



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, R.I. 02879-1900

(401) 783-3370
FAX: (401) 783-3767

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, April 15, 2014 at the offices of the CRMC, Stedman Government Center, 4808 Tower Hill Rd, Wakefield, RI.

MEMBERS PRESENT

Anne Livingston, Chair
Paul Lemont, Vice Chair
Don Gomez
Joy Montanaro
Angelo Liberti, DEM

STAFF PRESENT

Grover Fugate, Executive Director
Jeff Willis, Deputy Director
James Boyd, Coastal Policy Analyst
Brian Goldman, Legal Counsel

Call to Order. Ms. Livingston called the meeting to order at 8:30 a.m.

Ms. Livingston called for a motion to approve the minutes of the March 18, 2014 subcommittee meetings.

Mr. Lemont seconded by Mr. Gomez moved to approve the meeting minutes of March 18, 2014. All voted in favor of the motion.

Item 4.A. – Petition for Regulation Change – Salt Pond Region SAMP Sections 920.1.B.2(f) and (g), CRMC File 2013-10-026. B. Goldman provided a summary of the March 18th workshop. Chair Livingston stated her concerns regarding development in lands of critical concern. B. Goldman discussed the legal issues associated with the PZ Realty case and this matter relative to state subdivision act and staff reports on same, of note definitions, administrative subdivisions, the movement of lot lines. B. Goldman noted that the petitioner has asked via their arguments that the subcommittee not to interpret the regulations in the manner that staff has presented. Mr. Lemont expressed concern that approval would allow for significant new development in these critical areas. Mr. Gomez agreed. B. Goldman reiterated PZ Realty decision relative to subdivision act definitions vis-à-vis lot lines and resubdivision. Mr. Liberti noted his discussion from the previous hearing as to the definitions of a subdivision and administrative subdivisions. Ms. Montanaro stated that while grandfather rights are given for circumstances at that time, the benefits of such would be lost once the lot lines have been moved.

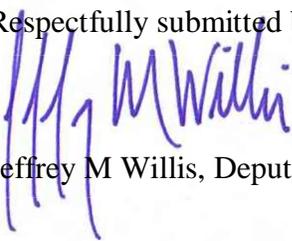
Mr. Lemont seconded by Mr. Gomez moved to deny the petition based on statutory definition, agency regulations and policy implementation, that an administrative subdivision is a subdivision. All voted in favor of the motion.

Item 4.B. – Sections 210.3 Coastal Wetlands, and Glossary. J. Boyd presented proposed revisions to both sections. The revisions present limited view restoration projects to be evaluated for existing hospitality businesses and also require a conservation easement be placed on the property for wetlands and other shoreline natural resources at a 5:1 ratio. Mr. Lemont and Mr. Gomez were concerned regarding the meaning of pre-existing business and suggested alternative language. The subcommittee discussed and B. Goldman offered that the revision includes the term “continuously operating” and to add language that any such allowance will cease to be valid should an approved entity no longer be a commercial venture.

*Mr. Gomez seconded by Ms. Montanaro moved to forward the revisions for rule-making after staff and legal counsel finalize the revisions so offered. **All voted in favor of the motion.***

ADJOURNMENT. Mr. Lemont, seconded by Mr. Gomez, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 9:11 a.m.

Respectfully submitted by



Jeffrey M Willis, Deputy Director