Plan § 11.10.2 and will require a Special Exception under Coastal Resources Management Program Section 1.1.8.

The cables will be installed at a target burial depth of 4-6 feet below the seabed, which will create a total estimated disturbance of approximately 730 acres within state waters. Secondary cable protection in the form of rock bags, concrete mattresses, and/or rock berms may be used where the target burial depth cannot be achieved.

The export cables will make landfall at the Quonset Business Park, the heavily Industrial waterfront via horizontal directional drilling, which will require the construction of two offshore exit pits.

After joining with the export cables, the Onshore Transmission Cable will follow Circuit Drive northwest to 135 Circuit Drive, where it will cross this property north of the existing driveway and cross the property in a north-northwest direction until reaching the property owned by Quonset Development Corporation. Here the cable will continue north until reaching 101 Circuit Drive. The cable will then continue north across 101 Circuit Drive and 75 Circuit Drive within the existing paved access road to the existing Davisville Substation. At the Davisville Substation, the cable continues west, parallel to the northern property boundary before reaching The Narragansett Electric Company's parcel. After crossing, the cable enters the Onshore Substation tying into the proposed access road. The total cable length is approximately one mile.

Revolution Wind Public Hearing Notice
CRMC File 2021-07-005
October 18, 2022
Page Two

The application will be heard over the course of two hearings - both hearings to begin at 6:00 p.m. in Conference Room A of the Administration Building, One Capitol Hill, Providence, RI on:

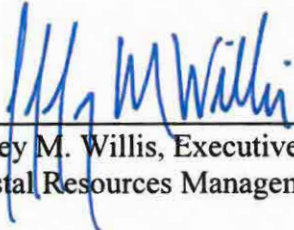
- **Tuesday, November 1, 2022**
- **Tuesday, November 22, 2022**

Parties interested in/or concerned with the above mentioned matter are invited to be present and/or represented by counsel at the above mentioned time and place. This meeting place is accessible to individuals with disabilities. The meeting location is accessible to handicapped persons. Any individual requiring a reasonable accommodation in order to participate in this meeting should contact CRMC offices at 401-783-3370 at least 72 hours prior to the meeting.

Plans of the proposed work may be seen in the office of the Coastal Resources Management Council, Oliver H. Stedman Government Center, 4808 Tower Hill Road, Wakefield, Rhode Island, between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday.

Oral statements will be heard and recorded and statements may be submitted to the hearing officers at the time of hearing.

Signed this 18th day of October, 2022.



Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

Roberta Fagan

From: Breen, Daniel B CIV USARMY CENAE (USA) <Daniel.B.Breen@usace.army.mil>
Sent: Thursday, October 27, 2022 9:55 AM
To: gttdmd@verizon.net
Cc: Martin, Leslie CIV USARMY USACE (USA); Roberta Fagan; principeengineering@gmail.com; Lisa Bryer; jabbruzzese@crmc.ri.gov; Dan Goulet; Sachs, Erica; Roosevelt Mesa - NOAA Affiliate; Sabrina Pereira - NOAA Federal; coradot@gmail.com
Subject: Margaret Testa Takata residential pier extension and boat lift (Corps File Number NAE-2021-01916)
Attachments: NAE-2021-01916_GP_Letter.pdf; Rhode Island General Permit 2022.pdf; NAE-2021-01916_Plans.pdf; NAE-2021-01916 WSNF.pdf

Dear Gregg,

The U.S. Army Corps of Engineers is permitting the proposed Margaret Testa Takata residential pier extension and boat lift (Corps File Number NAE-2021-01916) under our Rhode Island General Permit (GP). The GP verification letter for the project is attached, along with a copy of the Rhode Island General Permit and enclosures.

Sincerely,

Daniel Breen
Regulatory Division
U.S. Army Corps of Engineers
New England District
696 Virginia Road
Concord, MA 01742
(978) 318-8831



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

October 27, 2022

Regulatory Division
File No. NAE-2021-01916

Ms. Margaret Testa Takata
35 Flint Avenue
Larchmont, New York 10538
gttmdmd@verizon.net

RI CRMC Application #: 2021-05-107

Dear Ms. Takata:

We have reviewed your application to the Rhode Island Coastal Resources Management Council (CRMC) to retain and expand an existing residential boating structure to consist of a 4-foot by 161-foot fixed pier, 4-foot by 20-foot terminal L, and 1,200-pound boat lift. The site's existing pier will remain in place with a pier extension and new boat lift added to it. The improvements will extend an additional 44 feet from the existing structure, a total of 125 feet waterward of the mean high water (MHW) line and approximately 40 feet over submerged aquatic vegetation (SAV). Two existing piles outside of SAV that are in disrepair will be removed. The project area is located within Narragansett Bay at 181 Seaside Drive in Jamestown, Rhode Island (41.5305°N, 71.3897°W). This work is shown on the enclosed plans titled "Dock Modification Plans for AP 5 Lot 4, 181 Seaside Drive in Jamestown, Rhode Island," on two sheets and revised on May 16, 2022.

Based on the information that you have provided, we verify that the Pre-Construction Notification (PCN) activity is authorized under General Permit 4 of the enclosed May 6, 2022, Federal permits known as the Rhode Island General Permits (GPs).

Please review the enclosed GPs carefully, including the general conditions beginning on page 43, to ensure that you and whoever does the work understand the requirements. A copy of the GPs and this verification letter shall be available at the project site throughout the time the work is underway. The GPs are also available at <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Rhode-Island-General-Permit/>. Performing work within our jurisdiction that is not specifically authorized by this determination or failing to comply with any special condition provided above and all of the terms and conditions of the GPs may subject you to the enforcement

provisions of our regulations. You must perform this work in compliance with the terms and conditions of the GPs and the following special conditions:

1. To avoid and minimize shading impacts to eelgrass beds, the pier shall have a height-to-width ratio of at least 2:1 over eelgrass.
2. The following soft start shall be used for pile driving at the beginning of the workday and following a cessation of pile driving for a period of 30 minutes or longer: pile driving shall commence with an initial set of three strikes by the hammer at 40% energy, followed by a one-minute wait period, then two subsequent 3-strike sets at 40% energy, with one-minute waiting periods, before initiating continuous impact driving.
3. The permittee shall use all appropriate best management practices (BMPs) to contain sedimentation and minimize impacts to resource areas. Sedimentation controls shall be used and properly maintained during all necessary construction phases.
4. The Tribal Historic Preservation Officer of the Narragansett Tribe, 401-539-1190, coradot@gmail.com, must be notified at least 7 business days prior to the start of construction at the permit area. During the site walk conducted on October 8, 2021, artifacts were found in several places, so it is assumed that there might be resources in the permit area. A tribal representative must be allowed to be present during any ground disturbance or excavation activities to identify any possible cultural or historic items found on site during these construction activities. The representatives will need to comply with construction site safety requirements. Refer to General Condition 11 of the enclosed Rhode Island GPs, which addresses encounters with previously unidentified archaeological or other cultural resources.
5. You must complete and return the enclosed Work Start Notification Form to this office at least two weeks before the anticipated starting date.

This authorization expires on May 6, 2027. You must commence or be under contract to commence the work authorized herein by May 6, 2027, and complete the work by May 6, 2028. If not, you must contact this office to determine the need for further authorization before beginning or continuing the activity. We recommend that you contact us *before* this authorization expires to discuss permit reissuance. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction. We must approve any changes before you undertake them.

This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law, as listed on page 2 of the GP. Performing work not

specifically authorized by this determination or failing to comply with any special condition(s) provided above or all the terms and conditions of the GP may subject you to the enforcement provisions of our regulations.

The Rhode Island CRMC has reviewed this project and issued their required authorization.

We continually strive to improve our customer service. For us to better serve you, we would appreciate your completing our Customer Service Survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Please contact Daniel Breen, of my staff, at (978) 318-8831 or Daniel.B.Breen@usace.army.mil if you have any questions.

Sincerely,

Kevin R Kotelly

Kevin R. Kotelly, P.E.
Chief, Permits & Enforcement Branch
Regulatory Division

Enclosures

cc:

Roberta Fagan, Jamestown Town Clerk; rfagan@jamestownri.net
Tom Principe, Civil Engineer; principeengineering@gmail.com
Lisa Bryer, Town Planner; lbryer@jamestownri.net
Jan Abbruzzese, CRMC, Wakefield, RI; jabbruzzese@crmc.ri.gov
Dan Goulet, RI CRMC; dgoulet@crmc.ri.gov
Erica Sachs, US EPA, Region 1, Boston, MA; sachs.eric@epa.gov
Roosevelt Mesa, US NMFS, Gloucester, MA; roosevelt.mesa@noaa.gov
Sabrina Pereira, US NMFS, Gloucester, MA; sabrina.pereira@noaa.gov
Cora Peirce, Principal Field Investigator/ Narragansett Indian Tribe Historic Preservation Office; coradot@gmail.com



**US Army Corps
of Engineers** ®
New England District

WORK-START NOTIFICATION FORM
(Minimum Notice: Two weeks before work begins)

EMAIL TO: Daniel.B.Breen@usace.army.mil and cenae-r@usace.army.mil; or

MAIL TO: **Daniel Breen**
Regulatory Division
U.S. Army Corps of Engineers, New England District
696 Virginia Road
Concord, Massachusetts 01742-2751

Corps of Engineers Permit No. NAE-2021-01916 was issued to Margaret Testa Takata. This project is located within Narragansett Bay at 181 Seaside Drive in Jamestown, Rhode Island. The permit authorized the construction of an approximately 4-foot by 161-foot fixed pier, 4-foot by 20-foot terminal L, and 1,200-pound boat lift, which will extend approximately 125 linear feet of beyond mean high water (MHW).

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: _____

Business Address: _____

Phone & email: () _____ () _____

Proposed Work Dates: Start: _____ Finish: _____

Permittee/Agent Signature: _____ Date: _____

Printed Name: _____ Title: _____

Date Permit Issued: _____ Date Permit Expires: _____

FOR USE BY THE CORPS OF ENGINEERS

PM: _____ Submittals Required: _____

Inspection Recommendation: _____

**RESOLUTION OF THE TOWN OF BARRINGTON
URGING THE RHODE ISLAND GENERAL ASSEMBLY TO RECOGNIZE JUNE 19,
JUNETEENTH NATIONAL INDEPENDENCE DAY, AS AN OFFICIAL RHODE ISLAND
STATE HOLIDAY**

WHEREAS, in 2021, the United States Congress enacted the Juneteenth National Independence Day Act, codified into law at Title 5, Sec. 6103(a) of the U.S. Code; and

WHEREAS, the Juneteenth National Independence Day Act recognizes Juneteenth National Independence Day, June 19, as a federal holiday, commemorating the anniversary of the last African American slaves being freed in Texas on June 19, 1865; and


WHEREAS, in recognition of the importance of celebrating Juneteenth National Independence Day, the Barrington Town Council has enacted an Ordinance making Juneteenth a Town holiday; and

WHEREAS, to date, the Rhode Island General Assembly has not yet enacted a law-making Juneteenth an official State holiday;

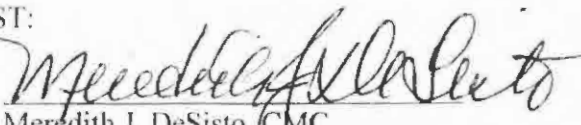
NOW, THEREFORE, BE IT RESOLVED that the Barrington Town Council respectfully urges the Rhode Island General Assembly to adopt legislation making Juneteenth a State holiday.

AND, BE IT FURTHER RESOLVED that copies of this resolution be sent to the clerks of all cities and towns in Rhode Island, and on January 4, 2023 to Barrington's members of the RI General Assembly, The Speaker of the RI House of Representatives, President of the RI Senate, and the Governor of the State of RI.

Passed as a resolution of the Barrington Town Council this 3 day of OCT, 2022.


Michael Carroll,
Barrington Town Council President

ATTEST:


Meredith J. DeSisto, CMC
Barrington Town Clerk



October 25, 2022

Jamestown Town Council
93 Narragansett Ave.
Jamestown, RI 02835

Dear Jamestown Town Councilors,

CISF seeks to locate a new classroom trailer at the site of their current operations at Fort Getty. This trailer is anticipated to be temporary as we actively plan and work towards a more permanent structure. CISF will use this space to accommodate current programs that are being offered as well as offer new programs due to increased public interest. Additionally, this space will be in place year-round and heated so that we can continue to support our community for more of the year, and operate more efficiently.

The lease CISF holds with the Town was recently updated in 2022 and is included in this package for reference. The proposed location of the classroom trailer is within CISF Lease Area A, approximately 45' west of the existing concrete foundation. As per the lease agreement, our first step in getting this approved is via the Town Council:

Prior to Lessee's construction of permanent or semi-permanent facilities or any intervention that alters the landscape of Area A, A1 or A2 described above Lessee shall submit a concept plan (the "Plan"), including site plan and preliminary building and or landscape elevations and description of the uses of these interventions for approval by the Town Council.

Review of the Plan must be undertaken within 30 days of its submittal to the Town Council and approval shall not be unreasonably delayed or withheld.

Upon approval by the Town Council of the "Plan", Lessee shall submit to the Jamestown Planning Commission detailed plans and elevations, including exterior lighting and landscape plans for approval by the Jamestown Planning Commission through its Development Plan Review process and requirements as stipulated by the town planner as relevant to this project.

Any part of the Plan by the Planning Commission that requires that the Town contribute to the construction or maintenance of these improvements, such as but not limited to the reorganization or reconstruction of pathways or roadways, bathrooms, septic services or drainage systems, must be approved by the Town Council if not expressly approved in the review of the Plan.

Installation of the trailer will involve placement of crushed stone and minor grade adjustments so the trailer may be adequately levelled, and the access ramp and stairs installed. The installer will secure the trailer with ground anchors. CISF proposes the installation of 3-4 six-inch posts to support the installation of a fabric shade sail which will be affixed to this trailer in summer months.

CISF
Letter to Town Council
October 25, 2022
Page 2 of 2

Delineation of the coastal features present was performed by Applied Biosystems Inc. in March of 2022. The proposed trailer location is outside CRMC 200' jurisdictional limits. The location is within an Area of Minimal Flood Hazard, outside of VE18. Reference Flood ID 44005C, the site is above the floodplain.

Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "M Myles".

Meg Myles, Executive Director

401-855-6643
CISFSailing@gmail.com
7 Felucca Avenue
Jamestown, RI 02835



October 7, 2022

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

**Re: Classroom Trailer
CISF Campus at Fort Getty**

Ms. Bryer

The Conanicut Island Sailing Foundation (CISF) seeks to locate a new classroom trailer at the site of their current operations at Fort Getty. This trailer is anticipated to be a temporary as CISF is actively planning for a more permanent structure. High enrollment on the various programs offered by CISF and increased interest in extending into the off season necessitates the installation of this unit. The lease CISF holds with the Town was recently updated in 2022 and is included in this package for reference. The proposed location of the classroom trailer is within CISF Lease Area A, approximately 45' west of the existing concrete foundation.

Installation of the trailer will involve placement of crushed stone and minor grade adjustments so the trailer may be adequately levelled, and the access ramp and stairs installed. The installer will secure the trailer with ground anchors. CISF proposes the installation of 3-4 six-inch posts to support the installation of a fabric shade sail which will be affixed to this trailer in summer months.

Delineation of the coastal features present was performed by Applied Biosystems Inc. in March of 2022. The proposed trailer location is outside CRMC 200' jurisdictional limits. The location is within an Area of Minimal Flood Hazard, outside of VE18. Reference Flood ID 44005C, the site is above the floodplain.

Please contact me directly should you have any questions or wish to review this information in greater detail.

Very truly yours,
BETA Group, Inc.

A handwritten signature in black ink, appearing to read 'Arek W. Galle', is written over a horizontal line.

Arek W Galle RLA, AICP, Project Manager

Attachments:

1. CISF Temp. Classroom Trailer Site Plan
2. CISF/Town Lease Agreement
3. Coastal Feature Letter of Findings

CC: CISF M.Myles, H. Swett

Town of Jamestown

Application for Development Plan Review

CONTACT INFORMATION

Applicant

Name Conanicut Island Sailing Foundation (CISF)
Address 7 Felucca Avenue
City Jamestown State RI Zip Code 02835
Phone 917.853.1473 Email hannah.swett@gmail.com

Owner (if different than above)

Name Town of Jamestown
Address 93 Narragansett Avenue
City Jamestown State RI Zip Code 02835
Phone 423.7200 Email _____

Engineer / Surveyor

Name BETA Group Inc.
Address 701 George Washington Highway, Lincoln RI 02865
Phone 401.333.2382 Email agalle@beta-inc.com

Attorney

Name _____
Address _____
Phone _____ Email _____

Other Professional

Name Arek Galle, Landscape Architect, BETA Group Inc.
Address Same as above
Phone 207.400.6508 Email agalle@beta-inc.com

PROPERTY INFORMATION

Assessor's Plat(s) AP 8 Lot(s) 11
Street Address 1050 Fort Getty Road
Zoning District RR 80
Date Property Purchased 1955
Dimensions of Lot (ft) 80 Frontage 1,100ft. Width 2,300ft. Depth 1,437,480+/- Lot Size (sq ft)
Existing Buildings on Property Yes No
If Yes, Size of Existing Buildings (sq ft) _____
Previous Development Plan Approval received for this property Yes No
(If yes date and application name)







TOWN OF JAMESTOWN, RI
FORT GETTY PARK
Conanicut Island Sailing Foundation (CIFS)

Educational Classroom
Proposed Temporary Trailer

October 7, 2022





Fort G...

LEASE AGREEMENT

This Lease is made on this ___ day of _____, 2022 by and between THE TOWN OF JAMESTOWN (the "Town"), a municipal corporation organized and validly existing under the laws of the State of Rhode Island, (hereinafter called the "Lessor"), and CONANICUT ISLAND SAILING FOUNDATION ("CISF"), a 501(c)(3) Organization, organized and validly existing under the laws of the State of Rhode Island, (hereinafter called the "Lessee"), upon the following terms and conditions:

LEASED PREMISES

Lessor does, by these presents, lease and demise unto the Lessee the following described premises: That certain portion of land located at Fort Getty, located in Jamestown, Rhode Island, as shown on the attached CISF Campus, Use Area map, and hereinafter referred to as the "Demised Premises" which hereinafter includes both Primary Use (exclusive use by the Lessee) Space, labeled on the Map as Area A, A1 and A2, and Shared Space (areas shared with the Lessor), which includes areas on the map entitled B through E labeled as "use agreement", "flex use" and "shared storage" defined below. (Attached hereto as Exhibit 1, incorporated herein by reference).

TERM OF LEASE

This Lease shall be for an initial term of twenty (20) years from the date hereof. The lease term shall be extended automatically for an additional term of ten (10) years provided Lessee is not default under any of the material terms of this Lease, which default continues after Lessor's notice thereof and reasonable opportunity to cure such default.

RENT

In lieu of the payment of rent, the Lessee covenants and agrees to perform the improvements to the Demised Premises as identified in this Lease, and to use and occupy the Demised Premises in accordance with the terms of this Lease. By these actions and the marine recreation and educational programs provided by CISF, CISF provides benefit to the Town (see attachment of 2021 reports) the Town otherwise could not provide.

USE

The Lessee shall use the Demised Premises for a year-round boating and marine education center, which shall include, marine recreation and educational programming but not be limited to offering classes, boat rentals, regattas, sailing lessons, and community sailing programs. CISF will receive 10 staff Ft. Getty parking passes to allow entry into Ft Getty. Fundraising activities for CISF at the Demised Premises are permitted with the consent of the Town which consent shall not be unreasonably delayed or withheld. With CISF and Town Recreation Department approval, other parties, as consented to by CISF, may use the Demised Premises to support CISF's mission. Please see attached report for 2021 for examples of use. The Lessee shall update and submit an annual report of its use to the Lessor by December 1 of each year. The Lessee and Lessor also agree to

review shared space every two-years. Items to be discussed may include but not be limited to shared use space, boat ramp, events, boat rentals, outdoor boat and general storage.

Shared use disputes will first be looked at by the Recreational Department, then if not resolved, by the Town Administrator and then the Town Council.

The areas subject to this agreement are presented in the attached map. They include:

Area A is the location of any proposed facilities. It is located at the north west corner of the main north south roadway to the boat ramp and the northernmost east west road off of that main roadway for the exclusive use of CISF. It is west of the main roadway, north of the secondary roadway, east of the existing campground bathrooms.

It is understood that area A includes the septic system for this part of Fort Getty, including for the campground bathrooms. Should the proposed facilities or landscape interventions or any use of area A by CISF or the town require modification of this septic system, in whole or in part, agreement between CISF and the town regarding changes to the septic system will be developed prior to any approvals being granted by the town council, planning commission or other agency. Notwithstanding the foregoing, in the event the septic system shall become inoperable or require maintenance, the Lessor shall provide temporary alternatives such as “port-a-potties”.

Area A1 includes ten parking spaces south of Area A with access from a lesser north south roadway for exclusive use of CISF. This area shall be so marked by the town. (These spaces are to the west of what is currently described as Area E on the map.

Area A2 includes the area across the north south road to the ramp that is the same length along the road to the ramp as Area A for the exclusive use of CISF. This is the current location of CISF bathroom and potential location of CISF storage/ equipment in season.

This lease agreement for area A, A1 and A2 shall grant CISF, use and control of these area. The facilities, amenities or landscape interventions and the equipment and programs maintained within them shall be as directed or controlled by CISF as noted in this lease.

Area C is the existing boat ramp and the access along the road to it. This is a public boat ramp. CISF’s access to the boat ramp, the adjacent beach to the north of it or the roadway that leads to it, shall be shared space during the term of this lease.

Area D is the location of boat, kayak and other storage for CISF and the town in the predominant season.

Areas E and B are fields that may be accessed by CISF or its accompanying, permitted organizations for a variety of uses, which may include but are not limited to playfields, temporary boat storage, picnics, events and event parking.

Lessee shall maintain its nonprofit tax status, continue to provide scholarships for its programs and continue to offer community programming.

The Lessee agrees not to discriminate against any person in the use of the Demised Premises because of his/her/their race, sex, religion, nationality, handicap, age, sexual preference or any other matter provided by applicable law.

The failure of Lessee to use the Demised Premises for a year-round sailing and marine education center, which shall include, but not be limited to marine recreation and educational programs, shall constitute a material breach and be the basis of a notice of breach with an allowance for the Lessee to cure such breach within 6 months or be subject to eviction.

CONSTRUCTION AND/OR IMPROVEMENTS MADE BY LESSEE DURING THE TERM OF THE LEASE

Prior to Lessee's construction of permanent or semi-permanent facilities or any intervention that alters the landscape of Area A, A1 or A2 described above Lessee shall submit a concept plan (the "Plan"), including site plan and preliminary building and or landscape elevations and description of the uses of these interventions for approval by the Town Council.

Review of the Plan must be undertaken within 30 days of its submittal to the Town Council and approval shall not be unreasonably delayed or withheld.

Upon approval by the Town Council of the "Plan", Lessee shall submit to the Jamestown Planning Commission detailed plans and elevations, including exterior lighting and landscape plans for approval by the Jamestown Planning Commission through its Development Plan Review process and requirements as stipulated by the town planner as relevant to this project.

Any part of the Plan by the Planning Commission that requires that the Town contribute to the construction or maintenance of these improvements, such as but not limited to the reorganization or reconstruction of pathways or roadways, bathrooms, septic services or drainage systems, must be approved by the Town Council if not expressly approved in the review of the Plan.

Upon approval by the Jamestown Planning Commission and Town Council (if required) the Plans shall be subject to the approval of and respective state agencies (including but not limited to RIDEM and RICRMC) and local building officials.

The development of the Areas known as A, A1 and A2 by Lessee shall include, but not be limited to the construction of the following improvements at the Lessee's sole cost and expense:

1. permanent and/or or temporary structures
2. permanent and/or temporary restrooms until planned permanent restrooms are complete

3. plantings and landscaping. Any plantings will be for screening and mitigation, NOT to block views
4. grading to improve drainage
5. improved traffic flow and one or more drop-off zones
6. ADA compliant walkways and paths
7. refurbishment of the current concrete pad if necessary

Lessor covenants and agrees to construct and/or maintain the following structures and facilities at Lessor's sole cost and expense in the Shared Space (also known as Areas B, C, D, and E)

1. adequate utilities (electric/water) to service the structures constructed by Lessee (includes use of the existing septic field if that is permitted)
2. parking for automobiles, Area A1
3. summer trailer storage in Kit Wright Trail (Area D)
4. kayak storage on rack at Kit Wright Trail (Area D)
5. winter storage for trailers and boats in Town specified location until on-site storage is available
6. access to ramp and beaches
7. access and use of paths around Fort Getty and Kit Wright Trail
8. access and shared use of nearby field (Area B and E)

CISF reserves the right to name the facilities it constructs on the Demised Premises and/or individual rooms within the facilities or building. CISF may erect exterior signs stating such with Lessor's approval of both the name and signage.

Once developed, any need or desire by the Lessee to alter, remodel, or change the exterior of the structures located on the Demised Premises must first be approved in writing by the Lessor, which approval shall not be unreasonably withheld. All permanent capital improvements made by the Lessee during the term of this Lease shall remain the property of Lessor at the expiration of this Lease.

FUNDRAISING AND DEVELOPMENT SCHEDULE

The Lessor acknowledges that fundraising by the Lessee is essential for development of the facilities and the programs of CISF. The parties hereto acknowledge and agree that the development of Area A, A1 and A2 described above shall be conducted in phases and hereby agree that if Lessee is unable to begin the construction of improvements of the Exclusive Space within five (5) years from the date hereof due to inadequate funding for the construction of such facilities as contemplated in this Lease, this Lease may be terminated by either Lessor or Lessee upon ninety (90) days written notice to the other party.

MAINTENANCE BY LESSOR

The Lessor covenants and agrees that it shall, at its sole cost and expense, provide the following utilities and services to the Demised Premises on a year-round basis:

1. cutting the grass (as needed)
2. adequate water
3. adequate electricity supply

The Lessor shall also provide and maintain the necessary mains and conduits carrying utility services to the Demised Premises and all utility lines near the boat ramp and the dock area shall be buried or raised to an acceptable level for safety in boat maneuvering in that area.

The Lessor shall be able to maintain the septic system on site and install a new system in Area A if needed so long as such construction or alteration does not impact the Lessee's building or permanent infrastructure.

MAINTENANCE BY LESSEE

Other than those items to be provided and/or maintained by Lessor as described above, Lessee shall provide the following, at its sole cost and expense:

1. landscaping (other than grass cutting) and planting
2. maintenance of structures to be built and equipment installed
3. bathroom facilities used exclusively by Lessee
4. A separate, new, Septic system if required by CISF for the exclusive use of its facilities

Lessee shall be permitted to use the dumpster adjacent to the Ft. Getty pavilion during its seasonal activities to dispose of its own, typical, daily trash in a timely fashion. Building construction, landscape construction debris, or other large types of debris are not allowed to be deposited in this dumpster.

UTILITIES

During the term of this Lease, Lessee shall be responsible for all electricity costs. In addition, Lessee shall be responsible for all water charges if water usage can be separately metered to measure Lessee's exclusive use.

INDEMNIFICATION

The Lessor and Lessee each agree to indemnify and defend the other party against, and to save it harmless from any and all claims, demands, costs, liabilities, losses, expenses and damages (including reasonable attorneys' fees and costs) of whatever nature, for injury or damage to persons or property in or about the Demised Premises from any cause, or arising from any accident, injury or damage, arising or resulting from an act, default, omission or any cause on the part of the indemnifying party, or its employees, agents, contractors, licensees, business invitees, or guests.

INSURANCE

The Lessee shall, at all times during the term of this Lease, keep all buildings or other improvements on the Demised Premises continuously insured to the full replacement cost thereof under so-called all-risk insurance policies, which insure against fire, vandalism and malicious mischief, risks commonly insured against by extended coverage insurance and other perils and which contain a special replacement cost endorsement, such policies to be written by companies of recognized responsibility and financial standing duly-authorized to do business in the State of Rhode Island. The Lessee shall be responsible to obtain any special endorsements at their own cost to cover boats and equipment. Neither party hereto shall be liable to the other party of any insurer of any such other party with respect to any loss or damage to the real estate or tangible personal property of such other party resulting from or caused by the occurrence of any risk which is commonly insured against such as fire, lightning, explosion, riot, smoke, civil commotion, aircraft, windstorm or vehicles, whether the occurrence of such risk shall be caused by any act or omission of a party hereto or any of its or their agents, servants, invitees, or contractors. The Lessee shall furnish to the Lessor upon request a certificate evidencing the insurance coverage maintained from time to time hereunder.

During the term of this Lease, Lessee shall carry comprehensive general public liability and property damage liability insurance including contractual liability insurance with not less than one million (\$1,000,000) dollars per occurrence and two million (\$2,000,000) dollars aggregate limit for both bodily injury and property damage together with an Excess or Umbrella Liability insurance policy with a coverage limit of at least five million (\$5,000,000) dollars and such other insurance coverage of the type and in amounts as required by Law.

The Lessee shall annually show Evidence of Insurance (Certificate) to the Town Finance Department. The Lessee shall name the Town as an *Additionally Named Insured* on the GL, Property and Excess/Umbrella policies, in the event that the Town is sued due to the activities/action/negligence of the "CISF". CISF's policy should respond under this scenario.

ENTRY BY LESSOR FOR REPAIRS

The Lessor shall make such repairs to the Demised Premises as required by this Lease, including but not limited to repairing utility facilities or lines, pipes, wires, and the like, over, upon and through the Demised Premises as may be necessary or advisable for servicing the Demised Premises or the structures located and/or to be located on the Demised Premises, including any public areas and the parking lot; provided, however that Lessor shall use its best efforts not to interfere with the conduct of Lessee's business on the Demised Premises. Except in the case of an emergency, Lessor shall give Lessee not less than ten (10) business days 'notice (by telephone or email) to gain access to the Demised Premises to maintain, repair or replace utility facilities or lines, pipes, wires, and the like.

DESTRUCTION OF PREMISES

In the event of a partial destruction of the any structure located on the Demised Premises during the term hereof, from any cause, Lessee shall repair the same. In the event that repairs cannot be made within ninety (90) days, Lessee, may, at its sole option, either make the repairs within a reasonable time, or terminate this Lease.

TAKING BY EMINENT DOMAIN

In case of a taking by eminent domain of the whole of the Demised Premises, then this Lease shall terminate as of the date of the actual taking of possession by the public authorities. In case of a taking as aforesaid of such portion of the Demised Premises as shall preclude the reasonable use of the Demised Premises as set forth in this Lease, either the Lessor or the Lessee may terminate this Lease by notice given to the other with thirty (30) days after the Lessee has been deprived by the taking authorities of physical possession of the Demised Premises so taken.

LEASE TERMINATION

Provided that Lessee shall not be in default under any of the conditions of this Lease, Lessee shall have the right to terminate this Lease, and the term and estate hereby granted at any time by giving not less than 3 months prior written notice given by Lessee to Lessor (the "Cancellation Notice"). The date given in such notice for the termination of this Lease is hereinafter referred to as the "Surrender Date". As used herein, the Surrender Date shall mean the date on which Lessee shall give Lessor possession of the Premises, broom clean, free of all liens, claims, occupants and personal property and otherwise in the condition required under the Lease upon the expiration of the term of the Lease, and an effective instrument of surrender in form and in substance satisfactory to Lessor has been signed and delivered by Lessee to Lessor. In the event of the giving of the Cancellation Notice by Lessee, this Lease and the term and estate hereby granted (unless the same shall have expired sooner pursuant to any other provision of this Lease or pursuant to Law) shall terminate on the Surrender Date with the same effect as if such date were the date hereinbefore specified for the expiration of the term of this Lease. Nothing contained herein or in any instrument of surrender shall relieve Lessee of liability to Lessor of any obligation or liability accrued or incurred under this Lease, including any that are outstanding and unsatisfied as of the Surrender.

ASSIGNMENT AND SUBLETTING

Lessee shall not assign this Lease or sublet any portion of the Demised Premises without the prior written consent of the Lessor. Any such assignment or subletting without consent shall be void and, at the option of the Lessor, may terminate this Lease.

LESSOR'S REMEDIES ON DEFAULT

If Lessee defaults in the performance of any of the other covenants or conditions hereof, Lessor may give Lessee notice of such default and, if Lessee does not cure any such default within thirty (30) days, after the giving of such notice (or if such other default is of such nature that it

cannot be completely cured within that period, if Lessee does not commence such curing within such thirty (30) days and thereafter proceed with reasonable diligence and in good faith to cure such default), then Lessor may terminate this Lease on the date specified in such notice the term of this Lease shall terminate, and Lessee shall then quit and surrender the premises to Lessor. If this Lease shall have been so terminated by Lessor, Lessor may at any time thereafter resume possession of the Demised Premises by any lawful means and remove Lessee or other occupants and their effects. If the Lessee shall be declared insolvent according to law, or if a receiver or other similar officer shall be appointed to take charge of the Lessee's property, or a substantial party thereof, then, and in each of the said cases, the Lessor lawfully may (notwithstanding any license of any former breach of covenant or waiver of the benefit hereof or consent in a former instance) immediately or at any time thereafter while such default or other situation as aforesaid continues, and without further demand or notice, enter into and upon the Demised Premises or any part thereof in the name of the whole and repossess the same and expel the Lessee and those claiming through or under the Lessee and remove its effects, at Lessee's expense, without being deemed guilty of any manner of trespass; and, upon entry as aforesaid, this Lease shall terminate.

WAIVER

Failure on the part of the Lessor or the Lessee to complain of any action or non-action on the part of the other, no matter how long the same may continue, shall not be deemed to be a waiver by either party of any of its rights hereunder. A waiver of any provision hereof shall not be construed to be a waiver of any other provision hereof.

SERVICES BY LESSOR

With respect to any services to be furnished to Lessee, the Lessor shall in no event be liable for failure or delay to furnish the same when prevented from doing so by war, strikes, labor difficulties, lockouts, breakdown, accident, order or regulation of governmental authority, failure of supply, or inability, by exercise of reasonable diligence, to obtain supplies, parts or employees necessary to perform such services, or for any cause beyond Lessor's reasonable control, or for any cause due to any act or neglect on the part of the Lessee or its servants, agents, employees, licensees or any person claiming by, through or under the Lessee, or any termination for any reason of Lessor's occupancy of the premises from which the service is being supplied by the Lessor.

QUIET ENJOYMENT

The Lessee, subject to the terms and provisions of this Lease, on observing, keeping and performing all of the terms and provisions herein contained on Lessee's part to be performed, kept and observed, shall peaceably and quietly hold and enjoy the Demised Premises without hindrance, ejection or interruption by the Lessor or any person or persons claiming under it.

LESSEE'S ADDITIONAL COVENANTS

In addition to all other covenants and agreements of the Lessee contained in this Lease, the Lessee covenants and agrees at all times during the term hereof, and for any further time as it shall hold said Demised Premises or any part thereof, to keep the same in as good order, repair and

condition as the same are in at the commencement of the term, or may be put in thereafter, reasonable wear and tear and damage by fire excepted; to make all those capital improvements and to do those projects as the same are described herein; to remove its goods and effects, and those of all persons claiming under it, at the termination of expiration of this Lease, and will peaceably yield up said premises and all additions thereto to the Lessor, and leave the same clean and in such repair, order and condition as the same were in at the commencement of the term or may be put in during the continuance thereof, excepting only such alterations as are made or authorized by the Lessor, reasonable wear and tear, and damage by fire; not commit any nuisance, or overload the premises, not to carry on any business or occupation which shall be unlawful or contrary to any law or ordinance in force for the time being; not to do any act or things upon the premises which will make them un-insurable against fire or which is liable to increase the premium for fire insurance on the building; to keep the premises equipped as required by law or ordinances, or any other regulation of any public authority because of the use made of said premises by the Lessee, and will make all repairs, alterations, replacements or additions as required, and will procure any authorizations or licenses required for Lessee's use of the premises; will permit the Lessor or its agents to enter at reasonable time to view the premises and make repairs or alterations necessary for the preservation and safety of the Demised Premises pursuant to the terms hereinabove described.

Lessee shall not encumber any fixture or improvement erected by them on the Demised Premises without the express written authorization of the Lessor. Under no circumstance shall the Lessee impair, encumber and/or burden the Demised Premises.

Any fixture, improvements other than personal property and trade fixtures, and/or buildings or structures erected on the Demises Premises by the Lessee shall become the property of the Lessor upon the surrender, termination and/or eviction of the Lessee.

REMOVAL OF PERSONAL PROPERTY

The Lessee may, at the termination of this Lease, remove all of its items of personal property which are not affixed to the real estate. All fixtures which are permanently attached to the premises shall remain in place and shall become the property of the Lessor upon the attaching of the same. The Lessee shall, at its own expense, remove all of its items of personal property at the termination of this Lease and shall repair any and all damage to the premises which may result from or be caused by the removal of such items of equipment or personal property from the Lessee.

HOLDING OVER

If Lessee holds over or continues in possession of the Demised Premises after the expiration of this Lease and without the execution of a new Lease, the tenancy thus created shall be at sufferance. All covenants, obligations, condition and agreements herein contained shall, so far as applicable, apply to all extensions of the terms hereof and to all holding over by the Lessee as a tenant at sufferance.

NOTICES

All notices that may be given hereunder by Lessor or Lessee shall be by registered or certified mail; address in the case of Lessor to Town of Jamestown, c/o Town Administrator, P.O. Box 377, Jamestown, Rhode Island 02835, or to such other address as Lessor may from time to time in writing give Lessee for this purpose; and all notices that may be given to Lessee shall be addressed to Meg Myles, 7 Felucca Ave, Jamestown, Rhode Island 02835. or to such other address as Lessee may from time to time in writing give Lessor for this purpose.

RIGHT OF EACH PARTY TO PERFORM OTHER'S COVENANTS

Each party shall have the right at any time, after ten (10) days' notice to the other party (or without notice in case of emergency or in case of any fine, penalty, interest or cost which may otherwise be imposed or incurred), to make any payment or perform any act required of such other party under any provision of this Lease, and in exercising such right, to incur necessary and incidental costs and expenses, including reasonable counsel fees. Nothing herein shall imply any obligation on the part of the party, and the exercise of the right to do so shall not constitute a release of any obligation or a waiver of any default. All payments made and all costs and expenses incurred in connection with any exercise of such right shall be reimbursed by the other party within ten (10) days after such payments, together with interest at an annual rate equal to the prime interest rate plus one (1%) percent from the respective dates of the making of such payments or the incurring of such costs and expenses, to the party making and paying the same.

SUCCESSORS AND ASSIGNS

All the covenants, conditions and provisions of this Lease shall apply to and inure to the benefit of, and be binding upon the heirs, executors, administrators, successors and assigns of the said Lessor and said Lessee, both as to rights and as to duties and liabilities, except with respect to the right of the Lessee to assign or sublet, which shall be subject to that paragraph entitled "ASSIGNMENT AND SUBLETTING" of this Lease.

ORDINANCES AND STATUTES

Lessee shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force or which may hereafter be in force, pertaining to the premises, occasioned by or affecting the use thereof by Lessee. Failure of the Lessee to comply with this section of the Lease shall constitute a termination of the Lease and the Lessee shall either immediately cure any such violation or quit and vacate the Demised Premises.

ATTORNEY'S FEES

In the event that Lessor shall cause any suit to be brought for the recovery of the Demised Premises or for any sum due hereunder, or because of any act which may arise out of the possession of the Demised Premises by the Lessee, the Lessor shall be entitled to all costs incurred in connection with such action, including a reasonable attorney's fee.

PARAGRAPH HEADINGS

The paragraph headings contained in this Lease are not a part hereof but are inserted only for reference.

JURISDICTION

The parties agree that this Lease shall be deemed a Rhode Island contract and shall be governed by the laws of the State of Rhode Island.

RELEASE AT EXPIRATION

At the expiration of the term of this Lease, provided the Lessee shall not be in default hereof, the Lessee shall be held harmless and indemnified from any liability which may arise at any point in time thereafter due to Lessee's installation of the capital improvements. At the expiration or termination of the Lease, Lessee agrees and acknowledges to release any and all claims of every kind and nature in and to ownership and/or control of the Demised Premises and the structures located thereon.

ENTIRE AGREEMENT

The foregoing constitutes the entire agreement between the parties and may be modified only by a writing signed by both parties.

BY THE PARTIES

TOWN OF JAMESTOWN

Lisa W Bryer
Witness

By: Jamie Hainsworth
Jamie Hainsworth, Town Administrator
Duly Authorized by the Jamestown
Town Council (08-22-2022)

STATE OF RHODE ISLAND
COUNTY OF NEWPORT

In Jamestown, in said County, on the 2 day of Sept, 2022, before me personally appeared Jamie Hainsworth, Town Administrator, Town of Jamestown, to me known and known by me to be the party executing the foregoing instrument, and he acknowledged said instrument, by him/her so executed, to be the free act and deed of said Town of Jamestown, and his/her free act and deed as Town Council, as aforesaid, and individually as well.

Karen Montoya
Notary Public
My Commission Expires: 7-1-26

KAREN MONTOYA
Notary Public, State of Rhode Island
My Commission Expires JULY 01, 2026
Commission # 43174

CONANICUT ISLAND SAILING FOUNDATION

Huh Sud Board president

Lisa W Buyer
Witness

By: *M Myles* Exec Dir
Name & Title:

STATE OF RHODE ISLAND
COUNTY OF NEWPORT

In Jamestown, in said County, on the 2 day of Sept, 2022, before me personally appeared Hannah Swett + Mary Miles of CONANICUT ISLAND SAILING FOUNDATION, to me known and known by me to be the party executing the foregoing instrument, and he/she acknowledged said instrument, by his/her so executed, to be the free act and deed of said corporation, his/her free act and deed as Board Pres + Exec. Dir of said _____, and individually as well.

Karen Montoya
Notary Public
My Commission Expires: 7-1-26

KAREN MONTOYA
Notary Public, State of Rhode Island
My Commission Expires JULY 01, 2026
Commission # 43174



LEGEND

- — — CISF PRIMARY USE
- — — USE AGREEMENT
- — — FLEX USE
- — — SHARED STORAGE
- CISF ACCESS
- - - - APPROXIMATE EXISTING SEPTIC SYSTEM
- - - - CRMC JURISDICTIONAL LIMIT LINE



Use Area

CISF Campus

July 2022

Jamestown, RI





Conanicut Island Sailing Foundation Free Sailing Program Report, 2021

CISF was able to run Free Community Sailing again this summer! Free Sailing was held on Wednesday's from 4:30-6:30 July 14 through August 11. The program was scheduled for five weeks; one week had to be cancelled due to bad weather. Approximately 125 people participated in those four weeks.

The goals of free public sailing are to give people an opportunity to experience sailing; to teach some basic sailing skills; to meet Jamestowners; and to provide an opportunity for people of all ages to connect with nature and the beautiful waters surrounding Jamestown.

CISF has kept to the same basic format for Free Sailing for the past fourteen years. Safety is our primary concern. (CISF also has a motorboat available for safety purposes during Free Sail.) We provide a safe, hands-on learning opportunity on the water to expose more people to sailing. Each week we use three to four of our 14' Hobie Wave catamaran sailboats with an instructor onboard each boat. An instructor takes a group of people sailing, teaching people as they go, with participants most often steering the boat and handling the sails by the end of their session that evening. Sometimes, Sea Adventure Camp participants sail the boat with their parents on board to demonstrate what they have learned.

Our target time for sailing sessions is 20 minutes if it is a busy evening, or longer if it is not busy. How busy we are is directly related to our advertising. This summer, I did not get an ad in the paper until the second week of the program. Thus, the first week was very slow – we had fewer than ten participants.

Our land-side coordinator for Free Sailing ensures that we have a waiver for each participant. Other jobs of the land-side coordinator include keeping track of who is next, as well as how long each sail lasts. Each sailboat is equipped with a VHF radio so that they can communicate with the shore person. Every participant of the Free Sailing Program is required to wear a life jacket. CISF supplies a life jacket to anyone who needs one.

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

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

Sincerely,

A handwritten signature in blue ink that reads "Meg Myles". The signature is written in a cursive, flowing style.

Meg Myles
CISF Executive Director



Mission: *Inspire and empower people of all ages, backgrounds and abilities by engaging them with the marine environment of Narragansett Bay through sailing & education*

CISF's 2021 Jamestown Sea Adventure Summer Report

I'd like to start by thanking the Town of Jamestown, and specifically Ray DeFalco, Jamie Hainsworth, and Ronnie Parfitt from Public Works. All have really been terrific to work with – helpful, timely, honest, direct. **THANK YOU, Jamie, Ray, & Ronnie!!!**

Summer 2021 was both remarkable and unremarkable. We had an unprecedented number of camp spots available and filled – approximately **486 camp spots were filled**. (And, we still had waiting list!) It was an unremarkable summer thankfully due to the lack of incidents and accidents. (See incidents report at the end of this report.)

Because a vaccine was still not available for the majority of children participating in camp, we kept many of our policies and procedures in place from summer 2020.

Summer 2021 COVID-19 Policies and Procedures:

- As per State guidelines, we registered with the State.
- Hand washing stations at two locations (frequent hand washing encouraged, especially at drop off and pick up)
- Two drop off locations designated with signs and pre-assigned to campers. Drop off location assignments were sent via email to parents and caregivers preceding camp.
- Small, pre-arranged groups (pods) of children (approximately 12-15 children /pod – bigger than 2020, but still much smaller than recommended State guidelines)
- Pods distanced, requiring several pop-up tents as home-bases for pods
- 4 port-o-potty units, each for a designated pod and marked as such; units closed to public use
- Designated equipment for each pod
- Ages 4-6 (Explorers group) cancelled for the entire summer
- 14-day advance of camp health attestation form required for each camper ahead of camp
- Daily health screening on site at drop off (no temp checks)
- Parents were given the ability to request children be in the same pod as friends
- We did not sell a boat as planned in 2020. In order to make our pod system work, we needed a sixth Hobie Wave.
- Had more staff to ensure each staff member was with a singular pod each week.
- Staff were encouraged to be vaccinated. Any unvaccinated staff were required to wear face coverings with not socially distanced or inside.
- Children were asked to bring a face covering for times when they could not be socially distanced, though we tried to keep kids distanced as much as possible
- Children were asked NOT to wear a face covering when sailing in case they fell in – swimming with a face covering is a whole other risk.

Sea Adventure Camp Overview, 2021:

- **8 weeks of camp** were offered
- Dates of Camp: **June 28 - August 20**
- The **focus of Sea Adventure Camp** remained the same: to **explore nature and the outdoors - on, in, and around the water - while also increasing children's awareness of the unique and beautiful marine environment surrounding Jamestown and beyond.**
- Each week of camp is tailored to the interests of the group attending, while still focusing on **our main goals: 1.) introducing & teaching sailing**
2.) marine & environmental education
- **Fort Getty's easy access to a salt marsh, rocky shore, and sandy beach provides an ideal setting for camp** and to allow **kids to explore and learn.**
- We have been fortunate to have the majority of the **same talented staff** this summer as we have had **for the past several years.**

Sea Adventure Staff

- **Haley Barber**, BA in Environmental Education & Master of Arts in Early Childhood Education, CISF Program Director & Sea Adventure Camp Manager
- **Rachel Bryer**, US Sailing Level 1 & 2 certified (part-time in 2021)
- **Fiona Christie**, US Sailing Level 1 certified sailing instructor, BA Elementary Education and a BA in Fine Arts; CISF year-round educator in charge of our Home-school programs
- **Eric Marshall** – US Sailing Level 1 certified instructor
- **Emma Henry** – camper turned instructor since 2019
- **Heather Moore** – camper turned instructor since 2016
- **Ian Bryer** - camper turned instructor since 2016
- **Madi Henry** - camper turned instructor since 2018
- **Theo Michaud** – camper turned instructor – this was his first summer as a full-time instructor

Camp Administrator:

- **Katie Flath** – councilor with administrator roles/responsibilities (Katie worked remotely this year)
-

Junior Instructors:

- Maggie Taplin
- Matt Cotter
- Isabella Museler

*Councilors in Training:

- Ryan Goodburn
- Ryan Barret
- Avery Shafts
- Annabelle Murray
- Elle Knopp
- Frankie Strassman

*CIT's must be at least 14 years old, and work on a volunteer basis.

As you can see, our camp staff has grown tremendously. We are actively formalizing our junior instructor and CIT pathways. CITs volunteer their time for 1-2 weeks a summer. They are essentially campers with some responsibilities. Our Jr Instructors are a bit older (typically 14-16 years old), are asked to commit to more weeks of camp, and are paid. We have added a page to our website with information about becoming a CIT as well as an application.

We are so fortunate to have a group of fantastic individuals who help camp run smoothly and help to maintain the same camp 'feel' from year to year.

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

2021 Camp Details:

For the 2021 season, there were **eight weeks of camp** for children ages 5 (if Kindergarten was completed) -16.

Schedule:

- *Explorers*, ages 4-6, cancelled for the entirety of the summer
- *Marine Adventurers*, ages 5 (if K completed) -8, four half-day sessions offered over the course of 3 weeks, 116 children total participated
- Ages 8-10, half-day, 2 weeks of camp offered, 78 total children participated (more than double the number from 2020)
- Ages 8-10, full day, 6 weeks of camp offered, 146 total children participated

- Ages 11-16, 6 weeks of camp offered, 111 total children participated
- Leadership Program, ages 11-16, 3 weeks offered, 19 total children participated
- O'Pen Skiff Adventures, ages 10 & up with some sailing experience, 16 total children

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

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

Leadership Program:

CISF launched a **leadership program in 2018** for teens ages 13-16. It is an add-on program to Sea Adventure Camp. Our goal is not to create the next group of Sea Adventure Camp Instructors, but to **empower students with skills** that will **enable them to make better decisions**. Additional goals include teaching participants **what it means to be a leader** and **how to lead** using the **leadership style that best suits each person**. **Leadership skills are taught through discussion, purposeful training, games, and goal achievement** in sailing, marine science, and environmentalism. CISF strongly believes that **“leaders are made, not born”** (Vince Lombardi).

This summer, **we opened up our Leadership Program to include children ages 11-16**.

Leadership participants were their own pod. The result was a better experience and program for all participants in the Program as per feedback from staff, parents, and participants.

O'Pen Skiff Camp:

This summer we launched a pilot program called O'Pen Skiff Adventures. We used only the O'Pen Skiffs, which are small, unstable, but super fun boats. The program ran for a half-day (1 – 4 pm) for a week. We ran two of these weeks & received great feedback! It would be great to have an additional boat or two so that more kids can participate.

Boats:

CISF owns and maintains **5 Hobie Waves**, storing them inside our trailers during the winter. We have **access to and use of a sixth Hobie Wave, thanks to a Jamestown family**.

4 O'Pen Skiff's added in 2020. <https://www.openskiff.org/>

1 J/22 keelboat used sporadically this summer in camp

2 powerboats (inflatables) – 1 15', and 2nd that is 17'

We also own several kayaks, SUP boards, and windsurfing boards. All are stored on the rack in the Kit Wright Trail.

Waiting Lists:

2021 saw a continued demand for outdoor camps for children and Sea Adventure Camp waiting lists reflected that demand. By the end of the day of our first day of registration for the 2021 season, we were 60% full. We had waiting lists in the youngest age groups (ages 5 (if K completed) – 8) that were 20-30 kids deep. In the other age groups, every week of camp had at least 8 children on the waiting list. Because of the long waiting lists, we added spots to camp weeks when possible.

Annually, the growth of Sea Adventure Camp has been to meet demand. We have not made camp bigger just for the sake of getting bigger.

Numbers & Metrics:

2021 participation numbers were very high! We had **486 camp spots filled**, which is a 15% increase (66 spots) from 2019, when we had our highest participation numbers.

Interestingly, COVID forced us to operate in a pod system, that has turned out to be great! The smaller groupings of pods has brought back a more tailored and personal camp experience for all children. It is a system we will stick with, though with some modifications. An example of a modification includes bringing back a bit of “all camp” activities and games, or possibly just games between pods.

Our approximate maximum capacity for each week of camp in 2021:

- 5 (if K completed)-8 yr olds, *Marine Adventurers*, – 116 spots available, 4 sessions offered
- 8-10 yr olds, half day –40 spots available/week, usually 2 weeks offered; 80 total spots
- 8-10 yr olds, full day – 25 spots available/week for 5 of 6 weeks; 12 spots available in the 6th week; approximately 137 spots available
- 11-16 yr olds, 20 spots available/week in 5 of 6 weeks; 12 spots available in week 6; 112 spots total
- O’Pen Skiff – 8 spots available/week, 2 weeks offered; 16 total spots
- Leadership Program (ages 11-16) – approximately 8 spots available/week, 3 weeks offered; 24 spots total

Approximate Total Capacity:

With the schedule as organized this summer, total capacity was approximately 493 camp spots. At approximately 486 spots filled, we were essentially at capacity.

Participation Metrics (Leadership Program participation included):

- **486 total camp spots filled**
- **358 ‘unique’ participants**
- **96 children participated in multiple weeks**
 - 262 children participated in one week of camp
 - 70 children participated in 2 weeks of camp
 - 22 children participated in 3 weeks of camp
 - 3 children participated in 4 weeks of camp
 - 1 child participated in 5 weeks of camp

Where did Sea Adventure campers come from in 2021?

- **90-95%** of participants are **residents, relatives of residents, rent or teach in Jamestown**
- **5-10%** of participants **come from off island**, just for *Sea Adventure Camp*

Arts & Crafts:

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

Marine Debris & Environmental Impact: One of the focuses of Sea Adventure Camp continues to be marine debris - what is it, where it comes from, how is it harmful, & what can we do to mitigate this problem. Campers clean up trash wherever they are – on the water, on the beach – and dispose of it properly. The last week of camp, the instructors had a trash pick up contest. Approximately 2,500 pieces of trash were picked up.

Worm Composting: CISF started worm composting in the 2017-18 school year in the Melrose School. A worm bin designated for the Lawn school was added in 2018-19 school year. CISF provided the bin for Melrose, and a grant from Jamestown Education Foundation funded the Lawn School bin. CISF Program Director, Haley Barber, has led the worm composting programs in both schools. The worm bins have been used at camp each summer to ensure the health of the worms, the bin, and the continuation of this project. The bins are used to educate children about the cycle of life of food. However, due to COVID and the adjusted school policies to manage COVID, worm composting was suspended. We will take it up again in 2022, or hopefully sooner.

Fox Hill Farm Gardens: Abby & Jeff Boal at Fox Hill Farm allowed CISF use of several of their vegetable beds starting early spring. Vegetable gardening was added to our spring programs. Though it may seem a stretch from our focus of sailing and marine education, getting kids involved in growing food, the soil web, the details of growing food, and generally getting their hands dirty in the ground fits right in with our mission. Land and sea are intricately connected. How we treat the land and soil dramatically effects what flows into the ocean. Understanding how food grows and finding value in that is also critical to creating a connection to the earth and nature. Getting children to understand the connection of land and sea is an integral part of marine education. To that end, during the summer, one pod a week spent time at Fox Hill Farm tending to the gardens for a portion of a day.

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

Life jackets:

Thanks to a grant from the Sea Tow Foundation a few years back, CISF maintains a life jacket stand at Fort Getty for anyone going boating and in need of a life jacket. **Not having or wearing a life jacket is still the leading cause of fatalities when boating.**

Last summer our life jacket stand was not in use because the transmission of COVID was still not totally understood. This summer there was less cause for concern of transmission from objects like life jackets. We did have our life jacket stand out, but a bit set back. In summer 2022, we will have it fully operational and obvious for public use.

Financial Information:

CISF continues to make significant financial investments to make Sea Adventure Camp and all of our other programs safe and viable.

Staff - we pay our staff competitive rates to ensure quality & safety.

Providing safe, fun, and engaging programming that create leadership and confidence-building opportunities for the next generations is incredibly important to us. Jamestown **Sea Adventure Camp** and **all of CISF's programs are priced below market value, and are often free** - fourth

grade sailing is a good example of such a program that is offered for free to 4th graders in the Jamestown school system. Additionally, **CISF funds our Program Director, Haley Barber, to be in the Jamestown School system** to assist Jamestown teachers with their projects and to **create and implement** additional hands-on, fun, **marine and outdoor educational programs that support grade-level curriculum.**

2021 Camp prices:

Camp prices have remained almost the same since the start of camp in 2012.

- The full day camp price has gone up \$10 since 2013.
 - The half-day camp price actually went down \$5 since 2013.
 - The younger age group price (*Marine Adventurers*) is the only price that has gone up since 2018. It went from \$125 to \$145 for 2019 and has remained at that price.
-
- Full-day camp (9 am- 4 pm)- \$295
 - Half-day camp (9 am-1pm) - \$160
 - *Marine Adventurers*, 6-8 year olds (1-4 pm) - \$145
 - *Explorers*, 4 - 6 year olds (9am - 12pm) - \$145
 - *O'Pen Skiff* (1 – 4 pm) - \$160
 - Leadership Program - \$55

Scholarships:

CISF approved all scholarships to *Jamestown Sea Adventure Camp* that were received.

CISF **scholarship deadlines** changed in 2020 to be rolling throughout the year, rather than May and November how they had been for years. This change was done in response to COVID and financial hardships that people have been experiencing due to the pandemic. We consciously decided to keep rolling acceptances for financial aid requests.

Scholarship announcements (reminders) are published in the *Jamestown Press* periodically.

Incidents, Weather, & Port-o-Potties:

Incidents:

The first week of camp was our only big 'incident'. A child slipped on the shale rocks across from the boat ramp. Emergency medical help was called. He received 11 stitches and returned to subsequent weeks of camp once he was healed.

COVID – unfortunately, though we had a pod system in place, there was some mixing of two pods during the third week of camp. There was a positive test from a camper in week 3 as well. A child who was scheduled to go to a camp the following week that required a PCR test, tested and that test came back with a surprise positive result (asymptomatic child).

The DOH was contacted & contact tracing done within two hours of the positive test notification. By the time of pick up that same day (a Friday), all parents had received an email about the positive test. Two pods of 8-10 year olds were quarantined. This did affect our numbers slightly for the following week as there were some children scheduled to participate in the following week of camp.

Weather:

It was actually quite a rainy summer. Our new, three season tent makes rainy days much better, but with COVID and a pod system, we cannot fit all of the children under our tent. Additionally, being under a tent in a thunderstorm is also not ideal. Thus, we did in fact cancel or shorten a few days.

Of the 8 weeks of camp, the following schedule adjustments were made due to weather:

- 2 full days of camp were cancelled
- 3.5 days were shortened
- 1 make-up day was offered the week of August 23

Ironically, our make-up day also had to be rescheduled due to the hurricane at the end of August. That hurricane came close enough that we took the walls and roof off of our tent. We also took the masts of our catamarans down and stored everything that could fly away inside our trailers (including a few small boats). It took us a few days to put things back together.

Additionally, there was a fall storm with very high winds that also caused us to take the side walls off of our tent. Taking the side walls down preserves the tent a bit. For that storm we only had one catamaran left out. We did not take the mast down and it did lift and get stuck against the concrete wall where the basketball post sits. Thankfully, there was no real damage.

Port-o-Potties

CISF had **4 port-o-potties for our use exclusively** through the summer – one per pod. They were **located just to the left of the road leading to the Kit Wright Trail**. This location was **ideal**. It allowed children **quicker access** to the bathroom, and instructors could keep an eye on children using the bathroom without having to leave the rest of the group. Though the location required crossing the road, CISF staff were able to manage that without issue.

We do still have quite a few people who stop to use the port-o-potties. We have signs on them that they are for CISF/Camp use only. Keeping them locked when camp is in session is not always practical, but we do our best. One suggestion is to add a 5th unit next summer and designate that for public use. Additionally, signage for the bathrooms at the top of the hill would also be super helpful to the public.

The Town has been instrumental in helping us rent & manage the port-o-potty units! Thank you!

CISF's New Tent:

We spent last fall researching tents and the winter fundraising. As a result, in March we put up a new, three season tent! It is really great! We have added a heater as well for use on cold days. These additions have truly helped us add more programs, add quality to our programs, and keep kids warm. There is still puddling on the concrete, but overall, things are much better. Quick side note: We have had plans to replace the concrete for over a year now. However, we are going to hold off replacing the concrete until we have a better overall plan that is planned in conjunction with the Town. We don't want to spend money to have the concrete replaced and then find we need to amend the new concrete in any way.

Car Traffic:

It is no secret that Fort Getty is busy in the summer. Having witnessed drop-offs and pick-ups for years now, I reached out to Chief Mello and Ray De Falco to meet at Fort Getty and discuss the flow of traffic at these busy times, with the idea that we could do better.

The three of us met Friday, July 23 at 8:30 am to look at the traffic situation flowing past camp at drop off. All discussed and agreed that improvements could be made. It was agreed that a new traffic scheme be implemented Monday, July 26 as pilot program to keep traffic flowing one way from the corner where the CISF tent is towards the boat ramp.

During the week of July 26-30, this 'pilot' traffic scheme was instituted during the following times: 8:30-9:15, 12:20-1:15, 3:45-4:15. The week of August 9-13 also had the same times as the camp schedule has a mid-day camp pick up. Other weeks traffic flow was changed from 8:30-9:15 and 3:45-4:15.

Overall, there was marked improvement in safety & confusion during drop offs and pick-ups by doing this. There were a few minor incidents involving other Park users (people driving by). Ray,

Chief Mello, and I kept in touch about this and I submitted a summary report to the Chief & Ray on July 30th, after the first week of the pilot program.

In summary, it would be great to continue this adjusted traffic flow next summer. If all agree and approve, we will have better signage made indicating traffic flow and exits to keep cars from driving through the camper areas.

Conclusions:

On behalf of the CISF I would like to **thank the Town of Jamestown for allowing us to hold camp & programs at Fort Getty. We are passionate about our mission** to inspire and empower people of all ages, backgrounds and abilities by engaging them with the marine environment of Narragansett Bay through sailing and education. Our **CORE Values** drive every decision that we make and every program that we offer. **Opportunity, Education, Stewardship, and Positive Youth Development** are our guiding principles.

CISF provides a significant number of Jamestowners with a local, safe learning environment in which to experience sailing and Jamestown's coastal environment. **We are a resource for the Town of Jamestown and look forward to continuing our successful partnership.**

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

Sincerely,



Meg Myles
CISF Executive Director



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March 28, 2022

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

Re: Coastal Feature Delineation at Fort Getty, Jamestown, Rhode Island

Dear Ms. Bryer:

On March 11, 2022, Applied Bio-Systems, Inc. completed a Coastal Feature delineation on this site located at Fort Getty, Jamestown, Rhode Island (See Figure 1). Please note that since this was a Coastal Feature delineation, the wetland flags were placed at the edge of Coastal Wetland and/or top of bank/bluff because that was the most inland edge of Coastal Feature. The attached sketch is an approximate location of the Coastal Feature delineation (See Figure 2).

The Coastal Feature and coastal wetland delineations were based on field methods employed by *The State of Rhode Island - Coastal Resources Management Program*, as amended; *Coastal Resources Management Council Salt Ponds Region Special Area Management Plan*, as amended; and *the Army Corps of Engineers 1987 Wetland Delineation Manual*, as amended with the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: North central and Northeast, Version 2.0*, as amended.

The inland edge of Coastal Feature for the 100 Series is the top of bluff. This delineation is located on the northwest side of Fort Getty on a steep bank. The predominant vegetation near the Coastal Feature delineation includes northern arrowwood (*Viburnum dentatum*), red cedar (*Juniperus virginiana*), sumac (*Rhus* sp.), and multiflora rose (*Rosa multiflora*). Flagging numbered 100-132 delineates the top of bluff. The last flag ends at the peninsula near the northern tip of Fort Getty.

The Soil Survey Geographic (SSURGO) database for the State of Rhode Island: Bristol, Kent, Newport, Providence, and Washington Counties (NRCS, 2012) classifies the soil unit for the northwest portion of Fort Getty as Rock outcrop (Rk). This unit consists of level to very steep areas of exposed bedrock along the shore of Narragansett Bay and Block Island Sound. The areas are unprotected from the ocean. During storms they are subject to strong wave action. (See Figure 3).

The inland edge of Coastal Feature for the 200 Series is the edge of Coastal Wetland and/or the top of bank. This wetland is considered an Estuarine Emergent Marsh and is hydrologically connected to West Passage. West Passage is classified by CRMC as a Type 1 Conservation Area water. This delineation is located on the northeast side of Fort Getty. The predominant

wetland vegetation near the Coastal Feature delineation includes common reed (*Phragmites australis*), high tide bush (*Iva frutescens*), and salt marsh hay (*Spartina patens*). Flagging numbered 200-219 delineates the top of bank and/or the edge of the Coastal Wetland.

The Soil Survey Geographic (SSURGO) database for the State of Rhode Island: Bristol, Kent, Newport, Providence, and Washington Counties (NRCS, 2012) classifies the soil unit for the northeast portion of Fort Getty as Ipswich peat (Ip). This nearly level, very poorly drained soil is in tidal marshes in coastal lagoons, bays and coves. It is subject to tidal inundation twice daily. (See Figure 3).

The northern tip of Fort Getty was not delineated out in the field because it could be considered by CRMC as a "Spit". The Coastal Feature on this peninsula would be the edge of road. There are beaches on both sides of the road that consists of cobble and sand. The plants on the peninsula consist of red cedar, sumac, and multiflora rose. The entire "Spit" would be under CRMC jurisdiction.

CRMC has jurisdiction over all Coastal Feature types as well as an additional 200-foot jurisdictional area extended inland from the inland edge of the coastal feature (edge of Coastal Wetland and/or top of bank/bluff). Any alterations proposed within this area will need prior approval from CRMC. The Town of Jamestown may have additional wetland requirements.

This letter is the sole opinion of Applied Bio-Systems, Inc. and is not to be construed in any way as an authorization from any regulatory agency. Please note that as of the date of this letter, the Coastal Feature delineation has not been verified by CRMC. CRMC is the ultimate authority in deciding the edge of coastal wetland areas and their jurisdictional boundaries in this location. If there are any questions regarding this letter or if you require further assistance, please contact my office.

Sincerely,

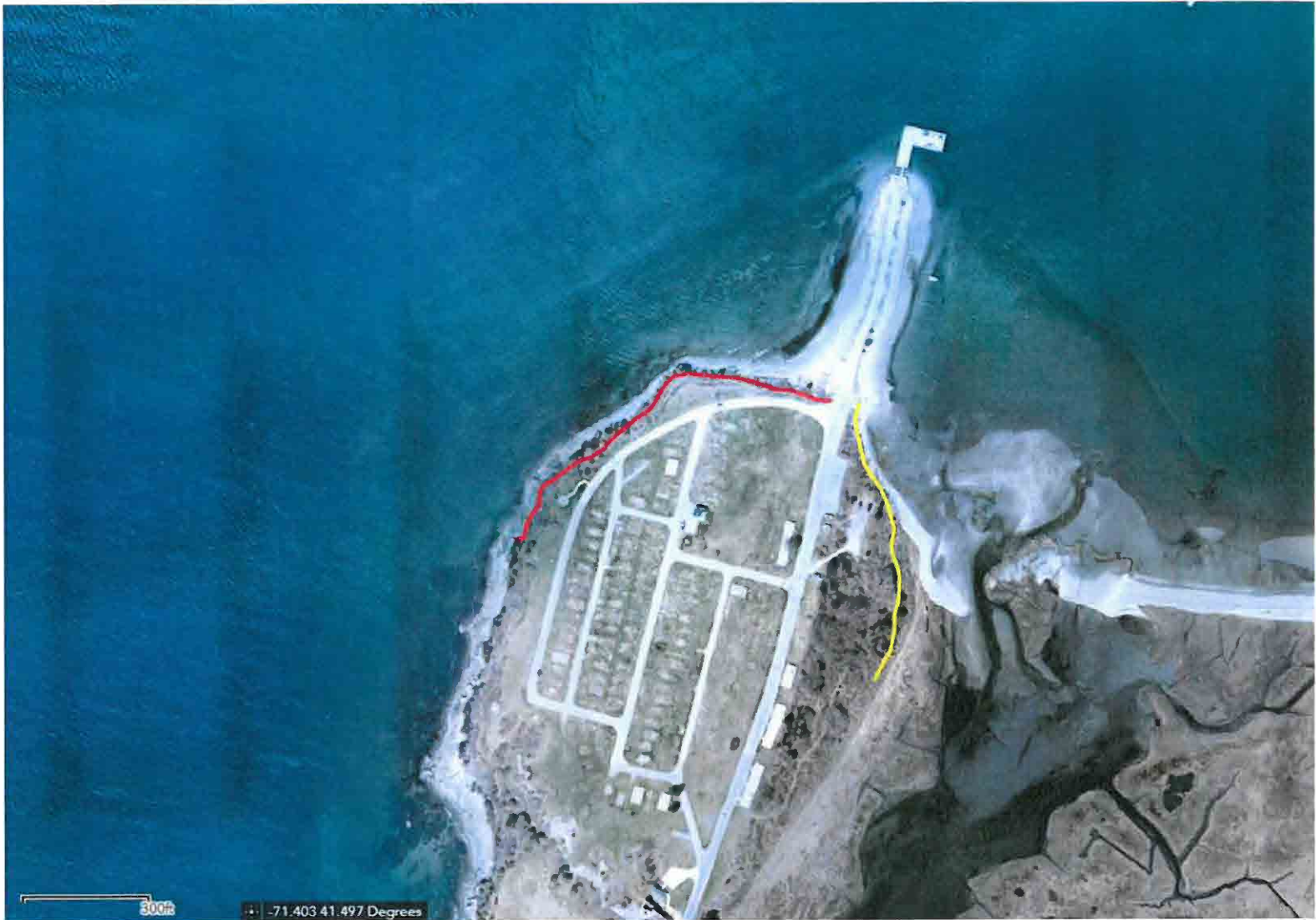
A handwritten signature in black ink that reads "Jason Schwartz". The signature is written in a cursive, flowing style.

Jason Schwartz
Senior Environmental Scientist

Figure 1. Project Location Area for Fort Getty, Jamestown, Rhode Island



Figure 2. Coastal Feature Delineation at Fort Getty, Jamestown, Rhode Island



Approximate location of Coastal Feature. For survey use only.

- Coastal Feature Flags #100-132 (Top of Bluff)
- Coastal Feature Flags #200-219 (Wetland and/or Top of Bank)

Note: The peninsula at the northern end of this area was not flagged in the field because it would all be under CRMC jurisdiction.

Figure 3. Soil Mapping Units in the Vicinity of Fort Getty, Jamestown, Rhode Island



The Soil Survey Geographic (SSURGO) database for the State of Rhode Island: Bristol, Kent, Newport, Providence, and Washington Counties (NRCS, 2012)

See above letter for more detail on soil unit descriptions