



**Regular Meeting**

~ Minutes ~

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**I. CALL TO ORDER**

The meeting was called to order at 6:05 PM by Chairman Thomas M. Ferrio

**II. ROLL CALL**

**Motion to:** Motion to move Agenda Item #1177 to here in meeting.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elizabeth V. Richardson, Vice-Chairman
<b>SECONDER:</b>	Barbara Lutzel, Commissioner
<b>AYES:</b>	Thomas M. Ferrio, Robert D. Frost, Barbara Lutzel, Elizabeth V. Richardson
<b>ABSENT:</b>	Peter Ogle

Cesspool Temporary Hardship Waiver Application Hearing - BARBER, BETTIE, 772 Alton-Carolina Road, Cesspool Phaseout Zone 4 (May 2013) WAIVER REQUEST (CWZ4-14-05)

*The applicant was present for the meeting and was sworn in by Mr. Brochu. Mr. Dowling presented the applicant's waiver request to the commission. Mrs. Barber presented her information to the commission.*

*The Wastewater Management Commission, hearing the applicant's testimony and the report of the On-site Wastewater Manager in the application for a Cesspool Phase-Out Temporary Hardship Waiver, makes the following findings:*

- (A) The Property contains a single family dwelling owned by the Applicant,*
- (B) The Applicant lives in another owned dwelling at 735 Alton-Carolina Road,*
- (C) The property is the year-round residence for 8 (eight) family members of the Applicant, and generates no rental income,*
- (D) The Property utilizes a cesspool to manage wastewater from the Applicant's dwelling,*
- (E) The cesspool is located in Zone 4 of the Charlestown Cesspool Phase-out Prioritization Overlay, required by Town Ordinance to be removed and replaced with an on-site wastewater treatment system (OWTS) suitable for the Wastewater Management District before June 1, 2013,*
- (F) Town Records indicate the cesspool was last pumped and inspected on August 7, 2008, which is far out of compliance with the annual pumping and inspection required by Town Ordinance 210,*
- (G) No drinking water tests were made available to the Commission,*

*(H) The Applicant has been working with the court since September 2013. Applicant first expressed interest in requesting a Hardship Waiver, then planned to apply for CSSLP funding, then agreed to replacement on a schedule with benchmarks, then made no progress toward the scheduled benchmarks and is now requesting a Hardship Waiver.*

*(I) Because of the delay since the first interest in requesting a Hardship Waiver, the request was not made using the current form for requesting a Hardship Waiver and current list of requested information was not submitted,*

*(J) The Applicant presented her hardship case based on financial hardship and lack of time,*

*(K) The review of financial records provided by the Applicant indicates the Applicant may meet the HUD Low Income Limits, however, the requested income tax records were not provided,*

*(L) The Property is owned, with a mortgage, which the Applicant estimates to have \$500 (five hundred dollars) per month payments,*

*(M) The Applicant's personal residence is owned with no mortgage.*

*The Wastewater Management Commission makes the following determination in this case:*

*The homeowner has not demonstrated an undue financial hardship exists.*

*The Wastewater Management Commission denies the extension request and directs the Town of Charlestown On-site Wastewater Manager to work with the applicant and the Court to establish a schedule for replacement of the cesspool.*

*The Wastewater Management Commission also directs the Town of Charlestown On-site Wastewater Manager to initiate enforcement procedures to resolve the inspection and pumping of the existing cesspool and to assure that the dwelling drinking water is safe.*

*Motion to deny Hardship Waiver request made by Ms. Richardson and seconded by Mr. Frost.*

<b>RESULT:</b>	<b>DENIED [0 TO 4]</b>
<b>MOVER:</b>	Elizabeth V. Richardson, Vice-Chairman
<b>SECONDER:</b>	Robert D. Frost, Commissioner
<b>NAYS:</b>	Thomas M. Ferrio, Robert D. Frost, Barbara Lutzel, Elizabeth V. Richardson
<b>ABSENT:</b>	Peter Ogle

### **III. REVIEW AND APPROVAL OF MINUTES**

1. Review and Approval of WWMC July 9, 2014 Regular Meeting Minutes  
*Motion to approve minutes of Regular Meeting of July 9, 2014.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Robert D. Frost, Commissioner
<b>SECONDER:</b>	Thomas M. Ferrio, Chairman
<b>AYES:</b>	Thomas M. Ferrio, Robert D. Frost, Barbara Lutzel, Elizabeth V. Richardson
<b>ABSENT:</b>	Peter Ogle

2. Review and Approval of WWMC Special Meeting 1 July 2014

*Motion to approve minutes of Special Meeting of July 1, 2014.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Elizabeth V. Richardson, Vice-Chairman
<b>SECONDER:</b>	Robert D. Frost, Commissioner
<b>AYES:</b>	Thomas M. Ferrio, Robert D. Frost, Barbara Lutzel, Elizabeth V. Richardson
<b>ABSENT:</b>	Peter Ogle

#### IV. COMMUNICATIONS AND REPORTS

1. Solicitor's Report

<b>RESULT:</b>	<b>NO VOTE TAKEN</b>
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2. Wastewater Manager's Report

*Wastewater Manager's report was received and placed on file.*

<b>RESULT:</b>	<b>NO VOTE TAKEN</b>
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#### V. OLD BUSINESS

1. Review, Discussion and Potential Action Pertaining to the Siting of On-Site Wastewater Treatment Systems Relating to the Planning Commission's Proposed Zoning Ordinance Revisions

*Mr. Ferrio suggested carrying this over to next month.*

<b>RESULT:</b>	<b>NO VOTE TAKEN</b>
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2. Discussion and Potential Action Regarding an Amendment to the wording of the March 20, 2014 WWMC Special Meeting Requested by Ms. Barbara Lutzel

*Motion made by Ms. Lutzel to modify the minutes of the WWMC Special Meeting of March 20, 2014, to delete the sentence "Ms. Lutzel stated that she is confused, and that she just doesn't know" (located top of page 5). Ms. Lutzel stated that she had not finished her thought, and that she was startled by the animus of the people in the audience.*

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Barbara Lutzell, Commissioner
<b>SECONDER:</b>	Elizabeth V. Richardson, Vice-Chairman
<b>AYES:</b>	Thomas M. Ferrio, Robert D. Frost, Barbara Lutzell, Elizabeth V. Richardson
<b>ABSENT:</b>	Peter Ogle

**VI. NEW BUSINESS**

**VII. PUBLIC COMMENTS**

None

**VIII. ADJOURNMENT**

The meeting was closed at 7:25 PM

Attest:

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Bonnie Langlois, WWMC Recording Secretary