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**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the May 8, 2019 Meeting of the Jamestown Harbor Commission
Approved: 6/12/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, May 8, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Vice-Chairman Harsch called the meeting to order at 6:39 PM with roll call:

Present:

William Harsch, Vice-Chairman
James Heagney, Commissioner
Wayne Banks, Commissioner
Eric Lexow, Commissioner
Steven Bois, Commissioner

Absent:

Dan Wurzbacher, Commissioner
George Souza, Conservation Commission Liaison

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, March 13, 2019

Commissioner Lexow moved to approve the minutes; Commissioner Heagney seconded. So voted; 5 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 reported that the East Ferry touch and go replacement is being built by Ramon; the deck is constructed and the floatation devices will be attached tomorrow. Regan is setting the pilings and angling the deck and affixing the float. The project should be completed in about one week. Regan will also be replacing some broken stringers. The docks at West Ferry are spread out for Ramon to repair and the pumpouts will be operational by the end of next week.

Executive Director Chief Mello also reported that the concrete is done at Ft. Getty pier and the clean up to the approach and gangway will be completed soon. The decking on the pier is being replaced and is about 75% complete.

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

Harbormaster Campbell reported that he is back for the season and the Freedom is commissioned and launched. The Ribcraft will go in when the docks are in on the west side.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

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

The budget was not available but Executive Director Chief Mello stated we will have that available ASAP.

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 had nothing to report.

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

Chairman Cain resigned; Commissioner Banks volunteered to be the point person for this topic.

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

Chairman Cain resigned; Vice-Chairman Harsch volunteered to be the point person on this topic.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois stated that the restoration is progressing, however bird nesting season has brought some of the activities to a halt. DEM has agreed to post signage.

VIII. LIAISON REPORTS

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

Conservation Commission Liaison Souza was absent.

IX. OLD BUSINESS

A. Appeal – Mr. Chris Museler; re: Mooring location; 5/8/2018 – Review, discussion and/or potential vote; Continued from December 12, 2018

Mr. Quentin Anthony stated that Executive Director Chief Mello has indicated that Mr. Museler's mooring can be moved to the location he is requesting, so the appeal is moot.

Vice-Chairman Harsch stated that the appeal is off the table.

X. CORRESPONDENCE

A. Letter from Executive Director Chief Mello to Tony and Joe Pinheiro – Re: Upweller approval by Town Council; 4/10/2019

Executive Director Chief Mello stated that this is a letter of support from the Jamestown Harbor Commission and the Town Council which states that the Town Council approved the recommendation and it is to serve as official notification to the Pinheiro's to allow them to complete the application process to CRMC.

XI. NEW BUSINESS

Vice-Chairman Harsch moved to move up item 11(B); Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

B. Qualified Service Provider List - Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that this is a practice for each year to have the Harbormaster approve the list and then Harbor Commission votes to place the mooring inspectors on the Qualified Mooring Inspector and Installer list.

Commissioner Lexow moved to accept the list; Commissioner Banks seconded. So voted; 5 ayes, 0 nays.

A. Appeal – Mr. Chris Museler; re: Denial of Guest Mooring Permit; 4/18/2019 – Review, discussion, and/or potential action and/or vote

Vice-Chairman Harsch asked the staff to lay the groundwork for the appeal.

Executive Director Chief Mello distributed to the Jamestown Harbor Commission a map of Mr. Museler's property, the Harbor Management Ordinance language on riparian moorings, CRMC's definition of riparian moorings, and a map Mr. Museler submitted to the Harbor Office indicating the location he wants his mooring.

Executive Director Chief Mello stated that Mr. Museler applied in early 2018 for a guest mooring and no action was taken on that application because of ongoing discussions and the appeal of the location of Mr. Museler's primary mooring. Now that

the primary mooring appeal is resolved, Mr. Museler's application for a guest mooring was denied on the grounds that the proposed mooring location will not reside within the lateral extensions of his property lines.

A discussion on the other moorings issued to properties on Westwind Drive ensued.

Executive Director Chief Mello stated that CRMC brought it to our attention that the moorings should not have been issued to the properties on Westwind Drive where there is not enough water within the lateral extensions of the property lines to support a mooring. After the meeting with CRMC where this was discussed we ceased to issue new permits. We will continue to issue renewal permits for the existing moorings but those moorings are considered non-conforming and no new non-conforming permits will be issued.

Mr. Quentin Anthony asked Executive Director Chief Mello questions about riparian moorings in the area, CRMC's letter of approval of the Harbor Management Ordinance.

A discussion ensued on grandfathering the existing non-conforming moorings.

Harbormaster Campbell stated that the Harbor Management Ordinance says that riparian property owners are entitled to apply for a mooring. The Harbor Management Ordinance does not say that they are entitled to a mooring.

Commissioner Bois moved to ask Executive Director Chief Mello to gather the following information - do the properties adjacent to Mr. Museler's have guest moorings and do other towns in the area interpret the CRMC definition of riparian moorings the same way? Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

Vice-Chairman Harsch moved to continue this item until the June 12th meeting of the Jamestown Harbor Commission, Commissioner Lexow seconded.

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

There was no Continued Open Forum.

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

Commissioner Banks moved to adjourn at 8:15PM; Commissioner Bois seconded. So voted; 5 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk