



Town of Jamestown

Town Clerk's Office

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

Roberta J. Fagan
Town Clerk
Probate Clerk

Office of the Town Clerk

CERTIFICATE

I, Roberta J. Fagan, Town Clerk of the Town of Jamestown, Rhode Island, having by law the custody of the seal, and the records, books, documents, and papers of or appertaining to said Town, hereby certify the annexed to be true copies of papers appertaining to said Town, and on file and of record in this office.

In attestation whereof I have hereunto set my hand, and have affixed the Seal of said Town, this 19th day of August, 2024.



Roberta J. Fagan
Town Clerk



Certified Documents relative to the Appeal of Water Service Extension Decision(s) to the Rhode Island Water Resources Board: Jeffrey and Deborah Saletin:

1. Application of Jeffrey and Deborah Saletin (Plat 7 Lot 135, 14 Seaview Avenue) for utility service connection (water) and as amended on March 29, 2024, to an application for a water line extension.
 - a) Application for utility service connection (water) received January 2, 2024
 - b) Memorandum to Board of Water & Sewer Commissioners from Michael Gray, Public Works Director, Dated February 13, 2024 and revised April 11, 2024, RE: Water Extension Application, East Shore Road
 - c) Memorandum dated February 16, 2024 from Robert F. Ferrari, PE to the Town of Jamestown
 - d) Application for water line extension received March 29, 2024
 - e) Title 46, Waters and Navigation, Chapter 13.2, Drilling of Drinking Water Well RIGL § 46-13.2-2. Purpose, submitted as Appendix E on May 6, 2024 by Atty. Christian Infantolino
 - f) Title 46, Waters and Navigation, Chapter 13.2, Drilling of Drinking Water Well, RIGL § 46-13.2-3. Regulations, submitted as Appendix E on May 6, 2024 by Atty. Christian Infantolino
 - g) Title 46, Waters and Navigation, Chapter 13.2, Drilling of Drinking Water Well § 46-13.2-11. Duties and powers of department of health not affected, submitted as Appendix E on May 6, 2024 by Atty. Christian Infantolino
 - h) Exhibit 1, January Session, 1968- Chapter 273, An Act Providing for a Public Water Supply in the Town of Jamestown, submitted by Councilor/Commissioner R. White on May 6, 2024
 - i) Copy of the decision letter from Jamestown Board of Water and Sewer Commissioners to Jeffrey and Deborah Saletin, to deny their application for an extension and connection of a new water service outside of the Urban Water District, dated June 28, 2024.
 - j) Appeal Complaint of Jeffrey and Deborah Saletin, to the Rhode Island Water Resources Board dated July 25, 2024.

**Board of
Water and Sewer Commissioners**
TOWN OF JAMESTOWN, RHODE ISLAND 02835

APPLICATION FOR UTILITY SERVICE CONNECTION

COMPLETED BY APPLICANT

DATE: 1/2/2024☒ Rural Water and Sewer District☐ Urban Water and Sewer District

Applicant:

Email: JEFFS@SalatinREName: Tiffany + Deborah SalatinPhone: (401) 529-9730Address: 14 Seaview AvePlat: 7Lot: 135

Zoning District: _____

Type of Service Being Requested:

Water ☒ Sewer ☐Use: Residential ☒

(single family)

(multi family) ☐Commercial ☐Number of Units ☐Other ☐Plans Required Yes ☐ No ☒ (For Office Use Only-to be checked by the Public Works Director)New Building ☐Existing Building Home (yes)Existing Well ☒Existing ISDS ☒

Does applicant own contiguous land?

Yes ☐ No ☒

Estimated water usage

250 GAL / DAYAnnualized 7 most likely 80 gallons a day

ALL NOTE: Regular meetings of the Board of Water and Sewer Commissioner are held once monthly. Meetings are held at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue, Jamestown, RI. This meeting location is accessible to the physically challenged. Hearing

or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 or 423-1212 not less than 3 business days prior to this meeting.

I will Submit
Please provide a written description and plans addressing Sections 13A, 13B, 14A, 14B (Applications and Transfers) required in the Rules and Regulations of the Board of Water Commissioner. All plans when required by the Director of Public Works Director, must be received a minimum of two weeks prior to the application being placed on the agenda. Any questions concerning the rules and regulations, please call the Pubic Works Director, Mike Gray at 423-7225.

we have an existing well which had
DRY Twice This Fall. our well generates
only 1 1/2 Gal/minute & is of poor
Quality. our TDS ranges between 1200 &
2,100. We can't trust our water throughout
the year because of the low yield in
the well. John Lemme well & pump, Northeast
Water Solutions & D. Prote Engineering Assoc.
are working on my TDS.

#5620 []--\$49.00 Recording Fee for Decision Letter. (Fee effective 11/12/07 per RIGL 34-13-7(a))

This fee is due at the time the application is filed with this office. If the application is not approved by the Board of Water and Sewer Commissioners the fee will be returned to the applicant.

Applicant agrees to take water and sewer service in full compliance with the rules and regulations of the Commission. Applicant agrees to accept all cost associated with the requested service connection. In addition, applicant agrees to pay \$3000 for Water Service Connection fee and \$3000 for Sewer Service Connection fee and any other applicable water or sewer fees. All work according to approved plans and specifications. The Town of Jamestown will inspect all work before final acceptance.

Date: 1/2/2024

Applicants Signature: [Signature]

Owners Signature: _____

Approval by the Board of Water and Sewer Commissioners:

Commission President

Date _____

The following information is requested by the Federal Government in order to monitor our compliance with various civil rights laws. You are not required to furnish this information, but are encourage to do so. The law requires that we may not discriminate based upon this information, nor whether you choose to furnish it. However, if you choose not to furnish it, under Federal regulations we are required to note the race and sex on the basis of visual observation or surname. If you do not wish to furnish the above information, please check the box below.

I do not wish to furnish this information ☒

Race/National Origin: American Indian or Alaskan Native

Asian or Pacific Island

White, not of Hispanic origin

Black, not of Hispanic origin

Hispanic origin

Other (specify)

Sex:

Female

_____ ☒

Male

_____ ☒

COMPLETED BY PUBLIC WORKS/ENGINEERING DEPARTMENTS

Location proposed Water ☒ Sewer _____ Extension _____Street or Right of Way EAST SHORE ROAD Urban District _____Rural District ☒ _____

Location of Nearest Main:

Water Main APPROX 900 L.F. SOUTH OF SEAVIEW AVE.

Sewer Main _____

Number of Feet Proposed Extension: Water Main TBD

Sewer Main _____

Number of lots served by proposed extension: Improved TBD

Unimproved _____

Estimated total cost of project:

Water Line _____

Sewer Line _____

Estimated total cost per foot:

Water Line \$400 - \$500

Sewer Line _____

Would Town Provide:

Manpower: Yes _____ No ☒ Equipment: Yes _____ No ☒ Materials: Yes _____ No ☒

Public Works Director

Comments: SEE MEMO TO WPS COMMISSIONDATED 2-15-24Date 2-15-24Signature/Title [Signature] PWD

COMPLETED BY PLANNING DEPARTMENT

Is request consistent with Comprehensive Community Plan?

Please explain

Although the Comprehensive Plan does not provide specific policy in terms of water or sewer connections in the Rural district, it does have reference to the issue as follows:

The main service area for the public water supply is the village area. The urban district is the area that has historically served as the commercial and residential focus for the Island. Public services and facilities have traditionally been located in the village area. Water service is also supplied to the rural water district. The current policy of the Town in the rural water district is to provide public water only to existing lots and not subdivided lots. Water service connections in this area are subject to the approval of the Town's Board of Water and Sewer Commissioners, and must be consistent with the Comprehensive Community Plan.

Goals and Policies of the Comprehensive Plan relevant to this application are as follows:

Public Services and Facilities Element

Goal #1 : Provide a high quality of public services to the community that protect the health, safety, and welfare of all residents.

Goal #2: Provide orderly and efficient arrangement of public services and facilities that support the existing and future needs of the community.

Policy #4: Manage growth to ensure there are adequate public services and facilities to accommodate Jamestown's growing population.

Potential for future subdivision? Please explain: This parcel, (Plat 7, Lot 135) owned by Jeffrey and Deborah Furness Saletin, is an existing lot of record in the R-40 Zoning District (requiring 40,000 square feet or 40,000 square feet minimum lot size) containing 0.61 acres. This is an existing non-conforming lot by size. Based upon the size and the Dimensional Regulations listed in Table 3-2 of the Zoning Ordinance, Lot 135 is not subdividable.

Date February 13, 2024 Signature/Title Lisa W. Bryer, AICP, Town Planner

Water-Sewer Applications/Saletin2024, Plat 7 Lot 135

Saletin

COMPLETED BY FIRE CHIEF

Request will or will not reduce the level of fire protection of the community? Please explain _____

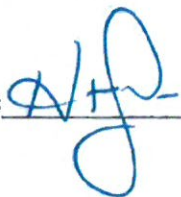
Request will NOT Reduce The level of fire protection

FIRE hydrant NEEDED IN AREA

Fire Hydrants required? Yes ☒ No ☐

Date 1/9/24

Signature/Title

 CHIEF

14 SEAVIEW AVE.

COMPLETED BY FIRE CHIEF

Request will or will not reduce the level of fire protection of the community? Please explain

Fire Hydrants required:

Yes ☒ NoDate 5.19.2021

Signature Title

 CHIEF

J Lemme Wells and Water Systems

606 Perry Hill Road

Coventry, RI 02816 US

(401) 385-3330

jlemmewellandwater@yahoo.com

www.jlemmewellandwater.com

**INVOICE****BILL TO**

Jeff Saletin

14 Seaview Avenue

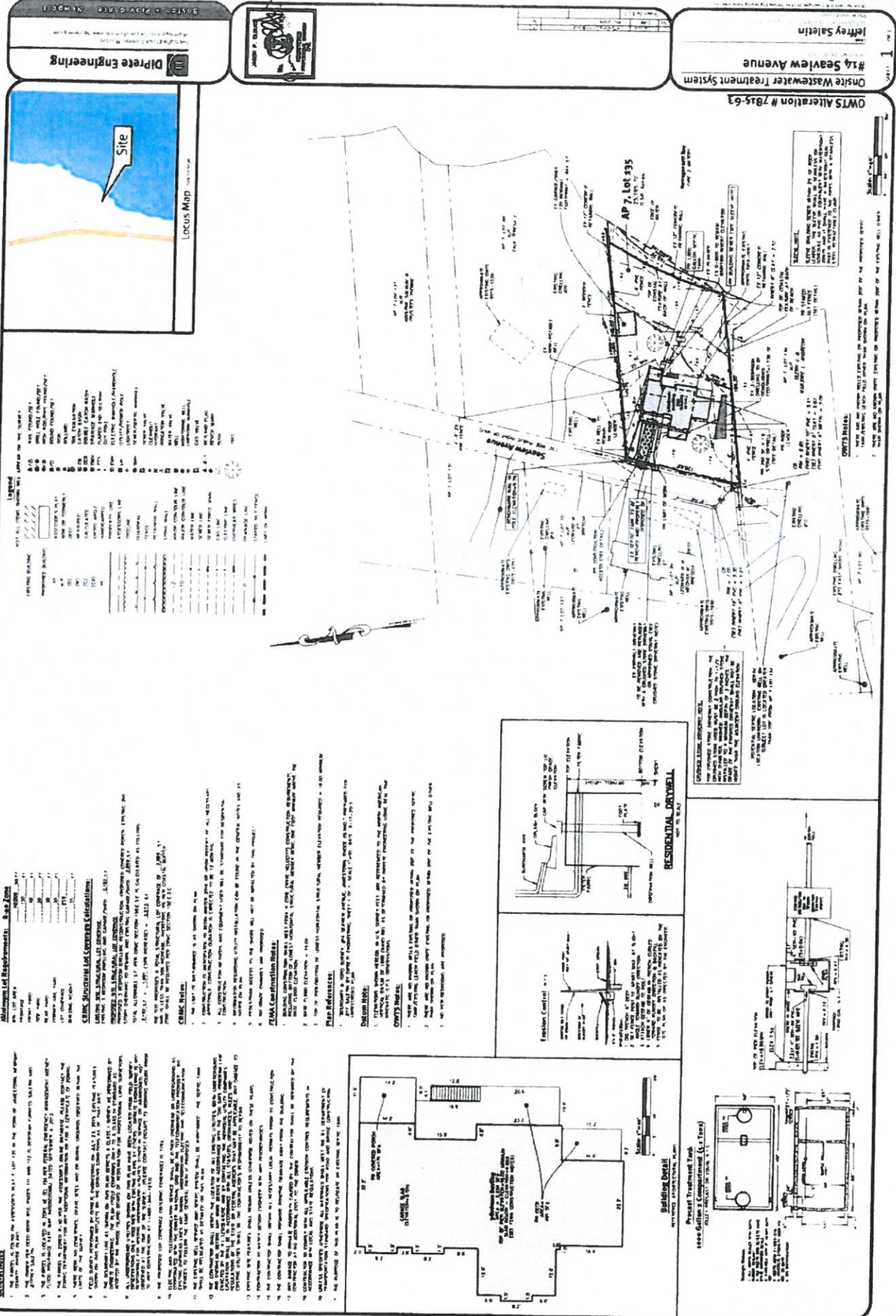
Jamestown, RI 02835

INVOICE # 5717**DATE 07/15/2023****DUE DATE 07/15/2023****TERMS Due on receipt**

ACTIVITY	QTY	RATE	AMOUNT
Service Call No Water. 7/15/2023 Well was empty. Recovery rate of well is inadequate to run reverse osmosis system in home. Well recovery is 1 GPM. 3 GPM needed to run Reverse osmosis system.	1	250.00	250.00
Service Call No water 8/20/2023 same issue.	1	250.00	250.00

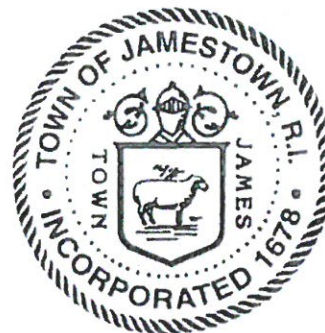
PAID

PAYMENT	500.00
BALANCE DUE	\$0.00



**Town of
Jamestown, Rhode Island**

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



Date: February 13, 2024
Revised April 11, 2024

To: Board of Water and Sewer Commissioners

From: Michael Gray
Public Works Director

RE: Water Extension Application
East Shore Road

We have received four applications for water services that will require an extension of the 8" watermain within East Shore Road in the Rural Water District. The following applications have been received:

1. Jeffrey and Deborah Saletin, 14 Seaview Avenue
2. Glenn and Marjorie Andreoni, 10 Seaview Avenue
3. Stephen Zimmiski & Suzanne Gagnon, 7 Seaview Avenue
4. Paul Frechette, 19 Seaview Avenue

Applications for water service were previously received for 10 Seaview Avenue and 14 Seaview Avenue and were denied by the Commission in 2021. Applications for 7 Seaview Avenue and 19 Seaview Avenue are new requests for water service.

I have attached a figure indicating where the existing 8" water line terminates in East Shore Road and the extension that will be installed as part of the agreement with the property owner of 68 East Shore Road. The four properties requesting water service are located to the north of 68 East Shore Road and are outlined in red. A watermain extension will be required if any of the applications received are approved.

Applications

The following is a summary of each of the four applications that have been received. The four lots are neighboring each other but they should be reviewed individually. Each owner will be required to present their application with supporting information to the Commission.

Jeffrey and Deborah Saletin, 14 Seaview Avenue

The Owners are requesting water service to their property due to poor water quality and yield from their existing well. Northeast Water Solutions evaluated the well and water supply on the property which is summarized in a report dated February 16, 2024. Total Dissolved solids (TDS) in the well water were found at concentrations of 2,200 mg/l in 2018 and 3,460 mg/l in 2024. In 2018 a reverse osmosis treatment system was installed to improve water quality from the well but the well yield cannot produce the required volume necessary for the treatment system and the well runs dry.

Northeast evaluated alternatives for new onsite water supply. Options for drilling a new well were disqualified due to the proximity of onsite wastewater treatment system, road offset requirements, and that the property is located in a flood zone due to the elevation relative to the bay.

Glenn and Marjorie Andreoni, 10 Seaview Avenue

The Owners are requesting water service to their property due to poor water quality and yield from their existing well. They have provided a report from North East Water Solutions, Inc. regarding an inspection of the existing well conducted in December 2023. Conclusions of the testing indicate the existing well had a yield of 0.6 gpm. Analytical results from a water sample collected from the well indicate the presence of TDS at 2220 mg/L indicating the well is impacted with salt water.

North East Water Solutions evaluated two alternatives for water supply on the subject property. Increasing the yield from the well through hydro-fracking and drilling of a new well. Hydro-fracking was not implemented due to limited fracturing of the bedrock within the well and the risk of degrading the water quality due to salt water intrusion. Drilling a new well was disqualified due to onsite wastewater system locations, road offset requirements, and that the property is located in a flood zone due to the elevation relative to the bay.

North East Water Solutions also investigated options for onsite treatment of the existing well. They concluded that there is insufficient well yield to support a treatment system.

Paul Frechette, 19 Seaview Avenue

The Owner is requesting water service to their property based upon limited well yield and water quality impacts from salt water. In 2017 the owners installed a new well on the property at a depth of 300 feet with the pump installed at 250 feet below grade. The owners have stated that this new well does not provide sufficient yield and that well fracking may impact water quality from salt water intrusion.

Stephen Zimmiski & Suzanne Gagnon, 7 Seaview Avenue

The Owners are requesting water service to their property based upon the operation of the well. A report was provided from Wellworks LLC indicating that the water flow (yield) does not meet state requirements and that a 500 gallon storage tank be installed.

I have provide the following information to assist the Commissioners with their review.

The Rules and Regulations for the Board of Water and Sewer Commissioners, May 2009

Section 14 B Rural Water Districts. All service connections in the Rural Water District shall be subject to the following conditions:

- a. Shall be subject to the requirements described for connections in the urban district
- b. The applicants shall show to the satisfaction of the Commission that the proposed service connection requested:
 1. Is Consistent with the Comprehensive Community Plan
 2. Will not impair the available resources of the Urban Water District;
 3. Will not reduce the level of fire protection of the community; the property shall not be part of a major subdivision.
 4. Extensions to and within the rural district shall be prohibited.

The regulations allow the Board of Water and Sewer Commissioners to make such improvements, including extensions, which shall, in the opinion of the Board, improve the quality or quantity of water furnished to existing water uses.

R.I.G.L 46-15-2 Approval of public water supply facilities

I have attached a copy of the RI General Law 46-15-2 relating to the approval of water supply facilities. This law was amended in June 15, 2022 as highlighted in blue. The law requires that commission review applications for extension mains with the standards as listed in 1 through 7.

RIDOH – Reading your Water Analysis Report

I have attached information from the RI DOH regarding private well water lab reports. This information was made available to the public to educate homeowners about well testing and the standards for water quality. Tables are included that provide the maximum contaminant levels and standards for each parameter that may be tested by the lab.

RIDEM – Appendix C - Rules and Regulations Governing the Enforcement of Chapter 46-13.2 Relating to the Drilling of Drinking Water Wells.

I have attached Appendix C from the rules that provides the minimum criteria for yield based upon the minimum depth of a bedrock well.

Summary

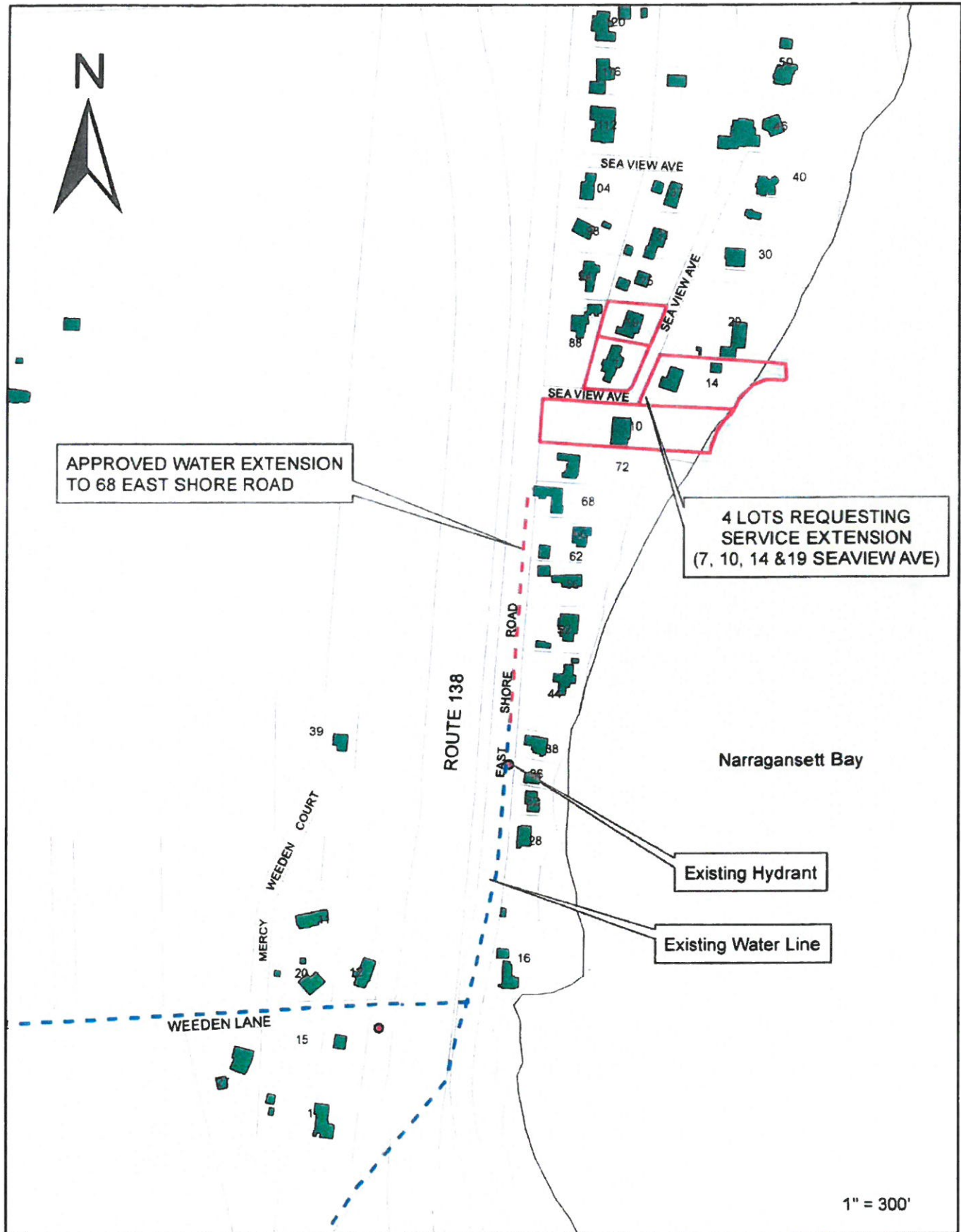
The four applications before the board have applied for a connection based upon inadequate well yield. Laboratory Reports that have been submitted indicate that ground water conditions are impacted by salt water intrusion. Options to resolve the water quantity and quality issues that involve hydro-fracking, well drilling, and onsite water treatment systems may not be feasible as the reports indicate for 10 and 14 Seaview Avenue. The owner for 19 Seaview Avenue has installed a new well but they continue to experience the same water quality and quantity issues. The well inspection and pumping report for 10 Seaview Avenue shows bedrock/geologic conditions produce limited yield to meet well industry standards. Low well yield also impacts the ability for onsite water treatment to improve water quality as indicated in the report for 14 Seaview Avenue where they have installed a reverse osmosis system.

The four properties are located in the Rural Water District and do not front on an existing watermain therefore an extension will be required. Section 14 b of the Rules and Regulations of the Board of Water and Sewer Commissioners prohibit extensions in the rural water district. The Regulations allow the Commissioners the ability to approve an extension if it is found that there is capacity in the system for the new connections and if the extension improves the quality or quantity of water to existing users. The recent changes to the Rhode Island General Law 46-15-2 requires that applications be accepted by water suppliers and that each be reviewed in accordance with standards 1-7 listed in the law (see attached pages 2 and 3).

We have been involved over the past several months in updating the Water System Supply Management Plan including an updated water district build-out analysis. This update includes an analysis of current and projected water demands within the water district and a review of available water supply in the system. Watermain extensions outside of the current water district limit was not part of this analysis when determining future demand on the available water supply. The current supply does not produce enough water to meet maximum day demands presently. Forecasted data indicate that average day demand at build-out within the existing district exceeds the available capacity of our reservoir and well. Extensions of watermain outside of the district boundaries will place additional demand stress on the limited supply not factored into the build-out analysis. Our engineering consultant does not believe that expansion of the water district would be prudent due to the limited capacity of the water supply. An extension of a watermain to the north on East Shore Road will be an expansion of our district.

The attorney states in the application for 10 Seaview Avenue that their application is for one house and no other. Presently the Commission has three applications from neighboring properties claiming similar conditions with their well. The Commission may not be able to make a decision in a vacuum for one property owner. Watermain extensions must not be completed incrementally on the same street in the same neighborhood. Extensions if approved must be planned and limits must be set.

The four applications have provided information relative to conditions on their property and for each individual well. Following presentation and testimony from each of the applicants it will be important to define the extent and duration of the groundwater issues for each of the properties. The Commission can then focus on if there is an obligation to expand the water service area as they are requesting. The rules and regulation require that there is available capacity and that there be a benefit to existing users with the extension.



2022 -- H 7782

LC005284

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES MANAGEMENT

Introduced By: Representative Joseph J. SolomonDate Introduced: March 03, 2022Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 46-15-2 of the General Laws in Chapter 46-15 entitled "Water
2 Resources Management" is hereby amended to read as follows:

3 **46-15-2. Approval of public water supply facilities.**

4 (a) No municipal water department or agency, public water system, including special water
5 districts or private water company, engaged in the distribution of water for potable purposes shall
6 have any power:

7 (1) To acquire or take a water supply or an additional water supply from an existing
8 approved source;

9 (2) To take or condemn lands for any new or additional sources of water supply or for the
10 utilization of supplies;

11 (3) To extend its supply or distribution mains into a municipality or special water district
12 wherein it has not heretofore legally supplied water;

13 (4) To construct any extension of its transmission mains;

14 (5) To extend the boundaries of a special water district; or

15 (6) To supply water in or for use in any other municipality or civil division of the state
16 which owns and operates a water supply system therein, or in any duly organized special water
17 district supplied with water by another municipal water department or agency, special water district,
18 or private water company, until the municipal water department or agency, special water district,
19 or private water company has first submitted the maps and plans therefor to the director of the

1 department of health, the state planning council and the board, as hereinafter provided, and until
2 the water resources board, after receiving the recommendations of the director of the department
3 of health and the division of statewide planning, shall have approved the recommendations or
4 approved the recommendation with modifications as it may determine to be necessary; provided,
5 however, this subsection shall not apply to any area presently served by any municipal water
6 department or agency, or special water district.

7 (b) Approval shall not be necessary of any plan or work for the extension of supply or
8 distributing mains or pipes of a municipal water supply plant or special district or private water
9 company into and for the purpose of supplying water in any territory within the limits of the
10 municipality or special district or within the franchise area of the private water company, owning
11 the plant, including territory within the municipal special district or franchise limits which has not
12 been heretofore supplied with the water by the plant, nor for the reconstruction or replacement of
13 existing facilities in connection with an existing plant, wherein the capacity of the plant is in no
14 way increased, nor for the construction of filtration or other treatment facilities which will not in
15 any way increase the amount of water which can be made available from the present sources of
16 supply. Notwithstanding any provision of this section to the contrary, a municipal water
17 department, agency, public water system governed under this section shall review applications for
18 plans or work for the extension of supply or distribution mains or pipes in accordance with the
19 following standards:

20 (1) Such application must not be prohibited by the specific language of the latest water
21 supply system management plan ("WSSMP") of the public water supply system.

22 (2) Such applications must comply with the design and construction standards and
23 specifications established by the public water supply system for the sizing and location for the
24 infrastructure.

25 (3) Such extensions shall not reduce the necessary level of fire protection for the
26 community.

27 (4) All water main and service connection materials, construction and inspection required
28 hereunder shall be at the sole cost and expense of the applicant.

29 (5) The public water supply system shall be granted an easement in a form acceptable to
30 them which shall permit the maintenance, repair or replacement of water lines and all other related
31 activities.

32 (6) For applications for single-family residential lots, the applicant must show that

33 (i) The existing or proposed well for the property does not meet the well industry standard
34 as described in the department of environmental management regulations for "yield per depth of

1 well chart" which is required by the department of health for a dwelling unit, and

2 (ii) Due to the unique characteristics of the property that the drilling of a new well is not
3 feasible;

4 (7) For applications located within a public water supply system with limited capacity,
5 applicants for commercial uses/properties shall be governed by the rules established for such
6 connections by the public water supply system, which shall be in accordance with the system's
7 approved WSSMP.

8 A public water supply system governed under this section may provide for lower standards
9 for approval for residential property if such standards meet the requirements of the agency's state-
10 approved WSSMP, and such WSSMP is not expired.

11 (c) The water resources board shall enforce the provisions of this section, and the superior
12 court by injunction may, upon application of the water resources board, prevent any action to be
13 taken by any municipal water agency or department, special district, or private water company
14 without the approval of the water resources board as required by this section.

15 SECTION 2. Chapter 46-15 of the General Laws entitled "Water Resources Management"
16 is hereby amended by adding thereto the following section:

17 **46-15-2.1. Appeals.**

18 An applicant may appeal a denial by a public water supply facility made under § 46-15-
19 2(b) which shall be reviewable by the state agency or commission having jurisdiction over the
20 public water supply facility and thereafter by superior court pursuant to the standards and
21 timeframes set forth in § 42-35-15 ("administrative procedures").

22 SECTION 3. This act shall take effect upon passage.

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LC005284
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES MANAGEMENT

- 1 This act would provide the standards for reviewing applications for plans or work for the
- 2 extension of supply or distribution mains or pipes. This act would also add an appeal of a denial by
- 3 a public water supply facility pursuant to the administrative procedures act § 42-35-15.
- 4 This act would take effect upon passage.

=====
LC005284
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Reading Your Water Analysis Report



Lab reports are the lists of codes and numbers that show the results of your water testing.

Here's a quick guide to understanding the different numbers and labels you may see on yours.

IMPORTANT:

This sheet is for only for educational purposes, and there are many other factors around your well and water that aren't covered here. You should talk to a qualified water professional (such as your laboratory's licensed interpreter) before making any decisions or changes to your well or home water system.

All private well water lab reports from certified laboratories will generally have the same information, though sometimes in a different order or under slightly different names.

The example here is from the Rhode Island State Health Laboratories.

1	2	3	4	5	6				
Analytical Method	Test	Test Code	Flag	Result	Units	Reporting Limit	Analysis Date	Approved By	
300.0	CHLORIDE	WL20		10.5	mg/L	0.20	01/03/2019	RW	
4500F-C	FLUORIDE	WL21		1.66	mg/L	0.20	12/28/2018	RW	
353.2	NITRITE	WL56		< 0.02	mg/L	0.02	12/21/2018	RW	
200.8	LEAD	WL63		< 0.001	mg/L	0.001	12/26/2018	RW	

- 1 The **Method** column shows which EPA-approved steps the lab used for each test. Some labs will put these codes on a separate page.

NOTE:

Certified labs *must* use EPA-approved methods. If your report doesn't have these codes on it, the report may not be from a certified water testing lab.

- 2 The **Test** (or sometimes **Parameter**) column lists each specific thing you tested for.
- 3 The **Test Code** column is that laboratory's own code system, if they have one.
- 4 The **Flag** (or sometimes **High**) column may have a marker show up if your result for that test is over the EPA's health limit or recommended amount.
- 5 The **Result** column shows how much was in your water sample. Be sure to look at the units when comparing them to the health limits - 1 milligram (mg/L) equals 1,000 micrograms (ug/L) and that makes a big difference!

Sometimes you might see the letters 'ND' for 'Not Detected' or a number with a 'less than' sign in front (like in the example). This means that the amount was too small to be seen by the equipment, or possibly not there at all.

Some tests, like Total Coliform Bacteria and E.coli, will only show up as Present/Positive or Absent/Negative. Others might have special unit labels on them, like pH. If you don't know what they are, the laboratory can explain them to you.

- 6** The Reporting Limit column tells you the smallest amount of something that the lab equipment can see. This is *not* your result or the health limit.

Other pages in the report

There are often other pieces of paper that come with your results. Some examples you might see:

- The Chain of Custody form shows exactly who handled your sample and when. This makes sure that there were no handling mistakes and all holding time limits were followed.
- If a licensed sampler from the lab came to take your water, they may also include the sample collection sheet for your records.
- Some labs will have a separate page that explains what their labels and symbols mean. This is good to read, since all labs' reports will look at least a little different.
- If you tested for Volatile Organic Compounds (VOCs), you may also get a page that has a few chemicals labeled 'surrogates' on it. These aren't results from your water sample. They just look and act like the real VOCs, so the labs use them for comparison during analysis.

What it all means

One way to read your report is by comparing your numbers to the health limits and recommended levels (which are set by the EPA and State, provided on the next few pages). Every well and system is unique, however, so what's 'normal' for your water might not always fit the ranges for some tests.

There are many tests that look for *clues* instead - things like pH, hardness, or chloride. There are no health limits for these, but they can help you do things like find the source of a problem or choose the right treatment system.

Also, certified laboratories will have someone on staff called an Interpreter whose job it is to talk to you about your results. If you have questions, call your lab and ask to speak to them.

Next steps

If you have talked to the lab's Interpreter about your results and are thinking about treatment, the Center for Drinking Water Quality can provide resources and talk with you about options.

Primary Standards

There are two sets of water quality standards. Primary Standards are for things associated with health risks, and Maximum Contaminant Levels (MCLs) are the amount where there may be health effects. RIDOH recommends looking into treatment when your results are more than half of that amount.

MICROBIOLOGICAL

Total Coliform Bacteria	'ABSENT' or 0
Fecal Coliform Bacteria (<i>E.coli</i>)	'ABSENT' or 0

INORGANIC CHEMICALS, mg/L

Antimony	0.006	Cadmium	0.005	Mercury	0.002
Arsenic	0.01	Chromium (Total)	0.1	Nitrate	10
Asbestos	7 MFL	Cyanide	0.2	Nitrite	1
Barium	2.0	Fluoride	4.0	Selenium	0.05
Beryllium	0.004	Lead	0.015	Thallium	0.002

ORGANIC CHEMICALS, mg/L

Alachlor	0.002	1,2-Dichlorobenzene	0.6	Dioxin (2,3,7,8-TCDD)	3 PPQ*
Atrazine	0.003	1,4-Dichlorobenzene	0.075	Diquat	0.02
Benzene	0.005	1,2-Dichloroethane	0.005	Endothall	0.1
Benzo(a)pyrene	0.0002	1,1-Dichloroethene	0.007	Endrin	0.002
Carbofuran	0.04	cis-1,2-Dichloroethene	0.07	Ethylbenzene	0.7
Carbon Tetrachloride	0.005	trans-1,2-Dichloroethene	0.1	Ethylene Dibromide (EDB)	0.00005
Chlordane	0.002	1,2-Dichloropropane	0.005	Glyphosate	0.7
Chlorobenzene	0.1	Di(2-ethylhexyl) adipate	0.4	Heptachlor	0.004
2,4-D	0.07	Di(2-ethylhexyl) phthalate	0.006	Heptachlor Epoxide	0.002
Dalapon	0.2	Dichloromethane	0.005	Hexachlorobenzene	0.001
1,2-Dibromo-3-chloropropane	0.0002	Dinoseb	0.007	Hexachlorocyclopentadiene	0.05

TABLE CONTINUED ON NEXT PAGE ▼

* 1 PPQ (part per quadrillion) equals 0.000000001 mg/L.

ORGANIC CHEMICALS, mg/L (continued)

Lindane	0.0002	Simazine	0.004	1,2,4-Trichlorobenzene	0.07
Methoxychlor	0.04	Styrene	0.1	1,1,1-Trichloroethane	0.2
MTBE	0.04	Tetrachloroethene	0.005	1,1,2-Trichloroethane	0.005
Oxamyl (Vydate)	0.2	Toluene	1	Trichloroethene	0.005
Polychlorinated Biphenyls (PCBs)	0.0005	Toxaphene	0.003	Vinyl Chloride	0.002
Pentachlorophenol	0.001	2,4,5-TP (Silvex)	0.5	Xylenes (Total)	10
Picloram	0.5				

RADIOCHEMISTRY

Alpha Particles	15 pCi/L	Combined Radium 226/228	5 pCi/L
Beta Particles & Photon Emitters	4 millirem/yr	Uranium	30ug/L

Secondary Standards

The Secondary Standards are also called 'Nuisance Standards.' These are things that do not typically cause major health effects (unless advised by your doctor) but may do damage to your plumbing or affect the taste and color of your water.

SECONDARY REGULATIONS

Aluminum	0.2 mg/L	Iron	0.3 mg/L	Conductivity*	1,500
Chloride	250 mg/L	Manganese	0.05 mg/L	Sulfate	250 mg/L
Color	15 CU	Odor	3 TON	Total Dissolved Solids	500 mg/L
Copper	1.0 mg/L	pH	6.5 - 8.5	Turbidity	2.0
Fluoride	2.0 mg/L	Silver	0.1 mg/L	Zinc	5.0 mg/L
Foaming Agents	0.5 mg/L	Sodium	250 mg/L		

COMMON RANGES, OTHER

Alkalinity	100 - 200
Hardness**	60 - 120

* Also sometimes listed as 'Specific Conductance.'

** Hardness is tied to calcium levels, so this might be Calcium Hardness or Hardness with calcium separately.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RULES AND REGULATIONS GOVERNING THE ENFORCEMENT
OF CHAPTER 46-13.2 RELATING TO THE DRILLING
OF DRINKING WATER WELLS

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF GROUNDWATER AND FRESHWATER WETLANDS
291 PROMENADE STREET
PROVIDENCE, RHODE ISLAND 02908
December 1989

APPENDIX C

For the use of an individual household, a bedrock well of 6 inches in diameter shall be satisfactory when it meets the following minimum criteria:

with a yield of 5 gallons per minute a minimum depth of 100' is required.

with a yield of 3 1/2 gpma minimum depth of 150' is required.

with a yield of 2 gpma minimum depth of 200' is required.

with a yield of 1 gpm.....a minimum depth of 300' is required.

with a yield of 1/2 gpm.....a minimum depth of 450' is required.

This is assumed that the static level is between 25 to 35 feet and the pump has been appropriately set to insure maximum productivity. The above is intended as a construction standard and does not imply or guarantee actual yield.

Special caution should be exercised in coastal areas because of potential saltwater intrusion.

Northeast Water Solutions, Inc.

RECEIVED
@ 1252pm
FEB 23 2024
TOWN OF JAMESTOWN

Memo

To: Town of Jamestown, RI
From: Robert F. Ferrari, PE
CC: Jeffrey Saletin – Owner, 14 Seaview Avenue, Jamestown, RI
Date: February 16, 2024
Re: Water Supply Evaluation 14 Seaview Avenue, Jamestown RI

Due to repeated water supply problems experienced by the owner, NWSI has conducted several evaluations of the existing water supply well, well water characterization and treatment system at 14 Seaview Ave. Jamestown, RI 02835 (Map 7, Lot 135). The problems reported by the owner, and validated by NWSI have included inadequate well capacity, extremely poor water quality, and periodic loss of well water supply.

The existing residential well is installed to a depth of approximately 500 ft. BGS, located in the NW corner of the parcel, immediately adjacent to the driveway and Seaview Avenue. The well pump is installed at a depth of 350 ft. BGS to maximize storage within the borehole. Due to water supply capacity problems, the well has undergone re-development efforts (Lemme Well Services), demonstrating a maximum effective yield of 1.1 gpm.

Due to extremely poor water quality (see Table 1, below), a whole-house reverse osmosis (RO) water system (Hellenbrand H4-2000) and 500-gallon water storage tank were installed in 2018. This RO capacity and storage volume is necessary to meet the water supply requirements of the 3-bedroom, 3-bathroom residence. The RO system requires a feedwater flowrate of approximately 6 gpm to function correctly. At the time of installation, the submersible well pump was increased in capacity to 7 gpm (1.5 HP) to meet the RO feedwater requirements.

Due to the limited well yield/recharge the well experiences excessive drawdown, ultimately dewatering the well, resulting in multiple loss-of-service events during the 2023 summer season. The drawdown recovery, necessary to reactivate the well, is extremely slow resulting in long periods with no water supply.

Well Water Characterization

NWSI obtained samples of the raw well water in January 2018 and February 2024 to assess the water characterization, summarized in Table 1. The raw well water demonstrates significantly elevated total dissolved solids (TDS) including extremely elevated chloride (1,160 mg/L & 1,290 mg/L) and sodium (450 mg/L & 1,050 mg/L). Calcium (270 mg/L & 222 mg/L) and magnesium (67 mg/L & 70.2 mg/L) are also extremely elevated, resulting in a massive total hardness content in the water. These four (4) contaminants clearly demonstrate the water supply well is under

seawater influence. This raw well water characterization significantly exceeds the USEPA and RIDOH drinking water limits for TDS and chloride, and also exceeds the USEPA Health Advisory Limits for sodium and manganese, mandating treatment.

Parameter	January 3, 2018	February 5, 2024
pH – Field	-----	7.40 s.u.
pH – Laboratory	7.1 s.u.	7.83 s.u.
Total Dissolved Solids (TDS)	2,200 mg/L	3,460 mg/L
Specific Conductance	4,000 umhos/cm	4,160 umhos/cm
Alkalinity (as CaCO ₃)	130 mg/L	120 mg/L
Chloride	1,160 mg/L	1,290 mg/L
Sulfate	121 mg/L	163 mg/L
Calcium	270 mg/L	222 mg/L
Magnesium	67 mg/L	70.2 mg/L
Total Hardness (as CaCO ₃)	950 mg/L	843 mg/L
Iron	0.12 mg/L	0.199 mg/L
Manganese	0.48 mg/L	0.0295 mg/L
Potassium	-----	6.17 mg/L
Sodium	450 mg/L	1,050 mg/L
Zinc	0.021 mg/L	0.0302 mg/L

The water analyses identify another extremely serious problem. In general, coastal wells in Jamestown often demonstrate an increase in salinity (measured as sodium, chloride, TDS and/or Specific Conductance) during the summer period when water withdrawals and aquifer stress are at maximum. However, the well at 14 Seaview Avenue demonstrates seriously elevated salinity during the winter season during a period of low stress. This indicates the well is under relatively strong seawater influence.

Furthermore, the well water characterization has degraded from 2018 to 2024 with significant increases in chloride and sulfate, and a massive increase in sodium, following implementation of the reverse osmosis treatment system. This potentially indicates the water quality in the aquifer underlying this parcel is degrading due to the necessary on-site discharge of the concentrated RO reject water (2.5X concentration factor). The trend of water quality degradation can be anticipated to continue as long as the RO reject water is discharged on-site.

Alternatives for On-Site Water Supply Development

NWSI has evaluated alternatives to develop a new on-site water supply, including the following:

- **Hydro-Frack the Existing Well:** This methodology has been successful to increase the yield of bedrock wells. However, the well at 14 Seaview Avenue has very limited fracturing, which in-turn limits the potential to develop additional water supply yield by hydro-fracking. Another consideration is that hydro-fracking the well to increase recharge would likely result in greater intrusion of seawater water, further degrading an already poor raw water quality.

- Drill a New Well: The existing well is located on the western portion of the residential parcel. The frontage area of this parcel is disqualified because it is in close proximity to Seaview Avenue and neighboring lots (OWTS), and is in a flood zone, all representing contaminant threats. The open, rear area of the parcel extending from the residential structure to the shoreline has access for well drilling. However, this location is disqualified due to proximity to the on-site wastewater disposal system (OWTS), and is also in a flood zone. Furthermore, this alternative location increases the potential for brackish water intrusion into the well. Siting a new water supply well on this 0.611-acre lot would result in non-conformance with the required protective setback from the OWTS, and increase the potential for contamination of the water supply well.

Summary Conclusions:

The existing residential well has an effective recharge/yield of ≤ 1.1 gpm which is inadequate to support a single-family residence. Furthermore, the well demonstrates limited fracturing and recharge, which is not unexpected for the bedrock in this area of Jamestown. As a result, there is no expectation that hydro-fracturing would measurably increase the well yield, and would likely degrade water quality due to increased sea water intrusion.

There is no realistic alternative for drilling a new water supply well on this parcel, due to proximity to unacceptable contaminant threats. Additionally, there is no realistic expectation that a modest relocation of the well position on this site, would result in intersecting more favorable bedrock/geologic conditions to provide improved well capacity or water quality.

Finally, this residence has previously implemented a reverse osmosis system for desalinization of the brackish well water. However, the well has insufficient capacity to meet the RO feedwater requirements for sufficient duration to satisfy the water demands. Furthermore, there is very strong evidence that the disposal of the RO reject water is further degrading the water quality in the underlying aquifer.

The loss of an adequate water supply, and degraded groundwater quality represent a significant public health and safety threat. It is strongly recommended that this residence pursue a connection to the municipal water distribution system, as the optimum means to resolve the water supply and water quality problems.



DiPrete Engineering

Brian Thalmann, PE

Senior Project Manager

Years Experience

35

Professional Registrations

Professional Engineer (PE), Rhode Island

Compliance Inspector for Stormwater, Rhode Island

Qualified Preparer of Stormwater Pollution Plans, Rhode Island

RIDEM Class III Licensed OWTS Designer, Rhode Island

Construction Supervisor, Massachusetts

Education

University of Rhode Island, BS Civil and Environmental Engineering, 1989

Professional Affiliations

Rhode Island Society of Professional Engineers (RISPE)

American Society of Professional Engineers (ASCE)

Rhode Island Building Officials Association (RIBOA)

Profile

Mr. Thalmann joined DiPrete Engineering in 2022 after several years in the construction industry, preceded by experience as a design engineer and as the proprietor of his own engineering firm. As one of the firm's Senior Project Managers, Brian oversees all facets of a project, including client relations, scope definition, design implementation, and participation in public hearings. Brian is focused on collaborating with both clients and colleagues to ensure that projects not only meet technical standards but also remain economically feasible.

Brian is the former Chairperson of both the Planning Board and Soil Erosion and Sediment Control Committee in the Town of Smithfield. In 1998 he was named Young Engineer of the Year by the Rhode Island Society of Professional Engineers, and he plays an active role as a Member of the Rhode Island Building Officials Association.

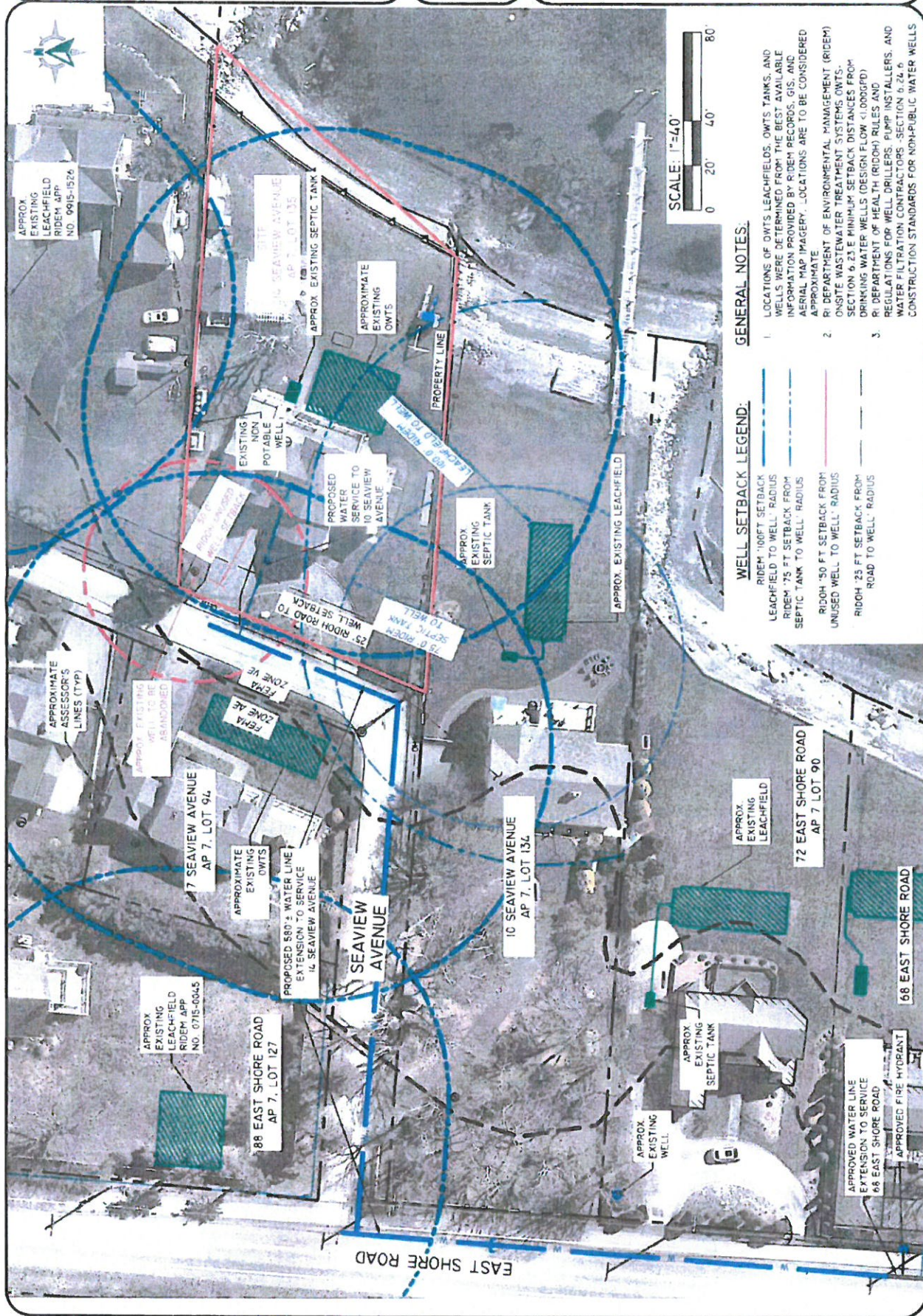


Work Experience

- Project Management including design, oversight, and scheduling of technical staff
- Preparation and review of city and town submissions for commercial, industrial, and residential developments, providing expert testimony to Planning Boards, Zoning Boards, Conservation Commissions and Superior Court.
- Over 35 years of site planning and design including stormwater management control, and regulatory permitting.
- Over 35 years of design related to master planning and permitting. Site design experience includes commercial, industrial and residential single and multi-family developments.
- Over 35 years of extensive experience with onsite wastewater treatment system (OWTS) design and regulatory permitting.

Project Experience

- Poppasquash Estates – Existing conditions survey, engineering, regulatory permitting and construction assistance for rehabilitation and upgrade of roadway and drainage infrastructure for approx. 1300 lf of roadway adjacent to Narragansett Bay.
- Tasca Mazda – Redevelopment of two local dealerships for a design build program, including upgrading water supply systems for both domestic and fire suppression changes, design, regulatory permitting, and construction assistance for 25,000 sf auto dealerships.
- Johnston Memorial Park – Existing conditions survey, master planning, engineering regulatory permitting and construction assistance for multi-phase construction of improvements and ancillary infrastructure for the World War II Memorial Park in Johnston, including engineering design and permitting for a splash pad and extending utility infrastructure to service water and wastewater demands.
- Eddie Dowling Highway – Redevelopment of an existing parcel to a mixed-use development containing approx. 15,000 sf of restaurant pads and a car wash, including the design of both sanitary sewer and municipal water systems extension to a parcel with a public well and OWTS.
- MS4 Assistance – Provided existing conditions surveys, infrastructure inventory surveys, and design, regulatory permitting, grant assistance and construction assistance to bring a local community into compliance with the RIPDES MS4 Permitting requirements.



J Lemme Wells and Water Systems

606 Perry Hill Road

Coventry, RI 02816 US

(401) 385-3330

jlemmewellandwater@yahoo.com

www.jlemmewellandwater.com

**INVOICE****BILL TO**

Jeff Saletin

14 Seaview Avenue

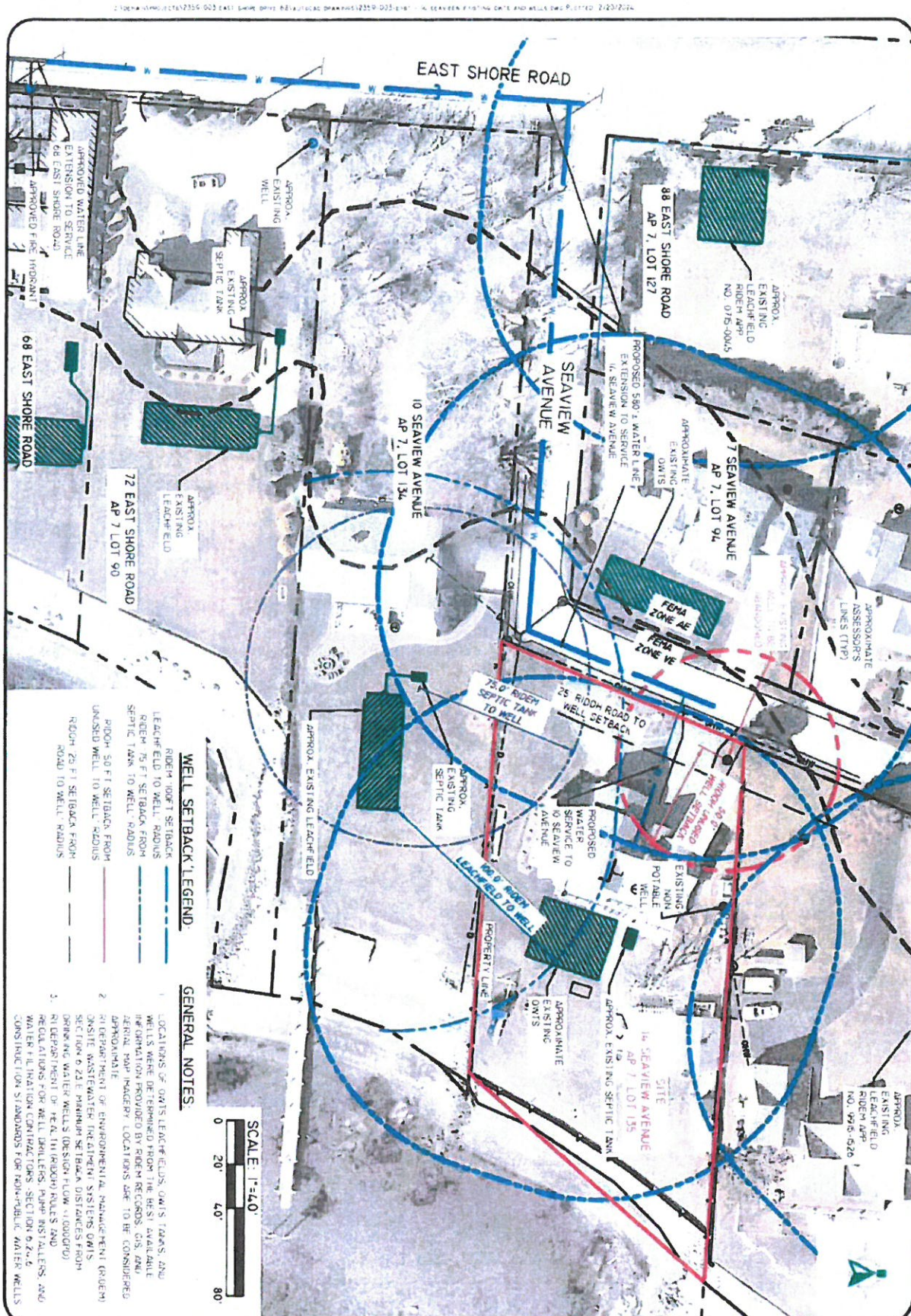
Jamestown, RI 02835

INVOICE # 5717**DATE 07/15/2023****DUE DATE 07/15/2023****TERMS Due on receipt**

ACTIVITY	QTY	RATE	AMOUNT
Service Call No Water. 7/15/2023 Well was empty. Recovery rate of well is inadequate to run reverse osmosis system in home. Well recovery is 1 GPM. 3 GPM needed to run Reverse osmosis system.	1	250.00	250.00
Service Call No water 8/20/2023 same issue.	1	250.00	250.00

PAID

PAYMENT	500.00
BALANCE DUE	\$0.00



SHEET 1 OF 1

TO 46 via email

**Board of
Water and Sewer Commissioners
TOWN OF JAMESTOWN, RHODE ISLAND 02835**

APPLICATION FOR WATER AND SEWER EXTENSION

COMPLETED BY APPLICANT

DATE: January 2, 2024

Applicant:

Email: jeffs@saletinregroup.comName: Jeffrey & Deborah SaletinPhone: 401-529-9730Address: 14 Seaview AveJamestown, RI 02835Zoning District: R-40

Type of Service Extension Being Requested:

Water X Sewer _____

Use: Residential

(single family) X

(multi family) _____

Residential multi family on existing line _____

Commercial _____

Other: _____

Location of Extension Request:

Street 14 Seaview Ave.Plat: 7 Lot: 135

Please give detail description of proposed plan and anticipated annual water consumption:

We request that the town water line be extended toservice our home, which is a 3-bedroom single family home.The water consumption is 73,000 gallons per annum or

Please attach "sketch" of proposed installations.

200 gallons per day.

(Applicants signature is required on Page 2)

We have an existing well which ran dry twice this past fall. Our well generates only 1 1/2 gallons per minute and the water is of very poor quality. We are unable to treat our water throughout the year because of the low yield in the well. John Kennebec Well and Pump, Northeast Water Solutions, and De Pro Engineering Associates are working on our well.

[X]--\$49.00 Recording Fee for Decision Letter. (Fee effective 11/12/07 per RIGL 34-13-7)
This fee is due at the time the application is filed with this office. If the application is not approved by the Board of Water and Sewer Commissioners the fee will be returned to the applicant.

Applicant agrees to take water and sewer service in full compliance with the rules and regulations of the Commission. Applicant agrees to accept all cost associated with the requested service connection. In addition, applicant agrees to pay \$3000. for Water Service extension fee and/or \$3000 for Sewer Service extension fee and any other applicable water or sewer fees. All work according to approved plans and specifications. The Town of Jamestown will inspect all work before final acceptance.

Date: January 2, 2024

Applicants Signature: _____

Owners Signature: _____

Agreement is valid for 1 year from date of approval.

Approval by the Board of Water and Sewer Commissioners:

Commission President

Date _____

ALL NOTE: Regular meetings of the Board of Water and Sewer Commissioner are held once monthly. Meetings are held at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue, Jamestown, RI. This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 or 423-1212 not less than 3 business days prior to this meeting.

- The following information is requested by the Federal Government in order to monitor our compliance with various civil rights laws. You are not required to furnish this information.

but are encourage to do so. The law requires that we may not discriminate based upon this information, nor whether you choose to furnish it. However, if you choose not to furnish it, under Federal regulations we are required to note the race and sex on the basis of visual observation or surname. If you do not wish to furnish the above information, please check the box below.

I do not wish to furnish this information _____

Race/National Origin: American Indian or Alaskan Native _____

Asian or Pacific Island _____

White, not of Hispanic origin X

Black, not of Hispanic origin _____

Hispanic origin _____

Other (specify) _____

Sex:

Female X

Male X

COMPLETED BY PUBLIC WORKS/ENGINEERING DEPARTMENTS

Location proposed Water _____ Sewer _____ Extension _____

Street or Right of Way _____ Urban District _____

Rural District _____

Location of Nearest Main: Water Main _____

Sewer Main _____

Number of Feet Proposed Extension: Water Main _____

Sewer Main _____

Number of lots served by proposed extension: Improved _____

Unimproved _____

Estimated total cost of project: Water Line _____

Sewer Line _____

Estimated total cost per foot: Water Line _____

Sewer Line _____

Would Town Provide:

Manpower: Yes _____ No _____ Equipment: Yes _____ No _____ Materials: Yes _____ No _____

Public Works Director

Comments: _____

Date _____ Signature/Title _____

COMPLETED BY PLANNING DEPARTMENT

Is request consistent with Comprehensive Community Plan?

Please explain _____

Potential for future subdivision? Please explain _____

Date _____

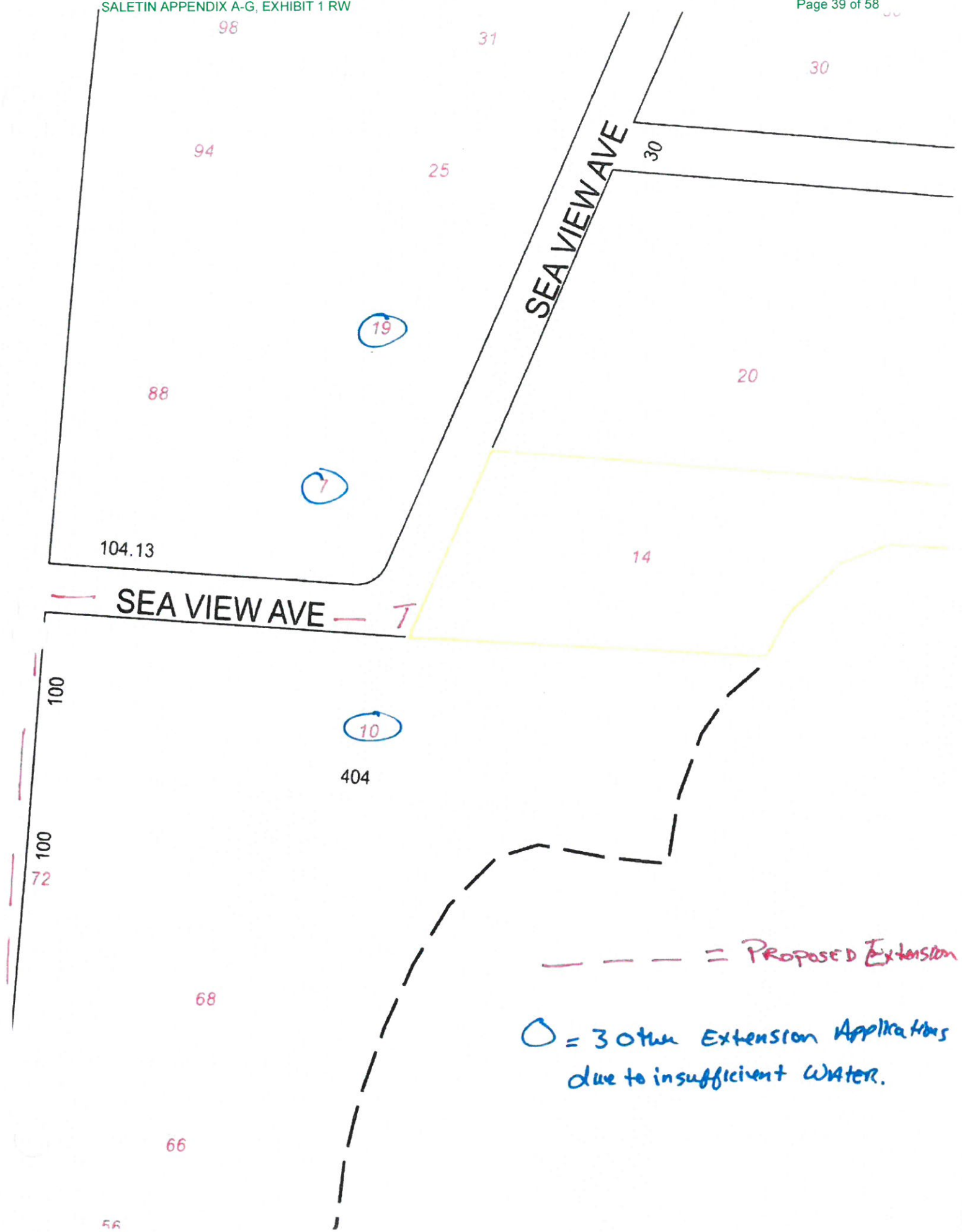
Signature/Title _____

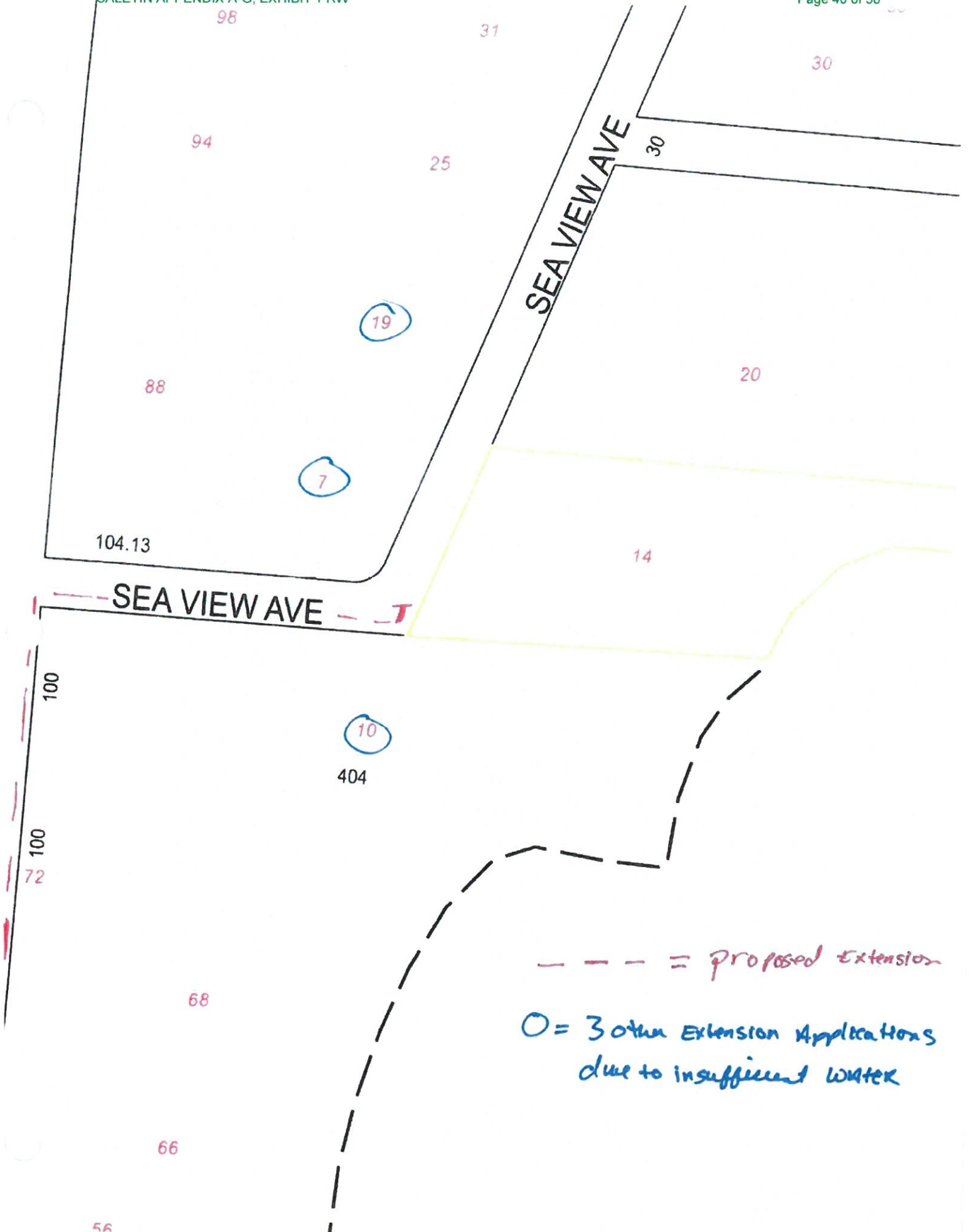
COMPLETED BY FIRE CHIEF

Request will or will not reduce the level of fire protection of the community? Please explain_____

Fire Hydrants required? Yes_____No_____

Date_____Signature/Title_____





Title 46

Waters and Navigation

Chapter 13.2

Drilling of Drinking Water Wells

R.I. Gen. Laws § 46-13.2-2

§ 46-13.2-2. Purpose.

The purpose of this act is to promote public health and welfare and protect the environment by providing specifying standards for the installation of a well and providing a mechanism to ensure that all well drilling contractors conducting business in the state of Rhode Island have the requisite skills, training and experience necessary to safely and adequately install water wells within this state.

History of Section.
P.L. 2012, ch. 241, art. 17, § 2.

(E) 5/4/24 Saleten

Title 46

Waters and Navigation

Chapter 13.2

Drilling of Drinking Water Wells

R.I. Gen. Laws § 46-13.2-3

§ 46-13.2-3. Regulations.

(a) The Rhode Island building standards committee, pursuant to § 23-27.3-100.1.5 shall by no later than December 31, 2013, incorporate in the appropriate portions of the state building codes minimum standards for the location, design, construction and installation of wells that are appurtenances to buildings in consultation with the department of health, the division of statewide planning and the department of environmental management, with due regard for the preservation of public health, and protection of public welfare and the environment.

(b) In those circumstances in which compliance with the requirements for locating a new or replacement well would result in undue hardship, property owners may seek a variance from any one or more of the siting requirements, in accordance with the following:

(1) Except as specified in (3), from the building code board of appeals authorized in the municipality with jurisdiction over the property on which the well is proposed;

(2) Except as specified in (3), in the absence of a local building code board of appeals, from the state building code board of appeals; and

(3) From the department of environmental management in all cases in which the well is proposed to be installed as part of an application for the new construction of or repair of an on-site wastewater disposal system. The appropriate authority specified above may grant a variance to the extent necessary to ameliorate the undue hardship and to the extent the exemption can be granted without impairing the intent and purpose of this chapter.

(c) To protect public health and the environment, the Rhode Island department of environmental management is authorized to promulgate regulations applicable to the owners of on-site wastewater systems that limit the installation of any type of well, including wells installed for irrigation systems, near the on-site wastewater treatment systems on the owner's property.

History of Section.

P.L. 1987, ch. 257, § 2; P.L. 2012, ch. 241, art. 17, § 2.

(F) 5/6/24 Salatin

Title 46

Waters and Navigation

Chapter 13.2

Drilling of Drinking Water Wells

R.I. Gen. Laws § 46-13.2-11

§ 46-13.2-11. Duties and powers of department of health not affected.

Nothing in this chapter shall be construed to affect or limit the duties and powers of the department of health as provided by law, in matters relating to the purity, potability, and safe guarding of well waters.

History of Section.

P.L. 1987, ch. 257, § 2.

[Handwritten initials]

[Handwritten "G" in a circle]

Salatin

5/6/24

JANUARY SESSION, 1968—CHAPTER 273. 1143

CHAPTER 273.

AN ACT Providing for a Public Water Supply in the Town of Jamestown.S 934
Approved
June 21, 1968.

It is enacted by the General Assembly as follows:

Section 1. There is hereby established a board of water commissioners for the town of Jamestown consisting of three qualified electors of the town.

Board of
water commis-
sioners: Ap-
pointment.

Forthwith after the passage of this act, the town council shall elect three water commissioners, one to serve until March 1, 1969, one until March 1, 1971, and one until March 1, 1973, and thereafter until their successors are elected and qualified. Forthwith after the beginning of each calendar year in which any term expires, the town council shall elect a successor for a term of five years from March 1 of the year in which he is elected and thereafter until his successor is elected and qualified.

The board of water commissioners may act despite a vacancy on the board but, in the event of any vacancy, the town council shall elect a commissioner to serve for the unexpired term and thereafter until his successor is elected and qualified.

Vacancy.

Each election or removal by the town council shall be by vote of a majority of the whole number thereof, including vacancies therein.

Vote of town
council.

No employee of the town or holder of any other office of the town shall be eligible to serve as a member of the board of water commissioners.

Qualifications.

*all four applications**(1)**5/6/24**Submitted by Councilor/
Commissioner R. White*

1144 JANUARY SESSION, 1968—CHAPTER 273.

Bond.

The town council may require the members of the board of water commissioners to furnish bond for the faithful performance of their duties, in such amounts and with such sureties as the town council may deem desirable. Premiums on surety bonds shall be paid from funds of the board of water commissioners.

Conflict of interest.

No contract shall be made by the board of water commissioners with any member of the board or with the superintendent of the water works system (except his contract of employment) or with any member of their immediate families or with any firm or corporation in which the superintendent or any member of the board, together in either case with the members of his immediate family, owns more than one per cent of the total proprietary interest, unless such direct or indirect interest of the member or superintendent is set forth in the minutes of a meeting of the board prior to the making of such contract and the member or superintendent abstains from voting or acting for the district, as the case may be, in making such contract. A violation of this paragraph shall be grounds for avoiding, rescinding or cancelling the contract on such terms as the interests of the town and innocent third parties may require or for the recovery of damages from any party acting in violation of this paragraph.

Removal for cause.

Any member of the board may be removed for cause by the town council.

Officers.

Sec. 2. Forthwith after the election of the original board of water commissioners and after the election of a member upon the expiration of a term, the board shall elect a chairman from among the members of the

JANUARY SESSION, 1968—CHAPTER 273. 1145

board and shall elect a secretary, who need not be a Same. member of the board, or designate the town clerk as secretary. The chairman shall preside at meetings of the board and the secretary shall keep the records of the meetings of the board. The board may designate other officers and assistant officers with such powers and for such terms as the board may determine but the board may at any time remove any such other officers and assistant officers with or without cause, subject to any damages which may be payable for cancellation of a contract with the superintendent as authorized below.

The board shall adopt by-laws or rules for the By-laws. transaction of its affair.

Sec. 3. The board of water commissioners may employ and fix the compensation of attorneys, engineers, Professional and other employees. surveyors, draftsmen, clerks and other employees and agents. The board may elect a superintendent of the water works system and each contract for his services shall not be more than five years. The board may require a surety bond of any of its agents and employees. The premiums shall be paid from funds of the board.

Each of the commissioners shall be compensated Compensation of members. for his services at the rate of one hundred dollars per year. The secretary, if not a member of the board or the town clerk acting by designation, shall be compensated at the same rate.

Sec. 4. The board of water commissioners shall be Powers of commission. vested with the power and authority to acquire by purchase, subject to approval of a special or annual financial town meeting the assets of the Jamestown

1146 JANUARY SESSION, 1968—CHAPTER 273.

Same.

Water Company, and thereafter may construct, operate, maintain, extend and improve a water works system for the town and to provide an adequate supply of water for the town or any part thereof. The board is authorized, subject to the approval of the town council, to contract for periods not exceeding forty years with the state, any other municipal or quasi-municipal corporation or with the owners of any privately owned water systems for the purchase or sale of water or for the use of water facilities and the state, such other municipal or quasi-municipal corporations and the owners of privately owned water systems are authorized to enter into such contracts with the board.

Contracts involving more than \$1000.

Any contract of the board involving more than \$1,000. for construction or for the purchase of materials or equipment, not including contracts for the purchase of water, shall be publicly advertised.

Custody of funds.

All funds of the board shall be held in the custody of the town treasurer separate from other funds of the town and shall be expended by or under the direction of the board.

Expenditure of funds.

In addition to the funds hereinafter provided, the board is authorized to expend for the purposes of this act such sums as may be appropriated therefor by the town.

Acquisition of property.

In carrying out the purposes of this act, the board of water commissioners may lease property or acquire the same by purchase or gift or by eminent domain as hereinafter provided, may make contracts and shall have such further powers as shall be necessary or incidental to the purposes and powers set

JANUARY SESSION, 1968—CHAPTER 273. 1147

forth in this act. Any lease, purchase or taking of real property shall be subject to the approval of the town council.

Sec. 5. For the purposes of this act the board of water commissioners may, subject to the approval of the town council, and of a special or annual financial town meeting called for the purpose acquire by eminent domain land or other real property, or any interest, estate or right therein, whether lying within or without the town, including the right to take water from any source. Condemnation.

Without limiting the generality of the foregoing, the board of water commissioners may, subject to the approval of the town council, and of a special or annual financial town meeting called for the purpose acquired by eminent domain all or any part of the real and personal property, or any interest, estate or right therein, belonging to the Jamestown Water Company, including the right of said company to take water from any source. Same: Property of Jamestown water company.

A taking under this section shall be substantially in the manner and subject to the provisions (so far as apt) set forth in chapter 1 of title 24 of the general laws as heretofore or hereafter amended, provided that a taking under the preceding paragraph shall not require the consent of the division of public utilities. Manner of taking.

Whenever the board shall dig up any public street or highway for laying or maintaining pipe, the board shall repair any damage cause thereby to such street or highway. Streets and highways.

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Obligation
for damages.

Any damage which may be agreed upon or determined for any taking under this section, including any interest and other applicable charges, shall constitute a general obligation of the town, but such obligation shall not at any time be included in the debt of the town for the purpose of ascertaining its borrowing capacity for water or other purposes.

Payment in
lieu of taxes.

Sec. 6. The property acquired and held under this act shall not be subject to taxation or assessment by the town of Jamestown, but not exceeding ten thousand dollars per annum, as determined by the town council, shall be paid from funds of the board of water commissioners to the town in lieu of taxes.

Water rates.

Sec. 7. The board of water commissioners is authorized from time to time to fix water rates for the water furnished by the board, which may be based upon the quantity of water used or the number and kind of water connections made or the number and kind of plumbing fixtures installed on the estate or upon the number or average number of persons residing or working in or otherwise connected therewith or upon any other factor affecting the use of or the value of the water furnished or upon any combination of such factors.

The rates shall be fixed so as to be sufficient to meet the expense of operation and maintenance and the principal and interest coming due on bonds and serial notes issued by the town for the purposes of this act and to provide such reserves as the board may deem necessary.

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Hydrant rentals shall be charged to the town for ^{Same.} each year at such rates as the board may determine from time to time. The town shall also be subject to the water rates for other water consumed by the town.

The rates shall be payable upon a date or dates fixed by the board and if not paid within thirty days thereafter they shall bear interest at the rate of eight per cent per annum from their due date until paid.

The board shall cause notice of the amount and due date to be mailed or otherwise sent or given to the owner of the real estate or the tenant or occupant, who shall be personally liable therefor.

A certificate of the collector of taxes of the town stating the amount of any delinquent rate and its due date and the name of the owner of the real estate and the name of the tenant or occupant if assessed to a tenant or occupant who is not the owner and an identification of the real estate shall be filed with the town clerk as a public record, and notice of such filing shall be mailed or sent or otherwise given to such owner. From the date of such filing until the same is paid in full, such delinquent rate together with any interest and charges accruing thereon shall constitute a lien upon the real estate on a parity with the lien for town taxes.

The collector of taxes shall have the same rights to enforce such liens and to collect the rates and interest and charges thereon as he has in the case of town taxes.

No irregularity in carrying out the provisions of this section shall excuse non-payment of any water rate as long as there is substantial compliance with the pro-

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Same.

visions hereof and no deficiency in any notice to any party or in any filing with respect to any party shall excuse non-payment by any other party.

In the event a water rate is partially or wholly invalid or unenforceable in any respect, the board may impose a corrected rate to replace the invalid rate or portion or take such other curative action as may be appropriate.

In case of non-payment of any water rates or charges or interest thereon with respect to any house, building, tenement or estate, the board of water commissioners is authorized, by its agents and employees, to shut off the water and for this purpose to enter such house, building, tenement or estate, and need not supply water again thereto until the water rates and charges or interest thereon have been paid in full.

**Application
of receipt.**

Sec. 8. The receipts from water rates, including any net earnings or profits realized from the deposit or investment thereof, shall be deemed appropriated to the board for the purposes set forth in section 4 and for the payment of the principal and interest on obligations incurred by the town for the purposes of this act.

The town treasurer, with the approval of the town council, is authorized to advance moneys to the board of water commissioners from the general funds of the town in amounts not exceeding the sums to be realized from water rates within the next six months as estimated by the board of water commissioners. Such advances shall be repaid without interest from such water rates.

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Sec. 9. The town of Jamestown is hereby authorized, in addition to authority previously granted, to issue bonds from time to time under its corporate name and seal or a facsimile of such seal to such amount as will not cause the principal amount of bonds outstanding hereunder to exceed ten per cent of the last assessed valuation of the taxable property of the town. The principal of the bonds and interest thereon shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts. The bonds of each issue shall mature in equal or diminishing annual installments of principal, the first installment to be not later than three years and the last installment not later than twenty-five years after the date of the bonds.

Bonds au-
thorized.

Sec. 10. The bonds shall be signed by the town treasurer and by the manual or facsimile signature of the president of the town council and shall be issued and sold at not less than par and accrued interest in such amounts as the town council may determine. The manner of sale, denominations, maturities, interest rates and other terms, conditions and details of any bonds or notes issued under this act may be fixed by the resolution of the town council authorizing the issue or by separate resolution of the town council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. The bonds of each issue shall bear interest at a rate or rates not exceeding six per cent per annum. Coupons shall bear the facsimile signature of the town treasurer. The proceeds derived from the sale of the bonds shall be delivered to the town treasurer, and such proceeds exclusive of premiums and

Bonds, how
executed.

Interest.

Proceeds.

JANUARY SESSION, 1968—CHAPTER 273. 1151

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Bonds au-
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Sec. 10. The bonds shall be signed by the town treasurer and by the manual or facsimile signature of the president of the town council and shall be issued and sold at not less than par and accrued interest in such amounts as the town council may determine. The manner of sale, denominations, maturities, interest rates and other terms, conditions and details of any bonds or notes issued under this act may be fixed by the resolution of the town council authorizing the issue or by separate resolution of the town council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. The bonds of each issue shall bear interest at a rate or rates not exceeding six per cent per annum. Coupons shall bear the facsimile signature of the town treasurer. The proceeds derived from the sale of the bonds shall be delivered to the town treasurer, and such proceeds exclusive of premiums and

Bonds, how
executed.

Interest.

Proceeds.

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Same.

accrued interest shall be expended (a) for the purposes set forth in section 4, excluding current operating and maintenance expenses but including extraordinary repairs, or (b) in payment of the principal of or interest on temporary notes issued under section 11 of this act or (c) in repayment of advances under section 12 of this act. No purchaser of any bonds or notes under this act, however, shall be in any way responsible for the proper application of the proceeds derived from the sale thereof. The proceeds of bonds or notes issued under this act, any applicable federal assistance and the other moneys referred to in this act shall be deemed appropriated for the purposes of this act without further action than that required by this act.

Temporary
notes.

Sec. 11. The town council of the town of Jamestown may authorize the issue from time to time of interest bearing or discounted notes in anticipation of the authorization or issue of bonds under section 10 of this act or in anticipation of the receipt of federal aid for the purposes of this act. The amount of original notes issued in anticipation of bonds may not exceed the amount of bonds voted under section 19 and the amount of original notes issued in anticipation of federal aid may not exceed the amount of available federal aid as estimated by the town treasurer. Temporary notes issued hereunder shall be signed by the town treasurer and by the president of the town council and shall be payable within three years from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes hereunder, provided the period from the date of an original

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note to the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed three years.

Sec. 12. The town treasurer, with the approval of the town council, may advance moneys to the board of water commissioners from the general funds of the town in anticipation of the authorization or issue of bonds under section 10 or in anticipation of the receipt of federal aid. Any advances in anticipation of bonds may not exceed the amount of bonds voted under section 19 and any advance in anticipation of federal aid may not exceed the amount of available federal aid as estimated by the town treasurer. In addition, any appropriation by the financial town meeting for the purposes of clause (a) of section 10 shall be treated as an advance under this section if so voted by the financial town meeting. An advance under this section shall be repaid without interest from the proceeds of bonds or notes subsequently issued or from the proceeds of applicable federal assistance or from other available funds.

Advances
from general
funds of
town.

Sec. 13. Any proceeds of bonds or notes issued hereunder or of any applicable federal assistance or of any water rates, pending their expenditure, may be deposited or invested by the town treasurer in demand deposits, time deposits or savings deposits in banks which are members of the Federal Deposit Insurance Corporation or in obligations issued or guaranteed by the United States of America or by any agency or instrumentality thereof or by the state of Rhode Island or as may be provided in any other applicable law of the state of Rhode Island.

Investment of
proceeds pend-
ing expendi-
ture.

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Application
of accrued in-
terest pre-
miums and
profits.

Sec. 14. Any accrued interest received upon the sale of bonds or notes hereunder shall be applied to the payment of the first interest due thereon. Any premiums arising from the sale of bonds or notes hereunder, any net earnings or profits realized from the deposit or investment of bond or note proceeds or federal assistance hereunder and any balance of bond or note proceeds remaining after completion of the applicable project or projects shall, in the discretion of the town treasurer, be applied to the cost of preparing, issuing and marketing bonds or notes hereunder to the extent not otherwise provided, to the payment of the cost of the project or projects or the cost of other work for which bonds or notes could be issued hereunder, to the payment of the principal of or interest on bonds or notes issued hereunder or to any one or more of the foregoing. The cost of preparing, issuing and marketing bonds or notes hereunder may also, in the discretion of the town treasurer, be met from bond or note proceeds exclusive of premium and accrued interest or from other moneys available therefor. In exercising any discretion under this section, the town treasurer shall be governed by any instructions adopted by the town council.

Obligations of
town.

Exception.

Sec. 15. All bonds and notes issued under this act and the debts evidenced thereby shall be obligatory on the town of Jamestown in the same manner and to the same extent as other debts lawfully contracted by it and shall be excepted from the operation of section 45-12-2 of the general laws. No such obligation shall at any time be included in the debt of the town for the purpose of ascertaining its borrowing capacity under any other law. The town shall annually appro-

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priate a sum sufficient to pay the principal and interest coming due within the year on bonds and notes issued hereunder to the extent that moneys therefor are not otherwise provided. In order to provide such sum in each year and notwithstanding any provision of law to the contrary, all taxable property in the town shall be subject to ad valorem taxation by the town without limitation as to rate or amount, except that the rate of taxation on intangibles shall be limited as provided in section 44-5-6 of the general laws.

Amortization.

Sec. 16. Any bonds or notes issued under the provisions of this act and coupons on any bonds, if properly executed by officers of the town in office on the date of execution, shall be valid and binding according to their terms notwithstanding that before the delivery thereof and payment therefor any or all of such officers shall for any reason have ceased to hold office.

Validity of bonds not affected by change in office.

Sec. 17. The town of Jamestown, acting by its board of water commissioners, is authorized to apply for, contract for and expend any federal survey or planning advances or other grants or assistance which may be available for the purposes of this act, and any such expenditures may be in addition to other moneys provided in this act. To the extent of any inconsistency between any law of this state and any applicable federal law or regulation, the latter shall prevail. Federal survey or planning advances, with interest where applicable, whether contracted for prior to or after the effective date of this act, may be repaid as a cost of a project or projects under section 10 of this act.

Federal assistance.

Sec. 18. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary

Constitutional requirements.

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to meet constitutional requirements whether or not such steps are required by statute. The validity of bonds and notes issued hereunder shall in no way depend upon the validity or occurrence of any action not specifically required herein for the issue of such bonds or notes.

Vote of tax-
payers required
for each issue.

Sec. 19. Notwithstanding the foregoing provisions of this act, no bonds shall be issued in excess of amounts approved from time to time by vote of a majority of the electors present and voting on the question at an annual or special financial town meeting. A vote not to approve an amount of bonds hereunder shall not preclude any later vote to approve the same or a different amount.

P.L. 1933,
ch. 2066
repealed.

Sec. 20. Chapter 2066 of the public laws of 1933 is hereby repealed.

Referendum.

Sec. 21. The question of the approval of this act shall be submitted to the electors of the town of Jamestown qualified to vote upon a proposition to impose a tax or for the expenditure of money at a special financial town meeting the warning for which shall contain notice of the proposal to accept this act.

Act effective,
when.

Sec. 22. This section and section 21 hereof shall take effect upon passage. The remainder of this act shall take effect upon the approval of this act by a majority of those voting on the question as prescribed in section 21 hereof.

PARTRIDGE SNOW & HAHN LLP

Michael L. Mineau
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July 25, 2024

VIA ELECTRONIC EMAIL FILING AND FEDERAL EXPRESS

Rhode Island Division of Statewide Planning,
Water Resources Board
235 Promenade Street, Suite 230
Providence, RI 02908
Attn: Kathleen Crawley
kathleen.crawley@doa.ri.gov

Re: Appeal of Jeffrey Saletin, Trustee of The Jeffrey Saletin Living Trust dated September 29, 2016, and Deborah L. Furness Saletin, Trustee of The Deborah L. Furness Trust n/k/a The Deborah L. Furness Saletin Trust dated April 2, 1998 from a Decision dated June 28, 2024 ("Saletins") of the Town of Jamestown Board of Water and Sewer Commissioners

Dear Ms. Crawley:

Please find enclosed an Appeal Complaint which we are filing with the Rhode Island Water Resources Board pursuant to 490-RICR- 00-00-9.4 and applicable state law. Pursuant to your emailed instructions on July 24, 2024, I am electronically filing this Appeal by email, as well as mailing a hard copy to the above address for filing via Federal Express, Priority Overnight. Please confirm that this appeal has been accepted and will be docketed.

If you should have any questions, please feel free to contact me any time.

Sincerely,

/s/ Michael L. Mineau

MLM/tlc
Enclosure

cc: Maria Mignanelli (maria.mignanelli@doa.ri.gov)

4885-4166-9587.1/032597-0002

**STATE OF RHODE ISLAND
WATER RESOURCES BOARD**

IN RE: Appeal of Jeffrey Saletin, Trustee of
The Jeffrey Saletin Living Trust dated
September 29, 2016, and Deborah L. Furness
Saletin, Trustee of The Deborah L. Furness
Trust n/k/a The Deborah L. Furness Saletin
Trust dated April 2, 1998 from a Decision
dated June 28, 2024 of the Town of Jamestown
Board of Water and Sewer Commissioners

Case No.

APPEAL COMPLAINT

NOW COMES Jeffrey Saletin, Trustee of The Jeffrey Saletin Living Trust dated September 29, 2016, and Deborah L. Furness Saletin, Trustee of The Deborah L. Furness Trust n/k/a The Deborah L. Furness Saletin Trust dated April 2, 1998 (“Appellants” and/or the “Saletins”), acting by and through counsel in the above-referenced matter, and hereby file the instant Appeal of the Decision of the Jamestown Board of Water and Sewer Commissioners (the “Board”), a copy of which is attached hereto as **Exhibit 1**, to the Rhode Island Water Resources Board, as set forth more particularly below.

Parties

1. The Appellants, Jeffrey Saletin, Trustee of The Jeffrey Saletin Living Trust dated September 29, 2016, and Deborah L. Furness Saletin, Trustee of The Deborah L. Furness Trust n/k/a The Deborah L. Furness Saletin Trust dated April 2, 1998, are residents of the State of Rhode Island.
2. The Appellee, Jamestown Board of Water and Sewer Commissioners (the “Board”), is a Rhode Island municipal board with an office of 93 Narragansett Avenue,

Jamestown, Rhode Island. The Board oversees the Jamestown Water Division (the “JWD”).

Jurisdiction

3. The Rhode Island Water Resources Board (the “WRB”) has jurisdiction over the Board, pursuant to R.I. Gen. Laws Chapters 46-15 and 46-15.1, as amended, as well as applicable regulations.

4. The WRB has jurisdiction over the instant appeal pursuant to 490-RICR-00-00-9.4 and R.I. Gen. Laws §§ 46-15-2, 46-15-2.1, and 42-35-1, *et. seq.*

5. The Board is a “Supplier”, as defined in 490-RICR- 00-00-9.3 and R.I. Gen. Laws § 46-15.3-4(10).

6. The Decision is a final order or a final decision which is appealable to the WRB.

7. The Saletins are aggrieved parties with standing to pursue the instant appeal.

General Allegations

8. The Saletins, in their capacities as Trustees of their respective trusts, are collectively the record owners of that certain real property located at the address of 14 Seaview Avenue, Jamestown, Rhode Island, also known as Tax Assessor’s Plat 7, Lot 135 (the “Property”), pursuant to that certain Quitclaim Deed recorded on May 6, 2022 at Book 1020, Page 7 of the Jamestown Land Evidence Records, whereby Jeffrey Saletin and Deborah Furness Saletin, as individuals, conveyed title to themselves as Trustees, with each Trust presently holding an undivided 50% interest in the Property. Previously, the Saletins, in their individual capacities, had originally acquired title to the Property as tenants by the entirety in 2016, pursuant to that certain Executor’s Deed recorded at Book 852, Page 111 of the Jamestown Land

Evidence Records. Therefore, the Saletins have owned the Property since 2016.

9. The Saletins hereby appeal the Decision of the Board dated June 28, 2024, denying the Saletins' application for a water main extension and service connection to the Property.

10. The Saletins filed an application with the Board for a water service extension (the "Original Application Form") on January 2, 2024, a copy of which is attached hereto as **Exhibit 2**.

11. The Town then took the position that the incorrect form had been provided to the Saletins, and requested that a different, but similar, form be submitted. Therefore, a second application form, also dated January 2, 2024, was filed (the "Second Application Form"), a copy of which is attached hereto as **Exhibit 3**.

12. A copy of the Original Application Form with input and comments from the Town's reviewing departments is attached hereto as **Exhibit 4**.

13. The Original Application Form and the Second Application Form shall hereinafter be referred to collectively as the "Application", which also was supplemented with additional documents, plans, and reports prior to the hearing on the same by the Board, all of which became part of the Application and the administrative record.

14. In addition to the application forms, the Application included a report dated February 16, 2024 submitted to the Town by Robert E. Ferrari, P.E. of Northeast Water Solutions, Inc. (the "Northeast Water Solutions Report"). See **Exhibit 5**, the Northeast Water Solutions Report.

15. As detailed in the Northeast Water Solutions Report, Northeast Water Solutions "conducted several evaluations of the existing water supply well, well water

characterization and treatment system” at the Property and concluded that the Property has “inadequate well capacity, extremely poor water quality, and periodic loss of well water supply.” Furthermore, “[d]ue to the limited well yield/recharge the well experiences excessive drawdown, ultimately dewatering the well, resulting in multiple loss-of-service events during the 2023 summer season. The drawdown recovery, necessary to reactivate the well, is extremely slow resulting in long periods with no water supply.” See Ex. 5.

16. Additionally, as detailed in the Northeast Water Solutions Report, “the well is under relatively strong seawater influence” and “[t]his raw well water characterization significantly exceeds the USEPA and RIDOH drinking water limits for TDS and chloride, and also exceeds the USEPA Health Advisory Limits for sodium and manganese, mandating treatment.” See Ex. 5 (emphasis in original).

17. The Northeast Water Solutions Report details how the well water characterization significantly degraded over time and is expected to continue to degrade as a result of the reject water from the reverse osmosis treatment system. See Ex. 5.

18. Northeast Water Solutions detailed in its Report why the alternatives of potentially hydro-fracking the existing well or drilling a new well are not feasible or adequate solutions, concluding as follows:

The existing residential well has an effective recharge/yield of ≤ 1.1 gpm which is inadequate to support a single-family residence. Furthermore, the well demonstrates limited fracturing and recharge, which is not unexpected for the bedrock in this area of Jamestown. As a result, there is no expectation that hydro-fracturing would measurably increase the well yield, and would likely degrade water quality due to increased sea water intrusion.

There is no realistic alternative for drilling a new water supply well on this parcel, due to proximity to unacceptable contaminant threats. Additionally, there is no realistic expectation that a modest relocation of the well position on this site, would result in intersecting more favorable bedrock/geologic conditions to provide improved well capacity or water quality.

Finally, this residence has previously implemented a reverse osmosis system for desalinization of the brackish well water. However, the well has insufficient capacity to meet the RO feedwater requirements for sufficient duration to satisfy the water demands. Furthermore, there is very strong evidence that the disposal of the RO reject water is further degrading the water quality in the underlying aquifer.

The loss of an adequate water supply, and degraded groundwater quality represent a significant public health and safety threat. It is strongly recommended that this residence pursue a connection to the municipal water distribution system, as the optimum means to resolve the water supply and water quality problems.

See **Ex. 5** (emphasis in original).

19. The Application also included a plan prepared by DiPrete Engineering, a copy of which is attached hereto as **Exhibit 6**. This plan also confirms that there is no other possible location for a new well on the Property.

20. The Application further included an invoice from J Lemme Wells and Water Systems dated July 15, 2023 (the “Lemme Invoice”), which documents two specific instances when the Saletins were forced to make service calls due to inadequate water from their well which services the Property. See **Exhibit 7**, the Lemme Invoice.

21. Specifically, the Lemme Invoice states, in pertinent part, as follows:

ACTIVITY

Service Call

No Water. 7/15/2023 Well was empty. Recovery rate of well is inadequate to run reverse osmosis system in home. Well recovery is 1 GPM. 3 GPM needed to run Reverse osmosis system.

Service Call

No water 8/20/2023 same issue.

See **Ex. 7**.

22. The Saletins were one (1) of four (4) applicants in the same neighborhood off of East Shore Road seeking an extension of the water main and individual connections to the Town's water supply, all of whom were contemporaneously denied.

23. The Board operates and follows the Rules and Regulations of the Board of Water and Sewer Commissioners (the "Regulations"), which define two (2) different water districts in the Town – the "Urban Water District" and the "Rural Water District".

24. The Property is located in Jamestown's Rural Water District, although only slightly outside the boundaries of the Urban Water District.

25. The Regulations were adopted by the Town prior to the 2022 statutory amendments to R.I. Gen. Laws § 46-15-2, which statute now requires that municipal suppliers review applications for water main extensions in accordance with the standards set forth in R.I. Gen. Laws § 46-15-2(b)(1) through (7).

26. The aforementioned statute further vests the WRB with jurisdiction to hear appeals of the final decisions of Suppliers on such applications.

27. As discussed more particularly below, not only did the Application and the presentation thereon satisfy each and every one of the standards set forth in R.I. Gen. Laws § 46-15-2(b), but the Board improperly relied upon more restrictive standards contained in the Regulations as a basis for denial of the Application, as well as concluding that the aforementioned statute did not prevent the Town from denying the Application.

28. Notably, the Town, through legislators, had a bill introduced in the Rhode Island General Assembly on January 26, 2024 (2024 -- H 7345) which, if enacted (it has not been), would have exempted the Town from R.I. Gen. Laws § 46-15-2(b) and authorized the

Board to deny applications for extension of water service outside of areas designated by the Town (*i.e.*, any properties outside of the “Urban Water District”). This bill has not been voted on and is currently held for further study.

29. On or about February 13, 2023, Michael Gray, the Town’s Public Works Director, submitted a Memorandum to the Board, providing an advisory opinion on the Application and other similar applications pending before the Board by neighbors (the “Gray Memo”), which noted, in pertinent part, the issues which the Saletins had been experiencing with their well running dry on multiple occasions, as well as other water quality issues. *See Exhibit 8*.

30. The Application was first heard at the February 20, 2024 meeting of the Board and ultimately heard over the course of four (4) total meetings on February 20, 2024, April 15, 2024, May 6, 2024, and May 20, 2024.

31. During the public hearing process, the Saletins, through their then-counsel, presented a substantial amount of argument, evidence, and testimony, including expert testimony from Brian Thalmann, P.E. of DiPrete Engineering and Robert Ferrari, P.E. of Northeast Water Solutions, Inc., detailing the history and extent of the water-related issues at the Property and opining as to why connection to Jamestown’s municipal water system is necessary in order for the Property to have a safe and adequate water supply.

32. In addition to the information provided as part of the Application and supplemental materials submitted in support thereof, the Saletins presented evidence and testimony during the hearings to satisfy the elements of R.I. Gen. Laws § 46-15-2 (incorrectly cited to in the Decision as “46-15.2”), which provides as follows:

§ 46-15-2. Approval of public water supply facilities.

(a) No municipal water department or agency, public water system, including special water districts or private water companies, engaged in the distribution of water for potable purposes shall have any power:

(1) To acquire or take a water supply or an additional water supply from an existing approved source;

(2) To take or condemn lands for any new or additional sources of water supply or for the utilization of supplies;

(3) To extend its supply or distribution mains into a municipality or special water district wherein it has not heretofore legally supplied water;

(4) To construct any extension of its transmission mains;

(5) To extend the boundaries of a special water district; or

(6) To supply water in or for use in any other municipality or civil division of the state which owns and operates a water supply system therein, or in any duly organized special water district supplied with water by another municipal water department or agency, special water district, or private water company, until the municipal water department or agency, special water district, or private water company has first submitted the maps and plans therefor to the director of the department of health, the state planning council and the board, as hereinafter provided, and until the water resources board, after receiving the recommendations of the director of the department of health and the division of statewide planning, shall have approved the recommendations or approved the recommendation with modifications as it may determine to be necessary; provided, however, this subsection shall not apply to any area presently served by any municipal water department or agency, or special water district.

(b) Approval shall not be necessary of any plan or work for the extension of supply or distributing mains or pipes of a municipal water supply plant or special district or private water company into and for the purpose of supplying water in any territory within the limits of the municipality or special district or within the franchise area of the private water company, owning the plant, including territory within the municipal special district or franchise limits which has not been heretofore supplied with the water by the plant, nor for the reconstruction or replacement of existing facilities in connection with an existing plant, wherein the capacity of the plant is in no way increased, nor for the construction of filtration or other treatment facilities which will not in any way increase the amount of water which can be made available from the present sources of supply. Notwithstanding any provision of this section to the contrary, a municipal water department, agency, or public water system governed under this section shall review

applications for plans or work for the extension of supply or distribution mains or pipes in accordance with the following standards:

- (1) The application must not be prohibited by the specific language of the latest water supply system management plan ("WSSMP") of the public water supply system;
- (2) The application must comply with the design and construction standards and specifications established by the public water supply system for the sizing and location for the infrastructure;
- (3) The extensions shall not reduce the necessary level of fire protection for the community;
- (4) All water main and service connection materials, construction, and inspection required hereunder shall be at the sole cost and expense of the applicant;
- (5) The public water supply system shall be granted an easement in a form acceptable to them which shall permit the maintenance, repair, or replacement of water lines and all other related activities;
- (6) For applications for single-family residential lots, the applicant must show that:
 - (i) The existing or proposed well for the property does not meet the well industry standard as described in the department of environmental management regulations for "yield per depth of well chart" which is required by the department of health for a dwelling unit; and
 - (ii) Due to the unique characteristics of the property that the drilling of a new well is not feasible;
- (7) For applications located within a public water supply system with limited capacity, applicants for commercial uses/properties shall be governed by the rules established for such connections by the public water supply system, which shall be in accordance with the system's approved WSSMP.

A public water supply system governed under this section may provide for lower standards for approval for residential property if such standards meet the requirements of the agency's state-approved WSSMP, and such WSSMP is not expired.

- (c) The water resources board shall enforce the provisions of this section, and the superior court by injunction may, upon application of the water

resources board, prevent any action to be taken by any municipal water agency or department, special district, or private water company without the approval of the water resources board as required by this section.

See R.I. Gen. Laws § 46-15-2.

33. The Board, which ultimately denied the Application, erroneously concluded that the Saletins had failed to satisfy the standards set forth in R.I. Gen. Laws § 46-15-2(b) and also continued to maintain, as it had prior to the amendment of R.I. Gen. Laws § 46-15-2 in 2022, that R.I. Gen. Laws § 46-15-2 did not preclude the Town from imposing inconsistent and more restrictive provisions set forth in the Regulations and other local rules, as a basis for selectively limiting, in the Town's discretion, any request for extension of water service outside of the Town's Urban Water District into the Rural Water District.

34. The Town's erroneous position is premised on R.I. Gen. Laws § 46-15-2 purportedly not overriding the enabling act which provided for the creation of the Board and not preempting the Town's Rules; the Act is found at Chapter 273 of the Public Laws of 1968.

35. The Saletins' Application and the presentation thereon satisfied each of the specific criteria set forth in R.I. Gen. Laws § 46-15-2(b), as supported by the arguments of their counsel to the Board and the testimony, reports, and documents offered by the Saletins' experts.

36. Addressing R.I. Gen. Laws § 46-15-2(b)(1), the Application is not prohibited by the specific language of the latest water supply system management plan ("WSSMP") of the public water supply system; furthermore, the Town's WSSMP even recognizes that extensions of the Town's water supply into the Rural Water District have on occasion been permitted.

37. Addressing R.I. Gen. Laws § 46-15-2(b)(2), the extension proposed by the Saletins would comply with the design and construction standards and specifications established by the Town, as set forth in the Regulations.

38. Addressing R.I. Gen. Laws § 46-15-2(b)(3), the extension would not reduce the necessary level of fire protection in Town, which notably was confirmed by the Town's Fire Chief in his written comments on the Application provided on July 9, 2024, in which he stated that the "[r]equest will not reduce the level of fire protection [...] Fire hydrant needed in area" and that the extension will not reduce the level of fire protection in the community. These comments of the Town's Fire Chief are contained on pages 6 and 7 of **Exhibit 4**. See **Ex. 4**, at p. 6-7.

39. Addressing R.I. Gen. Laws § 46-15-2(b)(4), all water main and service connection materials, construction, and inspection required were to be at the sole cost of the Saletins (and, with respect to the extension of the water min which the four (4) properties would connect to, the other similarly situated applicants who were also denied).

40. Addressing R.I. Gen. Laws § 46-15-2(b)(5), the Town would have been granted an easement for maintenance, repair, or replacement of the water lines, had the Town approved the extension request.

41. Addressing R.I. Gen. Laws § 46-15-2(b)(6), the existing well on the Property was clearly demonstrated to not meet current well industry standards and does not produce a sufficient yield of potable water, as proven by the Saletins and their experts and consultants, and as detailed above.

42. Addressing R.I. Gen. Laws § 46-15-2(b)(7), the Saletins clearly demonstrated that neither drilling a new well nor hydrofracking were feasible options, as

detailed in the Northeast Water Solutions Report and as testified to during the public hearing process. See **Ex. 5**.

Appeal of Board's Decision

43. The Saletins repeat and reallege each and every one of the preceding Paragraphs of this Appeal Complaint as if fully set forth herein.

44. The Board's Decision should be reversed pursuant to 490-RICR- 00-00-9.7(E), as substantial rights of the Appellants have been prejudiced because of the administrative findings, inferences, conclusions, and decisions of the Board, and the Decision is:

- a. In violation of constitutional or statutory provisions;
- b. In excess of the statutory authority of the Board;
- c. Made upon unlawful procedure;
- d. Affected by other error of law;
- e. Clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and/or
- f. Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

WHEREFORE, the Saletins hereby respectfully request that the WSB reverse the Board's Decision and award reasonable attorney's fees and costs to the Saletins pursuant to R.I. Gen. Laws § 42-92-1, *et seq.*, as well as any other such relief as the WSB deems appropriate.

**Jeffrey Saletin, Trustee of The Jeffrey
Saletin Living Trust dated September 29,
2016, and Deborah L. Furness Saletin,
Trustee of The Deborah L. Furness Trust
n/k/a The Deborah L. Furness Saletin Trust
dated April 2, 1998**

By Their Attorneys,

PARTRIDGE SNOW & HAHN LLP

/s/ Michael L. Mineau

Michael L. Mineau, Esq.
40 Westminster Street, Suite 1100
Providence, RI 02903
(401) 861-8200
(401) 861-8210 FAX
mmineau@psh.com

DATED: July 25, 2024

4865-2005-5762.1/032597-0002

EXHIBIT 1
(Town of Jamestown Decision)



Town of Jamestown

Town Clerk's Office

Town Hall, 93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199

401-423-9800 • Fax 423-7230

email: rfagan@jamestownri.net

Roberta J. Fagan

Town Clerk

Probate Clerk

June 28, 2024

Jeffrey and Deborah Saletin
14 Seaview Avenue
Jamestown, RI 02835

Re: Water Service Extension Request

Dear Mr. and Ms. Saletin,

The following is the decision on your application for a water main extension and associated service connection outside of the Jamestown Urban Water District, dated January 2, 2024, to property identified as 14 Seaview Avenue, Jamestown, R.I. (AP 7 Lot 135) and placed on the Town of Jamestown Water and Sewer Commission ("Commission") meeting agenda for consideration and action.

Your application, along with three other applications for similar water service extension and connection requests to their nearby properties, was first considered by the Commission at their February 20, 2024, meeting. At their February 20, 2024, meeting, your application was continued because several new documents in support of your application were submitted that evening. The Commission continued your application for review and consideration to their meeting set for April 15, 2024. At the April 15, 2024, Commission meeting, your legal counsel made a statement into the record that you have been experiencing water-related issues at your property since 2018. Your legal counsel explained that your well exhibited low water quantity and poor water quality due to saltwater intrusion issues.ⁱ Your legal counsel further stated that your well was producing yields of less than 1.5 gallons per minute and that you installed a water storage tank and reverse osmosis system to address this situation.ⁱⁱ Your legal counsel then presented and qualified Brian Thalmann as an expert in civil engineering. The Commission accepted Mr. Thalmann as an expert in civil engineering. Mr. Thalmann testified that he had personal knowledge of the site through a site inspection. Mr. Thalmann further testified that no other physical location was available on the property to site another well. Mr. Robert Ferrari was called next and presented and qualified as an expert in water supply. Mr. Ferrari testified that he was personally familiar with the site and status of the well and treatment system since his company had been assisting you in obtaining sufficient water quantity and water quality from your existing well since 2018. Mr. Ferrari also testified that you reside at the property seasonally. Mr. Ferrari further stated that while the well yield meets the depth-to-yield standard, the water quality is not suitable as potable water without treatment.ⁱⁱⁱ During questioning by a commissioner, Mr. Ferrari acknowledged that alternative water supply

options to municipal water were available to the applicants but not preferred options mostly due to the cost when compared to the cost of a municipal water connection. Your legal counsel then rested his presentation of your application. Since the Commission had three other similar applications to consider, your application, along with the other three applications, was continued to the May 6, 2024, Commission meeting.

At the May 6, 2024, Commission meeting your legal counsel presented Mr. Ferrari, who was previously accepted by the Commission as an expert in water supply, to provide additional testimony. Mr. Ferrari testified on the need to not only have sufficient water quantity but to have appropriate drinking water quality.^{iv} During questioning by a commissioner of Mr. Saletin, it was confirmed that the use of the property is seasonal mostly by two occupants.

Mr. Michael Gray, the Department of Public Works Director and who has responsibility for the Town's Water and Sewer divisions, appeared and presented a report to the Commission concerning the Town's water supply and distribution system. Mr. Gray testified that the Town purchased the water plant and its water distribution system from a private company by authorization of a special act of the General Assembly passed in 1968 and the subsequent approval of the special act by local referendum.^v Mr. Gray testified that the water system purchased by the Town only served a limited geographic area, primarily within the village area (referred to as the Urban District in the current water system supply management plan and rules) and areas south of the village where former military facilities were located.^{vi} Mr. Gray testified that your property is located to the north of and outside the Urban Water District and that no water service is available to or exists at your property. Mr. Gray also testified that the Town has no plans to extend the water service system north of the current boundary of the Urban Water District (which is south of your property). Mr. Gray also testified that all costs to operate, improve, and maintain the water supply and distribution system are the responsibility of the ratepayers in the system. Mr. Gray testified that your property is not part of the water supply system, and you are not a ratepayer.

Mr. Gray testified that the Town has undertaken significant improvements since its acquisition of the water supply and distribution system, including but not limited to improvements to the two surface water reservoirs and adding a ground water well to bolster supply. Mr. Gray testified that the Commission has implemented regulations to reduce water consumption to balance the supply and demand for water among the current system users. Mr. Gray explained that supply replenishment is unpredictable since it relies on annual rainfall, and that consumption demand, which exceeds supply for up to five (5) months each year, must be closely monitored and regulated to ensure the continued capability of the system to supply water to current users.^{vii}

At the conclusion of Mr. Gray's testimony, your legal counsel questioned Mr. Gray and advocated on behalf of your application that the Commission approve your water service extension and connection request on the basis that your property meets "the standards of the State law...."^{viii} The Commission continued your application to their May 20, 2024, meeting to allow time for the commissioners to thoughtfully consider the evidence submitted on behalf of your application before they begin their deliberations.

At the May 20, 2024, Commission meeting, the commissioners discussed the present conditions of the Jamestown water system, specifically the limited supply and distribution network. The commissioners discussed the past history of the limited water supply, their adoption of rules to limit and reduce consumption of water by system users to conserve the limited and unpredictable supply, and the reasons why the water system is limited to a specific geographic area to ensure

available supply will be adequate to meet current and predicted future system consumption demand. The commissioners also discussed the relevant standard of review provision in the Rules and Regulations of the Board of Water and Sewer Commissioners (the "Rules") for water service extensions outside the Urban District. The Commission discussed the relevance and applicability of Rule 14.B. of the Rules, which states, in relevant part, at b.4., "Extensions to and within the rural district shall be prohibited." However, the Rule provides that "Nothing herein shall be construed to prohibit or prevent the Board of Water and Sewer Commissioners from making such improvements, including extensions, which shall, in the opinion of the Board, improve the quality or quantity of water furnished to existing water uses (sic)."^{ix}

You were one of four applications seeking a municipal water extension and connection which were considered by the Commission simultaneously. All four applications concern properties located on Seaview Avenue. Your property, along with the other three application properties, is located outside of the Urban Water District and has no municipal water supply, distribution lines, or service. These facts have been true since the creation of the Jamestown Water District in 1968. Your legal counsel presented two experts and one layperson testimony in support of the proposition that your property complied with the requirements of R.I. General Laws 46-15.2(b), Sections 1-7. Neither you, nor any of the other applicants, addressed, offered testimony, or presented any evidence concerning the relevant requirements of the Jamestown Water and Sewer Commission Rules, 14.B.b.4.; to wit, how and whether your application to extend water outside of the Urban Water District would "improve the quality or quantity of water furnished to existing water [users]".

The Jamestown Board of Water and Sewer Commissioners was created by a special act of the General Assembly in 1968, in pertinent part, to allow for the purchase of the then-existing Jamestown Water Company by the Town (the "Act"). The Town voters ratified the special act by referendum thereby authorizing the Town to purchase the Jamestown Water Company. At the time of its acquisition, the Jamestown Water Company provided water service to a geographic area somewhat synonymous with the Jamestown Village, so-called. In addition, a water service distribution line extended south of the Village area to serve areas formerly used as federal defense installations, to Beavertail and facilities commonly known as Fort Getty and Fort Wetherill. In time and up to the present, through the adoption of its water supply and distribution plan and the Rules, the Commission has designated the geographic area mostly comprised as the Village as the Urban Water District and the area south of the Urban District as the Rural Water District. The Water Supply System Management Plan (the "Plan"), in effect and applicable to your application specifically shows the water service areas at Figure 2.3. * Figure 2.3 contains a specific notation that it "shows the boundaries of the Urban Water and Sewer Districts...[and] No future extensions of water service are planned at this time." Of particular relevance to your application is that neither the Act nor the Plan obligate the Commissioners to provide water service everywhere in Town or to areas outside of the Urban Water District not presently receiving water service.^{xi} It is undisputed that your property is located outside of the Urban Water District as shown in Figure 2.3. It is also undisputed that your property is not receiving municipal water service. Your evidence established that your property has a private well as its water supply.

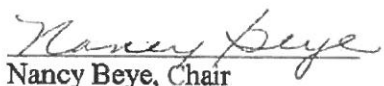
It was undisputed on the record that the Act, the Plan, and the Rules provides the Commission the discretion to authorize extensions and connections to the municipal water system for property located outside of the Urban Water District, such as is the case for your property. In fact, you offered no evidence to the contrary. Your entire presentation focused on the relevant provisions of

the General Laws 46-15.2(b). The Commission is specifically charged with the obligation to preserve and protect the water supply and ensure its wise and responsible use.^{xii} In addition, the Commission has the responsibility to the present users of the water system to provide sufficient water. By their very nature, extensions, expansions, and new connections outside of the current water service area are injurious to and endangers the Commission's obligations to its present users. All these facts were considered in the adoption of the Rules, 14.B.(b) requirement that extensions and connections outside of the Urban Water District may be authorized when the applicant shows it will constitute an improvement to the quality or quantity of water furnished to the existing water system users.

Such is not the case here. You offered no evidence to demonstrate or show that your requested extension and connection had any improvement to the quality or quantity of water furnished to the existing system users. To the contrary, your application's evidence only showed a benefit to your property without consideration of the detriment to the existing system users, the water supply capacity, or improvement to the quality or quantity of water furnished to existing water system users. Your sole reliance in making this application was compliance with the General Laws 46-15.2(b). All the testimony and evidence you entered into the record of the hearing on this application focused on this sole metric. You failed to offer any evidence whatsoever regarding compliance with the Rules at 14.B.b.4. In conclusion, the Commission had no evidence or decisional law presented to it during the course of this hearing to show or demonstrate that Jamestown has to provide water to everybody; that this new general law overrules the special act of the legislature which created the municipal water system or that mere compliance with the criteria set forth in the new general law obligates the water system to extend its distribution lines and provide a service connection to the applicant; or that, this new general law nullifies the Rules that have been promulgated for the district.

On the preceding basis and for the many reasons stated previously, herein, Commissioner R. White made a motion to deny this application for an extension and connection of a new water service outside of the Urban Water District. The motion was seconded by Commissioner Meagher. The vote was 4 in favor and 0 opposed to the motion. The motion carried by a 4-0 vote.

Very truly yours,



Nancy Beye, Chair
Jamestown Water and Sewer Commissioners

ⁱ Transcript p. 25 (Apr. 15, 2024).

ⁱⁱ Id.

ⁱⁱⁱ Id. at p. 53.

^{iv} Transcript p. 18-20 (May 6, 2024).

^v Chapter 273 of the Public Laws (1968).

^{vi} Transcript p. 59 (May 6, 2024).

^{vii} Id. at p. 84-89.

^{viii} Id. at p. 113.

^{ix} Rules and Regulations of the Board of Water and Sewer Commissioners, Rule 14.B.4. (2009)

^x Water Supply System Management Plan, 5 Year Update, p. 2-9 (Mar. 2018).

^{xi} See, e.g., id. at 2.6.1 Geographic Service Area; see also 2.9.3.

^{xii} Transcript p. 10-11 (May 20, 2024).

EXHIBIT 2
(Original Application Form)

Board of
Water and Sewer Commissioners
TOWN OF JAMESTOWN, RHODE ISLAND 02835

RECEIVED #3600
Dec 19 2023
TOWN OF JAMESTOWN

APPLICATION FOR UTILITY SERVICE CONNECTION

COMPLETED BY APPLICANT

DATE: 1/2/2024
Rural Water and Sewer District

Urban Water and Sewer District

Applicant:

Name: Jeffrey + Deborah Salati
Address: 14 Seaview Ave
Jamestown

Email: JEFFS@SalatiRE Group.com
Phone: (401) 529-9730
Plat: 7 Lot: 135
Zoning District: _____

Type of Service Being Requested:

Use: Residential (single family) ☒
Commercial _____
Other _____

Water ☒ Sewer _____
(multi family) _____
Number of Units _____

Plans Required Yes _____ No ☒ (For Office Use Only-to be checked by the Public Works Director)

New Building _____

Existing Building Home (yes)

Existing Well ☒

Existing ISDS ☒

Does applicant own contiguous land?

Yes _____ No ☒

Estimated water usage 250 GPH/DAY

ALL NOTE: Regular meetings of the Board of Water and Sewer Commissioner are held once monthly. Meetings are held at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue, Jamestown, RI. This meeting location is accessible to the physically challenged. Hearing

or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 or 423-1212 not less than 3 business days prior to this meeting.

I will Submit
Please provide a written description and plans addressing Sections 13A, 13B, 14A, 14B (Applications and Transfers) required in the Rules and Regulations of the Board of Water Commissioner. All plans when required by the Director of Public Works Director, must be received a minimum of two weeks prior to the application being placed on the agenda. Any questions concerning the rules and regulations, please call the Pubic Works Director, Mike Gray at 423-7225.

we have an existing well which had
DRY Twice This Fall. our well generates
only 1 1/2 gal/minute & is of poor
Quality. our TDS ranges between 1200 &
2100. We can't trust our water throughout
The year because of the low yield in
the well. John Lemme well & pump, North West
Water Solutions & D. Prote Engineering Assoc.
are working on my issue.

\$5620
N- \$49.00 Recording Fee for Decision Letter. (Fee effective 11/12/07 per RIGL 34-13-7(a))
This fee is due at the time the application is filed with this office. If the application is not approved by the Board of Water and Sewer Commissioners the fee will be returned to the applicant.

Applicant agrees to take water and sewer service in full compliance with the rules and regulations of the Commission. Applicant agrees to accept all cost associated with the requested service connection. In addition, applicant agrees to pay \$3000 for Water Service Connection fee and \$3000 for Sewer Service Connection fee and any other applicable water or sewer fees. All work according to approved plans and specifications. The Town of Jamestown will inspect all work before final acceptance.

Date: 1/2/2024

Applicants Signature: [Signature]

Owners Signature: _____

Approval by the Board of Water and Sewer Commissioners:

Commission President
Date _____

The following information is requested by the Federal Government in order to monitor our compliance with various civil rights laws. You are not required to furnish this information, but are encourage to do so. The law requires that we may not discriminate based upon this information, nor whether you choose to furnish it. However, if you choose not to furnish it, under Federal regulations we are required to note the race and sex on the basis of visual observation or surname. If you do not wish to furnish the above information, please check the box below.

I do not wish to furnish this information ☒

Race/National Origin: American Indian or Alaskan Native

Asian or Pacific Island

White, not of Hispanic origin

Black, not of Hispanic origin

Hispanic origin

Other (specify)

Sex:

Female

_____ ☒

Male

_____ ☒

COMPLETED BY PUBLIC WORKS/ENGINEERING DEPARTMENTS

Location of nearest water main _____

sewer main _____

Location of nearest fire hydrant _____

Size of water main _____

Type and condition of main _____

Water pressure at applicants location _____

Estimated water usage _____

New construction _____

Retrofit _____

Compliant with water saving devices _____

Comments: _____

Date _____ Signature/Title _____

COMPLETED BY PLANNING DEPARTMENT

Is request consistent with Comprehensive Community Plan?

Please explain

Potential for future subdivision? Please explain

Date

Signature/Title

COMPLETED BY FIRE CHIEF

Request will or will not reduce the level of fire protection of the community? Please explain _____

Fire Hydrants required? Yes _____ No _____

Date _____ Signature/Title _____

EXHIBIT 3
(Second Application Form)

**Board of
Water and Sewer Commissioners**
TOWN OF JAMESTOWN, RHODE ISLAND 02835

APPLICATION FOR WATER AND SEWER EXTENSION

COMPLETED BY APPLICANT

DATE: January 2, 2024

Applicant:

Email: jeff@saletinregroup.com

Name: Jeffrey & Deborah Saletin

Phone: 401-629-9730

Address: 14 Seaview Ave
Jamestown, RI 02835

Zoning District: R-40

Type of Service Extension Being Requested:

Water X Sewer _____

Use: Residential
(single family) X

(multi family) _____

Residential multi family on existing line _____

Commercial _____

Other _____

Location of Extension Request:

Street 14 Seaview Ave.

Plat: 7 Lot: 135

Please give detail description of proposed plan and anticipated annual water consumption:

We request that the town water line be extended to
service our home, which is a 3-bedroom single family home.

The water consumption is 73,000 gallons per annum or

Please attach "sketch" of proposed installations.

200 gallons per day.

(Applicants signature is required on Page 2)

We have an existing well which ran
dry twice this past fall. Our well generates
only 1 1/2 gallons per minute and the water
is of very poor quality. We are unable to treat our water
throughout the year because of the low yield in the well.
John Lemus Well and Pump, Northeast Water Solutions,
and Di Pietro Engineering Associates are working on our
issue.

☒ --\$49.00 Recording Fee for Decision Letter. (Fee effective 11/12/07 per RIGL 34-13-7)
This fee is due at the time the application is filed with this office. If the application is not approved by the Board of Water and Sewer Commissioners the fee will be returned to the applicant.

Applicant agrees to take water and sewer service in full compliance with the rules and regulations of the Commission. Applicant agrees to accept all cost associated with the requested service connection. In addition, applicant agrees to pay \$3000. for Water Service extension fee and/or \$3000 for Sewer Service extension fee and any other applicable water or sewer fees. All work according to approved plans and specifications. The Town of Jamestown will inspect all work before final acceptance.

Date: January 2, 2024

Applicants Signature: _____

Owners Signature: _____

Agreement is valid for 1 year from date of approval.

Approval by the Board of Water and Sewer Commissioners:

Commission President

Date _____

ALL NOTE: Regular meetings of the Board of Water and Sewer Commissioner are held once monthly. Meetings are held at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue, Jamestown, RI. This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 or 423-1212 not less than 3 business days prior to this meeting.

- The following information is requested by the Federal Government in order to monitor our compliance with various civil rights laws. You are not required to furnish this information,

but are encourage to do so. The law requires that we may not discriminate based upon this information, nor whether you choose to furnish it. However, if you choose not to furnish it, under Federal regulations we are required to note the race and sex on the basis of visual observation or surname. If you do not wish to furnish the above information, please check the box below.

I do not wish to furnish this information _____

Race/National Origin: American Indian or Alaskan Native _____

Asian or Pacific Island _____

White, not of Hispanic origin X

Black, not of Hispanic origin _____

Hispanic origin _____

Other (specify) _____

Sex: Female X

Male X

COMPLETED BY PUBLIC WORKS/ENGINEERING DEPARTMENTS

Location proposed Water _____ Sewer _____ Extension _____

Street or Right of Way _____ Urban District _____

Rural District _____

Location of Nearest Main: Water Main _____

Sewer Main _____

Number of Feet Proposed Extension: Water Main _____

Sewer Main _____

Number of lots served by proposed extension: Improved _____

Unimproved _____

Estimated total cost of project: Water Line _____

Sewer Line _____

Estimated total cost per foot: Water Line _____

Sewer Line _____

Would Town Provide:

Manpower: Yes _____ No _____ Equipment: Yes _____ No _____ Materials: Yes _____ No _____

Public Works Director

Comments: _____

Date _____ Signature/Title _____

COMPLETED BY PLANNING DEPARTMENT

Is request consistent with Comprehensive Community Plan?
Please explain _____

Potential for future subdivision? Please explain _____

Date _____ **Signature/Title** _____

COMPLETED BY FIRE CHIEF

Request will or will not reduce the level of fire protection of the community? Please explain _____

Fire Hydrants required? Yes _____ No _____

Date _____ Signature/Title _____

SEAVIEW AVE

SEA VIEW AVE — T

98

31

30

94

25

30

88

20

19

7

104.13

14

10

404

100

100
72

68

66

— — — = Proposed Extension
○ = 30 Year Extension Applications
due to insufficient water.

56

SEA VIEW AVE

SEA VIEW AVE

98

31

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30

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104.13

14

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404

100

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72

68

66

56

--- = proposed extension

O = 30 day Extension Applications
due to insufficient water

EXHIBIT 4
(Original Application Form w/ Town's Comments)

①

**Board of
Water and Sewer Commissioners**
TOWN OF JAMESTOWN, RHODE ISLAND 02835

REC 4908 #5620
REC 814 AM
JAN 14 2022

APPLICATION FOR UTILITY SERVICE CONNECTION

COMPLETED BY APPLICANT

DATE: 1/2/2022

☒ Rural Water and Sewer District

☐ Urban Water and Sewer District

Applicant:

Email: JEFFS@SALTIW RE

Name: Jeffrey + Deborah Saltis

Phone: (401) 529-9730

Address: 14 Seaview Ave

Plat: 7 Lot: 135

Jamestown

Zoning District: _____

Type of Service Being Requested:

Water ☒ Sewer ☐

Use: Residential ☒
(single family)

(multi family) _____

Commercial _____

Number of Units _____

Other _____

Plans Required Yes ☐ No ☒ (For Office Use Only-to be checked by the Public Works Director)

New Building ☐

Existing Building Home (yes)

Existing Well ☒

Existing ISDS ☒

Does applicant own contiguous land?

Yes ☐ No ☒

Estimated water usage 250 GAL/DAY

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or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 or 423-1212 not less than 3 business days prior to this meeting.

I will Submit
Please provide a written description and plans addressing Sections 13A, 13B, 14A, 14B (Applications and Transfers) required in the Rules and Regulations of the Board of Water Commissioner. All plans when required by the Director of Public Works Director, must be received a minimum of two weeks prior to the application being placed on the agenda. Any questions concerning the rules and regulations, please call the Public Works Director, Mike Gray at 423-7225.

we have an existing well which had
dry twice this fall. our well generates
only 1 1/2 gal/minute & is of poor
quality. our TDS ranges between 1200 &
2100. we can't trust our water throughout
the year because of the low yield in
the well. John Lemme well & Pump, Northeast
Water Solutions & D. Prote Engineering Assoc.

are working on my TSS fee.
NJ-\$49.00 Recording Fee for Decision Letter. (Fee effective 11/12/07 per RIGL 34-13-7(a))
This fee is due at the time the application is filed with this office. If the application is not approved by the Board of Water and Sewer Commissioners the fee will be returned to the applicant.

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Date: 1/2/2024

Applicants Signature: [Signature]

Owners Signature: _____

Approval by the Board of Water and Sewer Commissioners:

Commission President _____

Date _____

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I do not wish to furnish this information ☒

Race/National Origin: American Indian or Alaskan Native

Asian or Pacific Island

White, not of Hispanic origin

Black, not of Hispanic origin

Hispanic origin

Other (specify)

Sex:

Female

_____ ☒

Male

_____ ☒

COMPLETED BY PUBLIC WORKS/ENGINEERING DEPARTMENTS

Location proposed Water X Sewer _____ Extension _____

Street or Right of Way EAST SHORE ROAD Urban District _____

Rural District X

Location of Nearest Main:

Water Main APPROX. 900 L.F. SOUTH OF SEAVIEW AVE.

Sewer Main _____

Number of Feet Proposed Extension: Water Main TBD

Sewer Main _____

Number of lots served by proposed extension: Improved TBD

Unimproved _____

Estimated total cost of project:

Water Line _____

Sewer Line _____

Estimated total cost per foot:

Water Line \$400 - \$500

Sewer Line _____

Would Town Provide:

Manpower: Yes _____ No X Equipment: Yes _____ No X Materials: Yes _____ No X

Public Works Director

Comments: SEE MEMO TO WIS COMMISSION

DATED 2-15-24

Date 2-15-24

Signature/Title

[Signature] PWD

COMPLETED BY PLANNING DEPARTMENT

Is request consistent with Comprehensive Community Plan?

Please explain

Although the Comprehensive Plan does not provide specific policy in terms of water or sewer connections in the Rural district, it does have reference to the issue as follows:
The main service area for the public water supply is the village area. The urban district is the area that has historically served as the commercial and residential focus for the Island. Public services and facilities have traditionally been located in the village area. Water service is also supplied to the rural water district. The current policy of the Town in the rural water district is to provide public water only to existing lots and not subdivided lots. Water service connections in this area are subject to the approval of the Town's Board of Water and Sewer Commissioners, and must be consistent with the Comprehensive Community Plan.

Goals and Policies of the Comprehensive Plan relevant to this application are as follows:

Public Services and Facilities Element

Goal #1 : Provide a high quality of public services to the community that protect the health, safety, and welfare of all residents.

Goal #2: Provide orderly and efficient arrangement of public services and facilities that support the existing and future needs of the community.

Policy #4: Manage growth to ensure there are adequate public services and facilities to accommodate Jamestown's growing population.

Potential for future subdivision? Please explain: This parcel, (Plat 7, Lot 135) owned by Jeffrey and Deborah Furness Saletin, is an existing lot of record in the R-40 Zoning District (requiring 40,000 square feet or 40,000 square feet minimum lot size) containing 0.61 acres. This is an existing non-conforming lot by size. Based upon the size and the Dimensional Regulations listed in Table 3-2 of the Zoning Ordinance, Lot 135 is not subdividable.

Date February 13, 2024 Signature/Title Lisa W. Bruer, AICP, Town Planner

Water-Sewer Applications/Saletin2024, Plat 7 Lot 135

Saletin

COMPLETED BY FIRE CHIEF

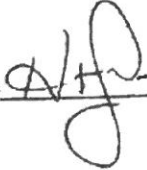
Request will or will not reduce the level of fire protection of the community? Please explain

Request will NOT Reduce The level of fire protection

FIRE hydrant NEEDED IN AREA

Fire Hydrants required? Yes ☒ No ☐

Date 1/9/24

Signature/Title  CHIEF

14 SEAVIEW AVE.

COMPLETED BY FIRE CHIEF

Request will or will not reduce the level of fire protection of the community? Please explain

Fire Hydrants required: Yes ☒ No ☐

Date 5.19.2021

Signature/Title ..

 CHIEF

EXHIBIT 5
(Northeast Water Solutions Report)

Northeast Water Solutions, Inc.

RECEIVED

@ 12:52 pm

FEB 23 2024

Town of Jamestown

Memo

 COPY

To: Town of Jamestown, RI

From: Robert F. Ferrari, PE

CC: Jeffrey Saletin – Owner, 14 Seaview Avenue, Jamestown, RI

Date: February 16, 2024

Re: Water Supply Evaluation 14 Seaview Avenue, Jamestown RI

Due to repeated water supply problems experienced by the owner, NWSI has conducted several evaluations of the existing water supply well, well water characterization and treatment system at 14 Seaview Ave. Jamestown, RI 02835 (Map 7, Lot 135). The problems reported by the owner, and validated by NWSI have included inadequate well capacity, extremely poor water quality, and periodic loss of well water supply.

The existing residential well is installed to a depth of approximately 500 ft. BGS, located in the NW corner of the parcel, immediately adjacent to the driveway and Seaview Avenue. The well pump is installed at a depth of 350 ft. BGS to maximize storage within the borehole. Due to water supply capacity problems, the well has undergone re-development efforts (Lemme Well Services), demonstrating a maximum effective yield of 1.1 gpm.

Due to extremely poor water quality (see Table 1, below), a whole-house reverse osmosis (RO) water system (Hellenbrand H4-2000) and 500-gallon water storage tank were installed in 2018. This RO capacity and storage volume is necessary to meet the water supply requirements of the 3-bedroom, 3-bathroom residence. The RO system requires a feedwater flowrate of approximately 6 gpm to function correctly. At the time of installation, the submersible well pump was increased in capacity to 7 gpm (1.5 HP) to meet the RO feedwater requirements.

Due to the limited well yield/recharge the well experiences excessive drawdown, ultimately dewatering the well, resulting in multiple loss-of-service events during the 2023 summer season. The drawdown recovery, necessary to reactivate the well, is extremely slow resulting in long periods with no water supply.

Well Water Characterization

NWSI obtained samples of the raw well water in January 2018 and February 2024 to assess the water characterization, summarized in Table 1. The raw well water demonstrates significantly elevated total dissolved solids (TDS) including extremely elevated chloride (1,160 mg/L & 1,290 mg/L) and sodium (450 mg/L & 1,050 mg/L). Calcium (270 mg/L & 222 mg/L) and magnesium (67 mg/L & 70.2 mg/L) are also extremely elevated, resulting in a massive total hardness content in the water. These four (4) contaminants clearly demonstrate the water supply well is under

seawater influence. This raw well water characterization significantly exceeds the USEPA and RIDOH drinking water limits for TDS and chloride, and also exceeds the USEPA Health Advisory Limits for sodium and manganese, mandating treatment.

Table 1 Summary of Raw Well Water Characterization 14 Seaview Avenue, Jamestown, RI		
Parameter	January 3, 2018	February 5, 2024
pH – Field	-----	7.40 s.u.
pH – Laboratory	7.1 s.u.	7.83 s.u.
Total Dissolved Solids (TDS)	2,200 mg/L	3,460 mg/L
Specific Conductance	4,000 umhos/cm	4,160 umhos/cm
Alkalinity (as CaCO ₃)	130 mg/L	120 mg/L
Chloride	1,160 mg/L	1,290 mg/L
Sulfate	121 mg/L	163 mg/L
Calcium	270 mg/L	222 mg/L
Magnesium	67 mg/L	70.2 mg/L
Total Hardness (as CaCO ₃)	950 mg/L	843 mg/L
Iron	0.12 mg/L	0.199 mg/L
Manganese	0.48 mg/L	0.0295 mg/L
Potassium	-----	6.17 mg/L
Sodium	450 mg/L	1,050 mg/L
Zinc	0.021 mg/L	0.0302 mg/L

The water analyses identify another extremely serious problem. In general, coastal wells in Jamestown often demonstrate an increase in salinity (measured as sodium, chloride, TDS and/or Specific Conductance) during the summer period when water withdrawals and aquifer stress are at maximum. However, the well at 14 Seaview Avenue demonstrates seriously elevated salinity during the winter season during a period of low stress. This indicates the well is under relatively strong seawater influence.

Furthermore, the well water characterization has degraded from 2018 to 2024 with significant increases in chloride and sulfate, and a massive increase in sodium, following implementation of the reverse osmosis treatment system. This potentially indicates the water quality in the aquifer underlying this parcel is degrading due to the necessary on-site discharge of the concentrated RO reject water (2.5X concentration factor). The trend of water quality degradation can be anticipated to continue as long as the RO reject water is discharged on-site.

Alternatives for On-Site Water Supply Development

NWSI has evaluated alternatives to develop a new on-site water supply, including the following:

- **Hydro-Frack the Existing Well:** This methodology has been successful to increase the yield of bedrock wells. However, the well at 14 Seaview Avenue has very limited fracturing, which in-turn limits the potential to develop additional water supply yield by hydro-fracking. Another consideration is that hydro-fracking the well to increase recharge would likely result in greater intrusion of seawater water, further degrading an already poor raw water quality.

- Drill a New Well: The existing well is located on the western portion of the residential parcel. The frontage area of this parcel is disqualified because it is in close proximity to Seaview Avenue and neighboring lots (OWTS), and is in a flood zone, all representing contaminant threats. The open, rear area of the parcel extending from the residential structure to the shoreline has access for well drilling. However, this location is disqualified due to proximity to the on-site wastewater disposal system (OWTS), and is also in a flood zone. Furthermore, this alternative location increases the potential for brackish water intrusion into the well. Siting a new water supply well on this 0.611-acre lot would result in non-conformance with the required protective setback from the OWTS, and increase the potential for contamination of the water supply well.

Summary Conclusions:

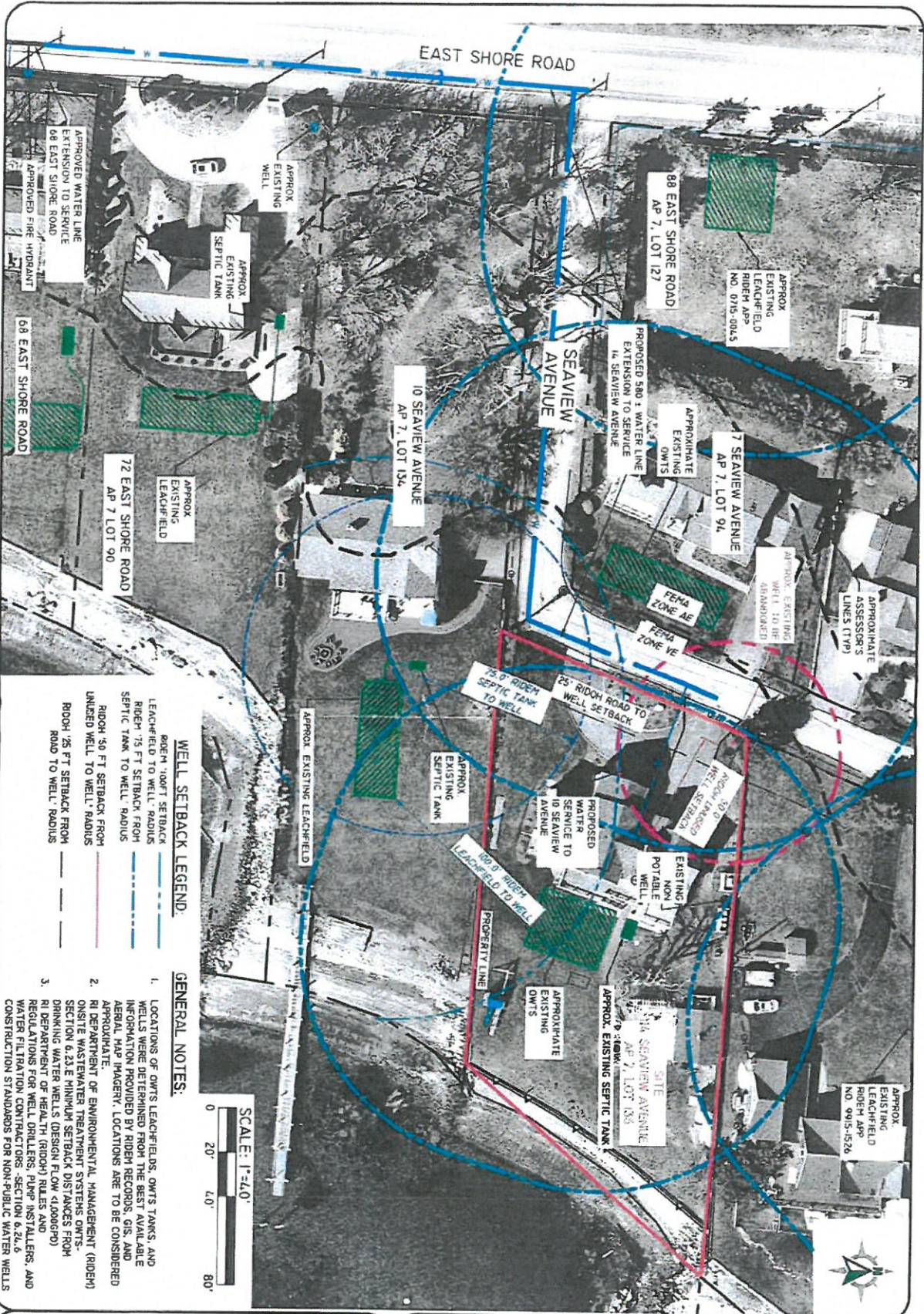
The existing residential well has an effective recharge/yield of ≤ 1.1 gpm which is inadequate to support a single-family residence. Furthermore, the well demonstrates limited fracturing and recharge, which is not unexpected for the bedrock in this area of Jamestown. As a result, there is no expectation that hydro-fracturing would measurably increase the well yield, and would likely degrade water quality due to increased sea water intrusion.

There is no realistic alternative for drilling a new water supply well on this parcel, due to proximity to unacceptable contaminant threats. Additionally, there is no realistic expectation that a modest relocation of the well position on this site, would result in intersecting more favorable bedrock/geologic conditions to provide improved well capacity or water quality.

Finally, this residence has previously implemented a reverse osmosis system for desalinization of the brackish well water. However, the well has insufficient capacity to meet the RO feedwater requirements for sufficient duration to satisfy the water demands. Furthermore, there is very strong evidence that the disposal of the RO reject water is further degrading the water quality in the underlying aquifer.

The loss of an adequate water supply, and degraded groundwater quality represent a significant public health and safety threat. It is strongly recommended that this residence pursue a connection to the municipal water distribution system, as the optimum means to resolve the water supply and water quality problems.

EXHIBIT 6
(Plan prepared by DiPrete Engineering)



EXISTING OWTS & WELL EXHIBIT

14 SEAVIEW AVENUE

AP 7 LOT 135, JAMESTOWN, RHODE ISLAND

PREPARED FOR:
JEFFREY SALETIN

SHEET
OF



DiPrete Engineering

Two Stafford Court, Cranston, RI 02920
tel 401-943-1000 fax 401-464-6006 www.diprete-eng.com

EXHIBIT 7
(Lemme Invoice)

J Lemme Wells and Water Systems
606 Perry Hill Road
Coventry, RI 02816 US
(401) 385-3330
jlemmewellandwater@yahoo.com
www.jlemmewellandwater.com



INVOICE

BILL TO
Jeff Saletin
14 Seaview Avenue
Jamestown, RI 02835

INVOICE # 5717
DATE 07/15/2023
DUE DATE 07/15/2023
TERMS Due on receipt

ACTIVITY	QTY	RATE	AMOUNT
Service Call No Water. 7/15/2023 Well was empty. Recovery rate of well is inadequate to run reverse osmosis system in home. Well recovery is 1 GPM. 3 GPM needed to run Reverse osmosis system.	1	250.00	250.00
Service Call No water 8/20/2023 same issue.	1	250.00	250.00

PAID

PAYMENT	500.00
BALANCE DUE	\$0.00

EXHIBIT 8
(Michael Gray Memo)

**Town of
Jamestown, Rhode Island**

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



Date: February 13, 2023

To: Board of Water and Sewer Commissioners

From: Michael Gray
Public Works Director

RE: Water Extension Application
East Shore Road

We have received four applications for water services that will require an extension of the 8" watermain within East Shore Road in the Rural Water District. The following applications have been received:

1. Jeffrey and Deborah Saletin, 14 Seaview Avenue
2. Glenn and Marjorie Andreoni, 10 Seaview Avenue
3. Stephen Zimmiski & Suzanne Gagnon, 7 Seaview Avenue
4. Paul Frechette, 19 Seaview Avenue

Applications for water service were previously received for 10 Seaview Avenue and 14 Seaview Avenue and were denied by the Commission in 2021. Applications for 7 Seaview Avenue and 19 Seaview Avenue are new requests for water service.

I have attached a figure indicating where the existing 8" water line terminates in East Shore Road and the extension that will be installed as part of the agreement with the property owner of 68 East Shore Road. The four properties requesting water service are located to the north of 68 East Shore Road and are outlined in red. A watermain extension will be required if any of the applications received are approved.

Applications

The following is a summary of each of the four applications that have been received. The four lots are neighboring each other and they should be reviewed individually. Each owner will be required to present their application with supporting information to the Commission.

Jeffrey and Deborah Saletin, 14 Seaview Avenue

The Owners have stated in the application that the existing well on the property has an existing yield of 1.5 gallons per minute with poor water quality due to total dissolved solids (TDS) between 1200 and 2100 mg/l. Last year the existing well ran dry on two occasions and J Lemme Wells and Water Systems were called to service the well. A copy of the invoice from J Lemme for the two service calls was provided by the applicant. A note on the invoice indicates that the well was found to be dry and that the recovery rate was insufficient to run reverse osmosis treatment.

Glenn and Marjorie Andreoni, 10 Seaview Avenue

The Owners are requesting water service to their property due to poor water quality and yield from their existing well. They have provided a report from North East Water Solutions, Inc. regarding an inspection of the existing well conducted in December 2023. Conclusions of the testing indicate the existing well had a yield of 0.6 gpm. Analytical results from a water sample collected from the well indicate the presence of TDS at 2220 mg/L indicating the well is impacted with salt water.

North East Water Solutions evaluated two alternatives for water supply on the subject property. Increasing the yield from the well through hydro-fracking and drilling of a new well. Hydro-fracking was not implemented due to limited fracturing of the bedrock within the well and the risk of degrading the water quality due to salt water intrusion. Drilling a new well was disqualified due to onsite wastewater system locations, road offset requirements, and that the property is located in a flood zone due to the elevation relative to the bay.

North East Water Solutions also investigated options for onsite treatment of the existing well. They concluded that there is insufficient well yield to support a treatment system.

Paul Frechette, 19 Seaview Avenue

The Owner is requesting water service to their property based upon the existing well capacity. He has indicated that the well runs dry when washing clothes and outdoor water use. There is no supporting information provided with the application.

Stephen Zimniski & Suzanne Gagnon, 7 Seaview Avenue

The Owners are requesting water service to their property based upon the operation of the well. A report was provided from Wellworks LLC indicating that the water flow (yield) does not meet state requirements and that a 500 gallon storage tank be installed.

I have provide the following information to assist the Commissioners with their review.

The Rules and Regulations for the Board of Water and Sewer Commissioners, May 2009

Section 14 B Rural Water Districts. All service connections in the Rural Water District shall be subject to the following conditions:

- a. Shall be subject to the requirements described for connections in the urban district
 - b. The applicants shall show to the satisfaction of the Commission that the proposed service connection requested:
 1. Is Consistent with the Comprehensive Community Plan
 2. Will not impair the available resources of the Urban Water District;
 3. Will not reduce the level of fire protection of the community; the property shall not be part of a major subdivision.
 4. Extensions to and within the rural district shall be prohibited.
- The regulations allow the Board of Water and Sewer Commissioners from making such improvements, including extensions, which shall, in the opinion of the Board, improve the quality or quantity of water furnished to existing water uses.

R.I.G.L 46-15-2 Approval of public water supply facilities

I have attached a copy of the RI General Law 46-15-2 relating to the approval of water supply facilities. This law was amended in June 15, 2022 as highlighted in blue. The law requires that commission review applications for extension mains with the standards as listed in 1 through 7.

RIDOH – Reading your Water Analysis Report

I have attached information from the RI DOH regarding private well water lab reports. This information was made available to the public to educate homeowners about well testing and the standards for water quality. Tables are included that provide the maximum contaminant levels and standards for each parameter that may be tested by the lab.

RIDEM – Appendix C - Rules and Regulations Governing the Enforcement of Chapter 46-13.2 Relating to the Drilling of Drinking Water Wells.

I have attached Appendix C from the rules that provides the minimum criteria for yield based upon the minimum depth of a bedrock well.

The four properties are located in the Rural Water District and do not front an existing watermain therefore an extension will be required. Section 14 b of the Rules and Regulations of the Board of Water and Sewer Commissioners prohibit extensions in the rural water district. The Regulations allow the Commissioners the ability to approve an extension if it is found to improve the quality or quantity of water to existing users. RIGL 46-15-2 includes standards for which applications must be reviewed by a water supplier.

The application for 10 Seaview Avenue includes background information prepared by a professional engineer in the field including well water testing data. The owner at 14 Seaview Avenue has hired the same professionals but a report has not been provided to support the application at this time. Applications for 7 and 19 Seaview did not include supporting information but both owners have stated they experience similar conditions with their well having low yield.

The four applications before the board have applied for a connection based upon inadequate well yield. Two applicants have also provided water testing information indicating that well water quality is poor. Options to resolve the water quantity and quality issues that involve hydro-fracking, well drilling, and onsite water treatment systems may not be feasible as the report indicates for 10 Seaview Avenue. The well inspection and pumping report for that property shows bedrock/geologic conditions produce limited yield to meet well industry standards. Laboratory reports that have been submitted show total dissolved solids detected in wells indicating salt water is impacting groundwater conditions. But low well yield impacts the ability for onsite water treatment to improve water quality.

We have been involved over the past several months in updating the Water System Supply Management Plan including a Build-Out analysis for submission to the Water Resources Board. This update includes an analysis of current and projected water demands within the water district and a review of available water supply in the system. Watermain extensions outside of the current water district limit was not part of this analysis when determining future demand on the available water supply. The current supply does not produce enough water to meet maximum day demands presently. Forecasted data indicate that average day demand at build-out within the existing district exceeds the available capacity of our reservoir and well. Extensions of watermain outside of the district boundaries will place additional demand stress on the limited supply not factored into the build-out analysis.

The attorney states in the application for 10 Seaview Avenue that their application is for one house and no other. Presently the Commission has three applications from neighboring properties claiming similar conditions with their well. The Commission may not be able to make a decision in a vacuum for one property owner. Watermain extensions must not be completed incrementally on the same street in the same neighborhood. Extensions if approved must be planned and limits must be set.

