



AGENDA

Semi-Monthly Meeting – Full Council

Tuesday, January 8, 2008; 6:00 p.m.

Narragansett Bay Commission, Boardroom

One Service Road, Providence, RI

Approval of the minutes of the previous meeting.
Subcommittee Reports.
Staff Reports

Presentation: MRDP Implementation -- Jeff Willis, CRMC

Rhode Island Aquatic Invasive Species Management Plan for Council Adoption:

- The RI Aquatic Invasive Species Management Plan is the first comprehensive effort to assess the impacts and threats of aquatic invasive species in Rhode Island. The plan recently received federal approval and eligibility for funding. It outlines a series of management strategies intended to prevent the introduction and curb the spread of aquatic invasive species. The plan, developed and implemented on the state level by the CRMC, prioritizes state agency leadership for action, continuation of current research on the risks of various transport vectors, coordination with industry to minimize invasions, development of a regional web page and database on AIS distribution and education initiatives. The RIAIS Plan was created by the CRMC under the federal Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 as amended by the National Invasive Species Act of 1996 (NISA) through a partnership of URI, RI Natural History Survey, RIDEM, Save the Bay, the US Coast Guard, NOAA, USDA, and USFWS, among others.

Applications requiring Public Hearing for Special Exception:

2006-04-002 RI DEPT of TRANSPORTATION -- Replace existing Sakonnet River Bridge (RI Bridge No. 250) that carries RI Route 24 over the Sakonnet River between Portsmouth and Tiverton, with a new bridge span and approaches south of the existing bridge location. The project will require a CRMC setback variance for work within 50' of coastal features, a variance for filling on a coastal feature, a variance for exceeding 3:1 fill slopes, and a variance for not treating the runoff from project impervious surfaces for 80 total suspended solids (TSS) removal. The project will further require a special exception for filling in tidal waters (for six bridge piers and public access fishing pier/boat ramp – total fill volume 11,279 cu. yd.) and for filling coastal wetland (two wetlands will be filled permanently and one on a temporary basis – total permanent fill area 5,500 s.f.). Wetland mitigation is required pursuant to RI CRMP Section 300.12 to

compensate for wetland impacts. The wetland to be temporarily filled is proposed to be recreated in place. The project further includes dredging for bridge pier installation and causeway/boat ramp preparation (3,165 cu. yd. total). Stormwater management practices are proposed to treat runoff including the construction of two stormwater detention ponds and 3 bio-filtration facilities. The project further includes approach and alignment improvements, public amenities and landscaping

Applications which have been Out to Notice for 30 days and are before the Full Council for Decision:

- 2007-10-027 WEEKAPAUG INN, INC.** -- Perform renovations to the Inn which will include the construction of a service wing as well as interior modification to the layout of the hotel. Five existing structures (“Elk’s Dorm”, “Pagoda Dorm”, Carriage house, studio and Pond house) will be demolished and replaced with five individual hotel suites at the northern portion of the site, and the cabana facility to the south will be constructed similar to the existing facility. Additionally, an innovative septic system is proposed to replace the existing cesspools and leach fields. The daily flow to the new septic system will be reduced by approximately 10,000 gallons per day. Reconstruct roadway and parking areas and also install a geothermal well field for heating and cooling of the Inn. Located at plat 157, lot 161; 25 Spray Rock Road, Westerly, RI.
- 2007-03-042 TIMOTHY AND JOY CSANADI** – construct and maintain a residential boating facility. The facility is to consist of a 4’ wide by 185’ +/- fixed pier that leads to a 3’ x 20’ ramp that leads to a 150 SF terminal float. The facility also is to have a boat lift installed on the northern side of the fixed pier. The facility extends 117 ft seaward of the cited mean low water mark and is variant to several RICRMP dock construction and boat lift standards. Located at plat 55, lot 62; 23 Surf Drive, Bristol, RI.
- 2005-03-082 PLUM HILL PROPERTIES** -- Fourteen (14) lot subdivision with 1,100 linear feet of roadway, and two (2) drainage detention ponds, and associated work. Located at plat 4, lots 3, 5; 1-7 Tower Hill Road, North Kingstown, RI.
- 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.

Public Hearing on Changes to the Rhode Island Coastal Resources Management Program/Procedures:

1. Section 130. Special Exceptions

Revise Section 130.A(1) as follows:

A. Special exceptions may be granted to prohibited activities to permit alterations and activities that do not conform with a Council goal for the areas affected or which would otherwise be prohibited by the requirements of this document only if and when the applicant has demonstrated that:

- (1) The proposed activity serves a compelling public purpose which provides benefits to the public as a whole as opposed to individual or private interests. The activity must be one or more of the following: (a) an activity associated with public infrastructure such as utility, energy, communications, transportation facilities, however, this exception shall not apply to activities proposed on all classes of barriers, barrier islands or spits; (b) a water-dependent activity that generates substantial economic gain to the state; and/or (c) an activity that provides access to the shore for broad segments of the public.

Purpose: To revise the exception for public infrastructure when it is located on all classes of barriers, barrier islands, or spits so as to provide greater management and protection of these features.

2. Section 210.2. Barrier Islands and Spits

Add NEW Section 210.2.B.3 (Renumber existing B.3 as B.4, and existing B.4 as B.5)

3. The damage that barrier islands and spits can sustain in major storm events is significant and as such they are considered high hazard areas. During actual storm events, high hazard areas can create dangerous situations even for emergency response personnel and as such all personnel, including emergency response personnel, should be kept out of these areas during major storm events.

Purpose: To revise the findings to address that high hazards areas that are experiencing or have experienced major storm events such as barriers and spits pose dangerous situations even for emergency personnel.

3. Section 145. Sea Level Rise

Add NEW Section 145 Sea Level Rise

The CRMC is proposing a new programmatic section that addresses the issues and implications of climate change and sea level rise for the state. Definitions, findings and policies, along with references, are included in this new program section. The section recognizes climate change and sea level rise and proposes policies to proactively plan for and adapt to them to account for evolving conditions and to make our coastal areas more resilient.

The full text version of the proposed section can be viewed at the CRMC's offices and/or its website: www.crmc.ri.gov.

Purpose: To address the issue of sea level rise by creating a programmatic section for the management plan.

RICRMP/Management Procedures

4. Section 5.1. Notification

Revise Section 5.1(9) as follows:

(9) For applications that are lacking information to begin review, staff shall prepare a letter specifying the information necessary to begin the review of said applications. If no information or reply is received within thirty days, such applications shall be deemed deficient and shall not be accepted by the Council. The applicant shall be notified of this decision.

For applications that are active (accepted for review), staff may request additional information to aid in the review of said applications. If there is no communication or action on said request, staff shall prepare a letter, advising the applicant that such information shall be received within thirty days or said applications shall be canceled. If no reply is received within thirty days, the application shall be canceled by the Executive Director by letter (certified mail, return receipt requested). The file shall then be closed without prejudice to the applicant and the applicant notified as such.

Once a final staff report(s) is filed, an application cannot be revised except in the discretion of the executive director or the full council. The revision may be subject to the fee provisions of section 4.3.

Assents for activities on properties cited for a violation of the Program shall not be issued until all enforcement issues related to that property are resolved. This rule shall not apply when such applications are submitted to resolve an enforcement action, as directed by the Council's enforcement staff.

Purpose: To state that only the council or the executive director may allow an application to propose revisions once staff reports have been filed.

5. Section 4.3. Schedule of Fees

Revise Section 4.3.8 as follows:

8. When an applicant or his/her consultant(s) submits re-designed site plans for a proposed activity after staff reports have been completed, or more than two (2) times during the course of review of an application or a modification, the executive director in his discretion may set a review fee that is additional to the application fee for such extra staff review time and that which is consistent with the rate-per-hour fee allowances of section 4.3.2(r)(1) above, provided however that the applicant will not be charged in instances where staff has requested additional information and the applicant provides the requested information.

Purpose: To address when a fee is to be assessed to applications that propose to be revised after staff reports have been filed.

Category “A” List

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