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NARRAGANSETT TOWN COUNCIL AGENDA ITEM REPORT

DATE: November 20, 2023

FROM: Ewa M. Dzwierzynski, President

DEPARTMENT: Town Council

SUBJECT:

A MOTION TO REJECT the recommendations of the Sewer Policy Committee and APPROVE the waiver application for Plat V Lot 40 (649 Point Judith Road) on the basis that the proposed project will be permitted to connect to the privately owned sewer fronting the property if a waiver is granted, which was not documented at the time of the Sewer Policy Meeting.

SUGGESTED ACTION:

On 10/2/2023 this motion was brought before the town council and failed with a 2-2 vote. At the 11/6/23 meeting, a motion to RESCIND the motion passed 3-2. The motion from 10/2/2023 is now being brought before the council for consideration.

The Sewer Policy Committee meets on an ad hoc basis to hear appeals from staff level decisions relating to the Town's Sewer Policy. The Committee met on August 21, 2023, to consider the request for relief submitted for Plat V Lot 40 (649 Point Judith Road). After discussion, the Sewer Policy Committee voted to recommend that the Town Council deny the necessary Sewer Policy waivers for this application. Draft minutes of the August 21, 2023 Sewer Policy Committee meeting and a plan of the subject property, along with a project summary and draft plans depicting the existing conditions and proposed redevelopment provided by the applicant, are attached for the Town Council's consideration and reference regarding the subject application for relief.

Also attached is a copy of correspondence confirming that permission to connect to the privately owned sewer (which is required as a condition of approval) can be secured for the proposed project, which has been provided at this time by the applicant for the Town Council's consideration in further support of this request. This permission was not documented for the Sewer Policy Committee at the meeting and would have affected discussion, and possibly influenced the Committee's deliberation on the waiver application for Plat V Lot 40 (649 Point Judith Road), if presented at that time. Note that, subsequently to the Sewer Policy Meeting, Engineering has determined that the gravity sewer in the West Winds Condominium property is owned/operated by the Town and not by West Winds. The only private sewer line for which permission to connect is needed for the proposed project is the "Manning Line" low pressure sewer.

Per the Sewer Policy Implementation section, sewer capacity is reserved for projects that provide affordable housing opportunities under the Town's Affordable Housing Plan or some measure of commercial or industrial growth and for failed onsite wastewater treatment systems.

The applicants propose to redevelop the property to provide eight (8) new residential housing units, three (3) of which would be affordable (low to moderate income) housing units and have indicated that the project's viability is dependent upon providing sanitary sewer service to the property. There is available capacity at the Scarborough WWTF. A waiver of Section 2.d, if granted, will allow for eight (8) units to be permitted for this property. A waiver of Section 4, if granted, will allow for sewer connection to a parcel not located within the Sewer Areas (without expanding the Sewer Policy Sewer Areas).

If the Town Council is inclined to grant this waiver, the following conditions will apply:

1. Any sewer extension must be designed and installed across the full frontage of the property in question.
2. All design and construction costs must be paid for by the applicant, and the sewer must be inspected and accepted by the Town before actual connection permits are issued.
3. Sewer Lot Development Fees (all areas) and Infiltration/Inflow Removal Fees (areas tributary to the Regional WWTF only) apply to each unit according to the Sewer Policy.
4. If a connection to a private sewer is under consideration, the applicant must present written approval to connect to same from the owner of said sewer as a condition of approval.
5. The applicant will be responsible for documenting that the existing private sewer ("Manning Line" only) has sufficient capacity to accommodate the additional flow from the proposed development.

The proposed redevelopment project will be reviewed by the Planning Board.

ATTACHMENTS:

[649 Pt Judith Rd - request for vote change.pdf](#)

[10-02-2023_Sewer_Policy_Waiver_agenda_item_649_Pt_Judith_Rd.pdf](#)