Agenda

1. Call to Order

2. Pursuant to RIGL 42-46-6(c), notice of this meeting has been posted on the Secretary of State’s website

3. New Business
   a. Fountain Street Right-of-way: Discussion
   b. Wickford Elementary School Redevelopment Proposals: Discussion and Recommendation
   c. Building Height Ordinance: Discussion and Recommendation
   d. Impervious Lot Coverage: Update
   e. Apiary Ordinance: Discussion
   f. Rights-of-Way: Subcommittee report
   g. Update: Wood Pawcatuck Watershed
   h. Conservation Commission Action Spreadsheet
   i. Future agenda item(s) discussion

4. Minutes

5. Adjournment
THE TOWN OF NORTH KINGSTOWN WILL PROVIDE INTERPRETERS FOR THE DEAF AND HARD OF HEARING AT ANY MEETING PROVIDED A REQUEST IS RECEIVED THREE (3) DAYS PRIOR TO SAID MEETING BY CALLING 294-3331, EXT. 120.
To: Conservation Commission

From: Rebecca P. Lamond, Long Range Planner

Date: March 6, 2020

Re: Fountain Street Right-of-Way

The attached email regarding the Fountain Street right-of-way was distributed to the chair of the Conservation Commission and as such I have placed it on your next meeting’s agenda for discussion. Separate but related correspondence regarding this ROW was also distributed in your February packet. I will notify Mr. D’Ovidio that this email will be placed on the March agenda of the Conservation Commission. I am not certain at this time whether he plans to attend the meeting to participate in the discussion.

If you should have any questions or need additional information please feel free to contact me at blamond@northkingstown.org or 268-1572.
TO: Members of the Harbor Committee and Conservation Committee

As homeowners on Fountain Street, we hope your committees will include the Fountain Street right of way in your upcoming deliberations regarding rights-of-way in Wickford. The Fountain St. ROW is a 30 foot-wide extension of Fountain Street between Washington Street on the north and Wickford Cove on the south (Plat 117 between Lots 234 and 239).

Records of the North Kingstown Town Council show the Fountain Street ROW was determined and marked in a unanimous Resolution on June 26, 2006, with boundaries as shown on a survey plan that was prepared in July 2005 by Vanasse Hangen Brustlin, Inc. In this Resolution, the Council directed that the ROW plan be recorded in the Land Evidence Records and used for subsequent depictions of the street right of way. A subsequent action of the Council on March 12, 2007 amended Section 11-37 of the Town’s Code of Ordinances to prohibit parking in the Fountain Street ROW. These actions by the Town were taken after several years of concerted efforts by Town officials and residents to mark and clear the Fountain St. and nearby rights-of-ways in Wickford (see attached documentation).

Following these Council actions, however, enforcement of the ROW provisions has proven difficult, and a considerable paper trail documents alleged violations over the years. Today, public access to the water via the Fountain Street ROW has been significantly undermined by the overgrowth of bushes across almost the entire width, effectively hiding the cove beyond and discouraging entry into what appears to be private property. There is currently renewed interest among many neighborhood residents in opening up and maintaining the Fountain St. ROW as a public pathway, in coordination with your committees and relevant official agencies. We look forward to hearing about your plans and to working with you to achieve common goals.

[Signature]

[Stamp]
SPECIAL MEETING

1. Call to Order

2. Salute to Flag

3. A Resolution making appropriations for and authorizing the Town of North Kingstown to finance septic systems and other repairs and renovations and/or related equipment at the Davisville, Fishing Cove and/or Forest Park Elementary Schools and/or the Wickford Middle School; and to issue not more than an additional $1,100,000 bond anticipation notes and bonds; and awarding a contract for window and door replacements to Advantage Glass Co., Inc.; and awarding a contract for ISDS repairs to Grandview Construction Co., LLC; and awarding a change order for ISDS project to GZA GeoEnvironmental, Inc.

4. A Resolution appropriating $645,000; and authorizing the Town to issue up to $645,000 in General Obligation Bonds for the reconstruction of roads; and awarding a contract therefore to Cardi Corporation

5. Award of Bid – Fuel Oils – various vendors – various prices

6. Transfer to the Retirement Allowance Reserve Fund

7. Transfer to the Health Insurance Reserve Fund

8. Transfer to the Town Capital Reserve Fund

9. Transfer of Funds to and from various Accounts

10. Appropriation of Funds from the Self-Insurance Fund for Worker’s Compensation Payments

11. Fountain Street Right-of-Way
Transfer To                  Account Number     Amount
Town Council Dues & Membership 00101010 530501     200
Town Manager Mileage            00102010 524308     800
Town Solicitor Contractual Services 00104010 531206  10,000
Fire Overtime                   00108030 510107    165,000
Recreation Part-Time            00116010 510104      6,500
Total Transfer To               182,500

10. Appropriation of Funds

Motion by Councilor Patterson, seconded by Councilor Henseler and unanimously voted to adopt the following resolution:

WHEREAS, the Town Council did establish the North Kingstown Worker’s Compensation Self Insurance Fund for the purpose of self insuring for worker’s compensation liability on December 16, 1991; and

WHEREAS, the Town Council did adopt the 2006/2007 Budget with the intention of utilizing available funds from the Worker’s Compensation Self Insurance for the payment of insurance premiums related to Worker’s Compensation Insurance for the School Fund and the General Fund; and

WHEREAS, an invoice for worker’s compensation premiums covering the period July 1, 2006 through December 31, 2006 has been submitted by The Beacon Mutual Insurance Company; and

WHEREAS, the Town and the School did receive dividends from Beacon Mutual that are to be applied to this payment.

NOW, THEREFORE, BE IT RESOLVED: that the following amounts be authorized transferred from the North Kingstown Worker’s Compensation Self Insurance Fund and further authorized as supplemental appropriations to the 2006/2007 School and General Funds to cover these expenses through December 31, 2006:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>School</td>
<td>$67,730</td>
</tr>
<tr>
<td>General</td>
<td>$32,800</td>
</tr>
</tbody>
</table>

11. Fountain Street Right-of-Way

Motion by Councilor Zaccaria, seconded by Councilor Henseler and unanimously

VOTED: Pursuant to Chapter 24-2 of the Rhode Island General Laws, the Town Council hereby determines, marks out, and plats and causes to be marked out and platted, to a width of thirty (30) feet that portion of Fountain Street as shown on that certain survey plan prepared in July of 2005 by Vanasse Hangen Brustlin, Inc., entitled, “Occupational Survey of Washington Street and Fountain Street at Wickford North Kingstown, Rhode Island”. Said plan shall forthwith be recorded in the Land Evidence Records and the street right-of-way of those portions of Fountain Street depicted thereon shall be marked in accordance with this Resolution.

12. Show Cause Hearing

Motion by Councilor Patterson, seconded by Councilor Henseler and unanimously

VOTED: To continue to the Regular Town Council Meeting of July 10, 2006 the Show Cause Hearing for PEDRO’S WESTERN GRILLE, INC., dba All-American Bar & Grille, holder of Class B-Full Alcoholic Beverage, Victualling, Amusement, Jukebox, and Dance Licenses for premises located at 7570 Post Road.
ORDINANCE NO. 07-07

AN ORDINANCE IN AMENDMENT OF SECTION 11-37 OF THE CODE OF ORDINANCES, TOWN OF NORTH KINGSTOWN, ENTITLED, "NO PARKING OR LIMITED PARKING"

The Town Council of the Town of North Kingstown hereby ordains:

SECTION 1. That Section 11-37 of the Code of Ordinances, Town of North Kingstown, is hereby amended by adding the following:

Fountain Street: the Right of Way south of Washington Street (Plat 117 between Lots 234 and 239) and next to the dwelling known as 59 Washington Street (Plat 117, Lot 239) will be no parking.

SECTION 2. This Ordinance shall take effect upon passage and all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

First Read at the Town Council Meeting of February 26, 2007 and referred to the Town Council Meeting of March 12, 2007 for Second Reading and Consideration of Adoption.

Amended and Adopted at the Town Council Meeting of March 12, 2007.

Jeannette Holloway
Acting Town Clerk
Residents clearing rights of way

By Charles St. Martin
Independent Staff Writer

NORTH KINGSTOWN —
Town officials are making some progress in clearing public rights of way that they say some Wickford residents are blocking, as deadlines have passed for those who received notices of violation earlier this summer.

Building Official Jack Lees said the town seems to be headed in the right direction with this problem, as one land owner has agreed to clear the right of way next to his property and three others have started to clear items or said they would. Because the 20-day deadline period had expired, the matter was turned over to Town Solicitor A. Lauriston Parks.

Late last month, he sent some of the owners a brief letter telling them that if the blockages are not removed, the town would bring legal action. The letter also states that the town may clear the obstructions and bill the property owners for the work.

Parks said earlier this month that he is not planning on taking those steps just yet. One issue revolves around a survey the Public Works Department is conducting to determine the exact boundaries of two property owners, Donald Stone and Daniel Cushman, who both live on Washington Street.

Stone already has removed a fence, Lees noted, but part of a stone wall that existed before Stone bought the property remains in the right of way. Cushman has not taken any corrective action, Lees said, but said he would.

"All have made some commitment to do what is right," Lees said.

The owner of 21 Gold St., Christopher Fenger, had written a detailed letter asking that a trellis he has on the right of way remain. Lees said on Tuesday that Fenger has agreed to move the trellis and some railroad ties and is seeking a building permit for a shed.

The fourth property owner, listed as Washington Street LLC, has contacted the town and said it will remove the obstructions.

North Easton Independent
9/20/04
From: Christopher D'Ovidio <chris@dovidiolaw.com>
To: NLaFontaine <NLaFontaine@northkingstown.org>; Betaray1 <Betaray1@verizon.net>; Ahren.l.cohen <Ahren.l.cohen@gmail.com>; kwiegand <kwiegand@northkingstown.org>; townmanager <townmanager@northkingstown.org>; gmancini <gmancini@northkingstown.org>
Sent: Tue, Mar 3, 2020 5:33 pm
Subject: Town ROW - Fountain Street

Dear Sir and Madams:

This correspondence pertains to the Town public right-of-way located at the terminus of Fountain Street.

Over the past year or longer, this office made several inquiries to the Town to improve the public’s access to this right-of-way. Specifically, vegetation must be cleared to allow the public to walk on the right-of-way to the shoreline.

To clear vegetation, the Town must obtain CRMC approval. This process has been discussed with Town staff and commission members. My recollection of the responses ranged from: “It was being addressed”, or “the CRMC approval process is expensive, time consuming and otherwise too difficult to do” and/or “the Fountain Street public right-of-way has been contentious.”

Prior to becoming an attorney, I was employed by the RIDEM permitting section as an engineering technician and environmental scientist. As an attorney, I am familiar with CRMC maintenance permits to clear vegetation. In other words, I understand that state permitting can be daunting, but the CRMC maintenance permit application required to clear a path at the Fountain Street public right-of-way would not be difficult and it would be free for a Town. In fact, in about one (1) hour, I prepared a draft CRMC maintenance permit application with the required information and photographs. The application must be signed and submitted by the Town. Based on my communications with CRMC staff, I am highly confident that a permit would issue forthwith.

In closing, the Town’s Harbor Management Plan underscores the priority of public rights-of-way. With this in mind, could the Town look into this matter and advise on whether the Town will finally clear the vegetation at Fountain Street to allow the public’s access?

Thank you in advance for your attention to and assistance in this matter.
Cordially and respectfully,

CHRISTOPHER A. D’OVIDIO
D’OVIDIO LAW
469 CENTERVILLE ROAD, SUITE 206
WARWICK, RI 02886
401.739.2900 EXT. 308
401.739.2906 (FAX)

Disclosure Under IRS Circular 230: Any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any tax-related transaction or matter.

This email message contains confidential and/or legally privileged information belonging to the sender and intended only for the review and use of the intended recipient. If you are not the intended recipient, any disclosure, dissemination, distribution, copying, review or use of the information contained in this e-mail message or any attachment is strictly prohibited. If you think you have received this e-mail message in error, please notify D’Ovidio Law at (401) 739-2900 Ext. 308, and purge this e-mail message from your computer system immediately. Thank you.
As requested, I have placed the Wickford Elementary School redevelopment proposals on your next agenda for discussion and possible action if deemed appropriate. The Town Council discussed these proposals on February 24th and will be discussing them again on Monday March 30th. Please use the following link to access the RFP as well as the proposals that were submitted http://northkingstown.org/748/Wickford-Elementary-School-Related-Document. You can also the following link to see the information that was submitted to the Town Council for their meeting on February 24th and access the streamed video from this meeting as well. https://docs.google.com/gview?url=https%3A%2F%2Fgranicus_production_attachments.s3.amazonaws.com%2Fnorthkingstown%2Fe64216c7175a1457174fec0f187cd8390.pdf&embedded=true. Please note the Moran-M&S proposal has been withdrawn.

If you should have any questions or need additional information please feel free to contact me at blamond@northkingstown.org or 268-1572.
TO: North Kingstown Town Council  
FROM: North Kingstown Conservation Commission  
DATE: March 6, 2020  
SUBJECT: Building Height Definitions

At its regular meeting, Feb. 13, 2020, the Conservation Commission discussed the issue of changes in the definition of building heights in Special Flood Hazard Areas (SFHA), which was presented for a first reading before the Town Council, Feb. 10, 2020 as “Definitions relating to Building Height definition”.

Reason for Involvement:  
Among its powers and duties to protect and promote the natural environment, the Conservation Commission has the specific power and duty to “Preserve natural aesthetic areas within the Town” and “Promote and develop ordinances for the Town Council’s consideration”, thus it is within the charge of the Commission to comment on the ordinance amendments.

Analysis:  
Currently, Section 21-22 Definitions, defines different methods for calculating roof height for flat, gambrel or mansard, and gable or hip roofs. The amendments would treat all roof configurations similarly when measuring roof height.

The amendments would also exclude from the building height calculation the greater of:  
(i) The base flood elevation on the FEMA FIRM plus up to five feet (5’) of any utilized or proposed freeboard, less the average existing grade elevation; or  
(ii) The suggested design elevation as depicted on the CRMC SDE 3 SLR map during a one-hundred-year (100) storm, less the average existing grade elevation.

Note that in many cases, CRMC SDE 3 SLR is higher than the base flood elevation on the FEMA FIRM, due to the model used by CRMC.

Concerns:  
While supporting the need for flood resiliency, the Conservation Commission is concerned that the amended ordinance explicitly allows tall structures in SFHA, which could degrade aesthetic and environmental quality. Further, the Commission is concerned that the amended language could unintentionally encourage development in low-lying areas when a tall structure is desired. In addition, these tall structures would wall off the view from rights of way and scenic viewpoints, issues on which the Commission has spent considerable time.

The Commission recognizes that the change in determination of maximum roof height for pitched roofs affords some relief from the new height definition, however it does nothing to mitigate flat roofs, leaving open the possibility that, strategically placed, 50-foot-plus flat-roofed structures would be permitted under the new language.

2 http://www.northkingstown.org/445/Conservation-Commission
Model Approaches:
Although base flood elevation (BFE) is used here, CRMC Stormtools Design Elevation (SDE) would produce similar results. As stated earlier, please note that the CRMC SDE values are often higher than the FEMA BFE values.

Nearby municipalities are dealing with the new law in different ways. Examples include the amended ordinance adopted by Charlestown, Feb, 2019, that adopted by Narragansett, Feb., 2019, and the coastal overlay recently adopted by South Kingstown.

In its recently amended ordinance, the Town of Charlestown\(^3\) addressed its building-height concerns by defining its measurement from the base flood elevation (BFE) as required, but then subtracting the distance between BFE and ground, before allowing up to an additional five feet of free board, capping the total structure height at 35 feet for lots below 40,000 sq. ft.

Narragansett uses a different approach\(^4\), taking the difference between BFE and the average grade in front of the foundation, then applying tabulated heights where the allowable building height above BFE is decreased by one foot per foot of BFE. The net effect is to limit total building height in residential development zones to 35 feet and to 40 feet in industrial zones. Low-slope and flat roofs are required to meet a lower building-height standard.

The Town of South Kingstown has a Flood Hazard Overlay Sec.601 and a Coastal Community Overlay Sec.608, which is specific to waterfront properties in Matunuck except that each property is listed, along with a Coastal Resiliency Overlay District. As an example, in the Coastal Resiliency Overlay District, building elevation above BFE is broken into five-foot intervals with corresponding building heights applied; the effect is to limit residential building height in the overlay district to 40 feet maximum.\(^5\)

Conclusion:

It is our understanding that there are currently development proposals for houses of over 47 to 50 feet in North Kingstown. In order to address the likelihood of very tall structures being sited in environmentally and aesthetically sensitive areas, the Conservation Commission urges the Town to modify the new definition of building height in SFHA, either through further amendment of Section 21-22: Definitions, or through the SFHA overlay, Sec 21-188\(^6\). Further, the Commission recommends immediate adoption of the proposed amendment language redefining roof height.

Thank you for your attention to this important issue.

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4 [https://library.municode.com/ri/narragansett/ordinances/code_of_ordinances?nodeId=972128](https://library.municode.com/ri/narragansett/ordinances/code_of_ordinances?nodeId=972128)


6 [https://library.municode.com/ri/north_kingstown/codes/code_of_ordinances?nodeId=PTIIIREOR_CH21ZO_ARTVIIIOVDI_S21-188SPFLHAOVDI](https://library.municode.com/ri/north_kingstown/codes/code_of_ordinances?nodeId=PTIIIREOR_CH21ZO_ARTVIIIOVDI_S21-188SPFLHAOVDI)
To: Conservation Commission

From: Rebecca P. Lamond, Long Range Planner

Date: March 6, 2020

Re: Building Height Amendment

As discussed at your last meeting in February, attached please find a memorandum regarding the proposed amendments to the building height definition. This memorandum will be forwarded to the Town Council in their packet for their March 16th meeting.

If you should have any questions or need additional information please feel free to contact me at blamond@northkingstown.org or 268-1572.
At its regular meeting, Feb. 13, 2020, the Conservation Commission discussed the issue of changes in the definition of building heights in Special Flood Hazard Areas (SFHA), which was presented for a first reading before the Town Council, Feb. 10, 2020 as “Definitions relating to Building Height definition”.

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**Concerns:**
While supporting the need for flood resiliency, the Conservation Commission is concerned that the amended ordinance explicitly allows tall structures in SFHA, which could degrade aesthetic and environmental quality. Further, the Commission is concerned that the amended language could unintentionally encourage development in low-lying areas when a tall structure is desired. In addition, these tall structures would wall off the view from rights of way and scenic viewpoints, issues on which the Commission has spent considerable time.

The Commission recognizes that the change in determination of maximum roof height for pitched roofs affords some relief from the new height definition, however it does nothing to mitigate flat roofs, leaving open the possibility that, strategically placed, 50-foot-plus flat-roofed structures would be permitted under the new language (Figs. 1 and 2).

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Model Approaches:
Although base flood elevation (BFE) is used here, CRMC Stormtools Design Elevation (SDE) would produce similar results. As stated earlier, please note that the CRMC SDE values are often higher than the FEMA BFE values.

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The Town of South Kingstown has a Flood Hazard Overlay Sec.601 and a Coastal Community Overlay Sec.608, which is specific to waterfront properties in Matunuck except that each property is listed, along with a Coastal Resiliency Overlay District. As an example, in the Coastal Resiliency Overlay District, building elevation above BFE is broken into five-foot intervals with corresponding building heights applied; the effect is to limit residential building height in the overlay district to 40 feet maximum.\(^5\)

Conclusion:
It is our understanding that there are currently development proposals for houses of over 47 to 50 feet in North Kingstown. In order to address the likelihood of very tall structures being sited in environmentally and aesthetically sensitive areas, the Conservation Commission urges the Town to modify the new definition of building height in SFHA, either through further amendment of Section 21-22: Definitions, or through the SFHA overlay, Sec 21-188\(^6\). Further, the Commission recommends immediate adoption of the proposed amendment language redefining roof height.

Thank you for your attention to this important issue.

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\(^5\) [https://library.municode.com/ri/south_kingstown/ordinances/code_of_ordinances?nodeId=972045](https://library.municode.com/ri/south_kingstown/ordinances/code_of_ordinances?nodeId=972045)

\(^6\) [https://library.municode.com/ri/north_kingstown/codes/code_of_ordinances?nodeId=PTIIIREOR_CH21ZO_ARTVIIIOVDI_S21-188SPFLHAOVDI](https://library.municode.com/ri/north_kingstown/codes/code_of_ordinances?nodeId=PTIIIREOR_CH21ZO_ARTVIIIOVDI_S21-188SPFLHAOVDI)
Figure 1. Under the old rule, structures in SFHA were allowed to exclude up to five feet of freeboard, resulting in reduced height of living area in higher flood zones; this encouraged siting of structures on high ground, away from wetlands and water, helping protect environmentally and aesthetically sensitive areas. Flat-roofed structures are depicted here for consistency with Figure 2. Not to scale.
Figure 2. Under the new rule, structures in SFHA are allowed to exclude the difference of BFE (base flood elevation) and the average existing ground, plus up to five feet of freeboard. This incentivizes siting structures in flood-prone areas, especially the V zone, where BFE rises abruptly, with the potential to develop environmentally and aesthetically sensitive natural areas. Buildings in SFHA could rise above those in less flood-prone areas. Flat-roofed structures are depicted here because there is no special height treatment vs. pitched roofs. Not to scale.
DIVISION 13. BEEKEEPING
Sec. 19-316. Beekeeping.
Sec. 19-317. Certificate of zoning compliance required.

Sec. 19-316. Beekeeping.

(a) Description and purpose. The purpose of this section is to establish sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas. Where honey bees are of benefit to mankind, by providing agriculture, fruit and garden pollination services, and by furnishing honey, wax and other useful products, and gentle strains of honey bees can be maintained within populated areas in reasonable densities without causing a nuisance if the bees are properly located and carefully managed and maintained, the city allows such use as an accessory use in all zoning districts only when in accordance with this section and only when in compliance with all applicable rules and regulations of the city and state. Notwithstanding compliance with the various requirements of this section, it shall be unlawful for any beekeeper to keep any colony or colonies in such a manner or of such a disposition as to cause a public nuisance, and/or so as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

(b) [State regulation and registration.] Section 4-12-1 et seq. of the Rhode Island General Laws regulates apiculture and G.L. 1956, § 4-12-12 requires that all apiaries in the state are registered with the director of the Department of Environmental Management.

(c) [Definitions.] As used in this section, the following words and terms shall have the meanings ascribed in G.L. 1956, Chapter 4-12-2, Definitions, unless the context clearly requires otherwise:

(1) Abandoned colony or apiary means any colony or apiary which is not currently registered and has not been registered within the preceding two years and/ or which the state inspector is unable to locate and is unable to inspect due to conditions within the colony which render the colony or apiary uninspectable.

(2) Apiary means any place or location where one or more colonies or nuclei of honeybees are kept.

(3) Authorized official means the state official authorized to inspect apiaries in the state of origin of the bees being transported into or through the state.

(4) Beekeeper means any individual, person, firm, association or corporation owning, possessing, or controlling one or more colonies of bees for the production of honey, beeswax, or byproducts, or for the pollination of crops for either personal or commercial use.

(5) Beekeeping equipment means all hives, hive bodies, supers, frames, combs, bottom boards, covers, excluders, screens, escape boards, feeders, hive tools, slatted racks, or other devices or boxes or other containers which may have been used in the caring or holding of swarms, and including honey which may be or have been used in or on any hive, colony, nuclei or used in the rearing or manipulation of bees or their brood.

(6) Bees means any stage of the common honey bee (Apis mellifera) at any stage of its life kept for the production of honey, wax, or pollination, excluding the African honeybee (Apis mellifera scutellata) and any hybrids.

(7) Colony means the bees inhabiting a single hive, nuclei boc or dwelling place.

(8) Director means the director of the Rhode Island Department of Environmental Management.

(9) Disease means American foulbrood and other infections, contagious or communicable disease affecting bees or their brood.

(10) Eradicate means the destruction and or disinfection of infected and/or infested bees, equipment and/or pests by burning or by treatment approved by the state inspector.

(11) Feral colony means an unowned or unmanaged colony of bees existing naturally.

(12) Hive means any manmade domicile with removable frames for keeping bees.

(13) Inspector means a person appointed by the director of the Department of Environmental Management to check for diseased conditions or pest infestations in one or more apiaries as authorized by law.

(14) Pests means the honey bee tracheal mite, Acrapis woodi, and the Varroa mite, Varroa jacobsoni, and other arthropod pests detrimental to honey bees; and genetic strains of the Africanized bee subspecies, Apis melliflora adansoni and/or Apis mellifera scutellata.

(15) Swarms means a natural division of a colony in the process of becoming a feral colony.

(d) Standards and requirements.

(1) Registration. As required by Rhode Island State Law, all honey bee colonies shall be registered annually with the Rhode Island Department of Environmental Management, Division of Agriculture, in compliance with their rules and regulations, and a copy of said registration shall be submitted annually to the city's zoning officer and animal control officer.

(2) Beekeeping equipment. Bees shall be kept in hives with removable frames which shall be kept in sound and usable condition.

(3) Colony densities. It is unlawful to keep more than the following number of colonies on any lot of land within the city, based upon the size and/or configuration of the lot on which the apiary is located. All setbacks and other regulations shall be met.

   a. A lot of a minimum of 7,000 square feet: One hive.

   b. A lot of minimum of 7,000 square feet but 10,000 square feet or less: Two hives.

   c. A lot of at least one-half acre (21,768 square feet) but less than one acre (43,560 square feet): Four hives.

   d. One acre or larger lot size: Eight hives

   e. Regardless of tract size, where all hives are situated at least 200 feet in any direction from all property lines on which the apiary is situated, there shall be no limit to the number of colonies.

(4) Hive placement. Hives shall be located in a side or rear yard only and shall be set back a minimum of ten feet from any adjoining property line. Hives shall be kept as far away as possible from roads, sidewalks, and rights-of-way. Hives shall be placed on a lot so that general flight patterns avoid contact with humans and domestic animals.

(5) [Commercial or industrial building hives.] Commercial or industrial building rooftop hives or garage roof-mounted hives shall meet all applicable building codes and standards and shall apply for and receive a building permit prior to commencement of work.

(6) Water source. Each beekeeper shall ensure that a convenient source of water is available to all bees at all times during the year on the lot on which the hive(s) is located so that the bees will not congregate at swimming pools, faucets, pet watering bowls, bird baths or other water sources where they may cause human, bird or domestic pet contact.

(7) Queens. All colonies shall be maintained with marked queens. In any instance in which a colony exhibits unusual aggressive characteristics by stinging or attempting to sting without provocation or exhibits an unusual disposition toward swarming, it shall be the duty of the beekeeper to promptly requeen the colony with another marked queen. Queens shall be selected from stock bred for gentleness and nonswarming characteristics.

(8) Flyway Zone. In each instance in which any colony is situated within ten feet of a developed public or private property line on the lot upon which the apiary is situated, as indicated by the nearest point of the hive to the property line, the beekeeper shall establish and maintain a flyway barrier at least six feet in height consisting of a solid wall or fence parallel to the property line and extending five feet beyond the hive in each direction so that all bees upon leaving the hive are forced to fly at an elevation of at least six feet above ground level over the flyway structure.
Sec. 19-317. Certificate of zoning compliance required.

No one shall engage in apiculture without first obtaining a zoning certificate as provided for in this section. A certificate of zoning shall not be issued until the applicant submits proof of registration of the apiary with the Rhode Island Department of Environmental Management, Division of Agriculture.

(1) Information required. Applicants seeking to engage in apiculture must provide the following on the site plan and/or in accompanying documentation in conjunction with an application for a zoning certificate:

a. A copy of a current, valid apiary registration application to the Rhode Island Department of Environmental Management, Division of Agriculture, and proof that they have also notified and/or provided the city’s animal control officer with a copy of said registration application.

b. Property owner name and address, assessors map block and parcel and existing structures on the lot.

c. Location of hive(s) showing setbacks; location of roads, sidewalks and rights-of-way in relation to the location of the hive(s).

d. Location of and manner of fencing of flyways, if required under section 19-317(b)(8) [19-316(d)(8)].

e. Location of required water source.

f. Any other relevant information related to the operation of the apiary, if requested by the zoning officer.

g. If the hive(s) shall be located on a rooftop, the applicant shall also apply for a building permit and provide all information required for such by the building official.

(2) Operation. It shall be presumed for purposes of this section that the beekeeper is the person or persons who own or otherwise have the present right of possession and control of the lot upon which a hive or hives are situated. The certificate of zoning authorizing such use shall be recorded in the city’s land evidence records at the expense of the applicant. This shall not be changed but by a written agreement authorizing another person to maintain the colony or colonies upon the lot setting forth the name, address, and telephone number of the other person who is acting as the beekeeper, which is reviewed for a certificate of zoning and which shall then be recorded in the city’s land evidence records at the expense of the applicant.

(C. 506, § VIII, 7-20-10)


DIVISION 14. TRAILER COURTS[10]

Sec. 19-321. Requirements.

(a) General requirements. General requirements for trailer courts shall be as follows:

(1) Trailer courts shall be located only in those districts as allowed in section 19-98.

(2) No trailer shall be located and no trailer court shall be established or operated until all permits and fees as required by this chapter and other ordinances and requirements of the city have been complied with.

(3) Any individual trailer hereafter located and used for living purposes in the city shall be located in a trailer court. Storage of a single camping or travel trailer by a resident owner thereof may be allowed on a premises, provided that such storage shall be restricted to the rear yard of such premises.

(4) Any trailer used for living purposes failing to meet the requirements of chapter 4, article III for housing and the minimum residential floor area requirements of this chapter shall not be allowed to remain in the city for more than ten days.

(b) Specific requirements. Specific requirements for trailer courts shall be as follows:

(1) Any applicant for a special use permit for a trailer court shall present detailed plans and specifications acceptable to the zoning officer and suitable for making determinations as required in this section as well as sections 19-5, 19-6, 19-36 through 19-41, 19-56, 19-71 through 19-77, 19-173 through 19-175, 19-216 through 19-218, 19-221, 19-245 through 19-250, 19-261, 19-361 through 19-370 and 19-386 through 19-392.

(2) The plans and specifications of the proposed court shall show its area, boundaries, locations of driveways, interior streets, sites for trailers, automobile parking, locations and kinds of all sanitary conveniences, methods of sewage and garbage disposal and plans for water supply and lighting.

(3) Prior to the granting of an occupancy permit by the zoning officer, the state department of health shall inspect the trailer court and notify the zoning officer in writing if such premises comply with the regulations of the state department of health concerning the operation of such premises. Upon receiving such notice, the zoning officer may issue an occupancy permit to the applicant, provided that the applicant has satisfied all other requirements as contained in this division.

(4) The trailer court shall be under the direct supervision of the holder of the permit who shall be responsible for its proper management. The holder of the permit shall require all persons residing in the court to register in a book kept for that purpose giving their name, age, place of permanent residence, marital status and the license number of their motor vehicle and trailer. Such registration book shall be available at all times to the police for inspection.

(5) Each trailer court shall meet the following requirements as to improvements:

a. Each trailer lot site shall be provided with suitable connections to:
   1. A potable water supply system;
   2. A sewage disposal system;
   3. An electrical distribution system.

b. Whenever possible, these facilities shall be connected to the appropriate municipal facilities subject to the approval of the city engineer.

c. Parking for residents and visitors shall be provided as required in section 19-276 et seq., except that the required parking spaces shall be located within 50 feet of the trailer lot site, notwithstanding any other provisions of this chapter.

d. Interior streets, parking spaces and walkways shall be provided with a paved and durable surface. The paved widths shall be at least 20 feet for the interior streets and two feet for walkways.

e. Suitable communal recreation areas shall be provided in the court.

f. Where any trailer court adjoins or abuts a residential district or a lot or premises used for residential, educational, recreational or religious purposes, there shall...
The Conservation and Harbor Management Commission ROW Subcommittee met again on February 20th to discuss the first set of ROW priorities identified by the group and discuss the next steps. The subcommittee will be recommending to the Town Council the following three rights-of-way for CRMC designation:

1. Calf Pasture Point Beach
2. Town Beach
3. Town Dock

The subcommittee will be recommending the following three for local designation and signage:

1. Library Greenway
2. Elam Street right-of-way
3. Second Street/Rogers Avenue right-of-way

The subcommittee agreed that we need to share these priority areas with the town solicitor and Department of Public Works for their input before proceeding further in the process. Once we have their input, the subcommittee will formalize their recommendation to the Town Council.

If you should have any questions or need additional information please feel free to contact me at blamond@northkingstown.org or 268-1572.
<table>
<thead>
<tr>
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<th>Who</th>
<th>Item</th>
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3. New Business

3.a. Rights-of-Way: Parameters for Establishing priorities

Joint session with Harbor Management Commission. B. Ray stated that the CRMC recommendation is to have one Right of Way (ROW) per mile of coastline. Discussion of three pending ROWs before CRMC, located at: Allen Harbor, Town Wharf, Wilson Park. Discussion of defining ROW types, giving priority to those that are currently being used. For Town-owned ROWs, ask the Town to define the boundaries and maintain them without going to CRMC at this time. Discussion of issues with parking congestion at some ROW locations, A Cohen asks that visitors be directed to parking areas. B Ray stated that if State owned, the ROW is not a high priority. A Sonder suggested that the Town or Conservation Commission specify in writing what is acceptable in a ROW. Discussion of marking existing ROWs. Discussion of setting up a subcommittee, staffed by G Salzberg or B Lamond to provide recommendations on ROWs to pursue. Discussion of determining priorities for selection of ROWs to pursue: by type of use, handicap access, most beneficial to the public, evaluating the facility, parking, access for fishing, view. G. Salzberg suggested limiting the number of sites due to personnel resource limitations. ROW candidates should be limited to coastal feature due to CRMC jurisdictional limitations. The following general parameters were determined by consensus: easy access, diversity of locations around Town, public access, already in use.


Subcommittee updates will be a regular item on future agendas. Subcommittee will identify several sites and present to the full committees for decision.

Conservation Commission adjourns and reconvenes in the Planning Conference Room at 7:53pm

3.b. Impervious Lot Coverage

A Sonder outlined ideas for setting limits on impervious lot coverage as a means of reducing runoff and pollutants; described option of different requirements for business vs. residential. Building coverage is defined as the lot surface covered by a structure, other coverage is from impermeable surface coverage such as pavement. Narragansett’s regulations used as examples. Described: dimensional regulations, high water table overlay, land in high flood hazard areas, certification of project compliance with stormwater management requirements.
Next steps could be starting with high water table and dimensional regulations. High water is
determined by soil type; soil data are already available in many cases. Discussion of Narragansett and
handling of displaced water with full foundations. New ordinance language may be required.
B Lamond will check the technical requirements to implement coverage limits. Narragansett’s
structural coverage is general. High-water restrictions are stronger.

3.c. Update: Storm Drain Filtration Pilot Test - town parking lot
Discussion of status of project and correspondence between B Lamond and the Town Engineer. Filter
bags will be checked and emptied on a regular schedule, preferably a Thursday, which is a day that J
Rocha, Public Works, is available. A Cohen suggested having a spare filter bag for swapping at the time
of removal, allowing the full bag to be transported by Public Works for weighing and disposal.
T Wasco to submit a draft monitoring log to B Lamond.

3.d. Update: Wood Pawcatuck Watershed
J LeBlanc provided an update. Funds are available and working groups are being set up to define
infrastructure projects. The funds can be used for buses to transport school children for site visits.
School departments will be notified if money is reallocated. The Chipuxet River, which crosses western
North Kingstown, was identified as part of the Wood-Pawtucket Watershed. A Cohen and J LeBlanc
will survey areas for public accessibility. J LeBlanc awaiting Town approval as official member of the
committee.

3.e. Conservation Commission Action Spreadsheet
T Wasco outlined a draft spreadsheet to track Conservation Commission initiatives and their
responsible parties. Proposal to upload meeting packets, minutes, etc., from past meetings into the
OneDrive account generated by B Lamond was agreed to by consensus.

3.f. Future agenda item(s) discussion
Discussion of holding joint Groundwater – Conservation Commission meeting. A Cohen will discuss
with Groundwater Committee.

4. Minutes
August 8, 2019, minutes adopted: Vote: 6-0, Motion By: A Sonder, 2nd J LeBlanc
November 14, 2019, minutes adopted: Vote: 6-0, Motion By: A Sonder, 2nd J LeBlanc

A Cohen asked that all missing minutes from Jan. 2017 forward, should be processed.

5. Adjournment


Next meeting: Feb. 13, 2020, 7pm
CONSERVATION COMMISSION MEETING MINUTES

Date: Feb. 13, 2019 @ 7:00 p.m.
Location: Planning Conference Room. NK Municipal Offices 100 Fairway Dr, NK, RI

Conservation Commission Members Present: Ahren Cohen, Philip Dyer, Amy Sonder, Tim Wasco, Donna Hutchinson, James LeBlanc, Jason Bergenstock

Conservation Commission Members Absent: P. Dyer

NK Planning Liaison: Becky Lamond, Principal Planner

Other Attendees: Martha Parks – Plum Beach Garden Club

7:04 p.m. - Called to Order by: Ahren Cohen

3. New Business
3.a Street Trees and Tree Board
General discussion of the role of the Conservation Commission as Tree Board. Tree Warden Peter Morgan can ask the Tree Board to review tree-removal and tree-related issues on Town properties. Discussion of Tree City program, which exists in 12 Rhode Island communities. Discussion of grant funding opportunities to promote planting and care of trees. Discussion of past grant funding. D Hutchinson will investigate funding mechanisms used by other towns. Ryan Park is the designated “town forest”. Discussed creating a Commission subcommittee to deal explicitly with tree board-related issues. B Lamond will investigate the technicalities of setting up a formal subcommittee.

In response a to request for next steps with the Commission, M Parks stated that having the Commission act as the Tree Board and setting up the subcommittee were her priorities. M Parks stated that the garden club wants to plant a memorial tree in Wilson Park in honor of Al Southwick; B Lamond offered to assist with the effort.

3.b Rights-of-Way: Subcommittee Report
The ROW subcommittee reported meeting three times since its inception at the Dec 12, 2019, joint Harbor Management Commission-Conservation Commission session. Members are: A Cohen, A Sonder, Barbara Ray (HMC), Richard Lemieux (HMC) with B Lamond acting as planning staff. To date, the emphasis has been on ranking the ROWs that were previously identified by HMC from most-important to least. The criteria used to rank sites were discussed briefly. Pros and cons of seeking CRMC designation for various sites was discussed. Town-owned sites can move forward without CRMC designation. Notification of abutters is desired and it was determined that the Town Solicitor should be consulted in order to ascertain the requirements for notification. General discussion of ROW signage and access to Calf Pasture. Next scheduled subcommittee meeting is Feb. 20, 2020.

3.c Allen Harbor Calf Pasture Point Master Plan
The 2000 Allen Harbor Calf Pasture Point Master Plan was included in the backup materials packet for review, in order to illuminate the issues surrounding access to Calf Pasture Point near the Mount View neighborhood.

3.d Narrow River Watershed Plan – Discussion and Review
General discussion of CC actions that could support the goals of the Narrow River Watershed Plan. B Lamond notified CC that the Public Works webpage has information and actions that can be taken by residents to reduce stormwater runoff. CC to consider submittals to The Puddle, which would provide
information and direct readers to the town website for further information. B Lamond can generate a webpage for use by the Commission.

Overview discussion of the Narrow River Watershed Plan, action-types included in the plan, and required actions were discussed.

3.e Impervious Lot Coverage: Update
Continued to next meeting.

3.f Update: Storm Drain Filtration Pilot Test - town parking lot
J LeBlanc suggested that the monitoring report should include measurement of precipitation since the previous filter emptying, in order to correlate the amount of debris with total precipitation received. T Wasco will update the draft monitoring form to incorporate the additional information. T Wasco discussed concern that the two prototype drains were subject to backflow and possible spillage of debris from tidal events. Consensus was that the project should go forward in order to assess the concern.

3.g Update: Wood Pawcatuck Watershed
J LeBlanc reported that the committee is working on budgets for infrastructure, education and outreach, and establishing future activities and priorities.

3.h Conservation Commission Action Spreadsheet
Ongoing initiatives were reviewed, including discussion of holding joint Ground Water Committee-CC meetings; GWC member A Cohen will present the subject to the GWC.

3.i Future agenda item(s) discussion
CC to present B Lamond with types of items of which Commission should be notified.

T Wasco and A Sonder addressed the issue of the Mar, 2019, amendments to State law that changed the building-height calculation in Special Flood Hazard Areas, removing the requirement for counting the structure below BFE against maximum building height. Following discussion, the CC decided to send a letter to the Town explaining its concerns with the proposed local ordinance amendments, along with suggested remedies. The letter is to be submitted by the Mar 11 deadline for inclusion in the Mar 16 Town Council packet. CC members will review how similar towns have addressed the issue. **Motion:** T Wasco to draft a letter voicing our concerns over the State rule with additional language to address those concerns. Ahren Cohen and Amy Sonder will review and edit the draft letter. **Vote:** 5-0, Motion by A. Sonder, 2nd J Bergenstock. J LeBlanc not present for vote.

5. Adjournment

9:25pm - Conservation Commission Adjournment. **Vote:** 5-0, **Motion By:** D Hutchinson, 2nd: T Wasco.

Next meeting: March 12, 2020, 7pm