



**Jamestown Harbor Commission Meeting  
Wednesday, April 10, 2024 at 5:00 p.m.  
Jamestown Town Hall  
93 Narragansett Avenue, Jamestown, RI 02835**

**AGENDA**

**THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.**

**THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:**

**<https://jamestownri.gov/how-do-i/watch-live-streamed-town-meetings>**

- I. Call to Order and Roll Call
- II. Public Comment – Preliminary Determination Application for an Oyster/Scallop Farm CRMC – Benjamin Goetsch
  - A. Application of Kyle Lee Reichman for a site lease north of Dutch Island and west of Great Creek for Atlantic Oysters and Bay Scallops;
- III. Approval of Meeting Minutes – Review, discussion, and/or potential action and/or vote;
  - A. March 13, 2024
- IV. Open Forum
  - A. Scheduled Requests to Address
  - B. Non-Scheduled Requests to Address
- V. Executive Director’s Report – S. Bois
- VI. Year-to-Date Financial Report
- VII. Sub-Committee Reports
  - A. Budget – S. Romano – Review, discussion, and/or potential action and/or vote;
  - B. Facilities – W. Banks and J. McCarthy – Review, discussion, and/or potential action and/or vote;
  - C. Mooring Implementation – D. Wurzbacher and M. Campbell - Review, discussion, and/or potential action and/or vote;
  - D. Gould Island Restoration – W. Banks and M. Campbell – Review, discussion, and/or potential action and/or vote;
- VIII. Liaison Reports
  - A. Conservation Commission – B. Laman – Review, discussion, and/or potential action and/or vote;
  - B. Town Council – R. White – Review, discussion, and/or potential action and/or vote;

- IX. Old Business
  - A. Proposed Amendments to the Comprehensive Harbor Management Plan – Review, discussion, and/or potential action and/or vote;
- X. Correspondence
  - A. Letters and diagrams from Joseph Pinheiro regarding Ft. Getty Pier
- XI. New Business
  - A. Discussion and possible action to hear appeal of Josh Furtado of Outhaul Permit Revocation – Review, discussion and/or potential action and/or vote;
  - B. East Ferry Commercial Agreement – Review, discussion, and/or potential action and/or vote;
  - C. Ft. Getty Pier Access Road Change – Review, discussion, and/or potential action and/or vote;
  - D. Ft. Getty Oyster Farmer Support – Review, discussion, and/or potential action and/or vote;
- XII. Open Forum – Continued (If Necessary)
- XIII. Adjournment

***Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website, at the Town Hall, and at the Jamestown Police Station. Notice is also posted at the Jamestown Philomenian Library and on the Internet at [www.jamestownri.gov](http://www.jamestownri.gov).***

ALL NOTE: If communications assistance or other accommodations are needed to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to [rfagan@jamestownri.net](mailto:rfagan@jamestownri.net) not less than three (s) business days prior to the meeting.

*Posted on the RI Secretary of State website on April 5, 2024.*



State of Rhode Island and Providence Plantations  
Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

(401) 783-3370  
Fax (401) 783-2069

File Number (CRMC use only): 2023-11-055

### CRMC AQUACULTURE PRELIMINARY DETERMINATION REQUEST FORM

#### APPLICANT INFORMATION:

Applicant(s) Name(s): Kyle Lee Reichman  
Street: 7 Chestnut St.  
City/Town: Newport State: RI Zip Code: 02840  
Phone Number: 401.640.3064  
E-Mail: kylereichman@gmail.com

#### Location of Proposed Aquaculture Site

Waterway: Dutch Harbor, Jamestown  
Longitude/Latitude of Proposed Aquaculture Site: \_\_\_\_\_  
Northwest 41.511669N -71.390251W Northeast 41.510576N -71.388577W  
Southwest 41.511251N -71.390723W Southeast 41.510126N -71.389135W

Signature of Requestor: \_\_\_\_\_ Date: 10.17.2023

#### INSTRUCTIONS

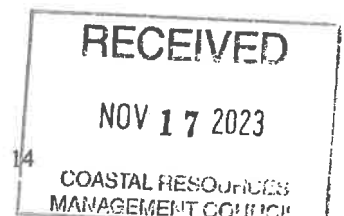
**\*\* FILING FEE: \$25.00 per site. Check or money order payable to "CRMC"**

**NOTE: Filing fees are not refundable.**

**\*\* NOTE: This request does not constitute an application for permission to perform an activity. A CRMC Preliminary Determination Request is a determination of jurisdiction and which sections of the Rhode Island Coastal Resources Management Program apply to the project under construction.**

Mail the above information to:

ATTN: APPLICATIONS COORDINATOR  
COASTAL RESOURCES MANAGEMENT COUNCIL  
OLIVER STEDMAN GOVERNMENT CENTER  
4808 TOWER HILL ROAD; SUITE 3  
WAKEFIELD, RI 02879



## Intro

The enclosed application is for an approximately 3.0-acre lease to farm Atlantic Oysters (*Crassostrea virginica*) and Bay Scallops (*Argopecten irradians*). There will be a proposed 100-foot channel to buffer the abutting farms and to allow sufficient space for water dependent uses, activities, and access to the shoreline (see figures 1, 2, and 3).

The site will consist of 11 long lines, 9 of which will support approximately 5,265 Flip Farm bags for growing Atlantic Oysters (*Crassostrea virginica*) from seed to market size (3 inches), for commercial sale. Flip Farm bags will be flipped periodically allowing for air drying, which controls biofouling. There will be 1 polyline which will support a maximum of 100 lantern nets for growing Bay Scallops (*Argopecten irradians*), for commercial sale. The polyline will also support a maximum of 175 split bags, that will hold market oysters before sale, during cooler months, as well as a maximum of 190 tumblers for seed growth before being dispersed throughout the Flip Farm bags. Lastly a long line will hold a maximum of 50 bottom cages, that will be used for Atlantic Oysters (*Crassostrea virginica*) growth, Bay Scallops (*Argopecten irradians*) growth, and for soaking market size Atlantic Oysters (*Crassostrea virginica*), during warmer months, to allow for flushing (see figures 4-8).

All shellfish will be hand sorted and harvested on the water using best practice methods outlined in the *Best Practices for the East Coast Shellfish Aquaculture Industry*, revised for 2023 (source: [http://www.crmc.ri.gov/aquaculture/BestPractices\\_EC5AI.pdf](http://www.crmc.ri.gov/aquaculture/BestPractices_EC5AI.pdf)). Once landed the shellfish will be tagged and prepared for shipping. During warmer months slurries will be used to rapid chill the oysters before being tagged and prepared for transportation. Shellfish will be chilled to 50°F (source: <https://www.issc.org>) or less in coolers and transported to local area restaurants.

## Operations Plans

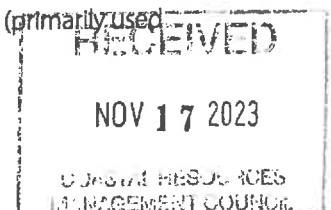
Kyle Lee Reichman  
7 Chestnut St.  
Newport, RI 02840

CRMC file number for the facility lease application will be assigned a file number by CRMC. Additionally, a stream ID (CRMC) will be assigned to the current application.  
TBD

DEM Application number will be assigned if applicants are offered for sale. New applicants will need to obtain the DEM number of the license area an aquaculture permit is issued.  
TBD

1. Type of facility (e.g. commercial lease site, home use, experimental, research, commercial viability, educational, ornamental, etc.) and technology used (e.g. floating gear, submerged cages, bottom cages, etc.)

Commercial lease with floating gear, specifically Flip Farm as well as bottom cages (primarily used



for soaking markets during warmer months). Tumblers will be used to store seed until large enough for Flip Farm bags. Split bags will be used for storing market oysters during cooler months.

Location of facility (include details on chart depicting exact location)  
See included images and maps (figure 1, 2, and 3)

- a. Address: 104 W  
Jamestown
- b. Water body:  
Dutch Harbor
- c. Lat/Long coordinates and size of facility:  
Northwest 41.511669N -71.390251W  
Northeast 41.510576N -71.388577W  
Southwest 41.511251N -71.390723W  
Southeast 41.510126N -71.389135W

- e. Identification of all species of shellfish grown at the facility. Acknowledgement that the applicant will follow Biosecurity Board seed protocols should be included  
Atlantic Oysters (*Crassostrea virginica*) and Bay Scallops (*Argopecten irradians*)

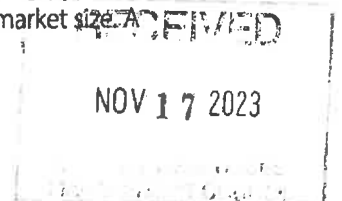
(See figure 4-8)

The site will be assessed via vessel daily.

Highflyer radar buoys will be used at northern corners of the site. Solar navigational lights placed on the southern corners. Highflyers and lighted buoys will be secured using helical anchors coupled with polysteel rope. Corner markers will be visually checked regularly, and a diver will check anchors annually or as needed.

The proposed lease is located in approved waters (approved 7B).

Oyster seed will be purchased from commercial hatcheries (example: Muscongus Bay Aquaculture) or from local farms (example: Aquidneck Island Oyster Company). If purchased seed is outside the farm's biosecurity zone, a pathology report will be provided with notice to an aquaculture specialist. Oyster seed will be placed in Flip Farm gear and grown to market size.



detailed farm map will be used to track the seeds origin.

Market oysters will be held in bags, in bottom cages during warmer months. During cooler months the market oysters will be stored in split bags attached to a long line. Market oysters will soak for a minimum of seven days prior to harvesting. A detailed farm map will be used to track date of last handling.

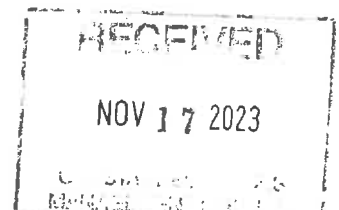
Bottom cages will be used to soak market oysters during warmer months and split bags during cooler months, for a minimum of seven days.

The projected yield for the proposed lease is estimated to be 300,000 oysters and 50,000 bay scallops annually.

Each Flip Farm bag will be labeled with the farm's CRMC lease number, name, and phone number of lease holder. In the event that one of the bags breaks free from the farm, this contact information can be used to contact the lease holder. After weather events the farm will be inspected to ensure that all gear is accounted for.

Detailed records of seed purchases will be kept by lease holder for review by CRMC upon request. CRMC will be notified prior to seed purchases and supplied with the appropriate documentation including: the origin of the seed (hatchery name and location), spawn date, number purchased, date of delivery, mean size of seed, and pathology report(s) with notice to aquaculture specialists.

Seed originating from upwellers in prohibited waters will be removed from upwellers before reaching 32mm in size. It will be segregated from other seed on the lease for a minimum of 6 months, prior to being dispersed throughout the farm. A detailed farm map will be used to track the seeds origin.



A detailed farm map will be used to track the seeds origin. Seed from prohibited waters will be segregated from other seed on the lease for a minimum of 6 months. These maps will include the origin of the seed (hatchery name and location), spawn date, number purchased, mean size, date of delivery and pathology report(s) with notice to an aquaculture specialist.

### **Category B Requirements**

The applicant is applying for a commercial lease to farm Atlantic Oysters (*Crassostrea virginica*) and Bay Scallops (*Argopecten irradians*) to meet the demand for local, sustainably sourced, healthy seafood. Shellfish farming is a net-positive for the environment, as it improves water quality by removing algae, red tide, organic matter, and excess nutrients such as nitrogen from the water column as they grow. Additionally, shellfish create habitat for other species, improves the water quality for vegetation such as eel grass, has very low impact on the ocean, and is an economic driver for the community. (source: <https://www.fisheries.noaa.gov/feature-story/global-study-sheds-light-valuable-benefits-shellfish-and-seaweed-aquaculture#:~:text=Shellfish%20and%20seaweed%20farms%20are,create%20habitat%20for%20other%20species.>)

Lease holders in Dutch Harbor have been successfully farming this body of water for over 11+ years while abiding by all local ordinances.

The applicant does not anticipate any coastal waters or land areas to be affected. The proposed lease is located amongst 6 other aquaculture farms and is located 750 feet off the closest shoreline.

The proposed lease is located in 20-25 feet of water. The methods and manners that will be used have not been shown to impact or cause erosion to the shoreline.

The proposed lease was selected with the assistance of the DEM and is not in an area with vegetation (Eel Grass). Aquaculture farms have been proven to have a positive impact on the environment and the waters that surround them, promoting native, vegetation growth in addition to other species.

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OFFICE

The proposed leases borders are within 100 feet of the existing aquaculture farms leaving a channel and sufficient space for all boaters to access the shoreline.

The proposed floating gear will have little to no impact on the water circulation, flushing, turbidity, and sedimentation.

Oysters are known to filter seawater for nitrogen and sediment, which makes the water clearer and allows seagrasses to thrive by providing better access to sunlight. Oyster reefs can protect beach habitats from tidal currents and even provide housing for fish, crustaceans, and other marine life.

There are no known historic and archaeological areas within the proposed lease.

There will be a proposed 100-foot channel bordering the proposed lease allowing sufficient space for water dependent uses, activities, and access to the shoreline.

Flip Farm gear has a very low profile to the surface of the water minimizing the scenic impact to the area.

### **Additional Category B Requirements**

The proposed lease is approximately 3 acres in size and is located in waters where aquaculture already exists.

Atlantic Oysters (*Crassostrea virginica*) and Bay Scallops (*Argopecten irradians*) will be cultivated on this lease.

The shellfish grown on the lease will be for commercial sale.

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Watson Farm  
455 North Road  
Jamestown, R.I. 02835  
401-423-0005

Brad Boehringer  
Rock Rhode Oyster Co./Walrus and Carpenter Oyster Co.  
83 State Street  
Narragansett, RI 02882  
401-447-7119  
[rockyrhodeoysterco@gmail.com](mailto:rockyrhodeoysterco@gmail.com)

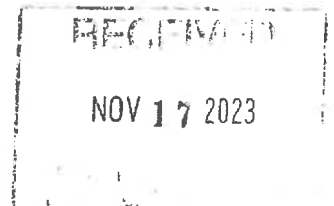
Nicholas Papa  
Pangea Shellfish Company  
314 Northern Avenue  
Boston, MA 02210  
617-439-4999  
[eastbeachoysterco@gmail.com](mailto:eastbeachoysterco@gmail.com)

Adam Silkes  
American Mussel Harvesters, Inc  
165 Tidal Drive North  
East Kingstown, RI 02852  
401.294.8999  
[adam@americanmussel.com](mailto:adam@americanmussel.com)

N/A

Type 4

N/A



There will be a proposed 100-foot channel bordering the proposed lease allowing sufficient space for water dependent uses, activities, and access to the shoreline.

Flip Farm gear is secured by helical anchors on either end of the long line ensuring the gear stays in place.

An estimated 450,000 oysters per acre per year and 250,000 scallops per year.

The three abutting farm owners have been notified of the application.

The applicant has experience working on three different farms in separate bodies of water, including Dutch Harbor. Currently working on a farm in the Sakonnet River using Flip Farm gear.

The proposed farm is nestled within the existing aquaculture in the area. The use of the lowest profile gear on the market will have minimal impact to the existing landscape.

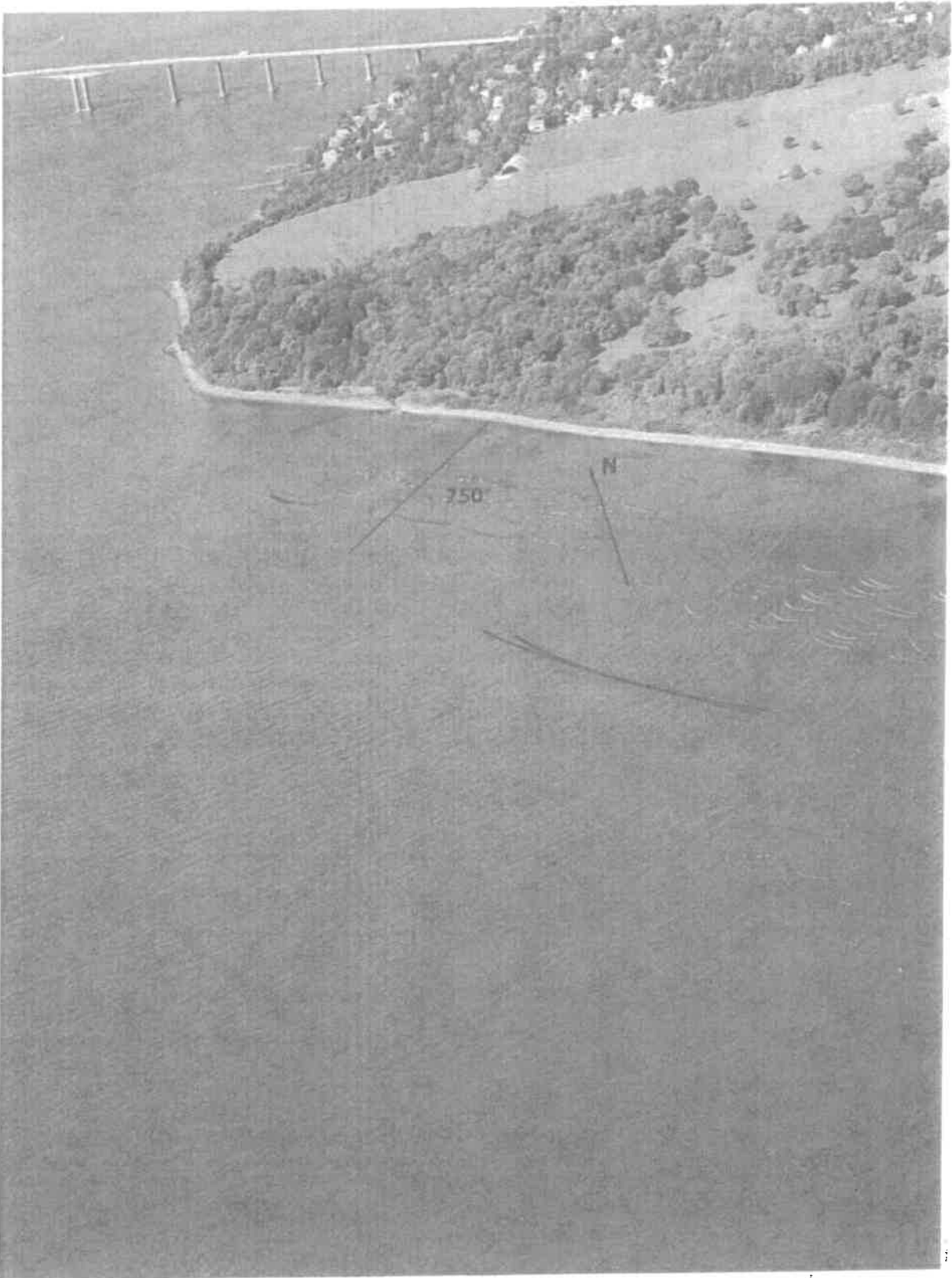
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Figure 1



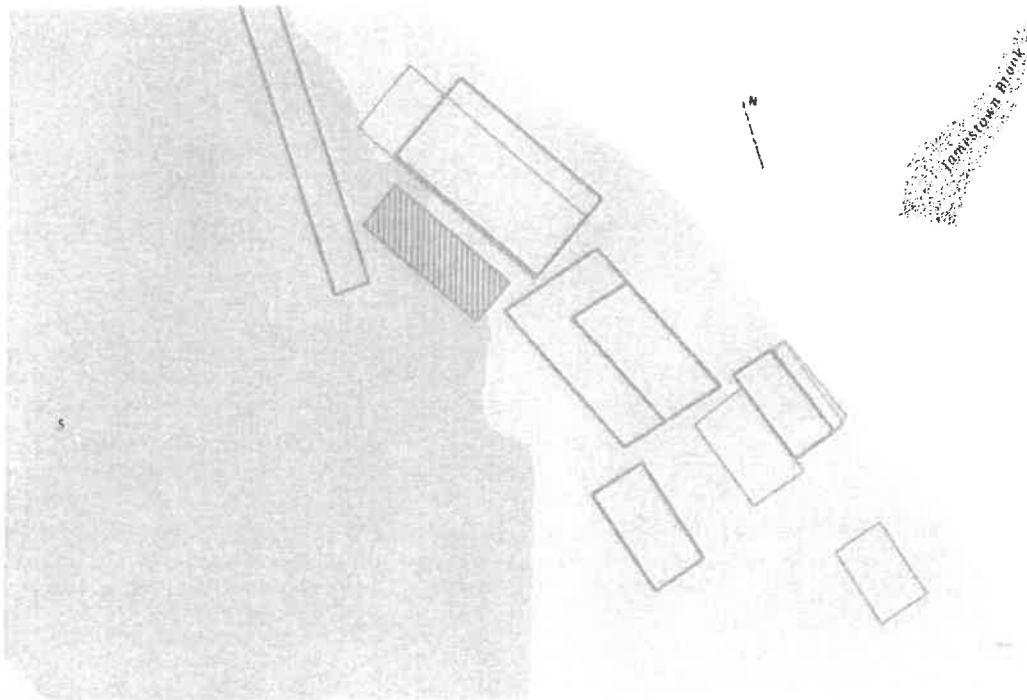
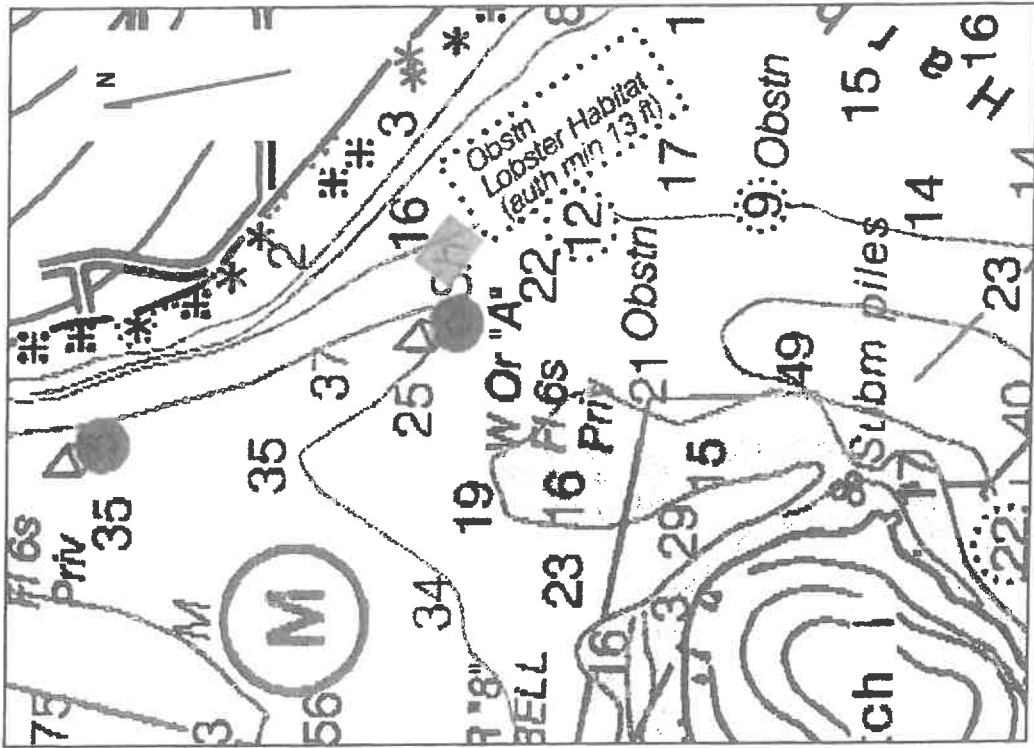
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Figure 2



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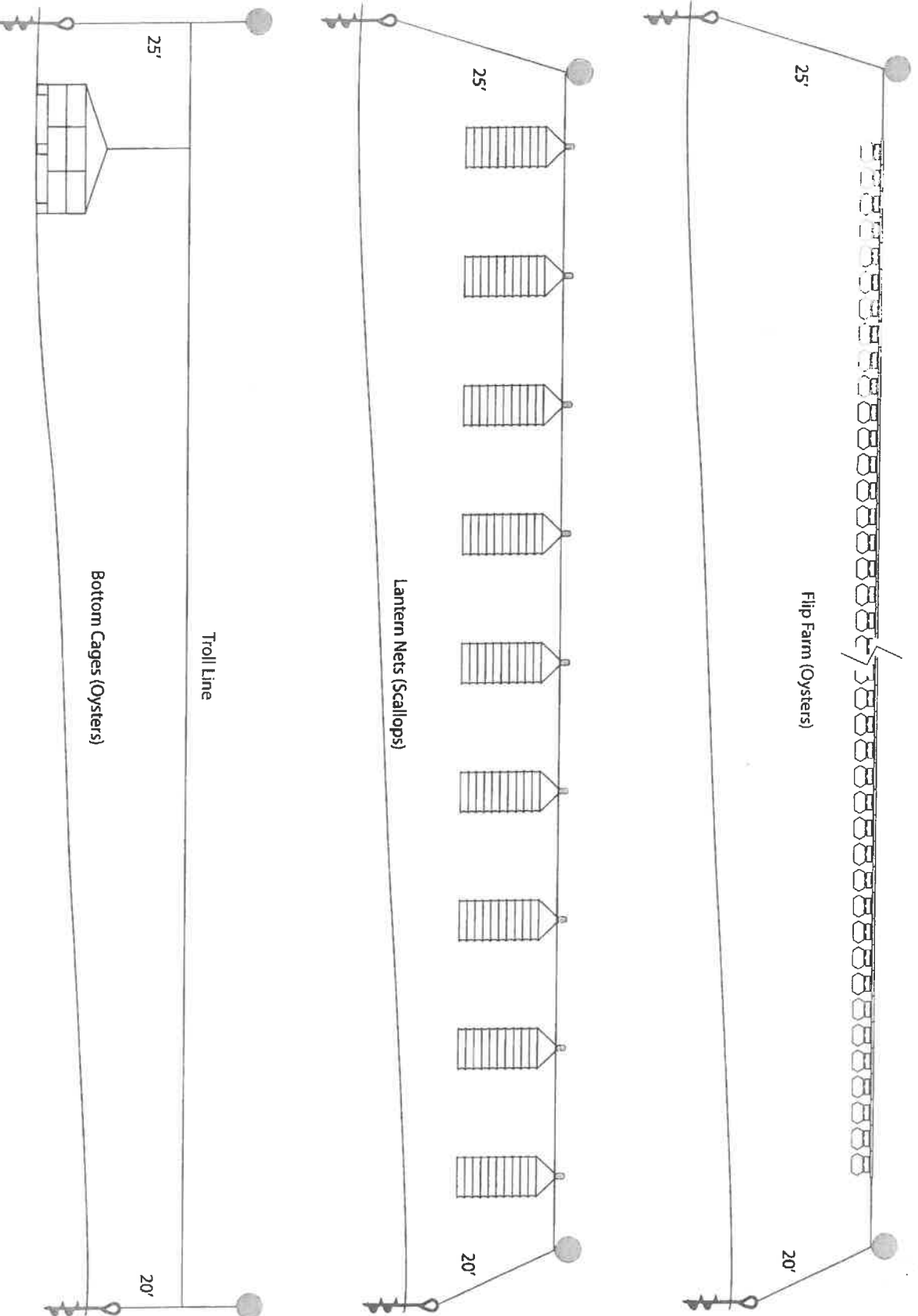
Figure 3



NOV 17 2023

Figure 4

650'

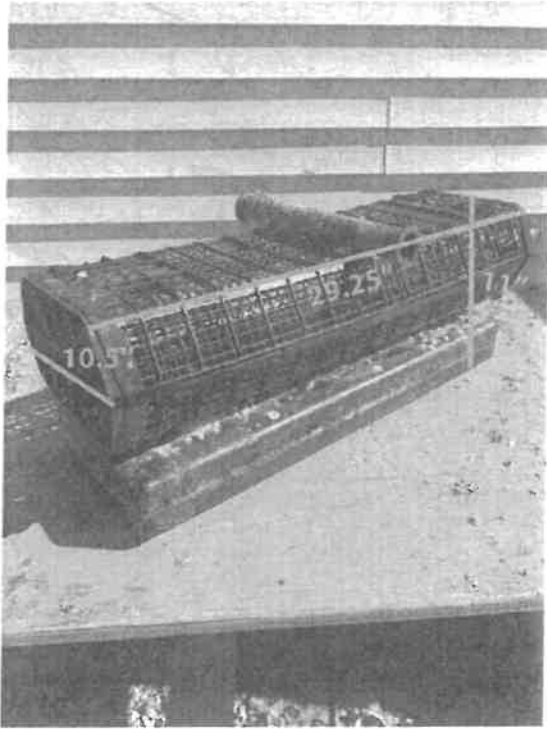


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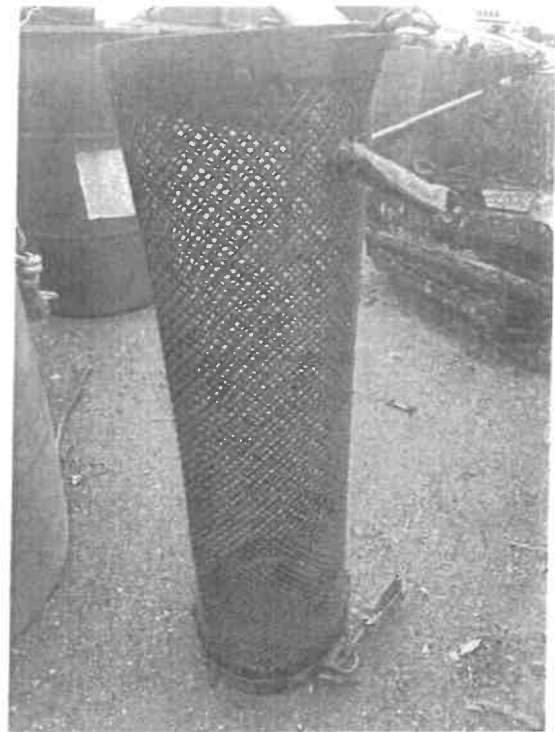
NOT TO SCALE



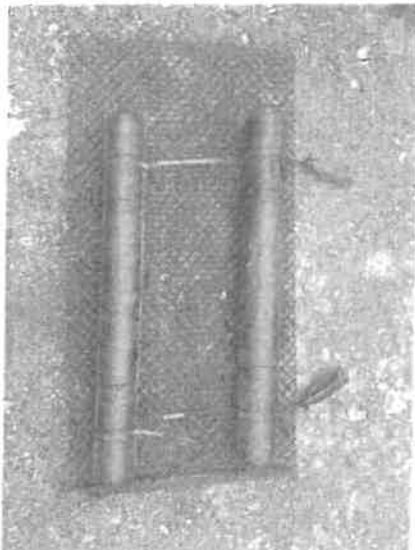
Figure 6



Flip Farm Bag  
29.25"L X 10.5"W X 11"H



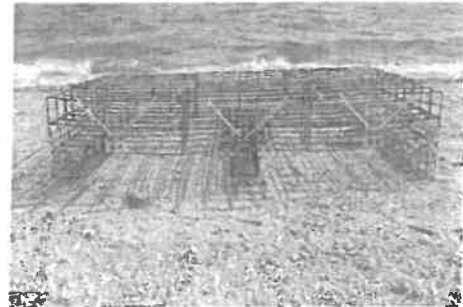
Tumbler  
36"L x 10.5" R



Split Bag  
40"L x 20.5"W



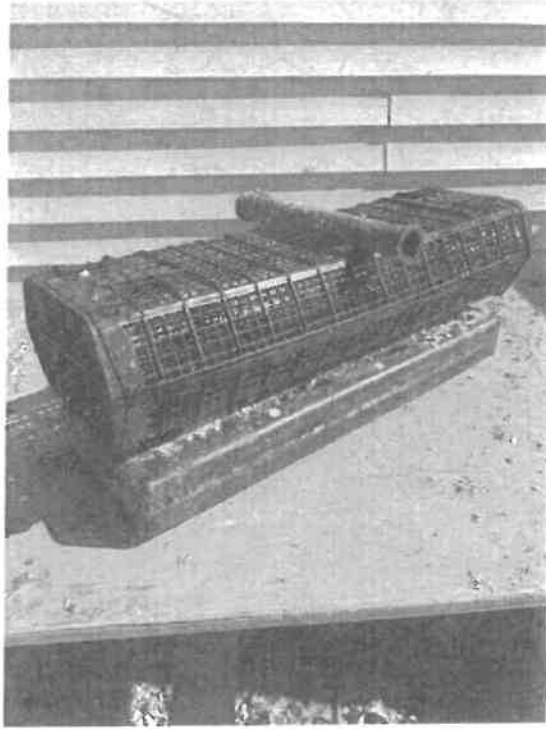
Lantern Net  
80"L x 20"R



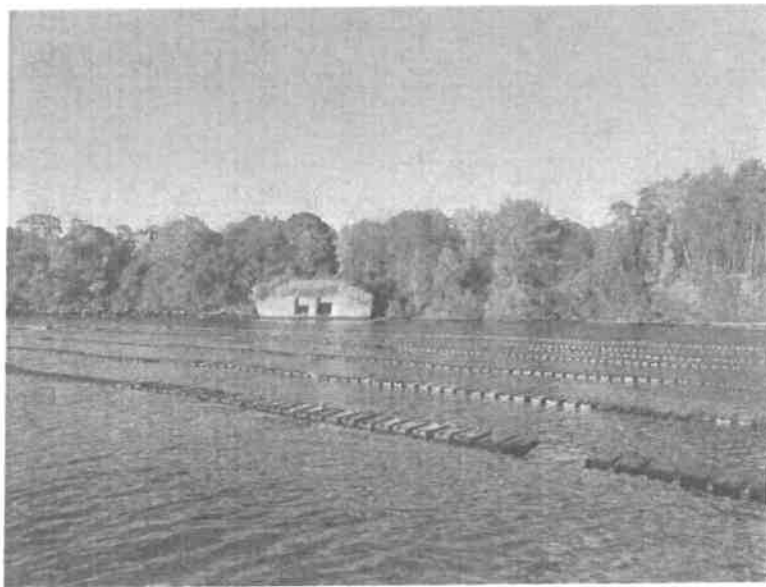
Bottom Cage  
48"L x 36"W x 12"H



Figure 7



Flip Farm Bag  
29.25"L X 11"W X 11"H



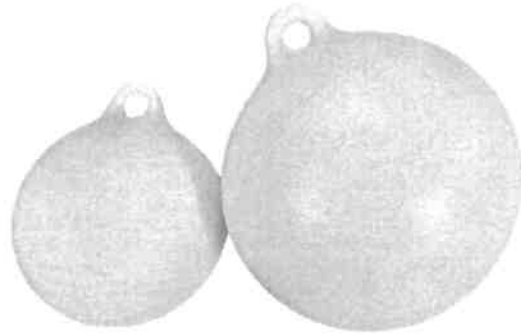
Local farm using Flip Farm gear

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Figure 8  
**BUOY TYPES USED**



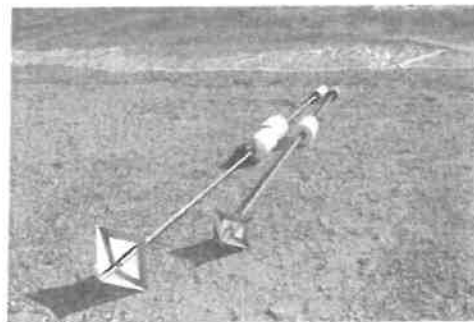
Go Deep 7.5" x 20" HD buoy  
(lattern nets)



Round Marker Buoys  
16" x 18", 75 pounds of flotation  
(ends of each string)



Marker Buoy with Solar Navigation Light  
4.3" H x 5" R  
(southern corners of the lease)



12 foot high flyer  
(northern coronors of the lease)

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**TOWN OF JAMESTOWN  
HARBOR COMMISSION**

Approved:

A meeting of the Jamestown Harbor Commission (JHC) was held on Wednesday, March 13, 2024 at 5:00 p.m. in the Town Council Chambers of the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

**I. Call to Order and Roll Call**

Chairman Wayne Banks called the meeting to order at 5:02 p.m.

Present:

Wayne Banks, Chairman

Jessica McCarthy, Commissioner

Sue Romano, Commissioner

Mark Campbell, Commissioner

Absent:

Dan Wurzbacher, Vice-Chairman

Tom Alexander, Commissioner

Jim Archibald, Commissioner

Also in Attendance:

Steven Bois, Executive Director

Joan Rich, Harbor Clerk

Bob Laman, Conservation Commission Liaison

**II. Approval of Meeting Minutes – Review, discussion, and/or action and/or vote;**

**A. February 14, 2024**

Commissioner Romano moved to approve the minutes of the meeting held on February 14, 2024, and Commissioner McCarthy seconded. There was no discussion. So voted: 4 aye, 0 nay.

**III. Open Forum**

**A. Scheduled Requests to Address**

There were no scheduled requests to address.

**B. Non-Scheduled Requests to Address**

There were no non-scheduled requests to address.

**IV. Executive Director's Report**

A. Executive Director Bois stated the Ft. Getty pier analysis was not ready yet, but Foth Engineering, the company performing the analysis, has concerns about the structure of the pier and needs more time to complete their study.

B. Negotiations are ongoing between the Town and the operators of the Jamestown/Newport Ferry.

C. The Freedom 21 was sold to Regan Marine Services for \$60,200.00.

D. The new Ribcraft vessel has been ordered. The price is \$116,300.00 so the net price, after the sale of the Freedom, is \$56,100.00.

E. The kayak permit wait list has been reduced by about 50%. Last summer there were approximately 200 people on the wait list and there are now 98.

F. Harbor staff are going to concentrate this year on enforcing the ordinance that every vessel that has a mooring or outhaul permit also has a current copy of the DEM registration uploaded to the Online Mooring account. About 50% of vessels do not have a current registration.

G. Executive Director Bois explained the difference between the Harbor Management Plan and the Harbor Ordinance, and he is planning workshops later in the spring to explain the changes to the Ordinance.

H. Executive Director Bois is planning on hiring a summer intern, and will interview the three candidates later in the week. He is also going to interview candidates for the Harbormaster position. Commissioner Romano asked how many applicants there were and who was going to do the interviewing. There were 31 candidates, of which about 6-8 will be interviewed, and Executive Director Bois will conduct the interviews along with Commissioner Mark Campbell and Assistant Harbormaster Larry Goss.

I. Mooring permits will be offered in April. Approximately 10 people have offered their moorings for the temporary use permits because they are seeking a grace period this year, and there are other moorings available in mooring fields that are not fully occupied. Other permit holders have relinquished their moorings and those are available.

Commissioner Campbell asked a question about the "votes needed" section of Executive Director Bois' report and the mooring wait list time reduction. Executive Director Bois stated he has several ideas to implement that will reduce the amount of time someone is on the wait list for a mooring, and he will discuss those later in the meeting. Commissioner Romano asked if Executive Director Bois can take the wait list as it stands now and model what it would look like if the changes are implemented, because she believes it would be helpful to understand why the changes would be made.

#### **V. Year-to-Date Financial Report**

Commissioner Romano had nothing to report.

#### **VI. Sub-Committee Reports**

##### **A. Budget – S. Romano – Review, discussion, and/or action and/or vote;**

Commissioner Romano had nothing to report.

##### **B. Facilities – W. Banks and J. McCarthy – Review, discussion, and/or action and/or vote;**

There was nothing to report that would not be discussed later on in the meeting.

##### **C. Mooring Implementation – D. Wurzbacher and M. Campbell – Review, discussion, and/or action and/or vote;**

Commissioner Campbell had nothing to report.

**D. Gould Island Restoration – W. Banks and M. Campbell – Review, discussion, and/or action and/or vote;**

On May 16, 2024, the Army Corps of Engineers will present their risk and mitigation plan, plus costs for said mitigation, for Gould Island. A meeting was also held with representative from the Shake-A-Leg Foundation, who are interested in having a handicapped-accessible sailing program on Gould Island.

**VII. Liaison Reports**

**A. Conservation Commission – B. Laman – Review, discussion, and/or action and/or vote;**

Commissioner Laman had nothing to report.

**B. Town Council – R. White – Review, discussion, and/or action and/or vote;**  
Councilor White was not in attendance.

**VIII. Old Business**

**A. Public Meeting: For Proposed Amendments to the Comprehensive Harbor Management Plan – Review, discussion, and/or action and/or vote;**

Chairman Banks asked the audience to limit their questions/comments to 3 minutes. Executive Director Bois summarized the changes to the Comprehensive Harbor Management Plan by section and appendices, and opened the floor to questions after each section.

Deb Lawlor of Stanchion Street asked if a red-line version of the draft was available because she was unable to track the changes without it, and Executive Director Bois stated that a red-line copy would be uploaded to the Town website.

Kevin Lathan of North Road questioned when Sheffield Cove is open for shellfishing, because what he has been told by DEM last year is different than what is in the draft Plan.

Dianne Churchill Nieboer of East Shore Road also had questions about the designations for shellfishing by DEM for Potter's Cove, and if the changes to the Plan have been approved yet. Executive Director Bois explained that the proposed changes have been approved by the Harbor Commission but they still need to be approved by the Town Council.

Walter Bopp of Highland Drive had stated that with the word "Draft" written on each page, some of the text was difficult or impossible to read. He had questions about the Class 1a and 1b mooring designations, and if a property would lose its Class 1a designation if it is sold. Executive Director Bois explained the process a new riparian property owner has to go through in order to apply for a mooring.

There was a question regarding the procedure for approval, and if tonight was the only time to voice an objection. The updated Harbor Management Plan has been approved by the Harbor Commission, and then must be approved by the Town Council, Dept. of Environmental

Management, and Coastal Resources Management Council. If there are a lot of objections to the changes to the Plan, additional workshops can be scheduled. It was also pointed out that tonight's Public Meeting was about the updated Comprehensive Management Plan, and that updates to the Harbor Management Ordinance have been ongoing, but that a Public Hearing would be scheduled at a later date, because it must be coordinated with the Town Administrator, Town Clerk, and Town Solicitor.

Alec Knowles of Southwest Avenue stated that he thought the new Temporary Use Permit program was a good idea. The program would allow a mooring holder, if they are not going to use their mooring for the year or a portion of the year, to transfer the use of that mooring to someone on the wait list on a temporary basis. It would give people on the wait list a chance to use a mooring, and ensure the moorings in Jamestown are all being utilized. There was some discussion of the potential liability of a boat breaking free when the boat owner does not own/is not responsible for the tackle, and how that should be handled.

Angus Taylor of Marine Avenue stated he has used Dockwa when he takes his boat to Nantucket and Edgartown, and has sometimes used private moorings. All of the documentation is taken care of through Dockwa, and suggested that could be one way to manage the temporary use program.

Marian Falla of Green Lane questioned why the draft Plan stated that boat insurance is optional and the draft Ordinance states it is required in certain cases. There was some discussion, and the Plan and the Ordinance will be worded so that they are consistent.

Steve Santoro of Sloop Street questioned the logistics of the temporary use program as far as who would pay and how the Harbor Office will track usage. The program will be for boaters on the wait list, it is not for transient boaters looking for a mooring for a few days.

Joseph Pinheiro of Beacon Avenue asked for improvements to the boat ramp at Ft. Getty. He would like to see the conservation area in Sheffield Cove changed to allow for improvements to the ramp. There was some discussion, with Tony Pinheiro and Kevin Lathan adding suggestions.

Commissioner Romano asked about the Right of Way adoption process. Commissioner Laman of the Conservation Commission stated the Town would like more control over that process. There was some discussion.

Susan Gregoire of Watson Avenue would like to see changes in how the moorings are managed and was informed that would be a discussion when the Ordinance changes are discussed, and there will be several opportunities for public comment.

Mary Brennan of Wakefield, formerly of Jamestown, has an outhaul permit and stated she was unaware of the new insurance requirement for outhauls. There was some discussion.

**B. Proposed Amendments to the Harbor Management Ordinance – Review, discussion, and/or action and/or vote;**

Executive Director Bois listed additional changes he would like to add the Harbor Management Ordinance in his report, and they will be discussed and voted on individually.

1. All vessels must have proof of DEM registration, including riparian vessels; Chairman Banks moved to approve and Commissioner McCarthy seconded. There was no discussion. So voted: 4 aye, 0 nay.

Commissioner Campbell stated the first item under “votes needed” in the Executive Director report regarding the ratio of private to commercial moorings in East Ferry and Dutch Harbor, which should be 60% private, had been skipped over. There was some discussion.

2. Persons on the wait list must show evidence of boat ownership/registration when they are in the top 3 spots on the wait list; There was some discussion whether the Harbor Commission should use the top 3 or top 5, or some other number. Tony Pinheiro from Beacon Avenue stated he was on the wait list for 13 years, and once he was in the top 3, it still took 8 years before he got a mooring, so he feels it is restrictive to require someone to own a boat before they get a mooring. There was some discussion with Executive Director Bois stating the person on the wait list must show registration or evidence they are attempting to purchase a boat.

Ian Walsh of Bow Street questioned why the Harbor Commission was voting on Harbor Management Ordinance issues when he was under the impression tonight’s meeting was a Public Meeting to discuss the proposed changes to the Harbor Management Ordinance. Some discussion ensued.

Commissioner McCarthy had to leave, meaning there would no longer be a quorum. Chairman Banks made a motion to adjourn and it was seconded by Commissioner Romano. So voted: 4 aye, 0 nay, and the meeting adjourned at 6:33 p.m.

Attest,

---

Joan Rich, Harbor Clerk



**MUNICIPAL HARBOR MANAGEMENT PLAN CONSISTENCY REVIEW CHECKLIST**

The “Required Elements” column of this table lists the topics that must be addressed in municipal harbor management plans to meet CRM Council consistency requirements. It is mandatory to correct any deficiencies listed in red font by a CRM Council reviewer in the “Deficiencies and Comments” column. Comments in black font are included as guidance for improving the quality of the HMP. Page or appendix numbers listed in the “Reference at page/appendix” column indicate where the CRM Council reviewer found the Required Element in the draft HMP. In cases where the CRM Council reviewer inserts “Not addressed” in this column, the municipality must add the necessary information to the draft HMP and indicate where the information was added in the “Corrected at page/appendix” column. Please refer to the CRM Council’s *Guidelines for the Development of Municipal Harbor Management Plans* for detailed information on the various required elements.

CRM Council CONSISTENCY REVIEW OF JAMESTOWN HARBOR MANAGEMENT PLAN				
PRELIMINARY REVIEW COMPLETED 3.22.24				
Required Elements	Reference at page/appendix	Corrected at page/appendix	Deficiencies and Comments	JAMESTOWN RESPONSES
<b>I. RESOURCE INVENTORY:</b>				
<b>A) Physical Setting</b> (for detailed information on required elements related to the Physical Setting see the <i>Guidelines</i> at pp. 12-13)				
1. Water Depths	p.14			<b>JAMESTOWN RESPONSES</b>  1 April 2024  Kevin Cate = CRM Council, RI HARBOR MANAGEMENT PLAN
2. DEM Water Quality Classifications	p.17			
3. FEMA V-Zones	p.14			
4. Shoal/Dredged Areas	p.14			
5. Navigational Hazards	p.14			
<b>B) CRM Council Water Use Designations</b> (for detailed information on required elements related to CRM Council Water Use Designations see the <i>Guidelines</i> at pp. 12-13)				
1. Map/ID Areas by CRM Council Water Types	p.18			
2. List Priority Uses for Each Area	p.18			



**C) Current Uses Inventory** (for detailed information on required elements related to the Current Uses Inventory see the *Guidelines* at pp. 12-13)

**HARBOR MANAGEMENT PLAN**

1. Harbor Structures		2.	
a) marinas (pub., priv., comm.)	p.20		
b) boatyards (pub., priv., comm.)	p.21		
c) comm. fish. facilities	p.20		
d) docks, wharves	p.22		
e) boardwalks	p.24		
f) launching ramps	p.22		
3. Federal Navigation Areas		4.	
a) channels	p.14		
b) turning basins	p.14		
c) anchorages	p.14		
d) special anchorage areas	p.14		
3. Moorings and Mooring Areas		4.	
a) count of current moorings	App. A		
b) describe fields of 5 + moorings;	App. A		
b);	App. A		
d) ...& ownership type;	Not addressed	Identify all mooring areas as publicly or privately managed	On Maps, or as in p21? Page 13 comment added to section 3 Mooring Areas, CRMC Agreed
e) ...& name of owners	Not addressed	As above	On Maps, or as in p21, Addressed above: CRMC Agreed
f) list designated mooring areas	App. A		
4. Other Use Areas		5.	
a) swimming areas	p.31		
b) public beaches	p.31		
c) windsurfing areas	p.31		
d) aquaculture farms	p.30		
6. Municipal Shoreline Zoning Districts	Not addressed	List shoreline zoning districts and if none state that's the case	Page 33 added, but what is this? Send Kevin the town zoning ordinance. Done, agreed with

						Kevin 4/1/2024
<b>D) Natural Resource Areas</b> (for detailed information on required elements related to the Natural Resources Inventory see the <i>Guidelines</i> at pp. 12-13)						
<b>1. Wildlife or Conservation Areas</b>						
a) reserves (pub., priv.)	p.15					2.
b) areas ID'd by studies or programs	p.15					
c) intensive scientific research areas	p.15					
<b>3. Recreational/Comm. Fishing Areas</b>						
a) anadromous fish runs	p.31					4.
b) spawning areas	Not addressed			State there are no identified spawning areas if that's the case, otherwise please name them		Added statement, page 31. Done, discussed with Kevin 4/1/24
c) shellfish beds	p.30					
d) traditional fishing grounds	p.30					
<b>5. Biological Habitats</b>						
a) submerged aquatic vegetation	p.15					6.
b) intertidal flats	p.15					
c) tidal wetlands	p.15					
<b>II. ISSUE IDENTIFICATION ELEMENTS</b>						
<b>A) Public Access</b> (for further information on required elements related to Public Access see the <i>Guidelines</i> at pp. 21-24)						
1. Inventory CRM/C ROWs	p.33			List pending		Appendix, page 86, agreed K Cute
2. Describe condition CRM/C ROWs	p.33			List pending		Appendix, page 86 agreed K Cute
3. Identify potential CRM/C ROWs	p.36			List pending		Appendix, page 86 agreed K Cute
4. Preserve, protect, enhance ROWs	Not addressed			Draft Policy/Objective/Goal to preserve, protect, enhance ROWs		Added to page 43 agreed K Cute
5. Town ROW maintenance program	Not addressed			Develop ROW maintenance program		Added to page 43 agreed K Cute
6. Prioritize CRM/C ROW improvements	Not addressed			Draft policy statement that the town shall prioritize CRM/C ROWs for improvements		Added to page 44, added language. agreed K Cute

7. State parks and launching ramps	p.33				
8. Municipal paper streets	Not addressed		Draft policy statement that the town shall investigate municipal paper streets, dedicated easements, drainage outfalls, and buried cables as potential CRMC designated ROWs		What? Discuss with Bob Laman. CC, general goal added p 42. agreed K Cute
9. Dedicated easements	Not addressed		As above		What, goal added agreed K Cute
10. Drainage outfalls	Not addressed		As above		What, goal added agreed K Cute
11. Buried cables	Not addressed		As above		What, goal added agreed K Cute
<b>B) Water Quality</b> (for further information on required elements related to Water Quality see the <i>Guidelines</i> at pp. 25-27)					
1. Programs to minimize water pollution	p.17				
2. Organic waste disposal plan (pumpout)	p.40				
3. Inorganic waste disposal plan (municipal)	Not addressed		Add language to water quality section of HMP to address the need for trash disposal and removal at town owned waterfront property; have trash cans available at all such properties		Added statement to page 41, recepticals provided where possible under current staffing, agreed K Cute
4. Encourage marina OMP measures	Not addressed		Add language to water quality section of HMP to encourage marinas to implement CRMC's Operations and Maintenance Plan throughout their facilities		What is this, where is it? Page 41, approved. CRMC adopted. Circulated website links to all marinas, all confirmed using
5. Restrict boats at shallow water habitat	\$78.27(c)(6)				
<b>C) Mooring Management</b> (for further information on required elements related to Mooring Management see the <i>Guidelines</i> at pp. 27-31)					
1. 3:1 res./non-res. allocation policy	Not addressed		Add section to harbor ordinance to address and enforce this policy		Currently in page 14 of ordinance and on page 29 of the HMP.
2. Federal "open to all policy"	Not addressed		Add section to harbor ordinance to to address and enforce this policy		Will do, statement on page 14 of HMP, on page 4 of ordinance

3. Mooring areas in State Plane Coordinates	Not addressed			Appendix E, page 82
4. Reference moor. area corners to landmarks	Not addressed			Needs discussion not sure how to do this. Disregard, no need to add this; KCute approved
5. Total area (acre, ft <sup>2</sup> , m <sup>2</sup> )	Appendix A			
6. Ensure all boats located w/in mooring area	Not addressed		Add section to harbor ordinance to require all moored vessels remain within the perimeter boundary of their assigned mooring areas	Added to Ordinance, page 15, KCute approved
7. No uses restricted due to moor. area siting	Not addressed		Amend §78.26(b) to include this language.	Needs explanation? Page 15 KCute approved
8. No private moorings in fed. nav. projects	§78.26(b)(6)			
9. Ensure flushing at sig. moor expansion	§78.26(b)(7)			
10. Ensure no adverse effects to water quality	§78.26(b)(8)			
11. No swimming or water skiing in moor.	§78.27(e)		CRMC prohibits water skiing and swimming in mooring areas without exception. In this section waterskiing is prohibited per CRMC requirements, but swimming is conditional. Please amend this section to make it consistent with CRMC requirements for both activities.	Will add to Ordinance, needs discussion. What about statement page 37 saying Paragliding etc. Changed wording to emphasize KCute approved
12. Ordinance for permit system/waiting list	§78.26(d)			
13. Moor. siting not to obstruct access to:				
a) designated shellfish mgt. areas	§78.26(b)(8)			
b) traditional fishing grounds	§78.26(b)(8)			
c) public recreational areas	§78.26(b)(8)			
d) conservation areas	§78.26(b)(8)			
				14.

15. Siting of mooring areas not to significantly adversely effect:		16.
a) fish/shellfish resources	\$78.26(b)(8)	
b) wetlands	\$78.26(b)(8)	
c) submerged aquatic vegetation	\$78.26(b)(8)	
d) other aquatic habitat areas	\$78.26(b)(8)	
17. Operationally maintained pumpouts	Not addressed	Add section to harbor ordinance to require <del>outhauls</del> (the meant pumpouts) be maintained, operational, and accessible at all times.
18. Mooring transfer ordinance	Not addressed	Add section to harbor ordinance to address mooring transfers
19. Outhaul ordinance	\$78.26(v)	
<b>D) Storm Preparedness</b> (note: see the <i>Guidelines</i> at pp. 33-39 for recommended methods to achieve each policy below)		
1. Develop policies to address following issues:		
a) risk assessment	App. L	2.
b) strategies to prep., respond, recover	App. L	
c) identify long term mitigation projects	App. L	
d) coordinate local implementation	App. L	
<b>III. HARBOR ORDINANCE</b>	\$78.21-78.33	
<b>IV. LOCAL HARBOR WATERS</b>	p.9	

## **April 10 Executive Director Report**

Fort Getty Analysis report due approx. 12April, then cost estimate  
About 330 permit holders with no registrations or expired so 50%,  
26 out hauls with no registration, 60%

HMP Feedback from community complete, CRMC edits included, Redline and new version uploaded  
Harbor Interns hired, Shannon Beacher = Mass Maritime (EM) and Ben Klossner URI (Marine Affairs)  
CRMC Ben Goetsch discussion tonight, Aquafarming,  
HM Boat to Marblehead-6 year inspection hull/tubes, possible damages to inflatable tubes

## **Exec Director Plans for April-May**

Harbor Ordinance into TA review  
HMO meetings/working groups with public  
Harbor Master hiring decision  
Open mooring permit distribution continuing, working the wait list with offers  
HM, HI training, season setup for docks, pumpout stations, moorings, out hauls,

## **April 10 Votes needed**

HMP to TC for final Jtown approval, then to CRMC for final committee review/approval  
East Ferry Commercial charter permits  
Parking along roadway out to FG, active loading/unloading only---opinion only to Chief Of Police  
Agreement for Oyster Farmer Support  
Josh Furtado appeal at May meeting

## **Meeting Packet Enclosures:**

East Ferry commercial charter  
Town Parking Ordinance, road out to FG picture  
List of Oyster Farmers operating on west side  
CRMC Change list to HMP

Dear Harbor Commission, it seems that there is some confusion as to what I was saying about the dock at the January meeting and want to clarify my concerns/ ideas. I did not say the boats on the north side have problems in an east wind (as stated in harbor meeting minutes from January). I have attached a proposed layout presented to me by Executive Director Bois, and attached a picture I made with the correct dimension of the dock. Thank you in advance for taking the time to look this over!

#### Problem #1

Every boat, in my 30+ years of commercial fishing/ aquaculture experience down at the pier, has had a problem with docking on the east side of the pier (46' side in picture attached). I have seen boats sink, get stuck under the pier and ladder on a regular basis, bang up against the dock.... I have personally pushed boats out from under the pier more times than I can remember and have seen Executive Director Bois even push a boat from under the ladder. It has proven not ideal to have a boat facing north at that spot with just 1 breast anchor.

#### Problem #2

The layout that Mr. Bois sent me seems very unthought out. The boat he is proposing that is closest to shore (on the inner L), where he is proposing it, I recently measured 18" at low tide. It was nowhere near the lowest tide that occurs there, my educated guess is that was about average for winter and will easily drop another 9" on the lowest of low tides. I believe the harbor division needs to figure out what depth of water is appropriate to permit a boat there SAFELY. This isn't a dock in a protected harbor. Waves are regularly rolling near the beach and a boat that is side-to in rolling waves is A LOT different than a boat that is not and I think that needs to be considered. Like I said at the harbor meeting, if you have a boat so close to shore that it is in rolling waves during a squall it WILL SINK. Not like you can predict when a squall is coming and remove the boat before catastrophe. The harbor division needs to plan for the worst in my opinion. The communications I had with Mr. Bois expressing this concern resulted in the answer that he would like to experiment anyways (paraphrased).

#### Problem # 3

If you look at the picture I made, you will see that there is 56' on the inside L and 46' on the east side of the pier. I don't see the logic in squeezing 4 boats on the inner L and only 1 on the east side (where there are already problems) and no boats on the west side. I think a more logical approach is, instead of facing a boat north on the east side, face it west to east. That reduces the drag significantly and will eliminate the problem there. You could actually fit 3 boats facing



east to west taking up the same linear footage as a boat facing north. You can also do this on the far West side of the dock as well. The tidal flow on the inner L is also the strongest at the pier. So what is the benefit of this proposed layout or Mr. Bois? Are there better options? I believe there are!

**Summary:**

Putting 4 boats on 56' linear feet gives each boat 14' of space, but even 14' isn't realistic because that would put one boat against the dock, which isn't safe because you need spring lines in this area of high fetch and that takes space. It also puts 1 boat in as little as 9" of water in ideal conditions, but with side to side movement, the boat will be on dry land regularly. If you measure the northern most outhauls, they have 16' with no dock and no shoreline restricting movement. AND they still hit each other at times. The fetch at the dock is worse than the outhauls. These boats will be beating each other until they sink.

With the tide and wind blowing, the way the layout is now, can be tricky enough to park and pull out. I haven't had a problem with it yet but reducing that space will make it MUCH WORSE.

I'm sure we have all heard the phrase "work like a gentleman", this proposal of Mr. Bois is extremely dangerous and does not make sense to me at all. There is ample room on the east and west sides of the pier to add boats.

If any of the harbor commissioners want clarity on this, I am more than happy to meet you at the dock and show you in person what I am saying.

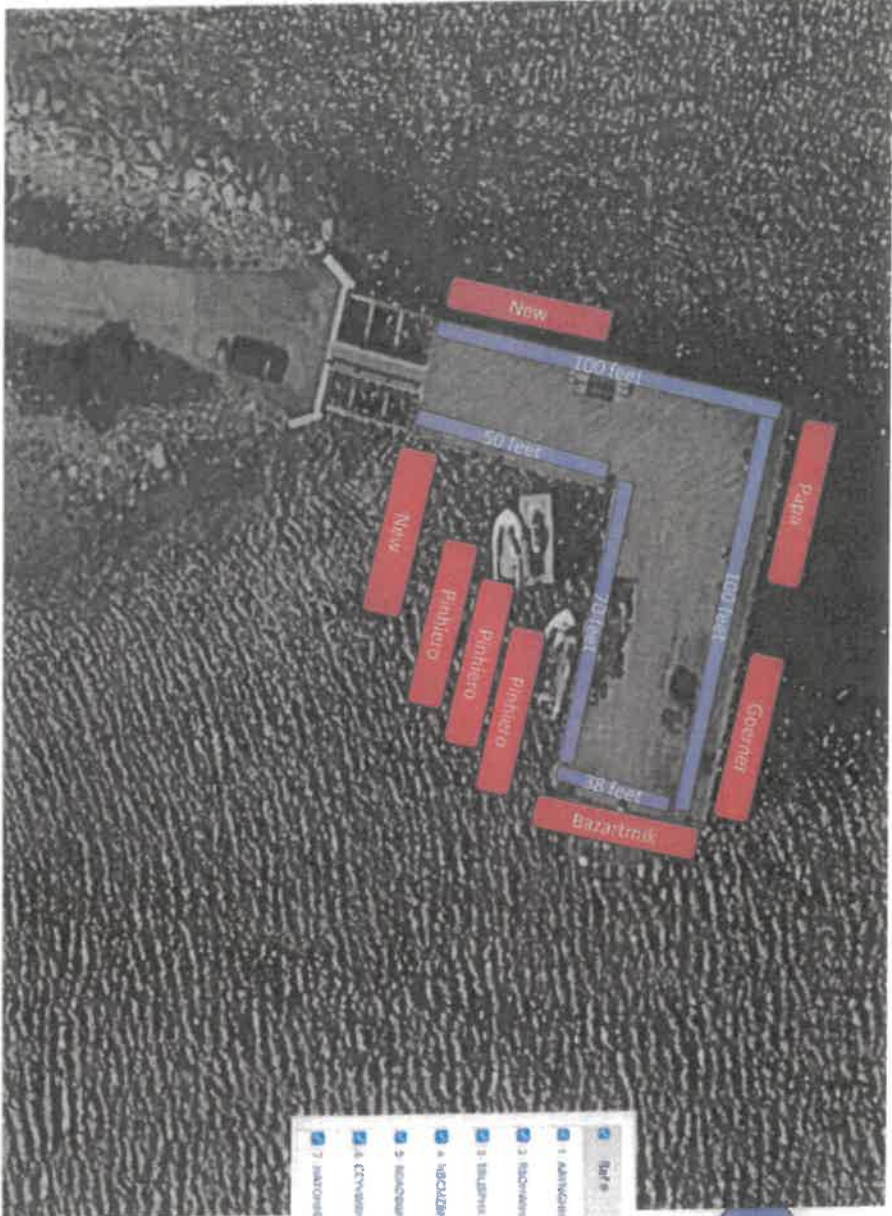
Best regards!

Joe Pinheiro





Fort Getty Pier



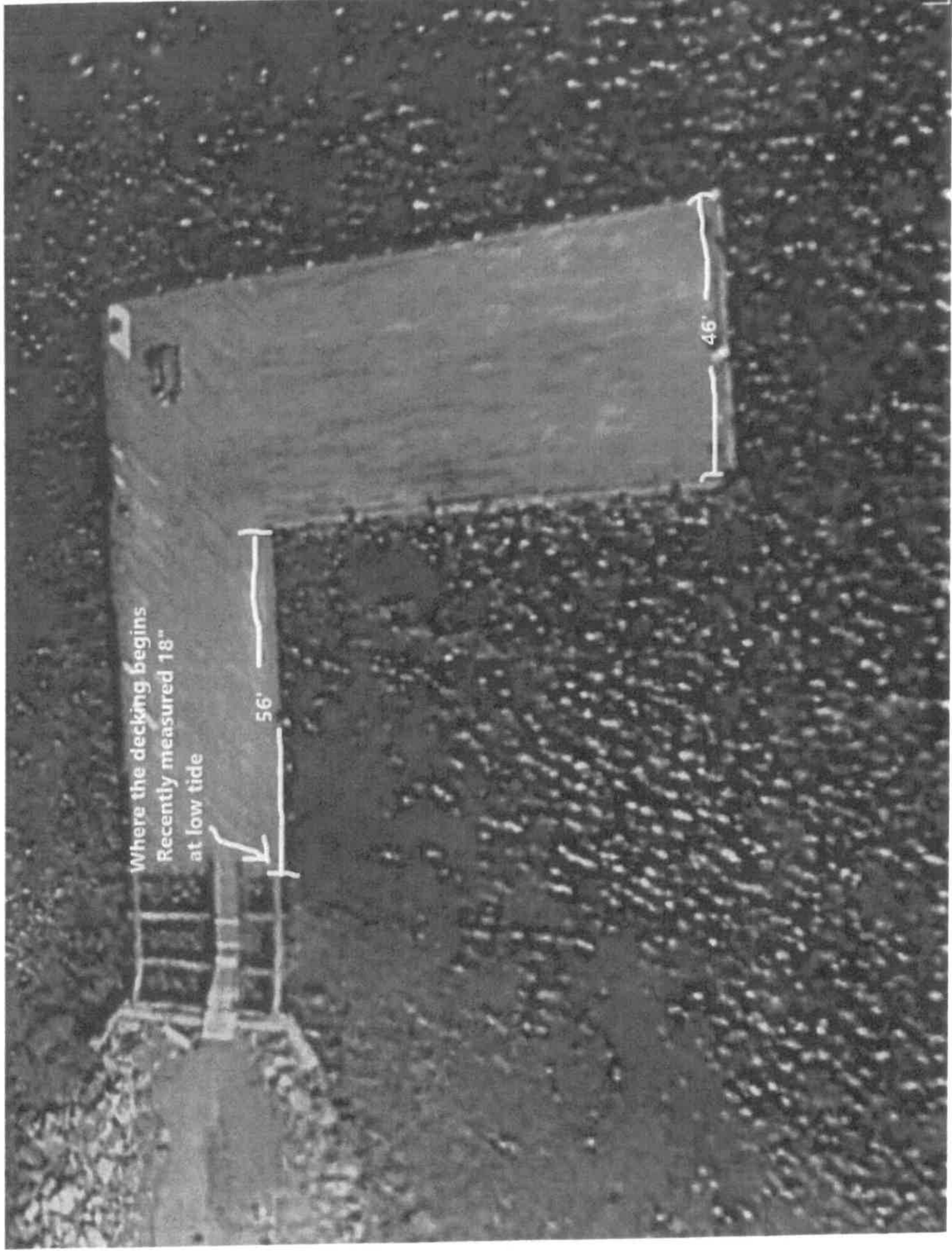
Current Wait List Commercial  
Avuson, Bell, Papa, Bazartmk

ID#	Type	Permit Status	Applicant	Vessel	Provider Priority	Since
1	Administrative Permit	Wait List Review	10000000000000000000	300 Sea Gull (2000) 23' beam	1 - Other	04/05/2018
2	Administrative Permit	Wait List Review	David Ferguson	17' Power	2 - Other	07/05/2020
3	Administrative Permit	Wait List Review	Eric Bell	BECH (05587) (21' Power)	3 - Other	06/27/2021
4	Administrative Permit	Wait List Review	Ellen Anderson	25'	4 - Other	06/17/2022
5	Administrative Permit	Wait List Review	Theresa D'Amico	Mojave (23' Power)	1 - Other	11/03/2020
6	Administrative Permit	Wait List Review	Brady	18' BECH (24' Power)	1 - Other	11/03/2020
7	Administrative Permit	Wait List Review	Brady	18' BECH (24' Power)	1 - Other	11/03/2020

Where the decking begins  
Recently measured 18"  
at low tide

56'

46'



Dear Harbor Commission,

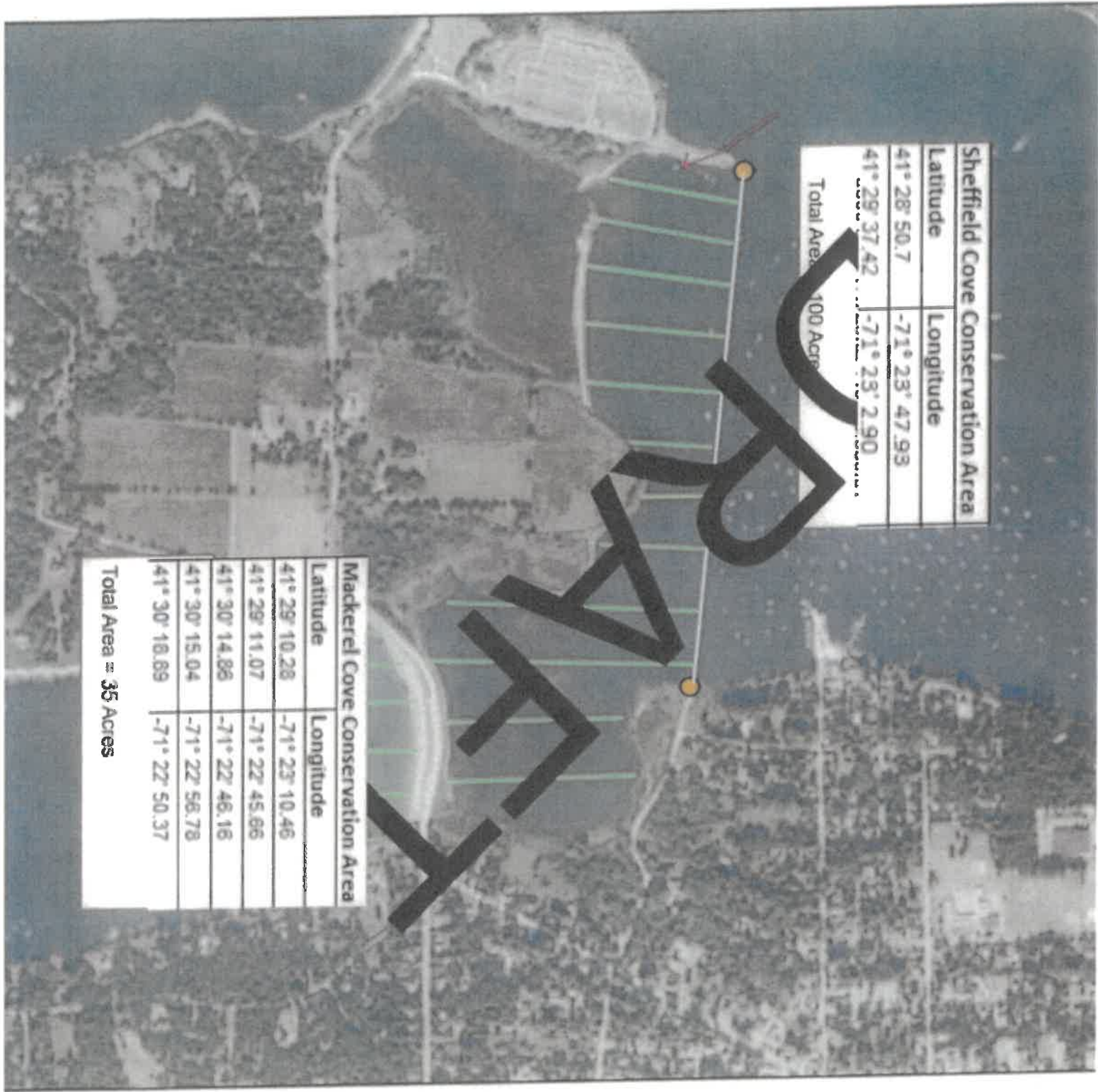
I have been advocating to improve the boat ramp at Fort Getty for some time now. I have attached a map of the Sheffield Cover conservation area. My Proposal is change a small piece around the boat ramp and outhauls back from a conservation area to a different water type, where improvements can be done without automatic denial or a variance . The time is now, with the management plan being updated. There are many more regulatory hurdles in a conservation area and the Town did not take this into consideration when changing the water use. I believe this is a very important first step if the Commission has a desire to improve this ramp. I know there is talk about putting a touch and go near the ramp, and doing this in a conservation zone is against the rules in the CRMC Redbook.

With an improved ramp, the Town will benefit from increased income from entry fees to Fort Getty. The boaters that come to the island to use the ramp will stop at Cumberland Farms and fill their huge fuel tanks, they'll buy food and ice from local businesses, they'll stop at Zeek's and buy bait and tackle, all helping the local economy. And I can speak for all the commercial operators that we would really appreciate a ramp we can use properly... Especially in emergencies, this ramp does not suffice!

Thank you for your consideration!

-Joe Pinheiro





Sheffield Cove Conservation Area	
Latitude	Longitude
41° 28' 50.7	-71° 23' 47.93
41° 29' 37.42	-71° 23' 2.90
Total Area = 100 Acres	

Mackerel Cove Conservation Area	
Latitude	Longitude
41° 29' 10.28	-71° 23' 10.46
41° 29' 11.07	-71° 22' 45.66
41° 30' 14.86	-71° 22' 46.16
41° 30' 15.04	-71° 22' 56.78
41° 30' 18.89	-71° 22' 50.37
Total Area = 35 Acres	



## Jamestown Harbor Office

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

November 20, 2023

Mr. Josh Furtado  
[REDACTED]

Re: Harbor Ordinance Violations

Dear Mr. Furtado:

This letter serves as notice that you are in violation of the following ordinances governing outhaul use in West Ferry and Fort Getty:

1. HO 78-26(e)(2) – Failure to provide evidence of vessel ownership to the Harbor Department for permit renewal;
2. HO 78-26(h)(1) – Assignment of temporary use of outhaul permit to a vessel owner without approval from the Harbormaster;
3. HO 78-26(m)(2) – Failure to respond to the Harbormaster's notice;
4. HO 78-26(m)(4) – Occupying a mooring or outhaul with the vessel permitted for that mooring for a total of fewer than twenty (20) days during the course of a calendar year.

As a result of these violations, your permit for the 2024 season will not be renewed. You may appeal these violations to the Jamestown Harbor Commission if you wish by filing a written appeal with the Harbor Clerk within thirty (30) days of the date of this letter.

Very truly yours,

Steven Bois  
Jamestown Harbor Director

cc: Edward Mello, Town Administrator  
James Campbell, Chief of Police

On Thu, Jan 11, 2024 at 11:44 AM Steven G. Bois <[sbois@jamestownri.net](mailto:sbois@jamestownri.net)> wrote:

Hello Josh,

We mailed you the enclosed permit revocation notice on 20 November which let you know that we will not renew your permit for 2024, because of the violations stated. That letter was sent by registered mail to the address you have in your online mooring account.

The letter explained that you had 30 days from that date to appeal to the Harbor Commission if you wanted to contest the violations, and that date has passed.

I also checked with RI DEM, Boat Registration office and I was told that they have no record that you have ever had a power boat registration in the state of Rhode Island.

You are free to attend the next Harbor Commission meeting in February if you would like to appeal my decision but again, your timeline has passed. If you choose to do so, I recommend that you bring proof of prior power boat registrations if you have them. You can request that DEM do a registration record search if you like.

Best regards

Thank you

Best regards

Jamestown Harbor Executive Director

401-423-1212 Office

401-314-5830 Personal Cell

On Fri, Jan 12, 2024 at 8:42 AM [REDACTED]

Dear Members of the Jamestown Harbor Commission,

I hope this letter finds you well. I am writing to you in a state of distress regarding the recent decision to not renew my outhaul permit for the upcoming 2024 season. I deeply regret missing the appeal period due to the notice being sent to my PO box, which I infrequently check.

I wish to bring to your attention some key aspects of my situation, which I hope warrant a reconsideration of this decision. My history with the harbor is not just that of a permit holder; the outhaul has been a big part of my family's life on this island. This outhaul has been a cherished part of our connection to Jamestown, a constant through years of joy and struggle and I will do what it takes to maintain this aspect of our lives.

I respect the issues cited for the non-renewal of my permit, but ask that such a severe consequence be reconsidered. The absence of evidence of vessel ownership for my current renewal, for instance, stems from my recent rush to purchase and register a new boat by the renewal deadline. I have been negotiating with a marina on Nantucket and was planning to pick up the boat and paperwork this weekend so that I could make the renewal deadline with the new registration. As far as past boats, with the exception of last year, I've always kept a boat on the outhaul for full seasons. The boats I've kept in the past were often co-owned, and this arrangement was never an issue with previous harbor masters.

More than just a place for my boat, I consider Dutch a community and try to be a good steward and a good neighbor. I often check on boats during storms and alert neighbors if there's an issue. I've even waded into the water during storms to keep a neighbor's boat off the rocks after finding their tackle broken. I even have a painting of the view from our Outhaul hanging in my home. I understand the need to adhere to policy and logistics and understand the value going forward, but this would be a very personal loss for my family.

In regards to last season, a misunderstanding with the harbormaster over the temporary use of my outhaul contributed to my non-compliance with the 20-day occupancy rule. I was under the impression that the harbormaster would oversee the temporary assignment of my spot, a promise that went unfulfilled.

On a more personal note, my family has navigated through significant financial hardships recently, which impeded our ability to swiftly purchase a new boat last year. It's a journey that has been challenging, but we are in a good place now and feel more resilient than ever. The prospect of losing this outhaul is not just a logistical issue for us; it feels like losing a big part of our life on the island.

I understand the harbor's stance on stricter adherence to ordinances, and I fully intend to align myself with these regulations moving forward. However, I humbly ask that you consider the history, the efforts, and the commitment I have shown towards this community.

I am more than willing to discuss this matter further and would have a new registration in my name for this year's renewal by next week. Your understanding and reconsideration in this matter would mean the world to me and my family.

Thank you for taking the time to read my letter. I eagerly await the opportunity to continue being an active and compliant member of our cherished harbor community.

Sincerely,

Joan Rich

---

**From:** Josh Furtado [REDACTED]  
**Sent:** Friday, January 12, 2024 1:07 PM  
**To:** Steven G. Bois  
**Cc:** Joan Rich; Wayne Banks; Mark Campbell  
**Subject:** Re: Question

**CAUTION:** This email originated from outside the Jamestown email system. Please do not click links or open attachments unless you recognize the sender and determine the content is safe.

Hi Steve,

Thanks for your response and for clarifying the situation regarding the potential use of my outhaul by a waitlist member last season. Regardless, I appreciate the effort you put into working on an ordinance change to facilitate such arrangements.

I must admit that my interpretation of our previous conversations was influenced by my hopeful outlook, stemming from the financial challenges I was facing at the time. The idea of a possible solution being worked on gave me a sense of relief, and I might have been overly optimistic in interpreting it as a promise of assistance. For this misunderstanding, I apologize.

Given the current circumstances, I am earnestly seeking any alternative to losing my outhaul permit. I understand the importance of adhering to the rules and regulations of the harbor, and I am committed to being a proactive and compliant member of our harbor community.

Any compassion you can show would be met with immense gratitude and make me a fierce advocate of the Harbor Commission's initiatives. My wife and kids were devastated when I told them about your email this morning. The outhaul is more than just a mooring spot for my family; it represents a connection to the Jamestown community that we deeply cherish.

Any consideration for a less severe consequence would be greatly appreciated.

Thank you once again for your time and understanding. I am willing to discuss this further and explore any other potential solutions that might be available.

Regards,

Josh

On Fri, Jan 12, 2024 at 12:04 PM Steven G. Bois <[sbois@jamestownri.net](mailto:sbois@jamestownri.net)> wrote:

Josh

Just to be clear



I made no promise to offer your outhaul to a wait list member.

I told you I was working on an ordinance change that would allow that but I did not get it approved by Harbor Commission until August and was not approved by Town Council until October. There were no interested members by then and the season was over. You were told that.

Best regards

Thank you

Best regards

Jamestown Harbor Executive Director

401-423-1212 Office

401-314-5830 Personal Cell

401-265-3990 Harbor Master Cell

**From:** Josh Furtado [REDACTED]  
**Sent:** Friday, January 12, 2024 8:51 AM  
**To:** Steven G. Bois <[sbois@jamestownri.net](mailto:sbois@jamestownri.net)>  
**Cc:** Joan Rich <[jrich@jamestownri.net](mailto:jrich@jamestownri.net)>; Wayne Banks [REDACTED] Mark Campbell  
[REDACTED]  
**Subject:** Re: Question

**CAUTION:** This email originated from outside the Jamestown email system. Please do not click links or open attachments unless you recognize the sender and determine the content is safe.

I was serious about the painting btw!

Dutch is a special place.

**Joan Rich**

---

**From:** Steven G. Bois  
**Sent:** Wednesday, January 24, 2024 9:17 AM  
**To:** Guava  
**Cc:** Joan Rich; Wayne Banks; Mark Campbell  
**Subject:** RE: Question

Hello Josh

I will not support any of these proposals

Thank you  
Best regards  
Jamestown Harbor Executive Director  
401-423-1212 Office  
401-314-5830 Personal Cell  
401-265-3990 Harbor Master Cell

**From:** Guava [REDACTED]  
**Sent:** Tuesday, January 23, 2024 3:07 PM  
**To:** Steven G. Bois <sbois@jamestownri.net>  
**Cc:** Joan Rich <jrich@jamestownri.net>; Wayne Banks [REDACTED] Mark Campbell  
[REDACTED]  
**Subject:** Re: Question

**CAUTION:** This email originated from outside the Jamestown email system. Please do not click links or open attachments unless you recognize the sender and determine the content is safe.

Just following up on my previous emails to see if anyone had any thoughts on what I proposed.

Please let me know if there is an option that would allow me to maintain the outhaul.

Thanks

Best Regards,

On Thu, Jan 18, 2024 at 10:45 AM Guava [REDACTED] wrote:

Would the commission be willing to consider a scenario where I can renew this year, but would be willing to loan my spot to someone on the waitlist for the season as an alternate consequence given the fact that I have never received a previous ordinance violation on my record? Perhaps we could even work on that as a longer-term initiative with the Dutch outhauls, where each year a spot is rotated through to someone on the waitlist either on a volunteer or rotational basis? It would only impact each outhaul spot once every 20 years, but would be appreciated by people on the waitlist.

I love thinking creatively about things, would love to get involved to support the commission if possible.

Please let me know if my proposed solution is an option you would consider.



## Jamestown Harbor Office

250 Conanicus Avenue

Jamestown, RI 02835

401-423-4340

Date:

East Ferry Concrete Dock use ordinance for commercial vessels:

This document defines the occupancy terms for commercial vessels wishing to conduct touch and go operations in the East Ferry area of Jamestown. Commercial vessel operators wishing to pick up or drop off passengers must use the Concrete Floating Dock only, for their operations and will be awarded a one-year conditional use permit which may be renewed only with the approval of the Jamestown Harbor Commission. Commercial vessels shall not use the recreational touch and go docks at any time.

### Concrete Pier use restrictions:

- Commercial vessels shall not arrive or remain during scheduled Jamestown ferry service use periods.
- ALL passengers must be loaded/unloaded using the concrete ferry dock
- Each vessel requires a permit annually that is not transferrable to other vessels.
- Vessels with ports of origin outside of the Narragansett Bay may be prohibited after review by the Harbor Executive Director.
- No commercial vessels may use Jamestown as "port of origin" for ticketing passengers without an additional agreement from the Town. Their passengers MUST board at other ports.
- No commercial vessels may advertise pickup opportunities at Jamestown via website or other information dissemination methods.
- Commercial Vessels shall not place equipment, signage, or other materials anywhere in East Ferry dock areas.
- Commercial vessels must contact the Harbor Master on VHF Channel 16 or by cell phone when inbound East Ferry, to announce arrival time and departure time.
- Commercial vessels are encouraged to deconflict with the Ferry Service via channel 16 or channel 71.
- Vessel Captains shall remain on board the vessel when the vessel is attached to the concrete pier.
- Commercial vessels may not fill water tanks while attached to the concrete dock

### Concrete Pier Fees Per Season 1 April-31 October

- Non-profit educational vessels with 50 or less passenger capacity: \$ 50.
- Commercial vessels with 50 or less passenger capacity: \$ 750.
- Commercial vessels with 51 or more passenger capacity: \$ 1000.

### Other information for commercial vessel situational awareness

- Ferries which provide exclusive Public Utility trips do not pay a permit fee for pick up and drop off operations
- The harbor master shall have the authority to terminate commercial vessel operation in the harbor areas for safety, weather conditions, or unprofessional behavior.
- Commercial operators shall provide vessel and captain licenses with application, in accordance with US Coast regulations.



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### Town Liability Disclosure:

Commercial Permit holder agrees that the Town has made no warranty or representation as to the fitness of its facilities for the use for which they were designed and provided. Permit holder agrees that the Town is not responsible for any injury or damage or loss to the boat, permit holder or permit holder's guests, servants, agents or representatives from whatever cause. Permit holder further agrees to save harmless, protect and indemnify the Town from and against any and all losses, costs, damages, claims, suits, actions at law and judgments, including but not limited to attorney's fees, which may arise or grow out of, without limiting the generality hereof, any injury to, or death of persons, damages to property, or any other matter or thing, from the use of the facilities, caused by acts of God, fire, windstorm, explosion, flood, burglary, theft or by any other casualty.

Permit holder and the Town expressly agree that only a permit is hereby created for the period of January 1 through December 31. Permit holder agrees that the Town assumes no duty or responsibility either express or implied regarding the care, maintenance or control of the boat, or for sinking or damages to boats. Permit holder agrees that the lines for securing the boat shall be provided by the permit holder and shall be of such size and quality as to secure the boat safely for the protection of others.

Boats having tenders on davits, boarding ladders, bow and/or stern sprits, etc. shall be secured in such a manner that none of these will be a hazard or block free passage along any pier or walkway. The Town is not responsible for losses of or damages to boats. Boat owners are responsible for damage to dock structures and pilings.

In the event of an emergency, the Town reserves the right to move boats to other mooring places. It is expected that boat owners keeping their boats at the Town facility during the hurricane season will have made arrangements for the safe mooring of their boats on the approach of a storm. In the event of a storm, the Town, at the discretion of its Harbormaster, reserves the right to evacuate the unattended boats at the boat owner's expense and risk.

A permit sticker will be provided by the Town and issued to the permit holder when the application process is complete. The permit sticker is to be placed on the vessel adjacent to the registration stickers, in clear view.

Ft. Getty Pier permit holders must park at the designated parking area, south of the boat ramp. There is no parking on the access road leading to the Ft. Getty pier. Only the permit holder will receive an entrance pass to Ft. Getty park.

I have read and I accept Fort Getty User Terms and Conditions as dictated here

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Permit holder name printed

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Permit holder signature

Steven G. Bois  
Executive Director, Jamestown Harbor Commission

**PUBLIC HEARING NOTICE  
TOWN OF JAMESTOWN**

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on the \_\_\_ day of \_\_\_\_\_, 2024 at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding **Chapter 70-Article IV Section 87, Prohibited or Restricted Parking on Specified Streets**. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment is available for review at the Town Clerk's Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays and at [www.Jamestownri.gov](http://www.Jamestownri.gov).

**Section 1.** The Town Council of the Town of Jamestown does hereby resolve that the Jamestown Code of Ordinances, **Chapter 70-Article IV Section 87, Prohibited or Restricted Parking on Specified Streets**. As the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~strikethrough~~ are to be deleted from the ordinance; words underlined are to be added to the ordinance.

See Exhibit A, attached hereto and incorporated herein by reference. NOTE: amendments to the terms and conditions set forth at Exhibit A may be made based on comments received during the public hearing.

**Section 2.** The Town Clerk is hereby authorized to cause said changes to be made to Chapter 70 of the Town of Jamestown's Code of Ordinances.

**Section 3.** This Ordinance shall take effect upon its passage.

Ad Date(s): \_\_\_\_\_  
Publication Source: Jamestown Press  
Hearing Date: \_\_\_\_\_  
Action: \_\_\_\_\_  
Certified: \_\_\_\_\_

1  
2  
3  
4

1 EXHIBIT A

2 Chapter 70 Traffic and Vehicles

3 Article IV

4  
5 **Sec. 70-87. - PROHIBITED OR RESTRICTED PARKING ON SPECIFIED STREETS.**

6 *Fort Getty Road*, no parking on either side from the intersection of the existing boat ramp north  
7 500 feet to the beginning of the Fort Getty Dock, except when actively loading or unloading  
8 ~~by special permit as issued by the Recreation Department~~. No parking on either side or within  
9 the median beginning at the intersection with Beavertail Road and continuing to the entrance  
10 of the park.

DRAFT

Company	Last	First	Needs	Mooring	Outhaul	Options	JT resident	Fort Getty Permit
Goerner	Goerner	Mark	None, offload product maybe	has M861C/Dutch	Has at Fort Getty	None needed	Yes	Yes
Seakist	Papa	Nick	Mooring/outhaul, parking spot	wait list	wait list	Temp Use Mooring, parking spot	No	Yes
	Cregan	William	none	cancelled	Has at Fort Getty	None needed	Yes	
Sunset Oyster Farm	Tony	Pinheiro	Mooring/outhaul/storage,	has M1299/Heads	wait list	Temp Use Mooring, parking spot	Yes	Yes
	Joe	Pinheiro	Mooring/outhaul/storage,	Wait list 2nd	wait list	Temp Use Mooring, parking spot	Yes	Yes
East Coast Oyster	Justin	Pinheiro	none	None	None	Nothing needed	No	
	Thermann	Richard	Mooring/outhaul/	on Wait list	on Wait list	Temp Use Mooring, parking spot	Yes	Yes
Bazartnik	Bazartnik	Jesse	Mooring/outhaul/storage,	on Wait list	on Wait list	Jack Civic Guest mooring, parking spot	No	Yes
American Mussle Harvesters	Silkes	Greg	Nothing, mooring would be appreciated	none			No	No
Wallace/Carpenter	Boeringer	Brad	Mooring appreciated	no	no	No resident to FG but could help	No	No