

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Wednesday, October 21, 2009 at 6:00 p.m. in Conference Room A, Administration Building, One Capitol Hill, Providence, RI.

**Members Present**

Michael Tikoian, Chair  
Paul Lemont, Vice Chair  
David Abedon  
Michael Sullivan  
Bruce Dawson  
Ray Coia  
Don Gomez

**Members Absent**

Robert G. Driscoll

**STAFF PRESENT**

Grover J. Fugate, Executive Director  
David Beutel, Aquaculture Coordinator  
John Longo, Legal Counsel

1. Chair Tikoian called the meeting to order at 6:00 p.m. and read a brief statement on the Council's permitting process for the record.
2. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**  
  
Mr. Lemont motioned, seconded by Mr. Coia, to approve minutes of previous meeting, September 22, 2009. Motion to approve minutes was carried on unanimous voice vote.
3. **SUBCOMMITTEE REPORTS**  
  
There were no subcommittee reports.
4. **STAFF REPORTS**  
  
No staff reports.
5. **CHAIR TIKOIAN READ THROUGH THE AGENDA TO SEE WHICH APPLICANTS/ ATTORNEYS WERE PRESENT.**  
  
All applicants present and/or their attorneys with the exception of two, 06-0088 Hychko case and 2008-06-022 Ludwig case, that are continued due to potential conflict of interest and witness issues.
6. **APPLICATIONS REQUESTING FOURTH EXTENSION OF ASSENT BEFORE THE FULL COUNCIL FOR DECISION:**  
  
**A2003-07-002 DIANE WUNSCH and ROBERT JAKOBER – Extension request for permit to construct dwelling located at plat N-H, lots 179, 180, 180A; Wesquage Drive, Narragansett, RI.**

Attorney Don Packer representing applicant present. Mr. Fugate gave brief overview of the extension process to the Council stating that the extension was before the Council for its fourth and final extension. Mr. Fugate explained that there was no enforcement issues associated with the site. Mr. Sullivan, seconded by Mr. Coia, motioned approval of extension of assent request. Mr. Lemont asked if the applicant planned to build on the property or if they wanted to sell the property. Mr. Packer stated that approvals were obtained to sell the property. Chair Tikoian stated that the extension would be from November 24, 2009 to November 24, 2010. No other discussion. Motion to extend assent carried on unanimous voice vote.

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

**2009-01-035 ROME POINT, LLC – To establish and maintain a 5.5 aquaculture farm for the cage culture of the following shellfish: American oyster, bay scallops, little necks, and soft shell clams; Located in Greene Point, West Passage of Narragansett Bay, North Kingstown, RI.**

Applicant Russell Blank present. Mr. Beutel gave brief overview of application to Council stating that Mr. Blank would like to conduct aquaculture in 5.5 acres off of Green Point in North Kingstown. Mr. Beutel stated that local approval had been obtained, that were no objections received to this application and that staff has recommended approval. Mr. Sullivan motioned, seconded by Mr. Coia, approval of application. Motion to approve carried on unanimous voice vote.

**2009-07-025 THOMAS and NICHOLAS PAPA – Establish and maintain an Oyster Aquaculture lease located in Ninigret Pond, Charlestown, RI.**

Applicant Nicholas Papa present. Mr. Sullivan motioned approval, stating that Mr. Beutel did such a thorough report. Motion seconded by Mr. Coia. Motion carried on unanimous voice vote.

**2009-07-028 JAMES ARNOUX – Establish and maintain a shellfish aquaculture site located Ninigret Pond, Charlestown, RI.**

Applicant Jim Arnoux present. Mr. Sullivan motioned approval, stating that Mr. Beutel did such a thorough report. Motion seconded by Mr. Coia. Motion carried on unanimous voice vote.

8. **Public Hearing on changes to Rhode Island Coastal Resources Management Program:**

**1. Revise Section 110.C – Applications for Category A and Category B Council Assents**

Chair Tikoian opened the public hearing on Section 110.C. Mr. Fugate gave brief overview of regulation changes to Council stating the change is to clarify that it is 20 units or less that a Category A can be approved, 21 units or more would be a Category B. Chair Tikoian closed public hearing. Mr. Sullivan motioned approval of regulation change, seconded by Mr. Coia. Motion carried on unanimous voice vote.

**2. Revise Section 210.2.D.5 – Barrier Islands and Spits/Prohibitions**

Chair Tikoian opened the public hearing on Section 210.2.D.5. Mr. Fugate gave brief overview of regulation changes to Council stating that the change was meant to clarify the prohibition of infrastructure on barriers which was meant to capture only the infrastructure with fuels intensity of development such as sewer lines, water lines and gas lines are prohibited. Mr. Fugate stated that infrastructure such as incidental utilities -- cable telephone would not effect the intensity of the use of the barrier. Chair Tikoian closed the public hearing. Mr Coia motioned approval of regulation change, seconded by Mr. Abedon. Motion carried on unanimous voice vote.

### **3. Revise Section 300.11 – Aquaculture**

Mr. Fugate stated that there was extensive discussion between DEM and CRMC staff relative to the regulations proposed for aquaculture. Staff would like more time to discuss some of the terminology and get some consistency of the terminology between the two programs. Mr. Fugate asked that the proposed regulations be held for further staff review. Mr. Sullivan suggested 30 days.

### **9. Category “A” List and Enforcement report August 2009**

None were held.

Chair Tikoian stated that at the next Council meeting he would like to have the Mr. Fugate give update on Ocean Special Area Management Plan so all members of the Council can get up to speed on what’s been occurring.

There being no further business to discuss. The hearing was adjourned at 6:15 p.m.

Respectfully submitted,  
Grover Fugate, Executive Director

Reported by Lisa A. Mattscheck