

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, February 25, 2014 at 6:00 p.m. in Conference Room A, Administration Building, One Capitol Hill, Providence, RI.

Members Present

Anne Maxwell Livingston, Chair
Paul Lemont, Vice Chair
Ronald Gagnon, RIDEM
Raymond Coia
Donald Gomez
Jerry Sahagian
Joy Montanaro

Staff Present

Grover J. Fugate, Executive Director
Jeffrey M. Willis, Deputy Director
Rich Lucia, Spv Civil Engineer
Brian A. Goldman, Esq.

Members Excused:

Mike Hudner
Tony Affigne

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

Mr. Coia motioned, seconded by Mr. Sahagian, for the approval of the minutes from the meeting of Tuesday, February 11, 2014. Motion carried on a unanimous voice vote.

3. SUBCOMMITTEE REPORTS

None

4. STAFF REPORTS

Mr. Fugate reported to the Council on the following issue:

- FEMA mapping update in the New England area
- Status of Budget Process (DG) – Beach SAMP hidden in budget somewhere.

Mr. Goldman updated the Council on the following issue:

- CRMC Bard Case received decision Superior Court. Brian to email Superior Court Decision to Council Members.

5. Applications requesting Modification before the Full Council for Decision:

2011-11-027 KYLE HESS -- Construct and maintain: a barge mounted with a tumbler/conveyor system to sort and grade oysters. The modification request is to be able to moor the twenty-six foot pontoon barge with the grading and sorting equipment on the aquaculture site in Hog Island Cove. Located at Hog Island Cove, Portsmouth, RI.

Mr. Willis gave a brief overview of the application to the Council stating that the applicant was requesting approval to set up a Barge to moor grading and sorting equipment on his aquaculture site, allowing him to perform operations then and there. The Council reviewed photographs of the aquaculture operation and a representation of the barge/pontoon boat to be set up. Mr. Willis informed the Council that this area of the cove is away from residential development and that CRMC had approved this procedure for three other aquaculture operations in the state. Mr. Willis stated that CRMC staff had recommended approval of the project and that no objections came in from this point. Chair Livingston inquired as to what would happen if objections were received after the barge/pontoon boat was put in place. Mr. Goldman stated that if our assent is granted and no appeal was sought the Assent would stand. Mr. Sahagian motioned, seconded by Mr. Gomez, for approval with staff stipulations. All ayes motion carried.

6. Applications which have been Out-To-Notice for 30 Days and are before the Full Council for Decision:

2013-04-020 HARBOURS ASSOCIATION -- Modify/expand existing approved homeowners' association boating facility to a "limited marina" (< 25 boats) boating facility. The proposal replaces the existing approved 10' x 16' float (160 s.f. area) with (5) floats, approximately 7' x 16' each (112 s.f. each) for total float area of approximately 560 s.f. facility to serve 90 homes. Refer to Cease & Desist Order No. 12-0057. Located at plat 25, lot 513; Mathewson Road, Barrington, RI.

Mr. Lucia gave a brief overview of the application to the Council stating that the applicant was requesting to create a "Touch and Go" facility and for authorization of an as-built layout of marina perimeter. Mr. Lucia stated that there was a sign-off from both abutters. Mr. Lucia informed that members that 90 homeowners that would utilize the dock and that there was no boat count required by RICRMP 300.4. Mr. Lucia stated that CRMC staff recommended approval of the application with stipulations. Mr. Lucia stated that no objections received during the notice period. Mr. Lucia confirmed that the facility was just to transport to larger boats moored nearby. Mr. Willis stated that the facility was located on the Barrington River with a Town mooring field and yacht club near by. Just for tendering and touch and go. Mr. Lucia confirmed that there was no parking lot associated with this project as the homeowners lived nearby.

The applicants, Mr. Matt Parker, President of the Harbour's Association and Mr. Ben Chwalk, Board Member of Harbour's Association were sworn in and identified themselves for the record.

Mr. Parker stated that approximately 18 dinghies may be moored at one time in answer to Vice Chair Lemont's question. Mr. Parker gave background of Association stated that it was formed in 1951 and that the subject dock existed in its current format since 1956. Mr. Parker stated that the Association had a long standing relationship with CRMC since 1993 and that the application was in response to a recently issued C&D as the current dock formation was out of format from their 1954 approval stating that they are trying to formalize something that was not ever formalized; not building anything new, just legalizing what already exists. Mr. Parker confirmed that the floats and ramp are removed and placed ashore every winter. Mr. Willis stated that CRMC would establish a boat count for any boats over 12' long. Mr. Parker confirmed that the association keeps the dinghies to 12' size and explained their policy on how they supervise 12' boat through sticker system.

Vice Chair Lemont motioned, seconded by Mr. Sahagian, for the approval of the application with staff stipulations. Motion carried on a unanimous voice vote.

10. ADJOURN

Vice Chair Lemont motioned, seconded by Mr. Coia, for the meeting to be adjourned at 6:28 p.m.

Respectfully submitted,
Lisa A. Turner, Recording Secretary