



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the June 13, 2018 Meeting of the Jamestown Harbor Commission
Approved: 7/11/2018

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, June 13, 2018 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Chairman Cain called the meeting to order at 6:30 PM with roll call:

Present:

David Cain, Chairman
William Harsch, Vice-Chairman
Wayne Banks, Commissioner
Dan Wurzbacher, Commissioner
James Heagney, Commissioner
Steven Bois, Commissioner
Eric Lexow, Commissioner

Absent:

Also in attendance:

Chief Mello, Executive Director
Mark Campbell, Harbormaster
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, May 9, 2018

Commissioner Banks amended the minutes on page 2, item V. Harbormaster report as follows: "Harbormaster Campbell reported also reported that the buoys at Heads Beach, and Sheffield Cove and Mackerel Cove are in for the season." and moved to approve the minutes of the April 11, 2018 Jamestown Harbor Commission meeting; Commissioner Lexow seconded. So voted; 7 ayes, 0 nays.

III. OPEN FORUM

A. Scheduled Requests to Address

There were no Scheduled requests to address.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

There were no Non-Scheduled requests to address.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello had nothing to report.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell reported that all of the pumpouts are operational; two at West Ferry and three at East Ferry, and the outboard pumpout has been moved to the inboard side of the floating dock to offer more protection from being hit by boats.

Harbormaster Campbell also reported that the mooring fields are approximately 50% full and the season is off to a slow start again due to weather.

Harbormaster Campbell reported that he has been working on bat size change requests and relocation of mooring requests and that a number of riparian moorings have been installed.

Harbormaster Campbell reported that he offered support for the Volvo race, the air show, and that he will be helping out with the Newport/Bermuda race, as well.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2017/2018

MDF YTD Budget- Review, discussion and/or potential action and/or vote

The budget was reviewed by the Jamestown Harbor Commission.

VII. SUB-COMMITTEE REPORTS

A. Budget- Review, discussion and/or potential action and/or vote

Commissioner Heagney had nothing to report.

B. Facilities- Review, discussion and/or potential action and/or vote

Commissioner Banks and Commissioner Wurzbacher had nothing to report.

C. Mooring Implementation- Review, discussion and/or potential action and/or vote

Chairman Cain had nothing to report.

D. Traffic Committee- Review, discussion and/or potential action and/or vote

Chairman Cain had nothing to report.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza had nothing to report.

IX. OLD BUSINESS

A. Mr. Stephen Murphy – Appeal of late fees; 9/5/2017 - Review, discussion and/or potential action and/or vote

Mr. Stephen Murphy, 56 East Shore Road, addressed the Jamestown Harbor Commission regarding his appeal of late fees from last season.

Mr. Murphy stated that he thought his brother paid the fee, as the renewals were going to his brother. Their mooring was tagged by the Harbormaster for non-payment and he paid the mooring fee and \$300 in late fees. Mr. Murphy stated that he is asking the fees be waived or applied as a credit to his account.

The Jamestown Harbor Commission discussed the options.

Commissioner Banks moved to reduce the penalty by 50%; Commissioner Wurzbacher seconded. So voted; 7 ayes, 0 nays.

B. Comprehensive Harbor Management Plan – CRMC Approval and Conditions, specifically the type of moorings required and the relocation of moorings in the Conservation Area at Zeek’s Creek- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello summarized the Harbor Management Ordinance and Comprehensive Harbor Management Plan approval letter and showed the slides of the maps with the town and CRMC Conservation Zone lines. Executive Director Chief Mello stated that the town and CRMC’s interpretation of one of the stipulations in the letter – that the moorings in the Zeek’s Creek Conservation Area – would have to be moved outside of the Conservation Area within the next five years. Executive Director Chief Mello stated that a member of the public is implying that the moorings would not have to move until five years from the CRMC approval date.

Executive Director Chief Mello stated that at the last meeting he asked the Jamestown Harbor Commission for direction on how to proceed with this stipulation of the CRMC approval letter and provided the Jamestown Harbor Commission with three suggestions:

1 – To abide by the condition put in place by CRMC and adhere to the 1000’ conservation zone line and begin moving moorings outside of the Conservation Area.

2 – To appeal the condition and try to get an explanation from CRMC as to why this conservation area was addressed, because we do have moorings in other conservation areas that were not addressed in the approval letter

3 – To appeal to CRMC, after hearing from our local Conservation Commission as to why the line is at 1000' and if you are satisfied that perhaps the line should have been at 500', to adopt the 500' conservation zone line and appeal to CRMC to allow that change to occur within the plan and ordinance.

Executive Director Chief Mello stated that he met with the Conservation Commission last night and the Conservation Commission is asking for more information to make an informed decision. Executive Director Chief Mello will gather further information with his staff and will go back to the Conservation Commission and ask them whether we should try to pursue moving the town conservation line to match the CRMC line. This would require an ordinance change and the town council and CRMC would have to approve the change.

Executive Director Chief Mello stated that, based on the response by CRMC, it would be in our best interests to maintain the moorings we have there and not allow any changes in the area until this issue is resolved.

Mr. Randy Ross, 2 West Passage Drive, asked where the moorings would be moved to if the line stays the same.

Executive Director Chief Mello stated that they would move to the north of the mooring area line and to the west of the conservation zone line.

Mr. Ross stated that he is confused as to why the oyster farms are allowed to remain in the conservation area and are not involved in the discussion.

Executive Director Chief Mello stated that aquaculture is approved directly by CRMC and does not have to be approved by the town or permitted by the Jamestown Harbor Commission.

Mr. Ted Sybertz stated that his family swims out to their boats and that if they have to move the moorings it will be inconvenient. Mr. Sybertz requested that the Jamestown Harbor Commission supports them in maintaining their moorings at the current location. Mr. Sybertz also asked the Jamestown Harbor Commission who will pay for the moorings to be moved, because they were placed there by the former Harbormaster.

Ms. Robin Main, 30 Westwind Drive, encouraged the Jamestown Harbor Commission to look into the placement of the yellow (town conservation) line and the reason it is where it is. Ms. Main stated that she questions the technical basis of the yellow (town conservation) line in today's situation and that there are competing uses in the area.

Mr. Quentin Anthony stated that he disagrees with the town's interpretation of the CRMC letter, stating that it is clear that we (the town) have the five year approval of the plan and it is in the next iteration of the plan that we (the town) have to address the stipulations.

Vice-Chairman Harsch asked Executive Director Chief Mello if he has any comments.

Executive Director Chief Mello stated that his email exchange with Kevin Cute from CRMC that is included in the packet clearly defines CRMC's stance on the matter. Executive Director Chief Mello stated that he is asking the Jamestown Harbor Commission for direction on how to move forward with a situation where we have riparian property owners that were issued riparian moorings without the water in front of their property to support a mooring.

Vice-Chairman Harsch stated that he can see how the letter could be interpreted as we don't have to do anything until 2023 and we should not do anything until we talk to the town solicitor.

Vice-Chairman Harsch moved to talk to the town solicitor about the matter; Commissioner Banks seconded. So voted; 7 ayes, 0 nays.

Executive Director Chief Mello stated that he was seeking direction from the Jamestown Harbor Commission to work with town staff and take the matter in whichever direction the Jamestown Harbor Commission felt was best, but if the Jamestown Harbor Commission would rather let the town counsel take up the matter that is fine, as well.

Commissioner Heagney moved to carry the matter over to the next meeting; Commissioner Banks seconded. So voted; 7 ayes, 0 nays.

C. Construction of the East Ferry floating dock as voted on by the Jamestown Harbor Commission on 2/14/2018 - Review, discussion and/or potential action and/or vote

Executive Director Chief Mello asked the Jamestown Harbor Commission to continue the agenda item to the next meeting, as the town and Mr. Munger are trying to resolve the matter.

Chairman Cain moved to continue New Business item C to the next meeting; Vice-Chairman Harsch seconded. So voted; 7 ayes, 0 nays.

X. CORRESPONDENCE

- A. Appeal – Mr. Stephen Murphy; re: Appeal of late fees; 9/5/2017 - Review, discussion and/or potential action and/or vote**
- B. Appeal – Mr. Chris Museler; re: Mooring location; 5/8/2018 - Review, discussion and/or potential action and/or vote**
- C. Mr. Bill Munger; re: Seaward visitors float replacement concern; 5/8/2018 - Review, discussion and/or potential action and/or vote**

XI. NEW BUSINESS- Review, discussion and/or potential action and/or vote

- A. Appeal – Mr. Chris Museler; re: Mooring location - Review, discussion and/or potential action and/or vote**

Chairman Cain moved to continue the item to the next meeting; Vice-Chairman Harsch seconded. So voted; 7 ayes, 0 nays.

B. Public signage at East Ferry

Executive Director Chief Mello stated that a sample of the new signs to be installed at the floating docks at East Ferry is included in the packets.

C. Updated Qualified Mooring Installer and Inspector list

Chairman Cain moved to accept the updated mooring installer and inspector list; Commissioner Bois seconded. So voted; 7 ayes, 0 nays.

XII. OPEN FORUM – CONTINUED- Review, discussion and/or potential action and/or vote

Commissioner Bois asked the Jamestown Harbor Commission can direct Executive Director Chief Mello to reach out to CRMC and let them know we are interested in pursuing changing the town conservation line to match the CRMC line at 500'; Commissioner Wurzbacher seconded. So voted; 7 ayes, 0 nays.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Commissioner Banks moved to adjourn at 7:43 PM, Vice-Chairman Harsch seconded. So voted; (7 ayes, 0 nays).

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk