



## AGENDA

### Semi-Monthly Meeting – Full Council

Tuesday, July 22, 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:** RI Department of Transportation

Robert Shawver, Associate Chief Engineer; Kazem Farhoumand, Acting Chief Engineer

#### **Request to Withdraw Application:**

**2005-05-149 ELTON DURFEE & WAYNE DURFEE** – Requesting to withdraw application to construct and maintain a 2 bedroom residence, serviced by public water and by a denitrifying ISDS. The project requires the issuance of variances to the RICRMP buffer and setback standards. Located at plat R-3, lot 46; Barnacle Road, Narragansett, RI.

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

**2007-04-079 ROBERT LAMOUREUX** – Construct and maintain a 3 bedroom single family residence serviced by public water and by a denitrifying ISDS. In order to access the site the applicant proposes to construct a 10 foot wide gravel drive leading east from Ocean Road. The applicant seeks variances to the RICRMP's buffer and setback requirements. Located at plat M. lot 161; Ocean Road, Narragansett, RI.

**2007-11-052 LOUIS VARRICHIONE** – Construct and maintain a residential boating facility consisting of a 4' wide x 167' long fixed timber pier that leads to a ramp that leads to a 150 s.f. terminal float. The proposed structure is to extend 71' +/- seaward of the cited mean low water mark. Located at plat 121, lot 159; 9 Slocum Street, Bristol, RI.

**2008-01-088 MAUREEN KRUPA** -- construct and maintain: a residential boating facility consisting of a 4' wide by 105' +/- long fixed timber pier that leads to a ramp that leads to a 150 sf terminal float. The proposed structure is to extend 75' seaward of the cited MLW mark. Located at plat 123B, lot 7; 60 Everett Avenue, Bristol, RI.

**2008-04-021 JOHN & SUSAN BARKER** -- construct and maintain: a 4' x 211' residential pier, ramp, and an 8' x 18.75' float. The float includes a mechanical float lift. The proposed structure extends 119.6' seaward of the mean low water, therefore requires a 69.6' variance from

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RICRMP Section 300.4.E.3.(l). The fixed pier includes a 54.8’ timber section, and 156.2’ aluminum section. Located at plat 16, lot 289; 27 Maple Road, Warren, RI.

**2008-04-080 NORTHRIP REALTY, LLC** -- Construct and maintain an 82 slip marina at the Quality Yachts location. The proposed marina requests 3 variances from standards outlined in Section 300.4 of the RICRMP, they are 300.4.C.1, 300.4.E.1.d and 300.4.E.1.x. Located at plat 72, lots 1, 1A; 95 Riverside Drive, Tiverton, RI.

**Public hearing on Special Exception before the Full Council:**

**2008-01-052 ROGER WILLIAMS UNIVERSITY** -- Construct and maintain a 6’ wide by 150’ long wetland walkover structure. The applicant seeks the issuance of a Special Exception to the prohibition listed in Section 300.17.E.2 of the RICRMP which prohibits wetland walkover structures in excess of 100 feet in length. Located at Plat 164, lots 1, 2, 5, 8, 9, 10; One Old Ferry Road, Bristol, RI.

**Public Hearing on Program Changes before the Full Council:**

**RI Coastal Resources Management Program  
Management Procedures**

**Revise** Section 5.1(3) – Notification as follows:

5.1(3). It further shall be the policy of this Council that anyone interested in receiving notice of the pendency of any application or matter which requires that the Council advertise a noticed public review period and is pending before this Council which would be the subject matter of this notification procedure, individually request to the Council in writing his/her desire to receive such notification. Petitions for or against any application or matter pending before the Council shall not constitute a request for notification. This request may address itself to receipt or notification of a single application, a group of applications affecting an area or subject matter or a general request of notifications of all applications and/or matters subject to notification procedure, pending before the Council. The immediate abutters shall also be notified except when the application requires noticing more than 50 abutters. In these cases, the Council’s notification procedures will be conducted in accordance with the notification requirements of the Administrative Procedures Act.

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*Purpose: to clarify the procedures for interested parties seeking to be notified of applications are only for those applications which are required to be put to public notice.*

**Revise** Section 5.14 – Withdrawal of Applications as follows:

5.14. The applicant, at any time up to the date that final staff reports are filed, may withdraw the application without prejudice. After staff reports have been filed, the application may be

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withdrawn only with the permission of the Council. Once the application has been withdrawn, the only acceptable manner to re-instate the application is to file the application as if it were new along with the appropriate filing/application fee.

*Purpose: to clarify that withdrawn applications can only be re-instated by submitting a new application.*

### RI Coastal Resources Management Program

#### Redbook

**Revise** 300.4.A Recreational Boating Facilities/Definitions as follows:

300.4.A.19. Marine railways: sometimes referred to as slipways, marine railways are mechanical means for: the lifting of a vessel out of the water to an elevation above the highest tides; or, for the launching of a vessel into the water. It is a system of cradles or carriages that are lowered into or raised from the water along an inclined track on a system of rollers or wheels.

**Revise** 300.4.D Recreational Boating Facilities/Prohibitions as follows:

300.4.D.9. Marine railway systems are prohibited except in association with: a marina; or, a commercial or industrial water dependent activity in type 3, 5 and 6 waters.

**Revise** Section 300.16.E.1 Boat and Float Lift Systems/Standards as follows:

300.16.E.1. Marine elevator railway systems are prohibited at all residential boating facilities except in association with: a marina; or, a commercial or industrial water dependent activity in type 3, 5 and 6 waters.

*Purpose: to revise the term ‘marine elevator’ to ‘marine railway’ and to clarify the intent of the term as originally presented in section 300.16 (Boat & Float Lifts), and also therefore to introduce this term to the appropriate sections of 300.4 (Recreational Boating Facilities).*

**Revise** Section 210.6.B.6 – Barrier Islands and Spits as follows:

210.2.B.6. Climate change models indicate that sea level rise rates will accelerate and it is likely that the frequency of intense storms will increase as global temperatures rise (IPCC 2007). The combination of more severe storms and higher sea levels will impact the barriers. Storm surge overwash is the mechanism that causes barriers to migrate landward and also increase in elevation (Otvos and Carter 2007; Riggs and Ames 2007). This increased elevation will become increasingly important as sea level rises. Studies of the underlying geology, sediment supply and coastal processes to barrier systems in the Outer Banks and the Gulf of Mexico point to a threshold, that once past, leads to barrier disintegration (Culver et. al. 2007; Sallenger et. al. 2007). Shoreline protection structures are particularly unsuitable for construction on the barriers because these structures interfere with the overwash processes that supply sediment to the back barrier, eventually leading to a situation where the barrier does not build in elevation and is much more likely to breach or drown in place.

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**Revise** References and Additional Sources of Information as follows:

Culver, S.J., Grand Pre, C.A., Mallinson, D.J., Riggs, S.R., Corbett, D.R., Foley, J., Hale, M., Metger, L., Ricardo, J., Rosenberger, J., Smith, C.G., Smith, C.W., Synder, S.W., Twamley, D., Farrell, K., and Horton, B, 2007. Late Holocene barrier island collapse: Outer Banks, North Carolina, USA. SEPM, The Sedimentary Record, 5, 4, 4-8.

IPCC, 2007. Climate Change 2007: The Physical Science Basis. Summary for Policymakers. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. Geneva, Switzerland: UNEP.

Otvos, E. G., and G. A. Carter, 2008. Hurricane degradation-barrier development cycles, northeastern Gulf of Mexico: landform evolution and island chain history. Journal of Coastal Research 24-2, 463- 478.

Riggs, S.R. and D.V. Ames, 2007. Effect of storms on barrier island dynamics, Core Banks, Cape Lookout National Seashore, North Carolina, 1960-2001. U.S. Geological Survey Scientific Investigations Report 2006-5309, 78 p.

Sallenger, A.S., C.W. Wright, and J. Lillycrop, 2007. Coastal-change impacts during Hurricane Katrina: an overview. In: *Proceedings Coastal Sediments '07* [N.C. Kraus and J.D. Rosati (eds.)]. America Society of Civil Engineers, Reston, VA.

*Purpose: to revise section 210.6 and References and Additional Sources of Information to be supportive to and consistent with recent revisions to the program's Climate Change and Sea Level Rise chapter (section 145).*

### **Hearing Continuation on Program Changes before the Full Council:**

Rhode Island Coastal Resources Management Program – Management Procedures

Revise Section 4.3.2 – Schedule of Fees

Add 4.3.2(u) - submerged transatlantic telecommunications cables, annual: \$38,000

The purpose of this proposed revision is to address legislative provisions for creating an annual fee for submerged telecommunications cables, as allowed in budget article 30 – trans-atlantic submarine cable fee - of the 2007 legislative session. The annual fee shall be effective immediately and re-assessed every five years.

**Enforcement Report – June 2008**

**Category “A” List**

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