

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, September 27, 2011 at 6:00 p.m. in Conference Room A of the Administration Building, One Capitol Hill, Providence, RI.

Members Present

Anne Maxwell Livingston, Chair
Paul Lemont, Vice Chair
Raymond C. Coia
Donald Gomez
Dave Abedon
Bruce Dawson
Ron Gagnon, RIDEM
Tony Affigne
Guillaume de Ramel

Staff Present

Grover J. Fugate, Executive Director
Jeffrey M. Willis, Deputy Director

Brian A. Goldman, Legal Counsel

Members Excused

Michael Hudner

1. **CALL TO ORDER**

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

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

Chair Livingston called for approval of the minutes from the August 23, 2011 meeting. Vice Chair Lemont motioned, seconded by Mr. Gomez, for approval of minutes. Motion carried on unanimous voice vote.

3. **SUBCOMMITTEE REPORTS**

Vice Chair Lemont stated that the Planning and Procedure Subcommittee met on September 21, 2011 and is seeking concurrence to begin rule making on RICRMP Section 120 – Variances to clarify how variances are granted relative to an applicant meeting the section's criteria as well as making editorial revisions. Chair Livingston accepted for formal rule making.

4. **STAFF REPORTS**

Brian Goldman made a report to the Council regarding a CRMC enforcement action under the name of Valerie Koolen stating that a series of docks and floats were placed in the Kickemuit River without CRMC consent and that the CRMC enforcement staff issued an enforcement order for the removal of the floats. Mr. Goldman stated that as of this time, the floats had not been removed, the period of appeal had run and that further activity had occurred over the weekend of September 24th and 25th wherein a 70-foot boat and a 40-foot boat were brought in and the larger of the two ran aground and blocked the upper part of the Kickemuit. Mr. Goldman stated that the Coast Guard and the Harbormaster were involved. Mr. Goldman shared pictures of the dock location with the Council. Mr. Goldman informed the Council that he and staff will proceed with further enforcement action.

Mr. Fugate reported that the Council had a boat tour on the Ninigret Pond area to view some restoration projects, the settling basin which is in the process of getting financial backing for a re-dredging project, and touring of some aquaculture operations. Vice Chair Lemont expressed that he thought the trip was

enjoyable and informative as did Mr. Gomez. Mr. Fugate stated that he is hoping to set up another boat trip to visit other aquaculture operations and dredging projects.

Chair Livingston took applicant's attendance to see who was present for each application and Mr. Fugate made an opening statement regarding the proceedings and the Assent receipt process.

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

2011-07-086 DAVID M. and SUSAN N. PORCELLO – Construct and maintain a residential boating facility consisting of a 4' x 60' fixed timber pier that leads to a 3' x 18' ramp that leads to a 6' x 25' (150 s.f.) terminal float. The proposed structure is to extend 89 feet seaward of the cited Mean Low Water mark, and the applicant therefore seeks the issuance of a 39 ft. variance to the RICRMP dock length standard 300.4.E.3I. Located at plat R-3, lot 68; 72 Marine Drive, Narragansett, RI.

Mr. David Porcello was present. Mr. Willis gave a brief overview of the application to the Council stating that the applicant wished to construct a residential boating facility to extend 89 feet beyond Mean Low Water to be located in Point Judith Pond requiring a 39-foot length variance. Mr. Willis stated that there were no staff objections to the project. Mr. Willis confirmed that there was a 5' clearance under the dock for lateral public access. Vice Chair Lemont motioned, seconded by Mr. Coia, for approval. Motion carried on a unanimous voice vote.

Chair Livingston announced that the two enforcement matters on the agenda, Lawrence S. Jarnes (CRMC Enforcement 11-0079) and Stanley Weiss (CRMC Assent A2010-05-072), had requested and been granted a continuance.

6. **Educational Series – Grover J. Fugate, Executive Director, CRMC -- Federal Consistency**

Mr. Fugate gave a Power Point presentation on the Federal Consistency Review process explaining the application process for federal consistency review and also incorporating the process by which any future wind turbine field project would be reviewed both by CRMC and the Federal Government.

6. **CATEGORY "A" LIST**

None were held.

7. **ADJOURN**

Vice Chair Lemont motioned, seconded by Mr. Coia, to adjourn. Motion carried on unanimous voice vote. Meeting adjourned at 7:05 p.m.

Respectfully submitted,

Lisa A. Turner
Recording Secretary