

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, June 10, 2008 at 6:00 PM at the Narragansett Bay Commission Boardroom – One Service Road, Providence, RI.

MEMBERS

Paul Lemont, Vice Chair
Ray Coia
Don Gomez
Neill Gray
Bruce Dawson
Joe Shekarchi
Ron Gagnon (Representing DEM)

MEMBERS ABSENT

Mike Tikoian, Chair
Dave Abedon
Tom Ricci
Jerry Zarrella

STAFF PRESENT

Jeff Willis, CRMC Deputy Executive Director

Dave Alves, CRMC Aquaculture Coordinator

Brian Goldman, CRMC Deputy Legal Counsel

1. Vice Chair Lemont called the meeting to order at 6:00 p.m.
2. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**

Mr. Gray asked when approving the minutes and you did not attend the meeting if it was proper to make the motion or to second the motion to approve the minutes. Mr. Gray noted that Mr. Zarrella seconded the motion to approve the minutes at the previous meeting but did not attend the meeting. Mr. Goldman replied that you should be in attendance at the meeting of the minutes being approved. Mr. Coia, seconded by Mr. Gomez moved approval of the minutes of the May 27, 2008 meeting as presented. The motion was carried on a unanimous voice vote. Mr. Shekarchi abstained because he was not at the meeting.

3. **STAFF REPORTS**

Mr. Willis invited council members to attend a conference being hosted by CRMC and URI on Tuesday, June 17th on Climate Change and the Effect on Shoreline Property. Mr. Willis said to let him or Laura know if they wanted to attend.

4. SUBCOMMITTEE REPORTS

There were no subcommittee reports.

5. Presentation: Brownfields – Terrence Gray, Asst. Dir., RIDEM Air, Waste & Compliance

Vice Chair Lemont announced that the presentation on Brownfields was deferred to another meeting.

6. CONTINUANCES:

2007-07-059 MATISSA, LLC -- To construct an addition onto an existing residence with associated drainage and landscaping improvements. Located at plat 3, lot 96; 17 Willow Way, Barrington, RI.

Vice Chair Lemont stated that the applicant had requested a continuance on the application last Friday and that the continuance had been granted by the Executive Director. The application was continued at the applicant's request.

7. Vice Chair Lemont read though the agenda to see which applicants/attorneys were present.

Vice Chair Lemont made a brief statement on the council's permitting process

8. AQUACULTURE LEASE SALE REQUEST:

2001-02-025 SPATCO LTD – Proposed sale of aquaculture farm including assets of farm (gear, boat, stock and CRMC aquaculture assent). Located in Point Judith Pond, Narragansett.

2001-02-026 SPATCO LTD – Proposed sale of aquaculture farm including assets of farm (gear, boat, stock, and CRMC aquaculture assent). Located in Point Judith Pond, Narragansett.

2004-05-024 SPATCO LTD -- Proposed sale of aquaculture farm including assets of farm (gear, boat, stock, and CRMC aquaculture assent). Located in Point Judith Pond, Narragansett.

Robert Rheault, owner Spatco, the applicant was present. John and Cindy West, buyers of the leases were also present. Mr. Alves gave council members a brief summary on the application. Mr. Alves stated all three leases in Point Judith Pond were owned by Spatco and that John and Cindy West were buying the leases. Mr. Alves noted that all requisites, performance bonds, etc... were in place. Mr. Alves said the buyers agreed to all staff stipulations and that the aquacultures would stay the same. Mr. Alves stated staff recommended approval of the sale of the leases. Vice Chair Lemont stated that Mr. Rheault had been an advocate for a number of years for aquaculture and asked what he would be doing after this. Mr. Rheault replied that he would be operating a wholesale fish market and continued to advocate for the shellfish industry. Vice Chair Lemont said he helped advance the course of aquaculture and wished him well. Mr. Coia, seconded by Mr. Gray moved approval of the sale of all three aquaculture leases with all staff stipulations. The motion was carried on a unanimous voice vote.

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

2005-08-101 KATHLEEN GALLANT – As-built residential boating facility. The facility location relative to the property line extensions was not correctly shown on the plans previously approved by the CRMC. The facility actually extends over the southern property line extension, while the previous plans showed that the facility lay 16’ distant from the property line extension. Located at plat Y-1, lot 243; 26 Wheatfield Cove Road, Narragansett, RI.

Joseph DeAngelis, attorney for the applicant was present. Herb Sirois, the applicants' engineer, Mitchell Rifkin, attorney for the abutter and Anthony Altrui, the abutter were also present. Mr. Willis gave council members a brief update on the application. Mr. Willis stated that the application was back before the council because of the plans not matching up and working things out with the abutter. Mr. DeAngelis explained that the dock was installed in the only location it could be put. Mr. DeAngelis said CRMC requested a survey for the proper determination of the property lines. Mr. DeAngelis stated they entered into an agreement with the abutter Mr. Altrui, who owns the last parcel on the cove without a dock, and filed an application for a dock. Mr. DeAngelis said the abutter would withdraw his objection if his dock is approved and if it is not approved he may still object to the applicant's application. Mr. Rifkin noted they are not withdrawing their objection but making it subject to. Mr. Shekarchi asked how far Mr. Altrui's application was in the process. Mr. Rifkin replied it was in the early process. Mr. DeAngelis wanted to enter the evidence into the record and have the council hear both applications at the same time. Vice Chair Lemont asked staff if the application was submitted before Friday how long it would be before it would be before the full council. Mr. Willis replied they would have to post it for the 30-day public notice and then the staff reports would be issued so you are looking at 60-90 days. Mr. Altrui said he was the owner of the property at 20 Wheat Cove Road in Narragansett and would file his application as soon as the survey was done. Mr. Sirois also stated they are ready to go but waiting for the survey and will file the application after they receive the survey. Mr. Gray said looking at the property line on P26 in the packet there is a narrow strip of land between other property owners and it looks like this would be a tight fit. Mr. Sirois explained he prepared the original application for the dock in 2005 and no survey had been done at that time and it was not a requirement of CRMC. Mr. Sirois said he used the assessor's maps and deeds for the property line determination. Mr. Sirois stated the dock was placed off another dock in the area. Mr. Sirois said when the survey was done it was determined that the dock crossed Mr. Altrui's property. Mr. DeAngelis said they are before the council for an as built dock. Mr. Sirois said he was familiar with Section 120 Criteria and said there was no other place to put the dock on the property because of the cove. Mr. Sirois stated there is 4' between the Gundy and the abutters' property line and 24.9 feet from the southern edge. Mr. Sirois said if the dock was moved up against the dock to the north they would be 24.9 feet from the Grabory dock. Mr. Sirois said there were no navigational issues and that the request for the as built meets the Section 120 criteria. Vice Chair Lemont asked what happens if the neighbor to the south objects to the Altrui dock. Mr. Sirois replied the Altrui dock is 27 feet from the Gundy dock and 27 feet from the Davis dock. Vice Chair Lemont asked how deep Wheatfield Cove is. Mr. Sirois replied 3 feet. Mr. Dawson asked if Mr. Altrui had a letter from the abutter to the south and he knew whether they object or not. Mr. Altrui replied yes. Mr. Goldman explained that they can hear the Altrui application administratively but they wanted it before the full council to hear both applications at the same time. Mr. Goldman said if the Altrui application is approved they still need to approve the Gallant dock on its merits and the objection would be removed. Mr. Gray said the Gallant dock is before the council because of the objection but could have been approved administratively. Mr. Willis replied yes. Mr. Gray said they would still have to vote on the Gallant application. Mr. Goldman replied yes. Mr. Shekarchi, seconded by Mr. Coia moved to close the public hearing on the Gallant application and hold the application for a future hearing date. The motion was carried on a unanimous voice vote.

10. Enforcement Report – May 2008

There were none held.

11. Category “A” List

There were none held.

There being no further business to discuss. The meeting was adjourned at 6:24 p.m.

Respectfully submitted,
Grover Fugate, Executive Director

Reported by Lori A. Field