

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, February 26, 2008 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  
Bruce Dawson  
Dave Abedon  
Neill Gray  
Michael Sullivan  
Joe Shekarchi

### **MEMBERS ABSENT**

Jerry Zarrella  
Tom Ricci  
Don Gomez

### **STAFF PRESENT**

Grover Fugate, CRMC Executive Director

Ken Anderson, CRMC Senior Engineer  
Dave Alves, CRMC Aquaculture Coordinator

John Longo, Deputy Legal Counsel

1. Chair Tikoian called the meeting to order at 6:00 p.m.

2. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**

Mr. Coia, seconded by Director Sullivan and Mr. Dawson moved approval of the minutes of the February 12, 2008 meeting. The motion was carried on a unanimous voice vote.

3. **SUBCOMMITTEE REPORTS**

Vice Chair Lemont stated that the Policy & Planning Subcommittee met on February 19, 2008 on the rule making for the Management Procedures Section 5.2 – Notification, Section 110 – Applications for Category A & Category B, and Section 300.4.E.3, Residential Docks – timber material clarification, variance, excessive fetch and replace tables, etc... Chair Tikoian requested that the program changes be reported out for the 30-day period and come back before the full council for decision.

4. **STAFF REPORTS**

There were no staff reports

5. Ms. Field read a brief statement of clarification on the council's permitting process.
6. **Presentation:** Aquaculture Working Group update – David Alves, CRMC

Dave Alves, CRMC Aquaculture Coordinator gave the council an update on the Aquaculture Working Group. Mr. Alves stated that he passed out the "CRMC Working Group on Aquaculture Regulation: Subcommittee on Biology Report on Biological Impacts of Aquaculture" to council members. Mr. Alves gave a background on the CRMC WGAR and said they first met in 2000 when CRMC recognized the need for communication and ceased meeting in 2002 as the participants decided the goals of the workgroup had been met. Mr. Alves stated the Narragansett Bay charting project, new guidelines in CRMC regulations and increased communication were the results of the workshop. Mr. Alves explained that the Marine Fisheries Council and DEM Fish & Wildlife had concerns because aquaculture has grown to 100 acres statewide and DEM Fish & Wildlife and the Marine Fisheries Council refused to offer opinions to the council on new leases. He said communication was needed again and they began meeting in the summer of 2007. Mr. Alves stated that the members of the WGAR were NGOs: Save the Bay, Salt Pond Coalition, Sierra Club; industry representatives: RI Farm Bureau, OSAA, RISA, RISSAA and MFC; Academia: URI and RWU; USDA and State Legislators; Regulatory Agencies: DEM F&W, DOH and CRMC. Mr. Alves said there was a total of 28 members and 15-20 members who attended the meetings regularly. Mr. Alves stated that there are 110 acres of aquaculture in RI waters, which equal .037% of total state waters. He said the Salt Ponds consists of 5,387 acres and 55 acres are aquaculture, which equal 1%. Mr. Alves said the Narragansett Bay has 87,723 acres and 55 acres are aquaculture for a total of .062%. Mr. Alves said the combined Salt Ponds and Narragansett Bay equal .12% aquaculture. Mr. Alves explained how much aquaculture is in the Salt Ponds: Ninigret Pond = .25%; Winnapaug Pond = 1.91%; Potters Pond = 1.81% and Pt. Judith Pond = 2.54%. Mr. Alves said Commercial fisherman hold 39% of all aquaculture leases and 57% of the leases are in ponds. Mr. Alves listed the accomplishments of the WGAG sessions: the group has met monthly since July 2007; finished the Subcommittee Report on the Biological Impacts of Aquaculture. He said the report was written by RI experts, WGAR members were given 4 months to review the report and it was unanimously approved by WGAR. Mr. Alves explained the report had scientifically defensible recommendations. They limited shellfish aquaculture to 5% in any water body, sought funding for research into interactions, established interagency board to make disease recommendations and funded disease monitoring in wild and cultured populations. Mr. Alves said they have continued participation in ANS, continue to protect natural resources in leasing process and encourage BMPs for aquaculture industry. Mr. Alves stated the accomplishments are they are charting the uses of all the Salt Ponds and get new suggestions for regulatory changes which have been discussed and agreed upon. Mr. Alves said the next steps are WGAR needs to arrive at a consensus and if a consensus is not a possible majority then minority opinions will be prepared and go to DEM and CRMC for consideration to write the aquaculture development plan. Mr. Alves acknowledged the biology subcommittee members and all the working group participants. Vice Chair Lemont noted that there had been a case recently which many advocates wanted to stop aquaculture growth in ponds. Vice Chair Lemont asked if any property owners affected by the aquaculture had any input at the meetings. Mr. Alves replied the Salt Pond Coalition represented property owners. Director Sullivan noted this was a world class list of participants in the work group. Chair Tikoian commended the workgroup for their hard work and doing a good job to bring this altogether.

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

8. **CONTINUANCES:**

2007-12-049 KJ REALTY MANAGEMENT LLC – Maintenance of structure to include interior renovations and exterior maintenance of windows, doors. Located at plat 92-3, lot 3; 907A & B Matunuck Beach Road, South Kingstown, RI.

Mr. Shekarchi recused himself from the application.

Maggie Hogan, attorney for the applicant stated that an issue had been raised which could not be resolved tonight and requested that the application be continued. Chair Tikoian continued the application to the March 25<sup>th</sup> meeting.

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

2006-12-083 BELVOIR PLACE -- Construct and maintain a residential (association) dock to consist of a 4' x 172-foot +/- fixed timber pier, a 4' x 18' ramp and a (8' x 18') 144 square foot float. The terminus of the dock extends to 137.5-feet beyond mean low water (MLW) requiring an 87.5-foot length variance. Located at plat 2, lot 1912; 1180 Narragansett Boulevard, Cranston, RI.

Alexander Callam, attorney for the applicant was present on behalf of the applicant. Dennis DiPrete, the applicant's engineer 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 timber pier, ramp and float. Mr. Anderson said the dock extends to 137 ½ ' beyond mean low water and requires an 87 ½ foot length variance. Mr. Anderson said there was no staff objection to the application. Mr. Anderson noted the dock was 4 feet wide revised from 6 feet. Mr. Anderson said staff had deferred the application to the full council. Chair Tikoian asked why the application was before the full council that it would only be before the full council if there was an objection. Mr. Fugate explained this dock was in a high fetch area and the dock meets the 20% fetch factor. Mr. Fugate said this type of variance has never been granted at a staff level. Mr. Fugate said there are new regulations for fetch areas and for variances within high fetch areas. Mr. Callam felt the dock was not in a high fetch area because it did not meet that fetch level. Chair Tikoian asked why this was not handled at a staff level. Mr. Fugate replied the dock is located near a port area which is a high fetch area itself with a lot of boat traffic in and out generating waves. Mr. Fugate also said there was limited functionality of the dock. Vice Chair Lemont said the dock is over near the Port of Edgewood which is further away from the Port of Providence and asked what the issue was. Vice Chair Lemont said this was the farthest reach within the bay. Mr. Anderson replied the dock get 22 inches of water depth at the terminus at mlw and the boat wake would ground out boats. Chair Tikoian asked again, why this was before the full council. Mr. Fugate replied there is a lot of exposure to the dock – wave action, wakes and the use of the dock is limited. Director Sullivan complimented staff for bringing this application to the council. Mr. Callam said they do agree and acknowledge the staff comments. Mr. DiPrete explained that the Edgewood Yacht Club is south of this dock. Mr. DiPrete said they are planning on getting moorings and the dock would service boats to get to their moorings. Vice Chair Lemont asked how many moorings there would be. Mr. DiPrete replied they are waiting for the City of Cranston Harbormaster on that but it would be less than 30, only for the residents of the condominium project. Mr. Shekarchi asked if they reviewed the staff reports and the concerns raised. Mr. Shekarchi asked if his client was aware of them and wanted to proceed. Mr. DiPrete replied yes. Mr. Gray asked what kind of craft they would use

for access. Mr. DiPrete said it was not determined yet because the condos are not lived in. Mr. Gray said this would be a dinghy dock acting to get access to the moorings. Mr. Gray asked where are the dinghies going to be or are they just using one dinghy. Mr. Gray said most people have their own dinghy to get to a larger boat. Mr. Gray was not concerned with the wake concerns and said it met the high fetch factor. Mr. Fugate replied that dinghies do not count as part of the boat count. Mr. Gray was concerned with the applicant coming back and asking for more. Vice Chair Lemont asked if they had a 30-count mooring field how many acres this would encounter. Mr. DiPrete said he was not sure, the city was trying to see what size boats would be on the moorings. Vice Chair Lemont said he was familiar with the area and there is a lot of fishing in this area. Vice Chair Lemont asked if there would be any effect on the recreational fishing in this area. Mr. DiPrete replied no. Mr. Gray asked about the 5' clearance and asked where it is at the high water mark or further out. Mr. Gray noted at the high water mark to the bulkhead there is 5'. Mr. Gray said he had a hard time determining whether it was a high or low tide and suggested that there be better plans in the future. Mr. Dawson said staff recommended no objection with staff stipulations and asked what the staff stipulations. Mr. Fugate and Mr. Anderson replied they are the standard staff stipulations. Mr. Shekarchi, seconded by Mr. Coia moved approval of the application with all staff stipulations. Vice Chair Lemont and Director Sullivan were opposed. The motion carried.

**1995-07-232 ARCHES PROPERTY OWNERS ASSOCIATION – Remove existing 3' x 10' fixed pier, 3' x 10' ramp and three 4' x 10' floats as assented (A95-7-232), and construct a fixed timber pier 4' x 65'. The new facility will extend 15' beyond the existing facility (65' beyond mean low water). Variances to RICRMP 300.4.E.3.(j) is required (the facility is 6' from the west property line extension and 4' from the east property line extension, standard distance is 25'). A variance to RICRMP 300.4.E.3.(k) is required (proposed length is 65' beyond mean low water, standard is 50' beyond mean low water). Located at plat 10, lot 4; 3 Arches Road, Charlestown, RI.**

Chair Tikoian recused himself. Vice Chair Lemont presided over the application. Joseph DeAngelis, attorney for the applicant, Herb Sirois, the applicant's engineer and Donald Brown, the applicant's dock harbormaster were present on behalf of the applicant. Objectors present: Sam Jenson, Joseph Verdon, Grace Farrell and Ernest George (engineer for the objectors). Mr. Fugate gave council members a brief summary on the application. Mr. Fugate stated that the application had been previously before the council and there had been an issue on the ownership raised. Mr. Fugate said they entered into litigation and a court decision had been rendered. Vice Chair Lemont said Mr. Dawson was not at the last hearing and asked if he had read the transcript. Mr. Dawson replied yes. Vice Chair Lemont stated that at the last hearing two issues were raised: the dock proposed was not parallel with the other docks and interfered with another abutter. Mr. Fugate replied yes. Vice Chair Lemont asked if these issues had been resolved. Mr. Anderson said they received aerial photographs of the rock and plans had been provided to staff for the rock. Mr. Anderson said there would be no interference with the abutting property owners. Mr. Anderson said they had a minimum of 18" for the water depth and the dock was elevated. Mr. DeAngelis said it has been 25 months since this application was before the council. Mr. DeAngelis explained that the application was for a floating ramp with a fixed pier. Mr. DeAngelis said they wanted to extend the dock 15 feet so they could have 4 boats on the dock. He said presently they can only have 2 boats on the dock. Mr. DeAngelis said they addressed the issues raised by Mr. Gray and revisions were made to the plan dated May 2006. Mr. Sirois explained at the January 2006 hearing issues were raised by Director Sullivan and Mr. Gray on the location of the dock and the location of the rocks. Mr. Sirois stated that they submitted a new plan with revisions dated May 25, 2006 to staff for their review. Mr. Anderson noted that the revised plan was on page 75 in the council's packet. Mr. Sirois stated that they re-

tilted the dock and the land end of the dock was shifted to the west to provide an additional setback. Mr. Sirois explained how the plan on P75 differed from the previous application and said it is offset to the eastside property line which has been revised to 7 feet and where they previously had 4 feet. Mr. Sirois stated on P73 a question had been raised on the location of the rocks. He said he went back to the site in a kayak and tape measured the rocks to the dock and benchmarks in the field. Mr. Sirois said the distance between Rock 1 and Rock 2 was 25 feet. Mr. Sirois said the distance from the abutting dock on the eastern side is 22 feet. Mr. Sirois said the propose dock on the eastside to the Rock #2 is 20 feet. Mr. Sirois explained Rock #2 has the least distance and controls navigation into the cove. Mr. Sirois said they reduced the distance by 3 feet than in the last plan. Mr. Sirois felt the lost of 3 feet did not effect navigation as this was a shallow area to start with and you have to go very slow. Mr. Sirois said there would be a minor change in the ability to navigate into this cove. Mr. Sirois said the aerial photograph on P81 shows the dock in this area. Mr. Sirois said their was no dock on Lot #5 which has 80 feet shore frontage and there would be no impact for them to have a dock. Mr. Sirois said lot #3 to the east of this dock has a dock and this dock would be moved further away. Director Sullivan had questions on the maps and asked him to reconcile them. Director Sullivan stated that on P68 dated 1/30/06 there is 6' spacing from the right-of-way. He said on lot 3 there is 21' from the property line to the exiting dock. Mr. Sirois referred to page P75 on the revised plan dated May 25, 2006. Director Sullivan said the dock on lot 3 has not moved and shows it at 24' from the property line. Director Sullivan noted the cross out on the maps and said they were not clear maps. Mr. Shekarchi had a legal question on the complaints for adverse positions made by the objectors and asked if they have been cleared up and dismissed. Mr. DeAngelis replied a consent order and agreement had been reached and the issue was settled. Mr. Longo noted that the consent order was on P7 of the council's packet. Mr. Gray said his concerns had been address. Mr. Gray had questions on P75 the correction of measurements and said this pier at landside is almost dead center in the 20 feet. Mr. Sirois replied yes. Mr. Brown explained the association wants to put in a fixed pier with a 15' additional length. Mr. Brown said there is a waiting list for the dock of 10 people. Mr. Brown said they wanted to add additional boats to the dock. Vice Chair Lemont asked if the dock was built as proposed if there would be any hardship to the abutting dock holders that doesn't exist now. Mr. Brown replied no. Vice Chair Lemont asked if they were going to have to maneuver any differently. Mr. Brown replied no. Mr. Dawson asked if there would be 4 boats on the dock. Mr. Brown replied yes. Mr. DeAngelis noted that under the regulations there was a 4 boat maximum. Mr. Anderson noted that the dock would be 4' wide not 6' wide.

#### OBJECTORS:

Sam Jenson, an objector, stated that he took pictures of the docks last year. Mr. Jenson passed out a packet to council members as identification A-M. Mr. Shekarchi asked why he was against the dock. Mr. Jenson replied that he felt it would cause navigation problems to get into the pond. Mr. Jenson explained that the packet consisted of pictures of the dock taken from his mother's home, Mr. Sirois' drawings and their engineer Ernest George's drawings. Mr. DeAngelis asked if he owned the property and questioned whether he could testify. Mr. Jenson replied that his mother owns the property and he is representing his mother. Mr. DeAngelis objected. Mr. Jenson stated that the plans in the packet show where the rocks are and are depicted by sticks. Mr. Jenson noted that they have done a survey of the area and wanted to submit it to the council. Mr. Jenson stated that he had expert witnesses present to discuss the plans and address the navigational issues. Vice Chair Lemont explained that under the CRMC rules and regulations all parties to an application shall provide a list of all witnesses and plans to the council 5 days prior to the hearing. Vice Chair Lemont ruled that they could not accept the survey because it was not submitted within the 5 day period. Mr. Jenson referred to P69 in the packet and felt that the dock was not parallel to the dock and felt Mr. Sirois' plan was incorrect. Mr. Jenson said there was no

argument to the rock locations depths of 11 and 13 inches. Vice Chair Lemont asked what the tide was at the Rock 1 depth and Rock 2 depth. Mr. Jenson replied it was at mid-tide. Mr. Jenson noted that the applicant had rock 2 at a 13" water depth and they have it at 11 inches. Vice Chair Lemont asked at low tide if rock 2 was exposed. Mr. Jenson replied no. Mr. Jenson had a picture that showed a boat with a 17' bow and draft of 11" and said it would be difficult to get the boat in and out. Mr. Jenson showed the council an overlay of how 4 boats would look on the applicant's dock. Vice Chair Lemont stated that on exhibit K a drawing by Mr. George, Mr. Sirois' drawing showed 6 feet from the property line to the terminus and their drawing shows it right up against it. Mr. Jenson replied yes it is up against it. Mr. Gray said he was understanding the information presented quite well and said there is a question of who's right and who's wrong. Mr. Gray said he had questions on the applicant's information regarding the rock 1 and rock 2 issue in the channel. Mr. Gray noted on P73 the old dock was landside of rock 1 and now its has a distance of 25'. Mr. Gray was concerned with the channel and that 22' did not seem accurate. Mr. Gray wanted to make sure the width of the channel is usable by all concerned. Mr. Dawson noted the objector's comment about bringing his boat in and out and said he cannot turn his boat around how does he get in. Mr. Jenson replied that he hugs close to the association dock and parks his boat on the association side of his dock. Mr. DeAngelis asked if he had a degree in the specialty of navigation. Mr. Jenson replied no. Mr. DeAngelis stated Mr. Jenson has to cut across the association dock area to get to his dock. Vice Chair Lemont asked if he used the east side of his dock for his boat. Mr. Jenson replied no because of the rocks there it was difficult to turn his boat around. Joseph Verdon, an abutter to the association property on the Westside, wanted to be certified as an expert witness on navigation as he holds a marine captain's license, is a fireman and captain of the homeland security boat ferry. Mr. Verdon noted that he was also a teacher for the American Boat School. Mr. Shekarchi explained that he could not be an expert witness because he is an abutter and cannot be impartial and unbiased to the property. Mr. Vernon felt he could be unbiased as a boat operator because he was not effected by the dock application. Mr. Vernon felt the survey should be allowed. Mr. Vernon said they just found out about the hearing 4 days ago so they could not get it in with the 5 day period. Vice Chair Lemont replied as soon as they received the survey they should have submitted it to staff for their review. Mr. Vernon disagreed about not being able to testify as an expert witness. Mr. Vernon noted that he has been boating in this area for 20 years, there are rocks in this area, and it makes it difficult to get in and out of the area. Mr. Vernon felt the rocks were dangerous. Mr. Shekarchi asked if he told the association this when they were building their dock. Mr. Vernon felt the association did not care what he said about it. Mr. Vernon said his mother-in-law is part of the association and he felt they had their own agenda. Mr. Shekarchi said he is hearing that the rocks create a dangerous situation and asked if he communicated it with the applicant. Mr. Shekarchi asked if they shared the survey with the other side. Mr. Vernon replied that he did not do it personally and that it was an oversight. Vice Chair Lemont asked how people get in and out and asked if there was a path. Mr. Vernon replied no. Mr. Gray referred to P71 which depicted rocks 1 and 2 with the old dock as a dotted line and asked if he goes between rock 1 and 2 to get in. Mr. Vernon replied he goes in between rock 1 and the edge of the dock. Mr. Anderson noted that there is only 5' between the rock and the dock. Mr. Gray thought they traveled between rock 1 and rock 2 and felt if they extended the dock it would cut off access to the area. Mr. Gray said if they only extended the dock 8 feet instead of 15 feet they would be able to get in between. Mr. Gray noted there was only a 2" water depth difference between and 8' extension versus a 15' extension. He said they would have 26 inches of water rather than 28 inches of water depth. Mr. Vernon said rock 2 is at the end of the dock and is in the path. Mr. Gray asked if he could travel between rock 1 and rock 2. Mr. Vernon replied yes. Mr. DeAngelis replied that P73 is the latest plan from the applicant. Mr. Vernon felt that any extension of the dock would effect other boats in the cove and create a navigational hazard.

**VICE CHAIR LEMONT CALLED FOR A RECESS AT 8:20 P.M. VICE CHAIR LEMONT CALLED THE MEETING BACK TO ORDER AT 8:27 P.M.**

Mr. DeAngelis referred to P73 which showed rocks 1 and 2 and asked how he got his boat in. Mr. Vernon replied he went around rock 1 and the association dock. Mr. Vernon said other people get in between rocks 1 and 2. Director Sullivan wanted clarification on P73. Ernest George, the objectors' engineer stated that his drawings were on pages P78-80 in the council's packets. Mr. DeAngelis asked who Mr. George represented. Mr. George stated he was hired by Mr. Vernon and Mr. Jenson to locate the rocks. Director Sullivan clarified that Mr. George's maps are pages P78-80 in the council's packet. Mr. George replied yes. Director Sullivan asked if Mr. George's plans were received in a timely fashion. Mr. Fugate replied yes, they were received April 27, 2006. Mr. George explained that his plan on P78 showed the existing dock with rock location and depth. Mr. George said P79 showed the proposed dock in relation to the dock to the east. Mr. George noted that he did not do the survey. Mr. George said he agrees with Mr. Sirois' location of the dock but it did not show the rock to the east with a 10" depth. Mr. George said there is one discrepancy regarding rock 1 on his map on P80 with an 11" depth. Mr. George felt this may be Mr. Sirois' rock 1 but was not sure. Vice Chair Lemont said he had a problem trying to make a good decision without credible evidence. Vice Chair Lemont said one plan has the end of the dock bordering the on the property line and one has the boat extend in the riparian line of Mr. Vernon. Vice Chair Lemont said on P74 it shows 7 feet between the property and the end of the dock. Mr. George replied his P78 is based on extending the original dock not the turned dock proposed by Mr. Sirois. Mr. George said there was no problem now that they turned the dock. Vice Chair Lemont said the council can then disregard the photographs on P78 and P80 for the dock location. Mr. Gray said on P78 and P75 there is a difference in the distance and he is trying to reconcile them because they both have the property lines in different locations and therefore the dock offsets are going to be different. Vice Chair Lemont said he is having a difficult time bringing this together. Vice Chair Lemont suggested to the council that the matter be remanded back to the parties to come in with a survey so council members can review and make a decision. Director Sullivan, seconded by Vice Chair Lemont and Mr. Coia moved to continue the application and requested a survey for the council to look at. There were additional council questions and the motion was withdrawn. Mr. Gray wanted to clarify rock #1 on P73 and on Mr. George's plan on P80 and wanted to know if they were looking at the same rock#1. Mr. George replied he could not say they were the same rock at 11" because he was not sure what Mr. Sirois rock #1 was. Mr. Fugate noted that both engineers agree on the measurements of the rocks but question the location of the rocks. Mr. Gray asked about the distance between rock #1 and rock #2 on P73 and P80 and what the distances were. Mr. George replied that there is 30' between the rocks. Mr. Sirois replied that the distance between the rocks is 25 feet. Mr. Gray said they need to clarify where rock #1 is. Mr. Jenson stated that rock #1 is 6 feet away from the end of the dock and is 11" under water. Mr. Jenson said when he brings his boat in he goes between the 2 rocks marked 11". Mr. Gray asked if there was a channel between the two rocks. Mr. Jenson replied yes. Mr. Gray proposed closing the opening between the two rocks and instead of the applicant going out 15' he go out 8' to get rid of the obstruction of the rock that is there. Mr. Gray said they would still get 26" of water instead of 28" of water and still get two boats there. Mr. Fugate wanted to make sure the applicant was not going to moor their boats off the terminus of the dock. Mr. Gray said there could be a stipulation that they moor only along side the dock and not at the terminus. Mr. Dawson wanted to see accurate drawings without the cross outs, etc... Mr. DeAngelis stated that there was a possibility they could move the rock. Mr. Shekarchi felt this should have been worked out before. Vice Chair Lemont referred to P73 and asked if rock #1 was close to the property line of the association. Mr. DeAngelis replied yes. Vice Chair Lemont noted that on P80 the rock is on the opposite side. Grace Farrell, an objector, said she had a different issue to bring up. Mrs. Farrell stated she has own the dock to the east of

Mr. Jenson's property for 32 years and her house is in the apex of the cove. Mrs. Farrell felt the extension of the dock would impede her navigation. Mrs. Farrell said she has sailboats, canoes, kayaks and sail fishing and this is a high wind area. Mrs. Farrell felt the extension of the dock would cut off navigation for her sailboat. Mrs. Farrell stated that sailboats have right-of-way over motorboats. Mr. Gray asked how long her boat was. Mrs. Farrell said she has three small sailfish. Mr. Gray said the rock would still be an obstruction. Mr. Longo marked the packet marked identification A-M submitted by Mr. Jenson as full exhibits.

Director Sullivan, seconded by Mr. Shekarchi moved to table the matter and give the applicant and the objectors an opportunity to return to the council and provide consensus maps with current features and proposed feature and that the testimony be limited to the joint acknowledgement of the maps and they include the survey to get the correct property lines. The motion was carried on a unanimous voice. Mr. DeAngelis asked that Mr. Anderson deal with both engineers to review the plans.

**10. Category "A" List**

There were none held.

There being no further business to discuss. The meeting was adjourned at 9:12 p.m.

Respectfully submitted,  
Grover Fugate, Executive Director  
Reported by Lori A. Field