

In accordance with notice to members of the Rhode Island Coastal Resources Management Council a meeting was held on Tuesday, February 25, 2003 at 6:00 PM at the Administration Building, One Capitol Hill, Providence, RI, Conference Room C, 2nd Floor.

MEMBERS

Paul Lemont, Vice Chair
Rep. Jan Malik
Rep. Eileen Naughton
Ray Coia
Dave Abedon
Joe Shekarchi
Neill Gray
Tom Ricci

STAFF PRESENT

Grover Fugate, CRMC Executive Director

Ken Anderson, CRMC Senior Engineer

Brian Goldman, Legal Council

1. Vice Chair Lemont called the meeting to order at 6:04 PM.

Vice Chair Lemont announced that Chair Tikoian would not be present due to a death in his family and that he would be chairing the meeting.

Mr. Shekarchi seconded by Rep. Naughton moved approval of the February 11, 2003 minutes. The motion was carried on a unanimous voice vote.

2. **STAFF REPORTS**

There were no staff reports.

3. **SUBCOMMITTEE REPORTS**

There were no subcommittee reports.

4. Vice Chair Lemont made a brief statement on the council's permitting process.

Vice Chair Lemont read through the agenda to see which applicants/attorneys were present.

5. **CONTINUANCES:**

'2002-08-031 P. T. Development, LLC – Redevelop a former industrial site into a waterfront condominium complex. The applicant proposes to convert two of the existing structures into 60 condominium units. An existing metal structure is to be demolished and a structure housing 24 additional condominium units is to be erected in its place. The applicant further proposes to construct a boardwalk along the shoreline. The boardwalk will be open to the public. In order to construct the project, the applicant proposes to fill 6,285 s.f. of tidal waters. The proposed project location is Plat 9, Lots 13, 24, 35, 40-41, and 71; 325-345 Thames Street, Bristol, RI.

Dennis Esposito and Kristin Sherman, attorneys for the applicant were present. Peter LaCouture, attorney for the objector, Narragansett Electric Company was also present. Mr. LaCouture stated that he had submitted a letter yesterday requesting a two (2) week continuance on the application so they could address issues of concern. Vice Chair Lemont asked how long they have had discussions with the applicant. Mr. LaCouture replied about a year. Mr. LaCouture stated that they filed a comment letter to CRMC in October 2002. Mr. LaCouture stated that the applicant had revised the plan and they have not reviewed the revisions to the plan with the applicant. Mr. Esposito stated that this matter has been in the works for three (3) years. Mr. Esposito said they have town support and approval for the application and other state permits have been received. Mr. Esposito said he had a problem with a 24 hour request for a continuance on the application. Mr. Esposito stated that the revisions to the plan were to address Narragansett Electric Co. concerns. Mr. Esposito said they were prepared to go forward on the application. Mr. Esposito stated that this is a multi-million dollar project and continuing the application would cause a delay on the closing. Mr. Esposito stated that they were willing to accommodate Narragansett Electric Co. for a short delay on the application but not beyond the March 11th meeting. Vice Chair Lemont asked Mr. LaCouture if they were given to March 11th what they planned to do. Mr. LaCouture said they wanted to see their issues addressed. Mr. Shekarchi, seconded by Mr. Coia moved to continue the application to the March 11th meeting and not beyond March 11th. The motion was carried on a unanimous voice vote.

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

'2002-08-004 JOHN P. PEREZ – Modifications to an existing residential boating facility by installing removable boat lift consisting of a two davit system with a weight capacity of approximately 300 lbs. Located on Conanicut Island, Plat 2, Lot 106; 27 Aquidneck Court, Jamestown, RI.

John Perez, the applicant was present. Mr. Anderson gave the council a brief history on the application. Mr. Anderson stated that this was an application for a boat lift on an as built structure. Mr. Anderson said there were no staff objections to the application. Mr. Anderson said that staff recommended approval of the application as revised. Mr. Perez stated that he wanted to install a davit system to lift a 9' dinghy. Mr. Shekarchi said that staff made revisions to the application and asked if the applicant agreed to them. Mr. Perez replied yes. Mr. Shekarchi, seconded by Mr. Coia moved approval of the application per staff's revisions and stipulations. Mr. Gray asked if with the height of the arm and spring tier if a person stood up would they hit their head. Mr. Perez felt that there shouldn't be any interference. Mr. Gray stated that he was concerned with the height. Mr. Perez stated that staff was concerned with this and it was addressed with the adjustments made by staff. The motion was carried on a unanimous voice vote.

7. APPLICATIONS REQUESTING ADMINISTRATIVE APPROVAL BEFORE THE FULL COUNCIL FOR DECISION:

'2002-10-057 MICHAEL AND KAY BYRNES – Construct additions and renovations to an existing residential dwelling to include installing a new DEM approved (5-bedroom design) individual sewage disposal system (ISDS), construct a garage, swimming pool, porch, terrace, retaining wall and conduct landscaping, etc., as per submitted plans. Located at Plat 45, Lot 13; Salisbury Avenue, North Kingstown, RI.

Donald Packer, attorney for the applicant was present. Mr. Packer stated that he had nothing to add to the staff reports and had a concern with one of Mr. Reis's stipulations. Mr. Anderson gave council members a brief history on the application. Mr. Anderson stated that the application was to add an addition to an existing structure on a large parcel. Mr. Anderson stated that because of the size of the addition the buffer regulations kicked in. Mr. Anderson said staff was in support of the variance and the size of the buffer on the site. Vice Chair Lemont stated that the applicant was requesting a 175' buffer variance from the 200' buffer variance and a 144' buffer variance for the expansion of the house and a 3' variance on the 14' setback. Mr. Packer stated that Mr. Reis recommended four (4) stipulations. Mr. Packer stated that they were concerned with stipulation #3, which requires a buffer management plan. Mr. Packer said his client wanted to wait until the construction was completed before they do a buffer management plan. Mr. Packer said that Mr. Reis wanted the paths marked and the applicant agreed to do this. Mr. Packer stated that when the construction was completed they would do a buffer management plan with view corridors, etc... Mr. Anderson said Mr. Reis wanted to resolve the paths immediately and would work out the buffer management plan with the applicant. Mr. Shekarchi said the applicant is asking for an 85% buffer variance on the 200' setback in the buffer. Mr. Anderson said it was a 25' setback variance. Mr. Anderson said this was a long lot with low density. Mr. Fugate explained that the size of the addition was substantial and this triggered the buffer regulations. Mr. Gray said in the area buffer being reduced there are some pretty vast grade changes. Mr. Gray asked if the buffer material there was adequate for environmental concerns. Mr. Anderson replied yes based on Mr. Reis' report. Mr. Ricci, seconded by Mr. Coia and Rep. Naughton moved approval of the application with all staff stipulations. The motion was carried on a unanimous voice vote.

Vice Chair Lemont called for a recess at 6:26 p.m. Vice Chair Lemont called the meeting back to order at 6:34 p.m.

8. APPLICATION REQUESTING MODIFICATION TO ASSENT BEFORE THE FULL COUNCIL FOR DECISION:

'1999 -01-033 KENNETH SANDSTROM, BRIAN MONAHAN & LYDIA PASTOSZEK – Modification to include extending an existing residential boating facility 30' seaward, add one (1) tie-off pile and relocate three (3) existing piles. Facility will extend 103' beyond mean low water. Located at Plat I-J, Lots 65-7, 65-9; 1195 Succotash Road, Narragansett, RI.

Kenneth Sandstrom, the applicant was present. Donald Packer, the applicant's attorney was also present. Charles Kenyon, Salt Pond Marine Realty, an objector, and a representative of the US Coast Guard were also present. Mr. Packer stated that he learned yesterday that the Corps of Engineers would be revoking their permit. Mr. Packer stated that the Coast Guard was concerned with the Corps permit being revoked and their were still objections from Salt Pond Marine Realty to be worked out. Mr. Packer did not want to proceed on this application and wanted to resubmit the application for this portion of the application until they work out the Corps permit. Mr. Packer wanted to proceed on the piling relocation portion of the application and wanted CRMC approval, Mr. Fugate asked if the pilings were inbound of the outer most piles. Mr. Sandstrom replied yes and they would not protrude further out than the existing pilings. Mr. Fugate stated that the council can give partial approval for the pilings. Mr. Packer submitted a copy of the piling plan to the council as an exhibit. Mr. Shekarchi asked if staff was okay with this. Mr. Anderson stated that he did not see the 3rd existing piling on the plan he only saw 2 existing pilings and 3 new pilings. Mr. Packer stated that he would resubmit a plan that showed the missing third piling. Mr.

Shekarchi, seconded by Mr. Coia moved approval of the amended partial plan for the pilings with all staff stipulations. The motion was carried on a unanimous voice vote. Mr. Coia, seconded by Mr. Gray moved to continue the rest of the application. The motion was carried on a unanimous voice vote.

9. **Enforcement Report – January, 2003**

There were none held.

10. **Category "A" List**

There were none held.

There being no further business before the council the meeting was adjourned at 6:40 p.m.

Respectfully submitted,