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AGENDA

Semi-Monthly Meeting – Full Council

Tuesday, June 22, 2010; 6:00 p.m.

Conference Room A, Administration Building
One Capitol Hill, Providence, RI

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

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

2008-06-098 MICHAEL & DORIS MULLANEY – Maintain a 40’ L by approx. 15’ W house boat, at CRMC-approved marina facility (“Downtown Marina”). Located at plat 18, lot 4; 515 South Water Street, Providence, RI.

2009-10-110 FRANKLIN & ELAINE GRAY -- Construct and maintain a residential boating facility consisting of a 4’ wide by 108’ long fixed timber pier leading to a 3’ x 20’ ramp that leads to a 150 s.f. terminal float. The proposed structure is to extend 75 feet seaward of the cited Mean Low Water mark. A variance to the RICRMP dock length standard is requested. Located at plat 133, lot 60; 60 Smith Street, Bristol, RI.

Public Hearing on Changes to the RI Coastal Resources Management Program:

Revise Section 210.3.C.4 Coastal Wetlands as follows:

4. Alterations to salt marshes and contiguous freshwater or brackish wetlands abutting Type 2 waters are prohibited except for minor disturbances associated with (a) residential docks and walkways approved pursuant to the standards set forth in Section 300.3, and, (b) approved ~~construction or~~ repair of structural shoreline protection facilities; or, (c) Council-approved restoration activities.

Purpose is to revise the prohibition policy on alterations to salt marshes and contiguous freshwater wetlands abutting Type 2 waters such that the construction of new structural shoreline protection facilities is not permitted.

Revise Section 335.C.2 Protection and Enhancement of Public Access to the Shore as follows:

2. It is the Council's policy to require applicants to provide, where appropriate, on-site access of a similar type and level to that which is being impacted as the result of a proposed activity or development project.

Purpose is to clarify existing policy to require applicants to provide on-site access of a similar type and level to that which is being impacted as the result of a proposed activity or development project.

Revise Section 300.14 Maintenance of Structures/Table 4a. Dwelling Rebuilds and Additions for Maintenance Activities under Section 300.14 in its entirety as follows:

Section 210.7 (Dunes): Existing Structures			
DEVELOPED BARRIERS			MODERATELY DEVELOPED AND UNDEVELOPED BARRIERS*
All Structural Alterations other than Maintenance will be Required to: Move Beyond the 50 foot Setback Area and Meet RI State Building Code Requirements			
Structural Alteration	Within 50 foot setback	Landward of 50 foot setback	
Cantilever Decks	Allowed: Maximum 25 sq.ft. at a minimum of 8 feet above grade (in 50 foot setback area only)	Allowed	Prohibited*
If Foundation is NOT FEMA Compliant and:		Allowed provided RI State Building Code and all other RICRMP requirements are met	
1. Rebuild In-kind	Prohibited		Prohibited*
2. Other	Prohibited		Prohibited
If Foundation IS FEMA Compliant and:		Allowed provided RI State Building Code and all other RICRMP requirements are met.	
1. Rebuild In-kind	Allowed (as Maintenance ¹)		Allowed*
2. Add 2 nd Floor	Prohibited		Prohibited
3. Demolition and Add 2 nd Floor	Prohibited		Prohibited
4. Other	Prohibited		Prohibited

These are for typical maintenance activity reviews, however, a variance may be required if erosion setbacks are farther landward than the 50-foot dune setback. In unusual circumstances, the Executive Director may invoke the maintenance provision allowances of Section 300.14. This table is for residential structures which are intact and functional at the time of application. It shall not be applicable for structures which have been destroyed 50% or greater by coastal storms. Structures which have been destroyed 50% or more by coastal storms will be processed as new applications under the appropriate sections of the RICRMP and applicable SAMPs. Relief from this table requires a Special Exception. Where an activity is indicated as “allowed” it must also meet all other applicable RICRMP requirements.

¹ If structure is within the 50 foot setback area, and cannot relocate beyond 50 foot setback area, application will be determined to be a Maintenance activity and the structure will be allowed to be rebuilt in-kind provided it meets current RI State Building Code and all other applicable RICRMP requirements.

*On Moderately Developed and Undeveloped Barriers, only in-kind maintenance is allowed. If a lot can support it, the structure may be moved back and elevated in accordance with RI State Building Code requirements. However, in-kind rebuild is still only allowance.

Purpose is to revise Table 4a such that it clarifies how maintenance activities that are located on barriers and within the 50-foot dune setback zone are to be reviewed.

Ocean Special Area Management Plan

Section 200 - Ecology of the Ocean SAMP Region

The purpose of the Rhode Island Ocean SAMP Ecology Chapter is to provide a broad overview of SAMP area ecosystem: its geology, wind patterns, air and water temperatures, salinity, water currents and circulation, chemical oceanography, phytoplankton, zooplankton, ichthyoplankton, the benthos, fish, megafauna (whales, seals, turtles) and avifauna (birds). With the Ocean SAMP region being a busy maritime entryway to both Narragansett Bay and Long Island Sound, it is critical that the complex ecological and biological dynamics of this transitional sea area be increasingly studied and understood for appropriate resources management.

Section 300 - Global Climate Change

The purpose of the Rhode Island Ocean SAMP Global Climate Change Chapter is to observe past climate trends across global and local scales, consider climate change projections in the future as suggested by existing scientific studies and models, and examine what these climate change trends mean for the marine ecosystem of the Ocean SAMP area and human activities related to the Ocean SAMP.

Section 1000 - Existing Statutes, Regulations and Policies

The purpose of the Rhode Island Ocean SAMP Existing Statutes Chapter is to provide a broad overview of those state and federal regulations which are most relevant to the governance of uses within the Ocean SAMP area, as this area encompasses both state and federal waters. These key statutes, regulations, and policies have associated regulatory provisions that provide policy direction for, and regulation and management of, these ocean resources and uses.

Category “A” List