

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, May 9, 2006 at 6:00 PM at the Narragansett Bay Commission Boardroom – One Service Road, Providence, RI.

MEMBERS

Mike Tikoian, Chair
Paul Lemont, Vice Chair
Ray Coia
Jerry Sahagian
Neill Gray
Dave Abedon
Bob Ballou (Representing Director Sullivan)

STAFF PRESENT

Grover Fugate, CRMC Executive Director

Ken Anderson, CRMC Senior Engineer

Brian Goldman, Legal Counsel

1. Chair Tikoian called the meeting to order at 6:13 p.m.

Chair Tikoian made a brief statement of clarification on the council's permitting process.

2. READING OF THE MINUTES OF THE PREVIOUS MEETING:

- February 28, 2006
- March 28, 2006
- April 11, 2006

Chair Tikoian stated that there were minutes to be approved from February 28th, March 28th and April 11th and if there is no objection to any one of those they can take the minutes as a group and if there are they can take them individually. Mr. Sahagian, seconded by Mr. Coia and Chair Lemont moved approval of the minutes of February 28, 2006, March 28, 2006 and April 11, 2006. The motion was carried on a unanimous voice vote. Chair Tikoian asked that the record indicated that the minutes had not been posted on the Secretary of State's webpage because they had not been approved by the council. Mr. Goldman noted that they posted draft minutes on the website.

3. SUBCOMMITTEE REPORTS

There were no subcommittee reports.

4. STAFF REPORTS

Chair Tikoian announced that there would be a workshop held at the East Providence City Hall on March 22nd at 4:00 p.m. on one portion of the Metro Bay Plan and a Policy and Planning Subcommittee meeting as well.

Chair Tikoian announced they had their first of three workshops for clean marinas program.

Chair Tikoian noted that there were originally 5 items on the agenda but that there had been three requests for continuances.

5. Chair Tikoian read through the agenda to see which applicants/attorneys were present.

6. **APPLICATIONS WHICH HAVE BEEN OUT TO NOTICE FOR 30 DAYS AND ARE BEFORE THE FULL COUNCIL FOR DECISION:**

2005-12-016 CARL SCHWENSHAULT – Construct and maintain a residential boating facility to consist of a 4' x 198' fixed timber pier with a fixed (4' x 20') access platform. The terminus of the pier will extend to 133-feet beyond mean low water (MLW) requiring an 83-foot length variance. Located at Plat 4, Lot 11; 400 East Shore Road, Jamestown.

Turner Scott, attorney for the applicant was present on behalf of the applicant. Richard DiSalvo, RI Mooring was also present on behalf of the applicant. Mr. Anderson gave council members a brief summary on the application. Mr. Anderson stated that the application was to construct a fixed pier in Jamestown 4' x 198' wide with a 4'x20' "L" shaped lower platform. Mr. Anderson said an 83' length variance was required to the 50' beyond MLW length. Mr. Anderson said both staff recommended approval of the application. Mr. Scott had nothing to add to the application but said that Mr. DiSalvo was available to explain why they needed the length variance. Chair Tikoian had a question on the 83' length variance and asked if they used the Burdick and Short method because of an eelgrass bed and if this was the main reason for the 83' length variance. Mr. Anderson explained that the Burdick and Short method required a 5' water depth over eel grass and said that the applicant has a 5' depth at the 95' length. Mr. Anderson said the additional length was to obtain a 7' depth for the draft of the applicant's vessel. Chair Tikoian asked if this method forced people to go higher and further out. Mr. Anderson said the dock was consistent with the Burdick and Short method and that they need 9-10 feet clearance so that the eel grass is not shaded. Vice Chair Lemont, seconded by Mr. Coia moved approval of the application with all staff stipulations and the length variance. Chair Tikoian noted that the applicant had met the variance criteria. The motion was carried on a unanimous voice vote.

2005-09-095 SHORE ROAD DEVELOPMENT – Construct and maintain: a 7 lot residential subdivision to include public road, underground utilities, municipal water and ISDS. Located at Plat 130, Lot 46; 237 Shore Road, Westerly, RI.

Bruce Gray, Shore Road Development, the applicant was present. Frederick Eckel, attorney for the applicant, Scott Rabideau, the applicant's biologist and Carolyn Doyle, the applicant's engineer were also present on behalf of the applicant. Mr. Anderson gave council members a brief summary on the application. Mr. Anderson stated that the application was create a 7-lot subdivision in Salt Pond which consists of three existing dwellings. Mr. Anderson said the buffer regulations require a 200' buffer on the four new lots created and a buffer variance for the 3 existing dwellings subject to a deed restriction that there be no further development. Mr. Anderson said the applicant has a stormwater management plan. Mr. Anderson said staff recommended approval of the application. Mr. Eckel had nothing to add to the application. Mr. Eckel requested approval of the application. Mr. Goldman stated that the deed restriction needed work on. Mr. Goldman stated that as a result of meetings with staff, recommended that they

make a condition of the assent that the deed restriction be recorded on each encumbered lot. Mr. Sahagian asked if the applicant had an issue with this. Mr. Eckel replied no. Mr. Sahagian seconded by Vice Chair Lemont moved approval of the application with all staff stipulations and that the deed restrictions be recorded. Mr. Ballou asked if this included the staff stipulations and if the staff stipulations followed with the motion. Chair Tikoian replied yes. The motion was carried on a unanimous voice vote.

7. Category "A" List

There were no Category A's held.

There being no further business before the council the meeting, the council adjourned at 6:25 p.m.

Respectfully submitted,

Grover Fugate
Executive Director CRMC

Reported by Lori A. Field