



JAMESTOWN HARBOR OFFICE
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TOWN OF JAMESTOWN
HARBOR COMMISSION

Minutes of the May 9, 2012 Jamestown Harbor Commission Meeting
Amended: 6/13/2012 Approved: 6/13/2012

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, May 9, 2012 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

Chairman deAngeli called the meeting to order at 7:00 PM with roll call:

Present:

Michael deAngeli, Chairman
David Cain, Commissioner
Chris Brown, Commissioner
Ed McGuirl, Commissioner
Patrick Bolger, Commissioner
Jake Farrell, Commissioner

Absent:

Larry Eichler, Commissioner

Also in attendance:

Chief Edward Mello, Executive Director
Bob Bowen, Town Council Liaison
George Souza, Conservation Commission Liaison
Kimberly Devlin, Harbor Clerk & Recording Secretary

APPROVAL OF MINUTES
April 11, 2012

Commissioner Brown moved to accept the minutes of the March 14, 2012 Jamestown Harbor Commission meeting, Commissioner Cain seconded. So voted (6 ayes, 0 nays)

CONSENT AGENDA

No Consent Agenda.

EXECUTIVE SESSION

No Executive Session.

OPEN FORUM

Scheduled Requests to Address

No Scheduled requests to address.

Non-scheduled Requests to Address

No Non-Scheduled requests to address.

Commissioner Brown moved to move up items 13(A) and 13(B); Commissioner McGuirl seconded. So voted (6 ayes, 0 nays).

NEW BUSINESS

A. Appeal – Alexandra Kent for Halfacre Trust; re: Consecutive Temporary Exemption request

Alexandra Kent addressed the Jamestown Harbor Commission regarding her request for a second temporary exemption request for her mooring. There was a boat on the mooring last year, as approved by the first temporary use exemption.

The request was denied by the Harbormaster, because a temporary exemption request was granted last year and the harbormaster denies all consecutive year requests.

Ms. Kent explained that she has been looking for a boat but has not had good luck finding one. She is requesting another year to purchase a boat that will be registered to the mooring permanently.

Commissioner McGuirl moved to approve the appeal of Alexandra Kent for Halfacre Trust, Commissioner Bolger seconded. So voted (6 ayes, 0 nays)

B. Appeal – R. Rand Ross; re: Request to allow Don Miller’s charter boat to permanently be on a guest mooring

R. Rand Ross addressed the commission regarding his appeal to keep a boat that he leases on his mooring. He stated the town changed the harbor ordinance, and he feels he is in full compliance for his leased vessel to be on his mooring. There is no legal justification to deny the permit.

Chairman deAngeli stated that in the appeal this year and last year, he (Mr. Ross) did not have exclusive use of the vessel, and Don Miller had it on Tuesday’s Tuesdays. Chairman deAngeli asked Mr. Ross if that were still the case, and Mr. Ross stated that it was.

Chairman deAngeli mentioned that it was the intention of the commission to avoid a situation where a leased vessel is still used by the owner.

Executive Director Mello stated that Sam is exercising what he believes to be the intent of the Harbor Management Ordinance.

Commissioner Bolger stated that a leased vessel is not allowed under the ordinance, unless the lessee has exclusive use.

Chairman deAngeli stated that a property owner cannot treat himself as a guest on his own mooring, that was not the intent of guest moorings. Sam has the right to deny the seasonal use of a guest mooring.

Commissioner McGuirl stated that the intent of the ordinance language change was to stop private moorings being used for charter boats to run their businesses from. If you want to change your mooring to a guest mooring, the solicitor will have to review the documents.

Commissioner Brown stated that the ordinance says it is up to the Harbormaster to approve or deny the request, and the Harbormaster says “No.”

Chairman deAngeli moved to deny the appeal, on the grounds that a guest mooring is to be used by guests, and not the owner. Commissioner Cain seconded. So voted (6 ayes, 0 nays).

EXECUTIVE DIRECTOR MELLO’S REPORT

Executive Director Mello reported the new motor is on the Ribcraft and the old motor is advertised for sale. The radar will be installed on the Ribcraft and the radio on the Eastern, next week. Joe starts at the end of the month. The conservation area buoys RFP will be advertised in the coming days.

There are two issues regarding beach permits that have not been granted. The first application has been submitted by Mr. and Mrs. Hatch. They would like to leave two kayaks kayak’s at East Ferry as rentals for their business. The majority of their business will be based upon delivering kayak rentals to people’s homes; however, they would also like to have two kayaks kayak’s permanently at East Ferry.

The second application is for the Conanicut Island Sailing Foundation (CISF). They would like to leave two kayaks kayak’s at Ft. Getty for use as rentals within the CISF, to raise money for the non-profit organization.

Commissioner Bolger stated he feels these are two separate categories of permits; one is non-profit and the other is commercial.

A discussion ensued. The commission decided the non-profit permits may be issued, on the condition they are up for review every year and are not utilizing spaces that would cause private permits to be denied. The commercial permit applications have been denied.

**MARINE DEVELOPMENT FUND BUDGET
2011/2012 MDF YTD Budget**

The Marine Development Fund was presented to the Jamestown Harbor Commission.

HARBOR CLERK REPORT

Harbor Clerk Devlin reported everything is on track for the season.

HARBORMASTER REPORT

Harbormaster Paterson reported the ~~pump outs~~ pump-outs are up and running and the floats are in and hooked up. New permits have been issued in Zone C (Dutch Harbor) and Zone D (East Ferry), along with new riparian applications.

LIAISON REPORTS

Planning Commission Liaison

Planning Commission Liaison seat is vacant.

Town Council Liaison

Town Council liaison Bowen reported the safety lights are out at Ft. Getty and on the wood pile pier, and there is a commercial steel boat tied up to one of the touch and go docks.

Harbormaster Paterson reported the boat is gone.

Conservation Commission Liaison

Conservation Commission Liaison Sousa had nothing to report.

ONGOING BUSINESS

Budget

Commissioner Brown had nothing to report.

Facilities

Commissioner Eichler was absent.

Mooring Implementation

Commissioner Cain had nothing to report.

Harbor Management Ordinance / Comprehensive Harbor Management Plan

Chairman deAngeli had nothing to report.

Ferry Committee

Commissioner Bolger updated the Jamestown Harbor Commission on the outcome of the Ferry Committee meeting. The consensus of the Ferry Committee was that there is no need for the type of service the Aquidneck Ferry provides, and the town does not have the facilities to accommodate the vessel. Extensive work would need to be done in order to accommodate the request of Captain Closson and the Aquidneck Ferry.

The Ferry Committee is recommending the Jamestown Harbor Commission deny the request.

Commissioner McGuirl moved to accept the recommendation of the Ferry Committee to deny the request of the Aquidneck Ferry. Commissioner Brown seconded. So voted (6 ayes, 0 nays)

OLD BUSINESS

There was no Old Business to discuss.

NEW BUSINESS

C. Ft. Getty floating dock

A discussion ensued on the memo regarding the installation of two donated floats at the Ft. Getty pier. There is concern regarding the strong current, however, signs could be posted on the floats to warn people of the currents.

Chairman deAngeli moves to approve the installation of the donated floats at Ft. Getty. Commissioner Cain seconded, So voted (6 ayes, 0 nays).

D. Town Council Resolution update to include the new WPP touch and go docks

Commissioner Bolger moved to approve the updated resolution, Commissioner Cain seconded. So voted (6 ayes, 0 nays)

CORRESPONDENCE

A. Town Administrator Bruce Keiser, re: Ft. Getty floating docks; 5-2-12

B. RIDEM – Public Notice #PN 12-04; 4-30-12

C. CRMC – April 2012 Calendar; 4-30-12

D. CRMC – Notice of Reschedule of Public Hearing; 4-30-12

E. CRMC- Notice of Rescheduling of Public Hearing; 4-30-12

F. Department of the Army – General Permit; 4-30-12

Chairman deAngeli moves to accept correspondence items 14(A-F), Commissioner Bolger seconded. So voted (6 ayes, 0 nays)

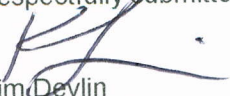
Open Forum – Continued

Town Council Liaison Bowen stated that Matunuk is repairing the seawall in South Kingstown and the project is fully funded by the State.

ADJOURNMENT

Chairman deAngeli moved to adjourn at 8:27 PM, Chairman Cain seconded. So voted; 6 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Harbor Clerk