



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**COASTAL RESOURCES MANAGEMENT COUNCIL**

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In accordance with notice to members of the Rhode Island Coastal Resources Management Council's Planning and Procedures subcommittee, a meeting of the subcommittee was held on Tuesday, December 1, 2009 at CRMC, Stedman Government Center, Wakefield, RI.

**MEMBERS PRESENT**

Michael M. Tikoian, Chair  
Paul Lemont, Vice Chair  
Bruce Dawson  
Russ Chateaufneuf, DEM

**STAFF PRESENT**

Jeff Willis, Deputy Director  
James Boyd, Coastal Policy Analyst  
Lisa Mattscheck, Office Manager  
Laura Ricketson Dwyer, Public Ed/Outreach Coord

Brian Goldman, Legal Counsel

**OTHERS PRESENT**

Wendy Waller, Save the Bay; Doug Groff; Jeanne Boyle, Director of Planning, City of East Providence; Scott Rabidue, NRS; Don Pryor

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**Call to Order.** Mr. Tikoian called the meeting to order at 8:30 a.m.

Mr. Tikoian asked for a motion to approve the previous meeting minutes of the subcommittee for August 18, 2009.

*Mr. Lemont seconded by Mr. Dawson and Mr. Gomez moved to approve the meeting minutes of August 18, 2009. All voted in favor of the motion to approve.*

**Item 4.A. and Item 4.B - Management Procedures Sections 4.3 and 5.7.** J. Willis explained that these items were placed on the agenda at the request of the chairman. J. Willis explained that the two items were linked: one was the proposed revisions to allow the council to charge a fee for continuance requests; the other the revised fee schedule. Mr. Tikoian asked B. Goldman how the courts handle continuances. B. Goldman stated that the courts grant continuances by agreement. B. Goldman stated that some continuance types cannot be granted. Mr. Lemont offered that the Council needs to be cognizant of when it cancels its own meetings and that that may necessitate a subsequent continuance request, so there needs to be some discretion. Mr. Tikoian stated that the Council has been lenient when granting continuances due to issues raised therein. Mr. Tikoian stated that the fees should actually be higher than proposed, and should start at \$100, then \$250, then \$500. The subcommittee discussed applicants being "no-shows" at hearings. B. Goldman stated that if an applicant is a no-show the full council could also develop a fee schedule for that.

*Mr. Lemont seconded by Mr. Dawson moved to begin rule-making on a fee schedule of \$100 for the 1<sup>st</sup> continuance request; \$250 for the 2<sup>nd</sup> request and \$500 for subsequent requests. The motion was approved on a unanimous voice vote.*

**Item 4.C. Water Type Revisions.** J. Willis and J. Boyd explained that the City of East Providence had requested that the water type designations along parts of the city shoreline on the Providence River be revised. CRMC staff also explained that they are proposing water type changes along the Providence shoreline on the Seekonk River north of the Henderson Bridge. J. Boyd detailed the City of East Providence's request, which seeks redevelopment of sections of the shoreline as mixed use commercial. J. Boyd explained staff concerns with specific boundary changes of the existing Type 6 designation due to existing industrial uses adjacent to Bold Pt., program policies, and federal regulatory issues with the fill allowance of the P&W quay and to therefore keep these areas as Type 6 waters. J. Boyd stated that he had worked with the City to address the federal channel setback issues, but that CRMC staff did not agree with the City proposed line at Bold Point and at the P&W quay. J. Boyd further explained the need to provide a designation setback equal to three times the depth of the federal channel for the proposed water type revisions that would be adjacent to the federal channel, and also to that adjacent to the P&W quay. Staff recommended the proposed water type designations as presented to the subcommittee, with the setback to the P&W quay and to maintain the existing line at Bold Point. Ms. Boyle and Mr. Rabidue explained the city's request. Mr. Tikoian asked what the difference is between Type 4 and Type 5 waters. J. Willis and J. Boyd answered. Mr. Chateaufeuf asked for further clarification between Type 4 and Type 5 waters. Upon discussion of Type 4 waters at Bold Pt., J. Boyle agreed that Type 4 designation at Bold Pt. would meet the City's objectives.

J. Boyd detailed the proposed change from Type 4 to Type 1 waters along the Seekonk and noted that they were being proposed to implement recommendations made within the Council's Metro Bay SAMP/Urban Coastal Greenways program's Areas of Particular Concern. Further, this particular shoreline was devoid of structures with the exception of the Narragansett Boat Club rowing facility. Mr. Lemont noted that during Metro Bay SAMP meetings he attended the City of Providence was in support of these revisions.

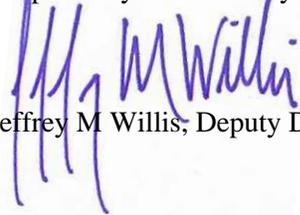
*Mr. Lemont seconded by Mr. Dawson moved to begin rule-making on the City of East Providence's request, to incorporate the federal channel depth setback as proposed by staff, as well as to move the Type 4 water designation at Bold Pt, and directed staff to work with the City for an agreeable line location at Bold Point. **The motion was approved on a unanimous voice vote.***

*Mr. Lemont seconded by Mr. Dawson moved to begin rule-making on revising the Type 4 water designation along the Providence shoreline of the Seekonk River to Type 1 waters as presented. **The motion was approved on a unanimous voice vote.***

Mr. Tikoian stated that the next meeting of the subcommittee will be its regularly scheduled meeting in January.

**ADJOURNMENT.** Mr. Dawson, seconded by Mr. Lemont, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 9:50 a.m.

Respectfully submitted by

  
Jeffrey M Willis, Deputy Director