

AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS
180 HIGH STREET
WAKEFIELD, RI

MONDAY, APRIL 11, 2011

NOTE: Individuals requesting interpreter services for the hearing impaired must call 792-9642 (TDD) or 789-9331 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 4/7/2011

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1. A. **WORK SESSION – 6:45 PM**
- B. **REGULAR SESSION – 7:30 PM**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL**
4. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**
 - A. **Work Sessions – March 8, March 9, March 15 and March 28, 2011**
 - B. **Regular Sessions – March 21 and March 28, 2011**
 - C. **Closed Executive Session – March 28, 2011**

5. CONSENT AGENDA

* * * * *

- I. Rule 10A. for the conduct of the meetings of the South Kingstown Town Council for the Term 2008 through 2010: Members of the public shall be entitled to speak at regular meetings during any period designated on the agenda for public comment, once, for a period of five minutes, or longer at the discretion of the President, and at other times when invited to do so by the President. The public shall address their comments to the question under debate as indicated on the agenda. Pursuant to RI General Laws §42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.
- II. Rule 11: No item of business other than that of adjournment may be brought before the Town Council at any meeting unless such an item is introduced before 11:00 PM; provided, however, that this rule may be suspended by an affirmative vote of a majority of members present.
- III. Rule 13: All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

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6. LICENSES

- A.** A resolution granting a Holiday Sales License to SWJ INC. d/b/a PSYCHIC KITTY, 593 Kingstown Road, Wakefield, RI 02879 subject to approval by the Fire Chief and Communications Superintendent. Application by Carolyn Blecharczyk, President, P.O. Box 6729, Warwick, RI 02887; New, continued from March 28, 2011.
- B.** A resolution granting a Holiday Sales License to WAVES OF CREATION, 271 Main Street, Wakefield, RI 02879 subject to approval by the Fire Chief. Application by Laura Winward, 765 Wordens Pond Road, Wakefield, RI 02879; New.
- C.** A resolution granting a Victualling License to LA STRADA WOOD FIRED PIZZA INC. d/b/a LA STRADA CAFÉ & PIZZERIA, 920 Matunuck Beach Road, Wakefield, RI 02879 subject to approval by the Fire Chief. Application by Nicholas T. Schneider, 770 Moonstone Beach Road, Wakefield, RI 02879; New.
- D.** A resolution granting a Theater License to COURTHOUSE THEATER CO. d/b/a CONTEMPORARY THEATER CO., 50 South County Commons Way, Wakefield, RI 02879 subject to administrative approvals. Application by Christopher Barrett, 29 Linden Drive, Kingston, RI 02881; New.
- (CA) E.** A resolution granting a Victualling License to SOUTH KINGSTOWN LITTLE LEAGUE for the seasonal concession at Tuckertown Park. Application by Paul J. DeLuise, Treasurer, P.O. Box 388, Wakefield, RI 02880; Renewal.
- (CA) F.** A resolution granting three Victualling Licenses to DARLEEN SIMAS, 397 Willard Avenue, Wakefield, RI 02879 for concession operations at Old Mountain Field, Broad Rock Playfields and West Kingston Park subject to administrative approvals and approvals by the RI Department of Health and RI Division of Taxation. Application by Darleen Simas, 397 Willard Avenue, Wakefield, RI 02879; Renewals.

7. PUBLIC HEARINGS

- A.** A Public Hearing for the purpose of obtaining citizen views on community development, housing needs and program performance relative to filing a Small Cities Community Development Block Grant (CDBG) application for the Program Year 2011. The Town is eligible to apply for \$400,000 in funds for the purpose of undertaking activities that meet one or more of the following three named national objectives:
1. Urgent needs.
 2. Prevention/elimination of slums or blight.
 3. Activities benefiting low/moderate income persons.
- B.** A Public Hearing relative to proposed amendments to the Zoning Ordinance, Article 5 Supplementary Regulations, Section 504 Special use permits concerning the siting of Onsite Wastewater Treatment Systems (OWTS) in proximity (within 150') of wetland areas, as shown on Exhibit 1 attached hereto.

8. COMMUNICATIONS

- (CA) A.** A communication dated March 26, 2011 from Brian O'Neill concerning traffic calming measures to reduce speeding on Middlebridge Road is received and placed on file. (3/31/2011 Interim, Item C.)
- B.** Resolutions adopted by the Jamestown Town Council in support of House Bill 2011 – H 5804 *An Act Relating to Elections* and amendments to RIGL §17-11-1 *Division of towns and representative district into voting districts*; in opposition to House Bill 2011 – H 5961 *An Act Relating to Labor Relations – School Employee Arbitration*; and in support of legislation to amend RIGL §16-7-44 *School housing project costs* are received, placed on file, and the Town Council further directs _____.
(3/31/2011 Interim, Item D. and 4/7/2011 Miscellaneous, Item II D.)
- (CA) C.** A communication dated March 29, 2011 from Christopher J. Fox, Executive Director, Wood-Pawcatuck Watershed Association extending an invitation to a public informational meeting concerning the Kenyon Mill Dam fish passage project to be held on April 12, 2011 is received and placed on file. (3/31/2011 Interim, Item I.)

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- (CA) D.** A communication dated March 24, 2011 from Ruth E. Gallucci, Early Childhood Coordinator, South Kingstown School Department and Susan D.G. Warford, Director, URI Child Development Center inviting Council members to attend Week of the Young Child events from April 9th through April 17th is received and placed on file. (3/31/2011 Interim, Item J.)
- (CA) E.** A resolution adopted March 21, 2011 by the Middletown Town Council in support of House Bill 2011 – H 5088 *An Act Relating to Elections – Elective Meetings* that would change the closing time of the polls on election day from 9:00 PM to 8:00 PM is received and placed on file. (3/31/2011 Interim, Item K.)
- F.** A resolution adopted March 22, 2011 by the Exeter West Greenwich School Committee in opposition to proposed mandatory binding arbitration legislation is received, placed on file, and the Town Council further directs _____ . (4/7/2011 Miscellaneous, Item II C.)
- G.** A communication received April 6, 2011 from Councilman James O’Neill proposing adoption of a resolution regarding the purchase of Rhode Island based agricultural products by state and municipal agencies is received, placed on file, and the Town Council further directs _____ . (4/7/2011 Miscellaneous, Item II G.)
- (CA) H.** A communication dated April 6, 2011 from Barbara Crudale extending an invitation to the South Kingstown High School Career Fair on April 28, 2011 is received and placed on file. (4/7/2011 Miscellaneous, Item II H.)
- I.** A resolution adopted April 5, 2011 by the Foster-Glocester Regional School Committee in opposition to General Assembly bills 2011 – S 413 and 2011 – H 5943 *An Act Relating to Labor and Labor Relations – Certified School Teachers’ Arbitration* that would provide for mandatory continuation of an existing teacher contract (“Evergreen legislation”) is received, placed on file, and the Town Council further directs _____ . (4/7/2011 Miscellaneous, Item II I.)

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- (CA) J.** Any communication added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

9. COMMENTS FROM INTERESTED CITIZENS

10. TOWN MANAGER’S REPORT

11. TOWN SOLICITOR’S REPORT

12. APPOINTMENTS

- A.** A resolution appointing _____ to the _____ Board/Committee/Commission for a term to expire in _____.

13. NEW BUSINESS

- A.** A resolution adopting the Town Beach Policy for the 2011 season, as shown on Exhibit 2 attached hereto, and amending the Town’s Schedule of Fees; as further described in a memorandum from the Director of Leisure Services to the Town Manager dated April 1, 2011 and entitled “2011 Town Beach Policy and Fee Schedule.”
- (CA) B.** A resolution adopting a proclamation honoring Andrew H. Chinn for attaining the rank of Eagle Scout, as follows:

ANDREW H. CHINN

WHEREAS, ANDREW H. CHINN, a member of Troop 44 in Matunuck has devoted his time and his energy to complete the requirements of and participate in such a worthwhile organization as the Boy Scouts of America, and

WHEREAS, in **his** quest to achieve the designation of Eagle Scout he worked with a team of 10 Scouts to prepared the site, pour a concrete slab and secure a sitting bench at Matunuck Elementary School, and

WHEREAS, **he** showed persistence and determination in his efforts to complete his chosen service project and earn this prestigious award, evidence of his commitment to the high ideals of Scouting, and

WHEREAS, **he** has attained the highest, most prestigious award in Boy Scouting, the Eagle Scout Award, bringing pride to himself and honor to Troop 44 Matunuck, his family, and to his community; may this be a prelude of his future dedication to a purpose and service, until he accomplishes the goal he is seeking.

NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

- (CA) C.** A resolution adopting a proclamation honoring Zachary T. DeLuca for attaining the rank of Eagle Scout, as follows:

ZACHARY T. DELUCA

WHEREAS, **ZACHARY T. DeLUCA**, a member of Troop 44 in Matunuck has devoted his time and his energy to complete the requirements of and participate in such a worthwhile organization as the Boy Scouts of America, and

WHEREAS, in **his** quest to achieve the designation of Eagle Scout he worked with a team of 15 Scouts to complete a landscaping restoration project on the William O'Neill Bike Path, and

WHEREAS, **he** showed persistence and determination in his efforts to complete his chosen service project and earn this prestigious award, evidence of his commitment to the high ideals of Scouting, and

WHEREAS, **he** has held the leadership positions of Patrol Leader and Troop Guide, and

WHEREAS, he has attained the highest, most prestigious award in Boy Scouting, the Eagle Scout Award, bringing pride to himself and honor to Troop 44 Matunuck, his family, and to his community; may this be a prelude of his future dedication to a purpose and service, until he accomplishes the goal he is seeking.

NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

- (CA) D.** A resolution adopting a proclamation honoring William H. Law III for attaining the rank of Eagle Scout, as follows:

WILLIAM H. LAW III

WHEREAS, WILLIAM H. LAW III, a member of Troop 44 in Matunuck has devoted his time and his energy to complete the requirements of and participate in such a worthwhile organization as the Boy Scouts of America, and

WHEREAS, in his quest to achieve the designation of Eagle Scout he worked with a team of 20 Scouts to renew the trout hatchery dam and associated access paths in the South County Conservancy's Mill Pond Preserve in Charlestown, and

WHEREAS, he showed persistence and determination in his efforts to complete his chosen service project and earn this prestigious award, evidence of his commitment to the high ideals of Scouting, and

WHEREAS, he has held the leadership positions of Patrol Leader and Troop Guide, and

WHEREAS, he has attained the highest, most prestigious award in Boy Scouting, the Eagle Scout Award, bringing pride to himself and honor to Troop 44 Matunuck, his family, and to his community; may this be a prelude of his future dedication to a purpose and service, until he accomplishes the goal he is seeking.

NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

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- (CA) E.** A resolution adopting a proclamation honoring Nicholas J. Meehan for attaining the rank of Eagle Scout, as follows:

NICHOLAS J. MEEHAN

WHEREAS, NICHOLAS J. MEEHAN, a member of Troop 44 in Matunuck has devoted his time and his energy to complete the requirements of and participate in such a worthwhile organization as the Boy Scouts of America, and

WHEREAS, in **his** quest to achieve the designation of Eagle Scout he worked with a team of 20 Scouts to complete the stone wall restoration and landscaping of Matunuck Elementary School entrance, and

WHEREAS, he showed persistence and determination in his efforts to complete his chosen service project and earn this prestigious award, evidence of his commitment to the high ideals of Scouting, and

WHEREAS, he has held the leadership positions of Assistant Patrol Leader, Patrol Leader and Troop Guide, and

WHEREAS, he has attained the highest, most prestigious award in Boy Scouting, the Eagle Scout Award, bringing pride to himself and honor to Troop 44 Matunuck, his family, and to his community; may this be a prelude of his future dedication to a purpose and service, until he accomplishes the goal he is seeking.

NOW THEREFORE, WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN do hereby extend our congratulations for a job well done and best wishes for success in all future endeavors.

- F.** A resolution authorizing an award of bid to Paul Masse Chevrolet, 399 Main Street, Wakefield, RI 02879 for the purchase of one 2011 9500 GVW pickup truck with snowplow and hydraulic lift gate, in accordance with all bid specifications, in an amount not to exceed \$27,770, including trade-in; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated April 4, 2011 and entitled "Bid Recommendation 9500 GVW Pickup Truck and Snowplow."

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- G.** A resolution authorizing an award of bid to Darleen Simas, 397 Willard Avenue, Wakefield, RI 02879 for the operation of concessions at Old Mountain Field, Broad Rock Play Fields and West Kingston Park for the 2011 season, in accordance with bid specifications, in the amount of \$1,800; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated April 4, 2011 and entitled “Recommendation for Bid Award – Concession Operation.”
- H.** A resolution authorizing the temporary use of the open space parcel at Bayfield Farm by Moonrise Kingdom, LLC for the filming of the movie *Moonrise Kingdom*; said property owned by the South Kingstown Land Trust is identified as Assessor’s Plat 76-2, Lot 10 and subject to a Conservation Easement to the Town of South Kingstown and CRMC; and as further described in a letter from Council Vice President Carol Hagan McEntee dated April 6, 2011 and entitled “New Business Item / Filming at Bayfield Farm.”
- I.** A resolution authoring the acceptance of a 1999 Chance Trolley from the Rhode Island Public Transit Authority, and authorizing the Town Manager to enter into a lease agreement with the South Kingstown Chamber of Commerce, upon which the terms and conditions of the trolley’s use would be negotiated; and as further described in a memorandum from the Director of Administrative Services to the Town Manager dated April 7, 2011 and entitled “Proposed Trolley Acquisition and Use Plan.”
- (CA) J.** Any New Business added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice ---... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

**PROPOSED AMENDMENTS
TO THE ZONING ORDINANCE**

Article 5. Supplementary Regulations

Section 504. Special Use Permits.

Delete in their entirety: Sections 504.1 through 504.4.

Existing sections 504-5 through 504.11 to be renumbered 504.7 through 504.13.

ADD:

504.1 *Location of OWTS*

A. No onsite wastewater treatment system (OWTS), disposal trench, disposal bed, or other facility designed to leach wastewater into the soil from any development which includes construction of a new dwelling or the complete replacement of an existing dwelling, shall be located in areas outlined below, except by the granting of a special use permit by the Zoning Board of Review.

1. Within 150 feet of "fresh water wetlands" as defined in Article 12 (as *wetlands, freshwater*) of this Ordinance excluding from such definition that area of land within 50 feet of the edge of any bog, marsh, swamp or pond. Also excluded from such definition are "river and stream flood plains and banks".
2. Within 150 feet of a "coastal wetland" as defined in Article 12 of this Ordinance (as *wetlands, coastal*) or within 150 feet of the line of mean high water of any tidal water body as defined in the regulations adopted by the Coastal Resources Management Council of the State of Rhode Island and subsequent amendments thereto, except by the granting of a modification or special use permit.

B. The Zoning Board of Review shall review these projects in accordance with the criteria found in this ordinance to determine the potential cumulative and integrated impacts to wetlands through the use of OWTS, the clearing and grading of land, and/or the generation of stormwater runoff from impervious surfaces. It is specifically noted that residential construction associated with an application for a special use permit for an OWTS must meet the minimum dimensional setbacks of the zoning district in which the property is situated. The Zoning Board may not grant any dimensional relief for setbacks concurrent with the special use permit application.

Exhibit 1

C. Notwithstanding the foregoing, an existing OWTS, leach field or other facility designed to leach wastewater into the soil located within 150 feet of a fresh water wetland or coastal wetland may be replaced and/or its associated leach field repaired upon approval by the Building Official/Zoning Officer, without the need for a special use permit, if the replacement, or repairs meet the performance standards for alternative technologies contained in Section 504.4.

504.2 Conditions for OWTS.

A. An application involving any onsite wastewater treatment system (OWTS), requiring approval by the Zoning Board of Review shall require an advisory opinion from the Conservation Commission prior to filing. The Conservation Commission shall prepare an advisory opinion based on the following information to be submitted by the applicant as part of any application:

1. Proximity to the 100 year floodplain level;
2. Location of coastal features and relationship to jurisdiction of the Coastal Resources Management Council Special Area Management Plans for the Narrow River and the Salt Pond Region;
3. The location and delineation of, and distance from the nearest public water supply watershed or aquifer;
4. Proximity to Class SA and/or Class A water body or area where the water quality is suitable for harvesting shellfish for direct consumption, where applicable;
5. Soil types present on the site within the vicinity of proposed construction and land disturbance (referencing the Soil Survey of Rhode Island and based on collected field data) to include but not limited to: depth of soil to the seasonal high water table, with areas having a depth of 18 inches clearly shown, hydric soils, and hydrologic soil groups;
6. The presence of a restrictive layer, ledge and/or dense basal till between the soil surface and groundwater;
7. Detailed soil morphological characteristics to a depth of four feet as analyzed by a licensed Class IV Soil Evaluator, for the purpose of determining seasonal high water table;
8. Direction of groundwater flow;

Exhibit 1

9. Direction and characteristics of stormwater flow based on an analysis of area topography, existing impervious surfaces, drainage infrastructure, soils and ground cover;
10. Availability of public water system;
11. The dimensions of the proposed structure, the square footage apportioned to living space for each floor and number of bedrooms. The number of bedrooms in the proposed structure shall not exceed the design capacity of the OWTS servicing the same;
12. The acreage and percentage of impervious cover of the lot under current conditions and with proposed development;
13. Drinking water wells within 200 feet of the proposed OWTS;
14. Precise reference points to aid in locating the property and the proposed OWTS site. For example, street number of adjacent dwellings, utility pole number, curb drains, distance to the nearest street intersection, benchmark of coastal and geodetic survey marker;
15. The surveyed edge of all coastal and freshwater wetlands within 200 feet of the leach field, where feasible, as flagged by a qualified professional who meets the minimum qualifications for professionals that delineate wetlands as set forth in the Freshwater Wetlands Program guidelines noted in Rule 12.01(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
16. Documentation that the wetland edge has been verified pursuant to Rule 9.02(A)(2) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act;
17. Approximate location and type of OWTS of properties within 200' of the subject site; and
18. Use of LID (Low Impact Design) Techniques. The applicant shall demonstrate that the design of the OWTS, residence and other site alterations addresses the ten (10) objectives of LID Site Planning and Design Criteria as detailed in the "Rhode Island Stormwater Design and Installation Standards Manual" to the maximum extent practicable).

504.3 OWTS Design. The separation distance between the bottom of any OWTS leaching field and the season high water table shall be as follows.

Exhibit 1

- A. Conventional OWTS design – no less than three feet.
- B. Advanced Technology OWTS design – no less than the distance required by RIDEM.
- C. Critical Resource areas – no less than four feet for OWTSs located within a Critical Resource area, as defined in Rule 38 of Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems, RIDEM, January 1, 2008, as amended.
- D. Where RIDEM grants a variance to permit separation distances that are less than the above, a modification or Special Use Permit pursuant to Article 9 of this Ordinance shall also be required.

504.4 Performance Standards. Applications for a Special Use Permit under provisions of Section 504 of the Zoning Ordinance shall meet the following minimum performance standards.

A. *Alternative technologies.* Alternative technologies that provide advanced treatment shall be used in all new, replacement and OWTS alterations or repairs to leachfields, to achieve minimum treatment requirements as set forth in Section B below where the OWTS is or will be located within the following areas.

1. The CRMC Salt Pond Region Special Area Management Plan;
2. The CRMC Narrow River Special Area Management Plan;
3. Within a designated community Well Head Protection Area (WHPA) and/or the Town's Groundwater Protection Overlay District (GPOD) per Section 602;
4. A site where the seasonal high ground water table is located less than or equal to forty eight (48) inches below the original grade;
5. A site requiring a Special Use Permit under the provisions of Section 504.1 or 504.3 of the Zoning Ordinance; and
6. Where the proposed or existing OWTS leach field is less than one hundred feet from any well used as a potable water supply.

B. *Minimum Requirements for Advanced OWTS Treatment.* All new, replacement and OWTS alterations or repairs to leachfields for OWTS's located within those conditions set forth in Section A above shall be approved by RIDEM and provide advanced treatment to achieve the following levels, as measured at the outlet of the treatment unit prior to discharge to a drain field:

Exhibit 1

1. Minimum total nitrogen removal of fifty percent and a reduction to less than or equal to 19mg/l total nitrogen;
2. TSS (Total Suspended Solids) and BOD₅ (Biological Oxygen Demand-5 Day) shall be equal to or less than 30 mg/l each;
3. Minimum fecal coliform removal to less than or equal to 1,000 fecal coliform MPN/100 ml.

C. *Additional Treatment Requirements.* Where the distance between a drainfield and private potable water supply well is less than 100 feet alternative OWTS microbiological treatment of the effluent shall result in a final leach field effluent fecal coliform concentration of less than or equal to 200 MPN/100ml.

D. *Permitted OWTS Technologies.* Installation of alternative OWTS technologies permitted shall be those technologies approved by RIDEM pursuant to their procedures and regulations. Alternative OWTS technologies shall have documented the ability to achieve the minimum treatment requirements set forth in this Ordinance.

E. *Seasonal High Water Table Determinations.* For the purpose of determining the seasonal high water table, detailed soil morphological data to a depth of four feet shall be prepared and submitted by a Rhode Island licensed Class IV Soil Evaluator.

F. *Operation and Maintenance.* All installations of alternative OWTS technologies shall include a continuous Operation and Maintenance (O & M) agreement with the property owner that shall be duly recorded in Land Evidence Records.

G. *Minimum Requirements for Storm Water Management.* Development of an individual residential lot shall include storm water control measures to ensure that no net increase between pre and post development site conditions in volume or rate of storm water runoff for a 24 hour, 25 year frequency rainfall event occurs onto adjacent properties or roadways from the proposed individual residential lot development. Said plan shall include a certification by a registered professional engineer that the post development site conditions will meet or exceed the criteria noted herein.

H. *Use of Subsurface Drains.* The installation of subsurface drains designed to intercept and lower the groundwater table for the installation of an OWTS is prohibited.

I. *Drainage Design.* A detailed stormwater management design shall be submitted to the Town, for all projects proposing a new OWTS. Said plan shall include drainage calculations for a 24 hour, 25 year storm event prepared by a Rhode Island Registered Professional Engineer. Proposed grading shall maintain existing natural drainage patterns to the degree feasible.

Exhibit 1

J. *Storm Water Controls and OWTS Location.* Storm water runoff shall be diverted from any OWTS. Also, there shall be a minimum fifteen (15) foot horizontal separation distance between any OWTS drain field and the edge of any storm water infiltration system.

K. *Maximum Impervious Lot Coverage.* In the consideration of a Special Use Permit under this section, the maximum impervious coverage allowable for the lot (all areas of the lot proposed to be covered including: driveways and parking areas, walkways, patios and rooftops of the principal and any accessory structures, where impenetrable) shall not exceed fifteen (15) percent of the buildable area of the lot.

L. *Minimize Wetland and Site Disturbance.* The applicant shall demonstrate that the proposed use will result in the least disturbance to the site as possible; that the OWTS and dwelling have been located as far as possible from the wetland edge; and that the size of the dwelling, its configuration, and extent of disturbance has been reduced by the maximum extent practicable.

M. *Site Restoration.* The wetland buffer shall be revegetated to restore buffer functions using native plants; permanent fencing will be used to demarcate the protected wetland buffer edge to avoid future encroachment. Soils compacted during construction shall be restored using compost amendments appropriate to the soil types present and plant materials utilized to restore site infiltration capabilities.

Section 504.5 Required Information. In addition to the submittal requirements under 504.2 above, all projects proposing a new OWTS shall provide a development plan that shall be filed with the Planning Department to show the following information:

1. Property boundary lines with area and dimensions of property to be developed;
2. Vicinity plan showing adjacent or nearby properties, uses, OWTS's, wells, wetlands, streams or surface water reservoirs within a 500 foot radius, where feasible;
3. Site plan showing the proposed location of the OWTS, residence, impervious cover, and all other improvements, including the total area to be disturbed with limits clearly shown along with calculation of the impervious area and percentage lot coverage under current and proposed conditions;
4. Topographic map/grading plan of property showing existing and proposed two foot contours within and proximal to areas of the property to be developed;
5. Site specific soils map of property including at a minimum, delineation of soil features required in section 504.2;

Exhibit 1

6. Stormwater management plan;
7. Soil erosion and sediment control plan;
8. Wetlands delineation map, as field verified by DEM;
9. Plan for revegetation of the site, including buffer restoration using native plants and fencing to prevent future disturbance; and
10. Any additional information related to the location of the floodplain, the profile of existing soils, the availability of water supply and any other site features or constraints that will be required by the Conservation Commission to prepare an advisory opinion pursuant to Section 504.2.A.

504.6 *Post-construction certification.* For all approved applications under this section, the applicant shall, upon completion of construction, provide a certification from a registered professional engineer that all site infrastructure and improvements have been installed per the approved plans and is compliant with all conditions imposed on the special use permit by the Zoning Board of Review.

TOWN BEACH POLICY

It is the policy of the Town of South Kingstown to operate and maintain as a municipal facility the Town Beach at Matunuck for the 2011 summer season.

Use of the municipal parking lot at the South Kingstown Town Beach shall be governed in accordance with the following regulations:

I. Beach Parking Stickers

A. A seasonal parking sticker will be required for access to the beach parking area.

B. The fees for seasonal and daily beach parking shall be as follows:

Seasonal

1. Resident	\$40.00
2. Resident (additional sticker(s) for same household)	\$30.00*
3. Elderly Abatement	\$25.00
4. Non-Resident	\$80.00
5. Cottage Pass	\$150.00
6. 100% Disabled Veteran/Ex-POW	No fee

* Must be purchased at the same time as primary resident sticker and registration must indicate additional vehicle(s) is registered at same address.

Daily

7. Resident Daily parking fee	\$10.00
8. Non-resident Daily parking fee	\$15.00
9. Daily parking for busses and large recreational vehicles	\$40.00

*Access to the parking area begins at 8:00 a.m. for all patrons.

C. Resident beach parking stickers shall only be issued to persons meeting one or more of the following qualifications:

1. Property taxpayers found in the most current tax roll.
2. Property taxpayers who can show a receipt for payment of the current year's taxes.
3. A person who can provide the Town with a copy of a current valid 90-day or longer lease term in South Kingstown.
4. Any person who can show current rent receipts for a South Kingstown property for a period of not less than 90 days.

D. Persons failing to meet the above-noted qualifications shall be eligible to purchase a non-resident parking sticker for the South Kingstown Town Beach at the fee noted in paragraph B.4 above.

Exhibit 2

- E.** Resident parking stickers will be issued only to vehicles registered to individuals meeting the criteria established in paragraph C. above.
- F.** Parking stickers are not transferable. Each sticker will be marked to indicate the registration number of the vehicle to which it was issued.
- G.** A valid registration must be presented for each vehicle for which a beach sticker is issued.
- H.** Parking stickers are only valid if affixed to the lower front windshield on the driver's side of the vehicle.
- I.** Cottage passes will be issued to owners of rental units in South Kingstown in accordance with the following procedures:
 - 1. A separate pass must be purchased for each cottage.
 - 2. Rental units must be located in South Kingstown.
 - 3. Passes are assigned to a specific cottage and may only be used by the tenants of that specific cottage.
 - 4. The pass must be presented at the front gate at the time of entry to the beach. The pass will remain with the front gate personnel and will be picked up when the user leaves the facility. The user will be issued a daily pass sticker.
 - 5. The pass may only be used one time per day.

II. Parking Priorities

- A.** Personnel of the South Kingstown Parks and Recreation Department, with the assistance and support of the South Kingstown Police Department, will oversee the management and security of the beach parking areas.
- B.** Priority will be given to South Kingstown resident vehicles with beach passes. If in the judgment of the beach supervisor, the parking lot may fill to capacity on a given day, the beach supervisor will limit parking to those vehicles with valid seasonal stickers. However, parking will only be reserved for vehicles with beach passes until 1:00 p.m. If in the judgment of the beach supervisor, the parking lot will not fill, the beach supervisor may sell daily parking passes on a first-come, first-serve basis.
- C.** Motorcycles, mopeds and any other recreational vehicles are considered motor vehicles for purpose of admission.
- D.** Bicycles are not considered vehicles and will be parked at the attendant's shed, bike rack or at other designated areas.

III. Picnic Area

A. Group Picnic Rental Area, includes the following amenities:

- 8 picnic tables to accommodate seating up to 48 individuals
- Large grill for charcoal use only, open flames are prohibited
- Large grass field area
- Sand volleyball court (available on a first-come, first-serve basis and can not be reserved)
- Shared use of all other beach facilities, including pavilion rest room facilities

B. Memorial Day through Labor Day Weekend

- Restrooms are normally open 8:00 a.m. through 6:00 p.m. The facilities may remain open later to accommodate a private/public event.
- Facility is available for rentals between 8:00 a.m. and 8:00 p.m.
- All cars must be vacated from the parking area no later than 9:00 p.m. as the gate will be closed and locked at that time.
- Dogs are prohibited from Memorial Day weekend through Labor Day and compliance with the Town's leash law is required at all times.
- Off-season reservations are available on a limited basis during the months of May and September.

C. Rental Procedure

- Strict adherence to the outdoor facility rental procedures is required.
- Regular parking rates shall apply to all vehicles in addition to the facility rental fee. In the case of large events, SKPR reserves the right to negotiate a pre-paid parking rate based on the number of estimated vehicles. This will be evaluated on a case by case basis.
- Full-day rate based on a maximum of 8 hours, half-day rate based on a maximum of 4 hours.
- Alcohol consumption on the property is strictly prohibited. Patrons using alcohol will be required to vacate the premises.
- Groups needing additional tables and/or tent are allowed to use their own as long as they are erected within the designated rental area, advanced Town approval is secured and the equipment meets all Local and State Fire Code requirements.

D. Fee Schedule

<u>SK Resident / Non-Profit</u>	<u>Non-Resident / For Profit</u>
\$150/day, \$100/half day	\$200/day, \$150/half day

Event parking fees are established separately based on the time/date and size of event.