Date posted: November 17, 2020 by 4:00 P.M.
All items on this agenda are to be discussed and/or acted upon.

TOWN OF LITTLE COMPTON
TOWN COUNCIL
Little Compton, RI 02837

MEETING OF November 19, 2020

Virtual meeting by Zoom and teleconference
Join Zoom webinar: https://zoom.us
Webinar ID: 828 4670 8803
Password: 005707

Dial by location Toll Free numbers:
888 788 0099 or 833 548 0276 or 833 548 0282 or 877 853 5247
Or Alt. phone (NY) 1 646 558 8656

Live streaming at
https://www.youtube.com/channel/UCNoKeQBPql33aEtqzOXHO9g

AGENDA

7:00 P.M.

Approval of Minutes - November 5, 2020
November 10, 2020

Board of License Commissioners: Remonstrant’s Hearing for the following Retail Beverage License renewals and Transfer applications:

LIQUOR LICENSES

Class BV – Request for Transfer from The Crow, LLC d/b/a Crowther’s Restaurant*** to RL Flounders for premises located at 90 Pottersville Road. Transfer of stock only, not change of location and not transfer of name.

***The Crow LLC d/b/a Crowther's Restaurant, 90 Pottersville Road initially submitted a renewal application, renewal will not be entertained due to subsequent transfer request unless the transfer is not granted.

CLASS A:

Adamsville Wine & Spirits, LLC d/b/a Adamsville Wine & Spirits
81 Stone Church Road in the Village of Adamsville

Coastal Interests LLC d/b/a Gleesons Wine & Spirits 39 Meeting House Lane

CLASS BV-LIMITED:

Common’s Lunch, Inc. d/b/a Common’s Lunch 48 Commons
Simmons Café & Marketplace LLC d/b/a Simmons Café & Market
78 Crandall Road in the Village of Adamsville
CLASS BV:
   M& K, LLC d/b/a the Barn Restaurant, 15 Main Street
   The Crow LLC d/b/a Crowther's Restaurant, 90 Pottersville Road***
   StoneHouse Resort, Inc. d/b/a Stone House 122 Sakonnet Point Rd

CLASS D:
   Sakonnet Golf Club 79 Sakonnet Point Road
   Sakonnet Point Club d/b/a Sakonnet Point Club 11 Bluff Head Avenue

Close Remonstrant’s Hearing; continue as Board of License Commissioners:

   1. Miscellaneous Business License Renewal Requests:

ENTERTAINMENT LICENSE REQUESTS:

Indoor entertainment only

   • The Crow LLC d/b/a Crowther’s Restaurant, 90 Pottersville Road (renewal request submitted) to be issued to RL Flounders, 90 Pottersville Road, contingent upon successful transfer of Class BV Retail Beverage License

Outdoor entertainment

   Dionysus Acquisition LLC d/b/a Carolyn’s Sakonnet Vineyard, 162 West Main Road
      (2) two applications
         * License for Plat 22, Lots 8-6 and 8-9 (proposed to be used for events or parking)
         * License for Plat 22, Lots 8-10 and 1-8 (proposed to be used for events or parking)

VICTUALING LICENSE REQUESTS:

Delvin Corp d/b/a A-1 Pizza
The Art Cafe
M & K, LLC d/b/a the Barn Restaurant
Dionysus Acquisition LLC d/b/a Carolyn’s Sakonnet Vineyard
Commons Lunch, Inc d/b/a Common’s Lunch
The Crow LLC d/b/a Crowther’s Restaurant, allow issuance to
   RL Flounders (if transfer of BV license successful)
Sakonnet Golf Club
Sakonnet Point Club
Simmons Café & Marketplace LLC d/b/a Simmons Café & Market
StoneHouse Resort, Inc. d/b/a Stone House
Warren’s Point Beach Club, Inc. d/b/a Warren’s Point Beach Club
Wilbur’s General Store, Inc. d/b/a Wilbur’s General Store
Young Family Farm LLC d/b/a Young Family Farm
HOLIDAY SALES LICENSE REQUESTS:

Delvin Corp d/b/a A-1 Pizza
The Art Café
M & K, LLC d/b/a the Barn Restaurant
Dionysus Acquisition LLC s/b/a Carolyn’s Sakonnet Vineyard
Commons Lunch, Inc. d/b/a Common’s Lunch
The Crow LLC d/b/a Crowther’s Restaurant, allow issuance to
RL Flounders (if transfer of BV license successful)
Earle’s Service Station
Sakonnet Golf Club
Sakonnet Point Club
Simmons Café & Marketplace LLC d/b/a Simmons Café & Market
StoneHouse Resort, Inc. d/b/a Stone House
Walker’s Roadside Stand
Warren’s Point Beach Club, Inc. d/b/a Warren’s Point Beach Club
Wilbur’s General Store, Inc. d/b/a Wilbur’s General Store
Young Family Farm LLC d/b/a Young Family Farm

MOBILE FOOD ESTABLISHMENTS:

Anita Couto d/b/a Anita’s Ice Cream
Anita Couto d/b/a Seashore Hotdogs

MISC. OTHER LICENSE REQUESTS:

Juke Box License – The Crow LLC d/b/a Crowther’s Restaurant, allow issuance to RL Flounders
(if transfer of BV license successful)
Moving Picture License – LC Community Center

* Consent Agenda - All items listed with an asterisk (*) are considered to be routine by the Town
Council and will be enacted by one motion. There will be no separate discussion of these
items unless a council member or citizen so requests in which event the item will be
withdrawn from the General Order of business and considered in the normal sequence on
the agenda.

** These items are received and filed with no other action taken.

Announcements:

Old Business:

1. Receive report from Town Administrator and Allyson Quay, Esq. of the Solicitor’s
   Office on next steps for zoning district amendment petition for Plat 30, Lot 8-1

New Business:

1. Consideration of Tree Lighting, Commons Stroll and potentially participation by one
or more of the Churches to ring carols during a designated date and time due to
inability to hold the historical Tree Lighting Ceremony.
2. Memo from Councilor Mushen proposing the Council consider certain sections of the
   Town Code and Home Rule Charter to propose changes to better reflect the “current
   conditions” under which the town operates. Sections relating to Solicitor, Assessor,
   Finance, Public Works, Police and Fire.
Consent:

1. Letter of interest submitted by Richard S. Humphrey expressing his desire to continue to serve as Town Solicitor.

Payment of Bills

All are welcome to any meeting at the town, which is open to the public. Individuals requiring communication assistance or any accommodation to ensure equal participation will need to contact the Town Clerk at 635-4400 not less than 48 hours prior to the meeting.
Minutes of a Town Council virtual meeting held November 5th, AD 2020 via Video and Tele-Conferencing at 7:00 o’clock PM. Councilors present acknowledged by roll call: Lawrence G. Anderson, Paul J. Golembeske, Gary S. Mataronas, Andrew W. Moore and Robert L. Mushen. Also in attendance: Fire Chief Petrin, Police Chief Raynes, Antonio Teixeira, Town Administrator, Allyson Quay, Esq., Solicitor’s Office and Councilor-elect Anya R. Wallack.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To approve, as written the Town Council meeting minutes for October 22, 2020.

Councilor Anderson announced that he will not be voting on items that involve any future actions, but rather will only vote on matters where he had past interaction.

Announcements:

1) The Council President offered his gratitude to Larry Anderson for his service on the Town Council. Mr. Anderson chose not to run for office this election cycle. Councilor Mushen also recognized, pending Board of Elections certification, that the following seem to be the successful candidates for Town Council:
   a. Robert L. Mushen
   b. Paul J. Golembeske
   c. Gary S. Mataronas
   d. Andrew W. Moore
   e. Anya R. Wallack

Ms. Wallack was in attendance and was welcomed to the Council. Successful candidates will be sworn in after certification of the election results by the State Board of Elections.

2) The Town Transfer station is ready to receive the discarded political signs. Please be responsible and remove the signage now that the election has concluded.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor by roll call (Anderson, Golembeske, Mataronas, Moore and Mushen): To place on file the Department Head Reports for the following departments:

1). Town Clerk
2). Police Department
3). Fire Department
4). Town Administrator

Councilor Anderson gave an update on the RI Municipal Resiliency Program status. Shawn O’Rourke has given valued assistance in guiding the Town in narrowing down the miscellaneous proposed projects to three (3) listed as follows:

1) Solar Arrays for municipally owned buildings – best pursuing in a different arena, but one of great value
2) Proposal from Beach Commission to mitigate erosion at Town Landing
3) Several documented roadways with stormwater flooding

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor by roll call (Golembeske, Mataronas, Moore and Mushen) Councilor Anderson abstained from voting: To designate Larry Anderson as the Chair of the RI Municipal Resiliency Program Team with Councilor Mushen and Town Administrator Teixeira and to charge said team to return to a future Council meeting with a recommended project or projects to be submitted for consideration during the Resiliency Program funding review process.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor by roll call (Golembeske, Mataronas, Moore and Mushen) Councilor Anderson abstained from voting: To
embody the Town Administrator to develop a Request for Proposal to improve the phone system in the Town Hall.

Motion made by Councilor Golembeske, receiving a second by Councilor Matarona, voting in favor by roll call (Golembeske, Matarona, Moore and Mushen) Councilor Anderson abstained from voting: To schedule an interview session on November 10, 2020 at 5 PM with FF S. Hussey and FF J. Teixeira who are both under consideration for promotion to the rank of Lieutenant in the LC Fire Department.

Sid Wordell, co-owner of 50 Commons, LLC has petitioned the Town Council to amend the zoning district in the Commons, specifically for Plat 30, Lot 8-1 to include the entire lot within the business district.

Motion made by Councilor Matarona, receiving a second by Councilor Golembeske, voting in favor by roll call (Golembeske, Matarona, Moore and Mushen) Councilor Anderson abstained from voting: To ask the Town Administrator and Allyson Quay, Esq. of the Solicitor’s Office to review the Town Code and return to a future Council meeting with a set of anticipated steps necessary to propose amending the town code to extend the business zone district on Plat 30, Lot 8-1.

At 7:32 PM the Town Council sitting as the Board of License Commissioners made a note of a request for a transfer of a Retail Beverage License currently held by The Crow d/b/a Crowther’s Restaurant to RL Flanders for premises located at 90 Pottersville Road. This matter will be advertised for a hearing on Nov. 19, 2020, no actions were taken.

Motion made by Councilor Matarona, receiving a second by Councilor Golembeske, voting in favor by roll call (Golembeske, Matarona, Moore and Mushen) Councilor Anderson abstained from voting: That the recommendation of the Tax Assessor for the cancellation of the following taxes be granted under Section 44-7-14 of the General Laws of Rhode Island, as amended:

<table>
<thead>
<tr>
<th>Acct/Name</th>
<th>Plat/Lot/MV</th>
<th>Abatement Value</th>
<th>Abatement</th>
<th>Year</th>
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<tbody>
<tr>
<td>Hamill, Oliver L.</td>
<td>011/0027</td>
<td>$175,700.00</td>
<td>$1,092.44</td>
<td>2020</td>
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<tr>
<td>08-0173-20</td>
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Motion made by Councilor Golembeske, receiving a second by Councilor Matarona, voting in favor by roll call (Golembeske, Matarona, Moore and Mushen) Councilor Anderson abstained from voting: That the bills be allowed and ordered paid as follows: $42,987.08

National Grid - Street Lights $103.11
National Grid - Town Dock $18.63
Petro - Gasoline - 60 Simmons Road $526.15
Petro - Gasoline - 60 Simmons Road $363.04
GoTo Services - Town Hall $1,050.00
GoTo Services LLC - Public Safety Complex $1,020.00
Everlasting Designs - Computer $110.00
Everlasting Designs - Computer $302.50
Paychex - Treasurer $415.95
Messenger Security Systems - Town Hall $105.00
Messenger Security Systems - 32 Commons $65.00
Messenger Security Systems - 30 Commons - Maintenance $65.00
W.B. Mason - Board of Canvassers $279.98
W.B. Mason - Board of Canvassers $15.74
W.B. Mason - Treasurer $1.23
W.B. Mason - Council $29.26
W.B. Mason - Board of Canvassers $7.49
W.B. Mason - Town Clerk $20.99
W.B. Mason - CTCL Grant $119.98
W.B. Mason - Board of Canvassers $29.98
W.B. Mason - Treasurer / Town Clerk $57.90
E & J Tripp Lawn Care Inc - Almy Cemetery $92.00
Jim Tumber - Civic Rec $81.62
Allied Court Reporters, Inc. - Zoning Board $300.00
Modern Printing - Transfer Station / Zoning Board $599.00
East Bay Media Group - Probate $37.50
East Bay Media Group - Town Council $220.50
East Bay Media Group - Zoning Board $504.00
East Bay Media Group - Board of Canvassers $177.97
Cox - Computer $105.34
Silva Advertising Spec. Inc. - Town Council $12.50
Traffic Signs & Safety, Inc. - Town Landing $472.00
Verizon - Wastewater Treatment Facility $55.56
136 Printing - Town Administrator $124.50
Little Compton Prevention Coalition - FY21 Appropriation $750.00
Firex, Inc. - Fire Dept. $125.50
AT & T Mobility - Fire Dept. $33.60
AT & T Mobility - Fire Dept. $241.19
Sean Thompson - Fire Dept. $450.00
Fail Safe Testing - Fire Dept. $2,557.00
Ergometrics - Fire Dept. $750.00
Messenger Security Systems, Inc. - Public Safety Complex $120.00 $4,277.29
Southcoast Hospitals Group - Ambulance Reim. $4,27Trend, Inc. - Ambulance Reim. $630.28 $634.55
Roger Williams University - Police Dept. $675.00
State of Rhode Island - Police Dept. $90.00
AT & T Mobility - Police Dept. $48.01
Edward Deutch Uniforms - Police Dept. $300.00
Island Tech Services NE - Police Dept. $4,870.00
W.B. Mason - Police Dept. $15.54
W.B. Mason - Police Dept. $15.67 $6,014.22
Firex, Inc. - Various Departments $450.00
Pannone Lopes Devereaux & O'Gara LLC - Legal $157.50
General Code - Town Council $1,195.00
NRAAO - Assessor $40.00
NRAAO - Assessor $40.00
RIA - Assessor $25.00
RIA - Assessor $20.00
IAAO - Assessor $220.00
McGeough's Turf Mgmt. Inc. - Civic Rec. - Veterans Field $2,242.00
McGeough's Turf Mgmt. Inc. - Civic Rec. - Veterans Field $882.00
McGeough's Turf Mgmt. Inc. - Civic Rec. - Adamsville Field $543.00
Cox - Town Hall Departments $220.60
Misc. Poll workers - Bd Canvassers $2,890.18
Misc. Early voting poll workers - CTCL grant $3,431.25
Effluential Technologies - OWTS account $1,452.50
Effluential Technologies - OWTS account $1,962.37
LG Communications - Drug Forfeiture $475.00 $475.00
Richard S. Humphrey - Legal $3,201.00
Richard S. Humphrey - Solicitor $4,250.00
Richard S. Humphrey - Legal $124.00
Councilor Mushen added his congratulations again to all successful candidates from the election and declared the meeting adjourned at 7:35 PM.

Carol A. Wordell, CMC, Town Clerk
**Board of Licensing Commissioners**  
**Application For Transfer of Beverage License**

**Transfer of Location**  
**Name**  
**Stock ✓**  
**RETAILER CLASS: A_BH_RM_BT_BV_JVFL_C_DL_E_J_T**

<table>
<thead>
<tr>
<th>Name of Transfer applicant</th>
<th>Tel.</th>
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<tbody>
<tr>
<td>The Crow</td>
<td>635-7863</td>
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<thead>
<tr>
<th>D/B/A</th>
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<tr>
<td>Crawford's Restaurant</td>
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<table>
<thead>
<tr>
<th>Address</th>
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<tbody>
<tr>
<td>90 Pottersville Road</td>
<td></td>
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<tr>
<td>Little Compton, RI 02837</td>
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</table>

The above hereby petitions the Licensing Board to transfer the said license to:

**New Location (if any)**

**New Name (if any)** RL FLounders

If Change of Stockholder's List old & New Stockholders:

- **Old**: Kenneth Lewis
- **New**: Roger Wilkie & Lori Elmslie

**Does applicant have draft system?** Yes ✓ No

<table>
<thead>
<tr>
<th>Signature of Transferor:</th>
<th>Date:</th>
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<tr>
<td></td>
<td>10/28/2020</td>
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<table>
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<tr>
<th>Signature of Transferee:</th>
<th>Date:</th>
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<tr>
<td></td>
<td>10/28/2020</td>
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The Board of License Commissioners has set a hearing: November 19, 2020

**Date and Time:** 7:00 pm

**Place:** Zoom.us ID 888-4670-8803 Password: 005707

...on this petition and ordered the same to be duly advertised

For Board of License Commissioners

For Town Clerk

**Title**  
**Date:** 11/2/2020
October 30, 2022

Dear Council Members,

We, Roger Wilkie and Lori Elmslie, have secured a purchase and sales agreement for the realty and business of Crowther’s restaurant. Our hopes are to close on or about the date of November 30, 2020. Under the name of RL Flounders.

At this time, we are petitioning the town for the transfer of all active licenses held by Crowther’s restaurant. On or before the closing date.

Known Licenses: Victualling, Holiday sales, Games/amusements/devices/ juke box, Entertainment & Liquor.

Thank you in advance for your attention to this matter.

Best Regards,

Lori Elmslie, President

[Signature]

Roger Wilkie, Vice President
Entertainment License Application  
Annual Application  
License fee - $100

Name of entity requesting license and physical address of venue location:  
Crowthurs Rest 90 Pottersville L. C. RI 02837

1. Name, residence, mailing address, telephone number of person responsible for day-to-day operations:  
Kenneth Lewis 401-335-9355 24 Brownell Rd.

2. Total number of events planned, with days of the week and hours that entertainment will be offered:  
No Events Planned due to Covid. 
Applying only after Covid restrictions

3. Nature and types of entertainment events to be offered:  
Live music when Covid restrictions are lifted

4. Maximum number of participants expected at the largest event:  
50 - only small events only Inside

5. A plan to limit the number of participants to the maximum cited is attached.

6. A scaled drawing is attached of locations, sizes and dimensions of major elements for each planned type of event.

7. An opinion of the Zoning Official that the proposed activity is compliant with the provisions of Chapter XIV (Zoning)

Is the property to be used subject to a “conservation restriction” pursuant to RIGL 34-39, such as a conservation easement, deed for development rights, or other similar instrument? YES/NO

If YES, a written statement is attached from the agency or organization holding such a conservation restriction affirming that the proposed entertainment activity(ies) is/are fully consistent with the terms, conditions, and provisions of the conservation restriction.

Will the use of the property intensify (increase duration, frequency or periodicity) any non-conforming use per Chapter XIV? YES/NO.

If YES, a Special Use Permit from the Zoning Board of Review is attached.

All required submittals have been attached.

Signature

Date

9-20-2020

Potential renewal -
Entertainment License Application
Annual Application
License fee - $100

Name of entity requesting license and physical address of venue location:
RL Flounders 70 Potersville Rd

1. Name, residence, mailing address, telephone number of person responsible for day-to-day operations:
Lori Ethel 7 Story Brant Dr 401-341-0756

2. Total number of events planned, with days of the week and hours that entertainment will be offered:
Events Friday + Saturday 6-10 pm Music

3. Nature and types of entertainment events to be offered:
Music

4. Maximum number of participants expected at the largest event: 100

5. A plan to limit the number of participants to the maximum cited is attached.

6. A scaled drawing is attached of locations, sizes and dimensions of major elements for each planned type of event.

7. An opinion of the Zoning Official that the proposed activity is compliant with the provisions of Chapter XIV (Zoning)

Is the property to be used subject to a “conservation restriction” pursuant to RIGL 34-39, such as a conservation easement, deed for development rights, or other similar instrument? YES/NO

If YES, a written statement is attached from the agency or organization holding such a conservation restriction affirming that the proposed entertainment activity(ies) is/are fully consistent with the terms, conditions, and provisions of the conservation restriction.

Will the use of the property intensify (increase duration, frequency or periodicity) any non-conforming use per Chapter XIV? YES/NO

If YES, a Special Use Permit from the Zoning Board of Review is attached.

All required submittals have been attached.

Signature
10/13/2020

Date

10/25/2017
Entertainment License Application
Annual Application
License fee - $100

Name of entity requesting license and physical address of venue location:
Dionysus Acquisition, LLC c/o Carolyn's Saltwater Vineyard, 72 Oak Island Road, Little Compton, RI 02837

1. Name, residence, mailing address, telephone number of person responsible for day-to-day operations:
   Cynthia Rocha, 162 West Main Rd., Little Compton, RI 401-500-0299

2. Total number of events planned, with days of the week and hours that entertainment will be offered:
   Beginning June 12, 2021, 14 events on either a weeknight from 6pm - 9 pm or a weekend day from 1 pm - 4 pm.
   Maximum frequency of one per week during the 2021 season.

3. Nature and types of entertainment events to be offered:
   Family Music Nights, Brunch Music

4. Maximum number of participants expected at the largest event:
   Dionysus expects that the largest event will be Family Music Night, and based on past attendance, estimates approximately 700 attendees or those events.

5. A plan to limit the number of participants to the maximum cited is attached.

Please see attached.

6. A scaled drawing is attached of locations, sizes and dimensions of major elements for each planned type of event.

Please see attached drawing.

7. An opinion of the Zoning Official that the proposed activity is compliant with the provisions
   of Chapter XIV (Zoning)
   Dionysus understands that the Town Clerk will submit the Entertainment License application to the Zoning Official to secure his own opinion
   on the proposed activities' compliance with the zoning ordinance.

Is the property to be used subject to a "conservation restriction" pursuant to RIGL 44-54, such as
   a conservation easement, deed for development rights, or other similar instrument?  YES  NO

If YES, a written statement is attached from the agency or organization holding such a
   conservation restriction affirming that the proposed entertainment activity(ies) is/are fully
   consistent with the terms, conditions, and provisions of the conservation restriction.

Will the use of the property intensify (increase duration, frequency or periodicity) any non-
   conforming use per Chapter XIV?  YES  NO

If YES, a Special Use Permit from the Zoning Board of Review is attached.

All required submittals have been attached.

Signature 10/10/2020

10/25/2017
ADDENDUM

5. A plan to limit the number of participants to the maximum cited.

Dionysus will limit the number of guest vehicles to 317.

As in past years, police detail will be present at every Thursday evening event. On Thursday evenings, guest vehicles will be counted by distributing coupons upon entry.

On Thursday evenings, Saturday and Sunday afternoons, when guests arrive, they will be guided by an attendant to the parking lot on Platt, 8-9. When that lot reaches capacity, guests will be guided by an attendant to the westerly parking lot on Plat 22, Lot 8-6. Access to any event will be curtailed once the westerly parking lot on Plat 22, lot 8-6 is full.

As depicted in the attached plan, 317 parking spaces are available. 167 of those are on Plat 22, Lot 8-9 and 150 of those spaces are on Plat 22, Lot 8-6.
Thursday, October 5, 2017

Little Compton Town Hall
Little Compton, RI 02837

Re: 2018 Entertainment License Application of Sakonnet Vineyard

Dear Town Council Members:

At the October 4, 2017 meeting of the Little Compton Agricultural Conservancy Trust the members of the Trust reviewed the referenced application dated 9/15/2017 and signed by Cynthia Rocha. In a unanimous vote the members determined that the application as submitted does not meet the terms and conditions of the applicable Deed to Development Rights.

Specifically, the application seeks permission for 21 events to take place between July 1 and September 2, 2018. The Trust determined that the quantity and frequency of events create a condition incompatible with the DDR. The Trust further stated that any mix of events of the type described in the application in a total quantity of 14 with a frequency of no more than one per week within the 2018 calendar year would be consistent with the terms of the Deed to Development Rights.

Respectfully Submitted,

[Signature]

William H. [Name]
Chairman
Entertainment License Application
Annual Application
License fee - $100

Name of entity requesting license and physical address of venue location:
Dionysus Acquisition LLC, d/b/a Carolyn's Sakonnet Vineyard Plat 22 Lot 8-10

1. Name, residence, mailing address, telephone number of person responsible for day-to-day operations:
Cynthia Rocha, 162 West Main Rd., Little Compton, RI 401-500-0299

2. Total number of events planned, with days of the week and hours that entertainment will be offered:
14 weddings/events to exceed no longer than 4 hours in length between the hours of 11 am and 9 pm on Mondays, Tuesdays, Wednesdays and Fridays, and on Thursdays, Saturdays and Sundays (when such events are held on Thursdays, Saturdays and Sundays, musical events/performances will not be held that day on Plat 22, Lot 8-9).

3. Nature and types of entertainment events to be offered:
Weddings, receptions, special events and outings to be held on Plat 22, Lot 8-10.

4. Maximum number of participants expected at the largest event: 200

5. A plan to limit the number of participants to the maximum cited is attached.
   Attendance will be limited by invitations and/or tickets, as applicable. In addition, parking will be limited to lot 1-2, which has 129 spaces.

6. A scaled drawing is attached of locations, sizes and dimensions of major elements for each planned type of event.
   Please see attached drawing.

7. An opinion of the Zoning Official that the proposed activity is compliant with the provisions of Chapter XIV (Zoning)

   Dionysus understands that the Town Clerk will submit the Entertainment License application to the Zoning Official to secure their own opinion on the proposed activities.

   Is the property to be used subject to a “conservation restriction” pursuant to RIGL 34-39, such as a conservation easement, deed for development rights, or other similar instrument? YES/NO

   If YES, a written statement is attached from the agency or organization holding such a conservation restriction affirming that the proposed entertainment activity(ies) is/are fully consistent with the terms, conditions, and provisions of the conservation restriction.

   Will the use of the property intensify (increase duration, frequency or periodicity) any non-conforming use per Chapter XIV? YES/NO

   If YES, a Special Use Permit from the Zoning Board of Review is attached.

All required submittals have been attached.

Signature  

Date 10/10/2020
November 16, 2020

Antonio Teixeira
Town Administrator
Town of Little Compton
P.O. Box 226
Little Compton, RI 02837

Re: Amendment to Zoning Ordinance

Dear Tony:

In order for the Council to entertain a request to amend the zoning ordinance\(^1\) the Council must first refer the matter to the Planning Board for a recommendation. The Planning Board then has 45 days to return its recommendation to the Council.

Thereafter, the Town Council must hold a public hearing on the matter. The hearing must be noticed for three consecutive weeks prior to the hearing. I have attached the relevant sections of the Little Compton Code and State statutes.

Warmest regards,

Richard S. Humphrey

Enclosure

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\(^1\) In this case Mr. Wordell’s request to enlarge the business district to cover the entire property located at: 50 Commons, Plat 30, Lot 8-1.
§ 14-9.11 Adoption, Amendment and Administration of Zoning Chapter.

14-9.11 Adoption, Amendment and Administration of Zoning Chapter.

a. Procedure. Other than for proposals originated by the Town Council, the Town Clerk shall be the officer to receive a proposal for adoption, amendment, or repeal of a zoning ordinance or zoning map(s). Immediately upon receipt of such proposal, the Town Clerk shall refer such proposal to the Town Council and the Planning Board for study and recommendation. If the proposal originates with the Town Council, the Town Council shall refer such proposal to the Planning Board and the Building Official. The Planning Board shall report to the Town Council within 45 days after receipt of the proposal, giving its findings and recommendations. The Town Council shall hold a public hearing within 65 days of receipt of proposal, giving proper notice as prescribed in Subsection g below. The Town Council shall render a decision on any such proposal within 45 days after the date of completion of the public hearing. The provisions of this subsection pertaining to deadlines shall not be construed to apply to any extension consented to by the applicant. Except for action initiated by the Town Council or a Town agency or official, all applications shall be accompanied by a filing fee as established by the Town Council and payable to the Town of Little Compton. Said filing fee shall be set in an amount required to cover the expenses of public hearing notification, stenographic services for public hearing records and any other expenses incurred in the processing of the application and the final action thereon. Said fee shall be returnable only in the event the application is withdrawn prior to the issuance of official public hearing notice. Said fee may be waived at the discretion of the Town Council upon the showing of financial hardship by the applicant.

b. Review by Planning Board. Among its findings and recommendations to the amendment or repeal of this chapter or zoning map, the Planning Board shall:

1. Include a statement on the general consistency of the proposal with the Comprehensive Plan of the Town, including the goals and policies statement, the implementation program, and all other applicable elements of the Comprehensive Plan; and

2. Include a demonstration of recognition and consideration of each of the applicable purposes of zoning as presented in Subsection 14-1.1 of this chapter.
e. Notice and Hearing Requirements.

1. No zoning ordinance shall be adopted, repealed, or amended until after a public hearing has been held upon the question before the Town Council. The Town Council shall first give notice of such public hearing by publication of notice in a newspaper of general circulation within the Town at least once each week for three consecutive weeks prior to the date of such hearing, which may include the week in which the hearing is to be held, at which hearing opportunity shall be given to all persons interested to be heard upon the matter to the proposed ordinance. Written notice, which may be a copy of said newspaper notice, shall be mailed to the parties specified in Subsections c2, 3, 4 and 5 of this subsection, at least two weeks prior to the hearing. Such newspaper notice shall be published as a display advertisement, using a type size at least as large as the normal type size used by the newspaper in its news articles, and shall:
   Amended 9/24/99
(a) Specify the place of said hearing and the date and time of its commencement;
(b) Indicate that adoption, amendment or repeal of a zoning ordinance is under consideration;
(c) Contain a statement of the proposed amendments to the ordinance that may be printed once in its entirety, or summarize or describe the matter under consideration;
(d) Advise those interested where and when a copy of the matter under consideration may be obtained or examined and copied; and
(e) State that the proposal shown thereon may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any such alteration or amendment must be presented for comment in the course of said hearing.

2. Where a proposed general amendment to an existing zoning ordinance includes changes in an existing zoning map, public notice shall be given as required by Subsection c1 of this subsection.

3.
Where a proposed amendment to an existing ordinance includes a specific change in a zoning district map but does not affect districts generally, public notice shall be given as required in Subsection c1 of this subsection, with the additional requirements that:

(a)
Notice shall include a map showing the existing and proposed boundaries, zoning district boundaries, and existing streets and roads and their names, and Town boundaries where appropriate; and

(b)
Written notice of the date, time and place of the public hearing and the nature and purpose thereof shall be sent by certified mail, return receipt required, to all owners of real property whose property is located within 200 feet of the perimeter of the area proposed for change, whether within the Town or within an adjacent city or town in which the property is located.

4.
Notice of a public hearing shall be sent by certified mail, return receipt required, to the city or town council of any city or town to which one or more of the following pertain:

(a)
Which is located within 200 feet of the boundary of the area proposed for change; or

(b)
Where there is a public or quasi-public water source, or private water source that is used or is suitable for use as a public water source, within 2,000 feet of any real property that is the subject of a proposed zoning change, regardless of municipal boundaries.

5.
Notice of a public hearing shall be sent to the governing body of any State or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water resource and/or surface watershed that is used, or is suitable for use, as a public water source and that is within 2,000 feet of any real property which is the subject of a proposed zoning change, provided, however, that the governing body of any State or municipal water company has filed with the Building Official a map survey, which shall be kept as a public record, showing areas of surface water resources and/or watersheds and parcels of land within 2,000 feet thereof.

6.
No defect in the form of any notice under this section shall render any ordinance or amendment invalid, unless such defect is found to be intentional or misleading.

d.
Costs. Costs of any notice required under this section shall be borne by the applicant.

e.
Limitations and Conditions. In granting a zoning ordinance amendment, the Town Council may limit the change to one or more of the permitted uses in the zone to which the subject land is rezoned, and impose such limitations, conditions and restrictions, including without limitation:

1. Requiring the petitioner to obtain a permit or approval from any and all Federal, State or local governmental agencies having jurisdiction over the land and use which are subject to the zoning change;

2. Relating to the effectiveness or continued effectiveness of the zoning change; and/or

3. Relating to the use of the land as it deems necessary.

The Chair of the Planning Board and the Town Clerk shall cause the limitations and conditions so imposed to be clearly noted on the zoning map and recorded in the land evidence records, provided, however, in the case of a conditional zone change, the limitations, restrictions, and conditions shall not be noted on the zoning map until the zone change has become effective. If the permitted use for which the land has been rezoned is abandoned or if the land is not used for the requested purpose for a period of two years or more after the zone change becomes effective, the Town Council may, after a public hearing as herein before set forth, change the land to its original zoning use before such petition was filed. If any limitation, condition, or restriction in an ordinance amendment is held to be invalid by a court in any action, that holding shall not cause the remainder of the ordinance to be invalid.

4. Limit on Successive Petitions. Where the Town Council denies or grants leave to withdraw to an application for amendment of this chapter, the Council shall not consider another application for substantially the same amendment for a period of one year from the date of such denial or withdrawal. This period may be waived if the later application is accompanied by an affidavit presenting facts, to the satisfaction of the Town Council, showing that a substantial change in circumstances exists, justifying a rehearing of the proposed amendment.

**Relevant State Statutes**

§ 45-24-50. Adoption – Power of council to adopt – Consistency with comprehensive plan.

(a) For the purpose of promoting the public health, safety, morals, and general welfare, a city or town council has the power, in accordance with the provisions of this chapter, to adopt, amend, or repeal, and to provide for the administration, interpretation, and enforcement of, a zoning ordinance. The provisions of a zoning ordinance are stated in text and map(s), and may incorporate charts or other material.
(b) A zoning ordinance, and all amendments to it, must be consistent with the city or town’s comprehensive plan, as described in chapter 22.2 of this title, and provide for the implementation of the city or town comprehensive plan.

(c) A zoning ordinance adopted or amended during the pendency of the approval of a municipality’s comprehensive plan must be consistent with that plan, until the zoning ordinance is brought into full compliance with the Comprehensive Planning Act, subdivision 45-22.2-5(a)(4).

(d) The city or town must bring the zoning ordinance or amendment into conformance with its comprehensive plan as approved by the chief of the division of planning of the department of administration or the superior court in accordance with its implementation schedule as set forth in said plan.

§ 45-24-51. Adoption – Procedure for adoption or amendment.

The city or town shall designate the officer or agency to receive a proposal for adoption, amendment, or repeal of a zoning ordinance or zoning map(s). Immediately upon receipt of the proposal, the officer or agency shall refer the proposal to the city or town council, and to the planning board or commission of the city or town for study and recommendation. The planning board or commission shall, in turn, notify and seek the advice of the city or town planning department, if any, and report to the city or town council within forty-five (45) days after receipt of the proposal, giving its findings and recommendations as prescribed in § 45-24-52. Where a proposal for adoption, amendment, or repeal of a zoning ordinance or zoning map is made by the city or town planning board or commission, the requirements for study by the board may be waived; provided, that the proposal by the planning board includes its findings and recommendations pursuant to § 45-24-52. The city or town council shall hold a public hearing within sixty-five (65) days of receipt of a proposal, giving proper notice as prescribed in § 45-24-53. The city or town council shall render a decision on any proposal within forty-five (45) days after the date of completion of the public hearing. The provisions of this section pertaining to deadlines shall not be construed to apply to any extension consented to by an applicant.

§ 45-24-52. Adoption – Review by planning board or commission.

Among its findings and recommendations to the city or town council with respect to a proposal for adoption, amendment, or repeal of a zoning ordinance or zoning map, the planning board or commission shall:

(1) Include a statement on the general consistency of the proposal with the comprehensive plan of the city or town, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and

(2) Include a demonstration of recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30.
§ 45-24-53. Adoption – Notice and hearing requirements.

(a) No zoning ordinance shall be adopted, repealed, or amended until after a public hearing has been held upon the question before the city or town council. The city or town council shall first give notice of the public hearing by publication of notice in a newspaper of general circulation within the city or town at least once each week for three (3) successive weeks prior to the date of the hearing, which may include the week in which the hearing is to be held, at which hearing opportunity shall be given to all persons interested to be heard upon the matter of the proposed ordinance. Written notice, which may be a copy of the newspaper notice, shall be mailed to the parties specified in subsections (b), (c), (d), (e), and (f) of this section, at least two (2) weeks prior to the hearing. The newspaper notice shall be published as a display advertisement, using a type size at least as large as the normal type size used by the newspaper in its news articles, and shall:

(1) Specify the place of the hearing and the date and time of its commencement;

(2) Indicate that adoption, amendment, or repeal of a zoning ordinance is under consideration;

(3) Contain a statement of the proposed amendments to the ordinance that may be printed once in its entirety, or summarize and describe the matter under consideration as long as the intent and effect of the proposed ordinance is expressly written in that notice;

(4) Advise those interested where and when a copy of the matter under consideration may be obtained or examined and copied; and

(5) State that the proposals shown on the ordinance may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.

(b) Where a proposed general amendment to an existing zoning ordinance includes changes in an existing zoning map, public notice shall be given as required by subsection (a) of this section.

(c) Where a proposed text amendment to an existing zoning ordinance would cause a conforming lot of record to become nonconforming by lot area or frontage, written notice shall be given to all owners of the real property as shown on the current real estate tax assessment records of the city or town. The notice shall be given at least two (2) weeks prior to the hearing at which the text amendment is to be considered, with the content required by subsection (a). If the city or town zoning ordinance contains an existing merger clause to which the nonconforming lots would be subject, the notice shall include reference to the merger clause and the impacts of common ownership of nonconforming lots. The sender of the notice shall utilize and obtain a United States Postal Service certificate of mailing, and the certificate or an electronic copy thereof shall be retained to demonstrate proof of the mailing.
(d) Where a proposed amendment to an existing ordinance includes a specific change in a zoning district map, but does not affect districts generally, public notice shall be given as required by subsection (a) of this section, with the additional requirements that:

(1) Notice shall include a map showing the existing and proposed boundaries, zoning district boundaries, existing streets and roads and their names, and city and town boundaries where appropriate; and

(2) Written notice of the date, time, and place of the public hearing and the nature and purpose of the hearing shall be sent to all owners of real property whose property is located in or within not less than two hundred feet (200') of the perimeter of the area proposed for change, whether within the city or town or within an adjacent city or town. Notice shall also be sent to any individual or entity holding a recorded conservation or preservation restriction on the property that is the subject of the amendment. The notice shall be sent by registered, certified, or first-class mail to the last known address of the owners, as shown on the current real estate tax assessment records of the city or town in which the property is located; provided, for any notice sent by first-class mail, the sender of the notice shall utilize and obtain a United States Postal Service certificate of mailing, PS form 3817, or any applicable version thereof, to demonstrate proof of such mailing.

(e) Notice of a public hearing shall be sent by first-class mail to the city or town council of any city or town to which one or more of the following pertain:

(1) That is located in or within not less than two hundred feet (200') of the boundary of the area proposed for change; or

(2) Where there is a public or quasi-public water source, or private water source that is used, or is suitable for use, as a public water source, within two thousand feet (2,000') of any real property that is the subject of a proposed zoning change, regardless of municipal boundaries.

(f) Notice of a public hearing shall be sent to the governing body of any state or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water resource or surface watershed that is used, or is suitable for use, as a public water source and that is within two thousand feet (2,000') of any real property that is the subject of a proposed zoning change; provided, that the governing body of any state or municipal water department or agency, special water district, or private water company has filed with the building inspector in the city or town a map survey, that shall be kept as a public record, showing areas of surface water resources and/or watersheds and parcels of land within two thousand feet (2,000') thereof.

(g) Notwithstanding any of the requirements set forth in subsections (a) through (e), each municipality shall establish and maintain a public notice registry allowing any person or entity to register for electronic notice of any changes to the zoning ordinance. The city or town shall provide public notice annually of the existence of the electronic registry by publication of notice in a newspaper of general circulation within the city or town. In addition, each municipality is hereby encouraged to provide public notice of the existence of the public notice registry in all of
its current and future communications with the public, including, but not limited to, governmental websites, electronic newsletters, public bulletins, press releases, and all other means the municipality may use to impart information to the local community.

(1) Provided, however, notice pursuant to a public notice registry as per this section does not alone qualify a person or entity on the public notice registry as an "aggrieved party" under § 45-24-31(4).

(h) No defect in the form of any notice under this section shall render any ordinance or amendment invalid, unless the defect is found to be intentional or misleading.

(i) Costs of any notice required under this section shall be borne by the applicant.

(j) In granting a zoning ordinance amendment, notwithstanding the provisions of § 45-24-37, the town or city council may limit the change to one of the permitted uses in the zone to which the subject land is rezoned and impose limitations, conditions, and restrictions, including, without limitation: (1) Requiring the petitioner to obtain a permit or approval from any and all state or local governmental agencies or instrumentalities having jurisdiction over the land and use that are the subject of the zoning change; (2) Those relating to the effectiveness or continued effectiveness of the zoning change; and/or (3) Those relating to the use of the land as it deems necessary. The responsible town or city official shall cause the limitations and conditions so imposed to be clearly noted on the zoning map and recorded in the land evidence records; provided, that in the case of a conditional zone change, the limitations, restrictions, and conditions shall not be noted on the zoning map until the zone change has become effective. If the permitted use for which the land has been rezoned is abandoned or if the land is not used for the requested purpose for a period of two (2) years or more after the zone change becomes effective, the town or city council may, after a public hearing, change the land to its original zoning use before the petition was filed. If any limitation, condition, or restriction in an ordinance is held to be invalid by a court in any action, that holding shall not cause the remainder of the ordinance to be invalid.

(k) The above requirements are to be construed as minimum requirements.
October 30, 2020

Honorable Town Council
40 Commons
Little Compton, RI 02837

Little Compton Town Council;

I am writing to respectfully request the Honorable Town Council consider adjusting the Business District boundaries as outlined on Plat 30, specifically as it pertains to Lot 8-1 which is a property owned by 50 Commons LLC, of which I am a part owner. You will see on the maps enclosed that the Business District designation line creates a lot which actually has two different designations, Business and Residence on different portions of the lot.

As you are aware the Little Compton Town Code, Capther 14-1.4 outlines the Zoning Districts and section [b] gives greater details on interpretation and variables such as 30’ expansion of a District where they divide a property not on a property line. My research of why exactly did the designation of Business District on this particular lot not follow certain property lines, specifically the East boundary is unclear. Currently, the lot coverage by existing buildings on Lot 8-1 is well below the maximum allowed but the dual District(s) designation does make some small restrictions relative to the 10% allowable coverage for Residence compared to 15% for Business District. Although helpful to have the maximum lot coverage allowed, our main concern is the ability to place a future building on the lot where we determine to be the most beneficial and not be impeded by the current Business District designation.

We make this request for a couple of reasons. First, the division of a portion of our lot out of the Business District causes us to lose an area which we can not consider to place a building for commercial use. Secondly, we intend to move our current business, Sakonnet Plumbing, from a Residential District on So of Commons Road
to lot 8-1 as identified above and need to use as much of this lot for commercial use as possible. Thirdly, as you are probably aware our parking area currently surrounding Wilbur's General Store and all of the other accompanying businesses are often use by other businesses in the Common's area due to the insufficient parking area to accommodate those businesses. We certainly hope to continue to allow use of our parking area and expansion as requested would help to assure this. Lastly, we believe this request to consider moving the Business District line to our actual property line on the East boundry is a fairly simple request and I would compare it to the request made by the property owner of Lot 13-1 & 13-2 of Plat 29 a few years back when they requested the Business District designation be moved to their North boundry to accommodate their business model.

I have included 4 attachments to this letter for informational purposes.
1) An overview of the Business District for the Commons area of Town.
2) A copy of Lot 8-1 as shown on Plat 29 of the Tax Assessors Maps
3) A "not to scale" overview of the current buildings on Lot 8-1
4) An aerial photo of Lot 8-1 with estimated property lines outlined.

Thank you for your attention to this request and appreciate your consideration. Should you have any questions or concerns please do not hesitate to reach out to me directly at 401.623.9031 or via email: lcclaw@cox.net.

Respectfully submitted,

[Signature]
Sidney Wordell
Owner
50 Commons LLC
NOTE:
THIS MORTGAGE INSPECTION PLAN WAS NOT MADE FROM AN INSTRUMENT SURVEY. THESE CERTIFICATIONS ARE MADE TO BAYCOAST BANK AND ARE FOR MORTGAGE PURPOSES ONLY. UNDER NO CIRCUMSTANCES ARE THE DISTANCES TO BE USED TO ESTABLISH PROPERTY LINES OR FOR CONSTRUCTION PURPOSES. IN SUCH CASES A COMPLETE INSTRUMENT SURVEY IS RECOMMENDED. THIS PLAN IS NOT TO BE USED FOR RECORDING NOR FOR DEED DESCRIPTION AND APPLIES ONLY TO THE CONDITIONS EXISTING AS OF THE DATE SHOWN HEREON.

I HEREBY CERTIFY THAT THE PROPERTY SHOWN HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD DISTRICT AS DESIGNATED ON F.E.M.A. FLOOD INSURANCE RATE MAP 44005CD118H DATED APRIL 5, 2010.

LITTLE COMPTON TOWN CLERK
REGISTER OF LAND EVIDENCE
DEED REFERENCE: BK 137 PG 688
PLAN REFERENCE: BK 14 PG 20

#50 COMMONS RD, LITTLE COMPTON, RI

MORTGAGE INSPECTION PLOT

PREPARED FOR: SID WORDELL
50 COMMONS
LITTLE COMPTON, RI

OWNED BY: PRESTON LAND INVESTMENTS

MOUNT HOPE ENGINEERING
CIVIL/ENVIRONMENTAL SERVICES
1780 G.A.R. Highway
Swansea, Massachusetts 02777
(508) 379-1234

PROJECT NO. 16-258

SCALE: 1" = 100'
DATE: 04/25/18
CHECKED: TC

SHEET NO. 1 OF 1

a. Procedure. Other than for proposals originated by the Town Council, the Town Clerk shall be the officer to receive a proposal for adoption, amendment, or repeal of a zoning ordinance or zoning map(s). Immediately upon receipt of such proposal, the Town Clerk shall refer such proposal to the Town Council and the Planning Board for study and recommendation. If the proposal originates with the Town Council, the Town Council shall refer such proposal to the Planning Board and the Building Official. The Planning Board shall report to the Town Council within 45 days after receipt of the proposal, giving its findings and recommendations. The Town Council shall hold a public hearing within 65 days of receipt of proposal, giving proper notice as prescribed in Subsection c below. The Town Council shall render a decision on any such proposal within 45 days after the date of completion of the public hearing. The provisions of this subsection pertaining to deadlines shall not be construed to apply to any extension consented to by the applicant. Except for action initiated by the Town Council or a Town agency or official, all applications shall be accompanied by a filing fee as established by the Town Council and payable to the Town of Little Compton. Said filing fee shall be set in an amount required to cover the expenses of public hearing notification, stenographic services for public hearing records and any other expenses incurred in the processing of the application and the final action thereon. Said fee shall be returnable only in the event the application is withdrawn prior to the issuance of official public hearing notice. Said fee may be waived at the discretion of the Town Council upon the showing of financial hardship by the applicant.

b. Review by Planning Board. Among its findings and recommendations to the amendment or repeal of this chapter or zoning map, the Planning Board shall:

1. Include a statement on the general consistency of the proposal with the Comprehensive Plan of the Town, including the goals and policies statement, the implementation program, and all other applicable elements of the Comprehensive Plan; and

2. Include a demonstration of recognition and consideration of each of the applicable purposes of zoning as presented in Subsection 14-1.1 of this chapter.
c. Notice and Hearing Requirements.

1. No zoning ordinance shall be adopted, repealed, or amended until after a public hearing has been held upon the question before the Town Council. The Town Council shall first give notice of such public hearing by publication of notice in a newspaper of general circulation within the Town at least once each week for three consecutive weeks prior to the date of such hearing, which may include the week in which the hearing is to be held, at which hearing opportunity shall be given to all persons interested to be heard upon the matter to the proposed ordinance. Written notice, which may be a copy of said newspaper notice, shall be mailed to the parties specified in Subsections c2, 3, 4 and 5 of this subsection, at least two weeks prior to the hearing. Such newspaper notice shall be published as a display advertisement, using a type size at least as large as the normal type size used by the newspaper in its news articles, and shall: [Amended 9-5-2019]

(a) Specify the place of said hearing and the date and time of its commencement;

(b) Indicate that adoption, amendment or repeal of a zoning ordinance is under consideration;

(c) Contain a statement of the proposed amendments to the ordinance that may be printed once in its entirety, or summarize or describe the matter under consideration;

(d) Advise those interested where and when a copy of the matter under consideration may be obtained or examined and copied; and

(e) State that the proposal shown thereon may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any such alteration or amendment must be presented for comment in the course of said hearing.

2. Where a proposed general amendment to an existing zoning ordinance includes changes in an existing zoning map, public notice shall be given as required by Subsection c1 of this subsection.
3. Where a proposed amendment to an existing ordinance includes a specific change in a zoning district map but does not affect districts generally, public notice shall be given as required in Subsection c1 of this subsection, with the additional requirements that:

(a) Notice shall include a map showing the existing and proposed boundaries, zoning district boundaries, and existing streets and roads and their names, and Town boundaries where appropriate; and

(b) Written notice of the date, time and place of the public hearing and the nature and purpose thereof shall be sent by certified mail, return receipt required, to all owners of real property whose property is located within 200 feet of the perimeter of the area proposed for change, whether within the Town or within an adjacent city or town in which the property is located.

4. Notice of a public hearing shall be sent by certified mail, return receipt required, to the city or town council of any city or town to which one or more of the following pertain:

(a) Which is located within 200 feet of the boundary of the area proposed for change; or

(b) Where there is a public or quasi-public water source, or private water source that is used or is suitable for use as a public water source, within 2,000 feet of any real property that is the subject of a proposed zoning change, regardless of municipal boundaries.

5. Notice of a public hearing shall be sent to the governing body of any State or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water resource and/or surface watershed that is used, or is suitable for use, as a public water source and that is within 2,000 feet of any real property which is the subject of a proposed zoning change, provided, however, that the governing body of any State or municipal water company has filed with the Building Official a map survey, which shall be kept as a public record, showing areas of surface water resources and/or watersheds and parcels of land within 2,000 feet thereof.
6. No defect in the form of any notice under this section shall render any ordinance or amendment invalid, unless such defect is found to be intentional or misleading.

d. Costs. Costs of any notice required under this section shall be borne by the applicant.

e. Limitations and Conditions. In granting a zoning ordinance amendment, the Town Council may limit the change to one or more of the permitted uses in the zone to which the subject land is rezoned, and impose such limitations, conditions and restrictions, including without limitation:

1. Requiring the petitioner to obtain a permit or approval from any and all Federal, State or local governmental agencies having jurisdiction over the land and use which are subject to the zoning change;

2. Relating to the effectiveness or continued effectiveness of the zoning change; and/or

3. Relating to the use of the land as it deems necessary.

The Chair of the Planning Board and the Town Clerk shall cause the limitations and conditions so imposed to be clearly noted on the zoning map and recorded in the land evidence records, provided, however, in the case of a conditional zone change, the limitations, restrictions, and conditions shall not be noted on the zoning map until the zone change has become effective. If the permitted use for which the land has been rezoned is abandoned or if the land is not used for the requested purpose for a period of two years or more after the zone change becomes effective, the Town Council may, after a public hearing as herein before set forth, change the land to its original zoning use before such petition was filed. If any limitation, condition, or restriction in an ordinance amendment is held to be invalid by a court in any action, that holding shall not cause the remainder of the ordinance to be invalid.

f. Limit on Successive Petitions. Where the Town Council denies or grants leave to withdraw to an application for amendment of this chapter, the Council shall not consider another application for substantially the same amendment for a period of one year from the date of such denial or withdrawal. This period may be waived if the later application is accompanied by an affidavit presenting facts, to the satisfaction of the Town Council, showing that a substantial change in circumstances exists, justifying a rehearing of the proposed amendment.
Town of Little Compton
Office of the Council President
Post Office Box 226
Little Compton, Rhode Island 02837

16 November 2020

MEMORANDUM

To: Town Council

Re: Revisions to Town Code and Home Rule Charter

This memorandum proposes a plan for updating town ordinances and identifying town charter changes to better reflect the "current conditions" under which we operate.

For each department below, I request that one of us volunteers to assist the Administrator and the Department Head to develop proposed change language for the indicated section(s) of Town Code and Charter. After review and revision by the full Council, Code changes would move through the normal approval process, and Charter changes would be proposed to the electorate per Section 1004.

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<th>Charter Section</th>
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<td>Mushen</td>
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<td>7-2, 7-3, 8-3, 8-4, 16-2</td>
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Robert L. Mushen
Town Council President
November 4, 2020

Via Regular Mail and Hand-delivery to Robert Mushen
Robert Mushen, President
and the Honorable Members of the
Little Compton Town Council
P. O. Box 226
Little Compton, Rhode Island 02837

RE: Position Desired: Town Solicitor

Dear President Mushen and Honorable Members of
the Little Compton Town Council:

I am applying for the position of Little Compton Town Solicitor. I was originally appointed to the post in 1988. I served as Solicitor from 1988 until 1990. Thereafter, I have served as Town Solicitor continuously from 1992 until the present.

I have enjoyed serving the Town in the capacity of Town Solicitor. Over the years, I have been involved in many matters involving the Town of Little Compton including police prosecutions, zoning and planning matters, civil litigation, Superior Court hearings, Supreme Court cases and mediations. I have always done my best for the Town and I hope that the work I have done for the Town speaks favorably for my application.

As you know, I also have an additional two attorneys in my office, Christina Dzierzek and Allyson Quay. They assist me in municipal matters. I have great confidence in their abilities.

I respectfully request re-appointment as Town Solicitor. Thank you for your consideration. If re-appointed, I propose to work under the financial arrangement described in my letter dated July 1, 2020. However our billing rates will be $185.00 per hour for attorneys in this office and $95.00 per hour for staff time.

Warmest regards,

Richard S. Humphrey

*ADMITTED TO PRACTICE IN RHODE ISLAND, MASSACHUSETTS AND MAINE
**ADMITTED TO PRACTICE IN RHODE ISLAND AND MASSACHUSETTS
July 1, 2020

President Robert Mushen and
Honorable Council Members
Little Compton Town Council
P. O. Box 226
Little Compton, RI 02837

RE: Billing Summary/June 30, 2020 Billing

Dear President Mushen and Members of the Little Compton Town Council:

Enclosed please find a billing summary for the period beginning July 1, 2019 and ending on June 30, 2020. There is a zero balance due and owing under the annual stipend of $50,980.00.

You will note that I have enclosed a bill dated June 30, 2020. That bill was in the amount of $7,045.50. Again, because the retainer amount has been exhausted, there is a zero amount due and owing.

Our uncollected billings – for regular work – totaled $10,235.50.

We are glad that we can be of service to the Town of Little Compton. We enjoy representing the Town and we consider it an honor to represent the Town.

Our retainer amount (as approved by the Financial Town Meeting) for regular work is $51,200.00. The contingency fund for legal matters was approved at the June 2020 meeting.

In line with our current practice, in the upcoming fiscal year, extra work such as labor arbitrations, all Superior Court work (including zoning projects, etc. will continue to be paid outside the annual retainer amount. In addition, complex drafting assignments (modification of the Town
President Robert Mushen and  
Honorable Council Members  
July 6, 2018  
Page Two

Code/Town Charter provision, etc., unusual matters (i.e. complex construction projects), new areas requiring extra efforts, are outside the annual retainer amount and will be billed accordingly.

Our billing rates will remain the same: $165.00 per hour for attorneys in this office. Staff time will be charged at $85.00 per hour.

We continue to give our best efforts to the Town. We believe in the Town of Little Compton and we believe in our public service on behalf of the Town. Thank you for allowing us to continue to serve.

Warmest regards,

Richard S. Humphrey

RSH:hm

Enclosures: Billing Summary  
Statement for Services Rendered (June 30, 2020)
June 30, 2020

Robert Mushen
Little Compton Town Hall
P.O. Box 226
Little Compton, RI 02837-0226

RE: Retainer Bill

Professional Services

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Hours</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/15/2020</td>
<td>AQ Research zoning hearings; Edit memo.</td>
<td>0.50</td>
<td>82.50</td>
</tr>
<tr>
<td>5/18/2020</td>
<td>RSH Respond to Carol W.'s request for opinion re: Zoning Board of Review; Speak with Bob M.</td>
<td>2.00</td>
<td>330.00</td>
</tr>
<tr>
<td></td>
<td>AQ Review Carol email; Review AG response; Edit opinion on zoning hearings.</td>
<td>2.00</td>
<td>330.00</td>
</tr>
<tr>
<td>5/19/2020</td>
<td>AQ Review Anderson memo; Email Teitz re: tax appeal.</td>
<td>0.50</td>
<td>82.50</td>
</tr>
<tr>
<td></td>
<td>RSH Organize matters; Opinion &amp; cases for 5/21/20 Ton Council meeting.</td>
<td>2.50</td>
<td>412.50</td>
</tr>
<tr>
<td></td>
<td>AQ Review memo and attachments sent by Councillor Anderson.</td>
<td>0.40</td>
<td>66.00</td>
</tr>
<tr>
<td>5/20/2020</td>
<td>RSH Communication with Bill Landry re: Rhode Island Road.</td>
<td>0.30</td>
<td>49.50</td>
</tr>
<tr>
<td></td>
<td>RSH Prepare for T.C. meeting.</td>
<td>0.90</td>
<td>148.50</td>
</tr>
<tr>
<td>5/21/2020</td>
<td>RSH Review materials for meeting; Speak with Tony T.</td>
<td>0.60</td>
<td>99.00</td>
</tr>
<tr>
<td></td>
<td>RSH Speak with Gary M (2x); Speak with Bob M.; Review letter from Bill Landry; Speak with Bill Landry's office; Review plat map.</td>
<td>1.20</td>
<td>198.00</td>
</tr>
<tr>
<td></td>
<td>AQ View Town Council meeting; Bullet points re: financial town meeting.</td>
<td>2.00</td>
<td>330.00</td>
</tr>
<tr>
<td>Date</td>
<td>Code</td>
<td>Description</td>
<td>Hours</td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>5/22/2020</td>
<td>RSH</td>
<td>Attend Town Council meeting.</td>
<td>1.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Speak with Bob M. &amp; Tony T.</td>
<td>0.30</td>
</tr>
<tr>
<td>5/27/2020</td>
<td>AQ</td>
<td>Emails re: tax appeals.</td>
<td>0.20</td>
</tr>
<tr>
<td>5/28/2020</td>
<td>AQ</td>
<td>Emails re: tax appeal and zoning.</td>
<td>0.30</td>
</tr>
<tr>
<td>6/1/2020</td>
<td>RSH</td>
<td>Review APRA request; Speak with Chief Raynes; Review APRA law.</td>
<td>0.80</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Scheduling.</td>
<td>0.30</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Tax hearing issues.</td>
<td>0.10</td>
</tr>
<tr>
<td></td>
<td>RSH</td>
<td>Review Benjamin Wordell case; Speak with Nick Parillo.</td>
<td>0.40</td>
</tr>
<tr>
<td>6/2/2020</td>
<td>RSH</td>
<td>Review council package; Speak with Bob M.</td>
<td>0.50</td>
</tr>
<tr>
<td></td>
<td>RSH</td>
<td>Speak with Tony T.; Review and respond to Bob's email (Order #3); Review</td>
<td>1.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>documents on Spencer appeal.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Tax hearing issues; Review email.</td>
<td>0.40</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Review documents sent by Spencer re: tax appeal.</td>
<td>0.60</td>
</tr>
<tr>
<td>6/3/2020</td>
<td>RSH</td>
<td>Review special order #3; Comments.</td>
<td>0.30</td>
</tr>
<tr>
<td></td>
<td>RSH</td>
<td>Communication with Treasurer.</td>
<td>0.30</td>
</tr>
<tr>
<td>6/4/2020</td>
<td>RSH</td>
<td>Speak with Dept. Attorney General re: Indiana Road; Review file.</td>
<td>0.30</td>
</tr>
<tr>
<td></td>
<td>RSH</td>
<td>Attend Zoom meeting.</td>
<td>0.60</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Research and answer questions from Edi re: zoning notice and applications.</td>
<td>1.00</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Prepare for Council meeting; Review agenda and attachments.</td>
<td>1.00</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Town Council meeting.</td>
<td>2.30</td>
</tr>
<tr>
<td>6/5/2020</td>
<td>RSH</td>
<td>Complete opinion letter to Bob M. re: Beach Commission.</td>
<td>1.90</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Opinion re; beaches.</td>
<td>1.00</td>
</tr>
<tr>
<td>6/8/2020</td>
<td>RSH</td>
<td>Speak with Bob M.; Revise documents.</td>
<td>0.80</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Memo re: beach commission.</td>
<td>0.30</td>
</tr>
<tr>
<td>6/9/2020</td>
<td>RSH</td>
<td>Review matters re: beach.</td>
<td>0.50</td>
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<tr>
<td>6/11/2020</td>
<td>AQ</td>
<td>Review notice recind FEMA regs.</td>
<td>0.30</td>
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<tr>
<td>6/12/2020</td>
<td>RSH</td>
<td>Various communications re: Tax Board.</td>
<td>0.30</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>letter re Ethics RI Avenue.</td>
<td>0.60</td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Phone calls/emails re: Spencer appeal.</td>
<td>0.40</td>
</tr>
<tr>
<td>6/15/2020</td>
<td>RSH</td>
<td>Tax Board Appeal.</td>
<td>1.50</td>
</tr>
<tr>
<td>Date</td>
<td>Time</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>-----------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>6/15/2020</td>
<td>AQ</td>
<td>Prepare for and attend tax appeal hearing.</td>
<td></td>
</tr>
<tr>
<td>6/16/2020</td>
<td>RSH</td>
<td>Speak with Paul G.; Speak with S. Eddy.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Phone call with Tack Eddy re: zoning.</td>
<td></td>
</tr>
<tr>
<td>6/18/2020</td>
<td>RSH</td>
<td>Attend Town Council meeting.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AQ</td>
<td>Letter to Carol; Zoning; Review counsel packet.</td>
<td></td>
</tr>
<tr>
<td>6/26/2020</td>
<td>AQ</td>
<td>Review Spencer tax appeal minutes.</td>
<td></td>
</tr>
<tr>
<td>6/29/2020</td>
<td>AQ</td>
<td>Review email from Denise.</td>
<td></td>
</tr>
<tr>
<td>7/1/2020</td>
<td>RSH</td>
<td>Review pending zoning applications; Work on draft decision.</td>
<td></td>
</tr>
</tbody>
</table>

SUBTOTAL: [42.00] $6,930.00

Prosecutions

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/22/2020</td>
<td>AQ</td>
<td>Phone call to court clerk; Letter to J. Faria.</td>
</tr>
</tbody>
</table>

SUBTOTAL: [0.40] $66.00

Zoning

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/15/2020</td>
<td>AQ</td>
<td>Review new Governor Order; Edit memo.</td>
</tr>
</tbody>
</table>

SUBTOTAL: [0.30] $49.50

For professional services rendered $42.70 $7,045.50

Previous balance $4,141.50

5/22/2020 Payment - thank you. Check No. 2012037 ($2,597.37)

6/1/2020 Professional Consideration ($1,544.13)

6/30/2020 Professional Consideration ($7,045.50)

Total payments and adjustments ($11,187.00)
Balance due

Federal ID# 05-0411043

Amount due.........................................................$0.00

Amount

$0.00
Town of Little Compton  
c/o Robert Mushen  
Little Compton Town Hall  
PO Box 226  
Little Compton, RI 02837

<table>
<thead>
<tr>
<th>Invoiced</th>
<th>Amount</th>
<th>Stipend Payment</th>
<th>Credit issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 12, 2019</td>
<td>$4,174.50</td>
<td>$4,148.33</td>
<td>$26.17</td>
</tr>
<tr>
<td>September 11, 2019</td>
<td>$4,164.50</td>
<td>$4,148.33</td>
<td>$16.17</td>
</tr>
<tr>
<td>October 18, 2019</td>
<td>$4,174.50</td>
<td>$4,148.33</td>
<td>$26.17</td>
</tr>
<tr>
<td>November 15, 2019</td>
<td>$4,720.50</td>
<td>$4,148.33</td>
<td>$572.17</td>
</tr>
<tr>
<td>December 20, 2019</td>
<td>$4,290.00</td>
<td>$4,148.33</td>
<td>$141.67</td>
</tr>
<tr>
<td>January 10, 2020</td>
<td>$4,356.00</td>
<td>$4,148.33</td>
<td>$207.67</td>
</tr>
<tr>
<td>January 28, 2020</td>
<td>$4,207.50</td>
<td>$4,148.33</td>
<td>$59.17</td>
</tr>
<tr>
<td>February 17, 2020</td>
<td>$4,405.50</td>
<td>$4,148.33</td>
<td>$257.17</td>
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<tr>
<td>February 28, 2020</td>
<td>$4,188.00</td>
<td>$4,148.33</td>
<td>$39.67</td>
</tr>
<tr>
<td>March 13, 2020</td>
<td>$4,174.50</td>
<td>$4,148.33</td>
<td>$26.17</td>
</tr>
<tr>
<td>April 3, 2020</td>
<td>$1,551.00</td>
<td>$1,551.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>April 24, 2020</td>
<td>$4,422.00</td>
<td>$4,148.33</td>
<td>$273.67</td>
</tr>
<tr>
<td>May 15, 2020</td>
<td>$4,141.50</td>
<td>$2,597.37</td>
<td>$1,544.13</td>
</tr>
<tr>
<td>June 30, 2020</td>
<td>$7,045.50</td>
<td>$0.00</td>
<td>$7,045.50</td>
</tr>
<tr>
<td></td>
<td>$60,015.50</td>
<td>$49,780.00*</td>
<td>$10,235.50</td>
</tr>
</tbody>
</table>

* $1,200.00 paid annually.