

New Shoreham Town Council Meeting
Town Hall, Old Town Road
Wednesday, September 15, 2010
7:00 p.m.

Present: First Warden Kimberley H. Gaffett, Second Warden Raymond J. Torrey, and Council members Peter B. Baute, Richard P. Martin and Kenneth C. Lacoste. Also present, for the recording of minutes, was Deputy Town Clerk Millicent McGinnes.

First Warden Gaffett called the meeting to order at 7:03 p.m.

Warden's Report

First Warden Gaffett reported the following:

- Town Manager Nancy Dodge is not present as she has a personal family commitment.
- The Chamber of Commerce and the Tourism Council will hold a joint meeting on September 27, 2010 at 5:00 p.m. at the Spring House.
- Dustkill will be applied on the evening of September 19th and during the day September 20th. Beacon Hill and Payne Road will not receive an application of dustkill this year due to receipt of a 23 signature petition. The road crew is prepared to help clean cars if needed.

Public Input

From the audience, the following people spoke:

- Ted Merritt, representing the Harbors Committee questioned why a grant to renovate the launch ramp was not sought. He noted the deadline for the grant filing is September 26th.
- Edith Blane stated there is a pot hole at the end of West Beach Road that needs to be addressed. She further stated that a plan should be developed to install stairs to the beach and trim the trees on the property across from the National Hotel. Ms. Gaffett noted that a group would look at that over the winter.
- Cliff McGinnes, Sr. questioned whether the well at Heinz Field has been dug and had been paid for. It was noted that the answer to both questions was yes.
- Mr. Shepard thanked the Town for removing a tree on Cooneymus road that was blocking his view.
- Bud Comeau suggested that bike safety pamphlets be developed for distribution on the ferry and around town.

Public Hearing: Proposal to Amend New Shoreham Zoning Ordinance by replacing Article 3, Section 315 "Flood Control Overlay" in its entirety

Ms. Gaffett noted that the ordinance amendment is a result of a FEMA mandate to pass an ordinance by October 19, 2010 reflecting new FEMA flood maps. She stated that a summary of the changes was advertised and a favorable Planning Board recommendation dated 9/10/10 has been received. Ms. Gaffett explained that Town Attorney Packer provided the Town with an abbreviated two page ordinance which meets all requirements, instead of the multipage ordinance which was initially provided. She read the abbreviated ordinance amendment in its entirety (attached), deleting the final ten lines that refer to another town.

Ms. Gaffett made a motion to close the public hearing and approve the abbreviated amendment to the New Shoreham Zoning Ordinance read earlier, as it relates to the Flood Control Overlay and deleting the last ten lines as previously noted. Dr. Baute seconded the motion and it carried.

5 Ayes (Gaffett, Torrey, Lacoste, Baute, Martin) 0 Nays

Discuss and review Island-wide public access points re: maintenance policies and goals

GIS Specialist Dan Lewis presented GIS maps highlighting public beach access around Block Island. He noted that there was an initial list of 47 points, which was scaled down in the Harbor Management Plan to 27.

Ms. Gaffett explained that the Council wanted to hear what the public may want as policies and goals for public access points.

From the audience, the following people spoke: Peter Greenman; Mr. Shepard; Terry Mooney; Building Official Marc Tillson; Joanne Hutchins; Susie Weisman; Chris Blane; Martha Wilson; Bud Comeau; Chris Littlefield; Sandy Greenman; Bruce Montgomery; Edie Blane; Martha Ball; Rosemary Ives; Pat Doyle; Elizabeth Lee; Doug Hoyt; Bill Hutchins; Verna Littlefield; and Dan Lewis.

The first speaker spoke in regards to the Cooneymus Road beach access being obstructed by an abutter's plantings. Although Ms. Gaffett explained that they would not be discussing the particular piece of property, as it was under litigation, the property was referred to several times throughout the discussion.

Other items of discussion included:

- Each public access should be examined with references made to their exact historical creation and consideration given to opening them to their historic dimensions.
- Many public accesses are not safe, as they are steep and treacherous.
- Much of the public access parking areas have been limited.
- Opening the accesses up to driving may help to keep them open.
- Most access points should be kept open and maintained as walking paths only.
- It is the responsibility of the Town to spend more money on the maintenance of public access areas for our tourist community.
- A balance needs to be struck between appropriate maintenance and erosion control.
- Payne Overlook stairs and access should be improved or posted.
- Access should be maintained for Emergency vehicles.
- A committee or group should be assigned to work on a public access shoreline report.

Following much discussion, Ms. Gaffett suggested working toward setting up a review structure regarding public shoreline access and to address the structure at the next meeting.

The Town Council took a five minute recess at 9:07 p.m.

Act on request of Deepwater Wind re: request for a letter of support for Deepwater Wind's application to the U.S. Department of Energy Loan Guarantee Program – tabled item from 8/18/10

It was noted that the Council began discussion on this issue at their interim August meeting.

Bryan Wilson was present representing Deepwater Wind. He referred to a letter from Bill Moore dated 9/9/10 (attached) outlining Deepwater Wind's request that the Council send a letter of support to the US Department of Energy Loan Guarantee Program regarding their application. Deepwater Wind is applying for loan guarantees to fund 80% of the Block Island off-shore windfarm. Mr. Wilson noted that the application was integral to the completion of the project. Discussion ensued.

From the audience, Rosemary Ives spoke in objection to supporting the Deepwater application and Cliff McGinnes, Sr. and Barbara MacMullan spoke in favor of supporting the application.

A draft letter in support of the application was reviewed. Mr. Lacoste suggested adding language to the letter directly referring to the transmission cable to the mainland as part of the project.

Ms. Gaffett made a motion to rescind the previous motion regarding the Deepwater Wind application for US Department of Energy loan guarantees and clear the table. Mr. Martin seconded the motion and it carried.

5 Ayes (Gaffett, Torrey, Lacoste, Baute, Martin) 0 Nays

Mr. Martin recused himself.

Ms. Gaffett made a motion to send a letter of support to accompany Deepwater Wind's application for loan guarantees for the Block Island wind farm and that the letter should include a statement that the Council recognizes Block Island's biggest benefit comes from a cable to mainland and also include the changes offered to the draft letter by Mr. Lacoste. Dr. Baute seconded the motion and it carried.

4 Ayes (Gaffett, Torrey, Lacoste, Baute) 0 Nays 1 Recusal (Martin)

Receive and act on letter from Aldo's Bakery re: Game Licenses in Aldo's building
Mr. Martin returned to the table.

It was noted that no one was present representing Aldo's Bakery.

Ms. Gaffett stated that a letter was received from Aldo's Bakery requesting either of the following:

- The Council restore 5 additional games under their game license (as they state they used to have 20); or
- Amend the section of the zoning ordinance which prohibits videogame parlors, to allow those parlors presently in existence, to have 6 games.

She explained that this was a licensing issue and based on research the following was found: Aldo's Bakery has had only 1 game allowed under their license since 1998; video parlors are prohibited by zoning ordinance since 1989; a non-conforming use cannot be reestablished; and a video parlor was not authorized in the Old Harbor Meadows planned development approvals (which includes the bakery building). She further noted that they can pursue an amendment to the Zoning Ordinance if they choose.

No action was taken on the item.

Receive and act on NS Police Dept monthly report: August

Dr. Baute suggested that the Police Chief attend an October meeting to discuss safety issues.

Minutes: August 31, 2010 (open & closed session), September 7, 2010 (open & closed session)

Ms. Gaffett made a motion to approve the open and closed session minutes of August 31, 2010 and the open session minutes of September 7, 2010 with changes. Mr. Lacoste seconded the motion and it carried.

5 Ayes (Gaffett, Torrey, Lacoste, Baute, Martin) 0 Nays

Continuation of Public Comment

Mr. Martin noted that Verizon was no longer providing an on-island serviceman and they would be bringing servicemen over from the mainland. He suggested Verizon be encouraged to upgrade the phone lines when the power lines are upgraded.

Mr. Lacoste asked that the Town Manager be directed to call the Coast Guard and request that they address the incorrect action of the fog horn.

Mr. Martin asked for a timeline of the Old Harbor Dock project.

From the audience, Cliff McGinnes, Sr. requested a written report from the Clerk of the Works of the Old Harbor Dock project.

With no further business to discuss, Ms. Gaffett made a motion to adjourn at 9:49 p.m. Mr. Torrey seconded with all in favor.

Millicent McGinnes
Deputy Town Clerk

Submitted: September 27, 2010
Approved: October 4, 2010