

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Approved: 5/8/24

A meeting of the Jamestown Harbor Commission (JHC) was held on Wednesday, April 10, 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 5:01 p.m.

Present:

Wayne Banks, Chairman
Sue Romano, Commissioner
Mark Campbell, Commissioner
Tom Alexander, Commissioner
Jim Archibald, Commissioner

Absent:

Jessica McCarthy, Commissioner

Also in Attendance:

Steven Bois, Executive Director
Joan Rich, Harbor Clerk
Randy White, Town Council Liaison

II. Public Comment – Preliminary Determination Application for an Oyster/Scallop Farm CRMC – Ben 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;

Ben Goetsch, the Aquaculture Coordinator for the Coastal Resources Management Council, explained the lease application process for an aquafarm in Rhode Island waters.

Kyle Reichman is the applicant for the aquafarm. He described his background, and he has applied to lease approximately 3 acres in Dutch Harbor, located about 750 feet offshore, in 20-25 feet of water. He will have 11 long lines with flip farm gear, which is low profile, and the site will be marked with highflyer radar buoys and solar navigational lights. He also discussed harvesting, storage, record keeping, and how he will access the site and how often he will do so.

Deb Lawlor of Stanchion Street questioned the location, as she feels it is close to the navigation/anchorage area of Dutch Harbor. There was some discussion.

Richard Lawlor of Stanchion Street questioned the cost of the lease, and there was some discussion. He also requested Mr. Reichman add radar reflectors to the highflyers. There was some discussion.

III. Approval of Meeting Minutes – Review, discussion, and/or potential action and/or Vote;

A. March 13, 2024

Chairman Banks made a motion to approve the minutes of the meeting of March 13, 2024, and Commissioner Romano seconded. So voted: 4 aye, 1 abstain.

IV. Open Forum

A. Scheduled Requests to Address

B. Non-Scheduled Requests to Address

Chairman Banks stated he was going to move all public comment to the end of the meeting and asked those who planned to comment to keep their remarks to three minutes or less.

V. Executive Director’s Report – S. Bois

A. The Ft. Getty structural report should be ready Friday or Monday, and will be followed up by a repair estimate.

B. About 50% of the vessels on moorings and outhauls do not have a current registration certificate uploaded to Online Mooring.

C. The changes generated by feedback from the public and CRMC on the Comprehensive Harbor Management Plan are complete.

D. Executive Director Bois will be hiring two summer interns this year, Shannon Beacher, who is a student at the Massachusetts Maritime Academy, and Ben Klossner, who is a student at the University of Rhode Island.

E. The harbormaster boat is undergoing scheduled maintenance at Ribcraft.

F. Executive Director Bois will begin scheduling meetings to go over the changes to the Harbor Management Ordinance.

G. Six people were interviewed for the Harbormaster position and Executive Director Bois hopes to have a decision on who will be hired next week.

H. Harbor staff are beginning to offer vacant moorings and kayak rack permits;

I. Dan Wurzbacher, who was Vice-Chairman of the Harbor Commission, has resigned;

J. Commissioner Jim Archibald will be assisting Executive Director Bois with managing the various town-owned docks;

Commissioner Romano questioned which road in Ft. Getty is the subject of the proposed parking ordinance change. There was some discussion.

VI. Year-to-Date Financial Report

Commissioner Romano stated she had some questions regarding the budget for Executive Director Bois and he suggested further discussion of the budget as the end of the fiscal year approaches on June 30. There was some discussion, with Commissioner Campbell asking when the proceeds of the sale of the Freedom would appear in the budget.

VII. Sub-Committee Reports

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

Commissioner Romano had nothing to report.

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

Chairman Banks had nothing to report.

C. Mooring Implementation – M. Campbell – Review, discussion, and/or potential action and/or vote;

Commissioner Campbell stated he had nothing to report today, and the changes to mooring policy would be presented when the changes to the Harbor Management Ordinance are discussed at a later date.

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

The Army Corps of Engineers meeting regarding the contamination and mitigation of Gould Island will now be held in June.

Commissioner Romano asked what the procedure will be to fill Dan Wurzbacher's spot on the Harbor Commission and the nomination of a new Vice Chairperson. There was some discussion.

VIII. Liaison Reports

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

Commissioner Laman was not present.

B. Town Council – R. White – Review, discussion, and/or potential action and/or vote;

Councilor White had nothing to report.

IX. Old Business

A. Proposed Amendments to the Comprehensive Harbor Management Plan – Review, discussion, and/or potential action and/or vote;

Executive Director Bois went over the changes to the Comprehensive Harbor Management Plan that were requested by CRMC. Commissioner Romano made a motion to approve the Comprehensive Harbor Management Plan and for it to go forward in the process, and Chairman Banks seconded. There was no discussion. So voted: 5 aye, 0 nay.

X. Correspondence

A. Letter and diagrams from Joseph Pinheiro regarding the Ft. Getty Pier;

Chairman Banks moved to accept the correspondence and diagrams submitted by Joseph Pinheiro regarding the Ft. Getty pier, and Commissioner Romano seconded. There was no discussion. So voted: 5 aye, 0 nay.

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;

Executive Director Bois stated he sent Josh Furtado a letter notifying him of four violations to the conditions of his outhaul permit on November 20, 2023. Mr. Furtado had thirty (30) days from the date of the letter in which to request an appeal, which he did not do within that time frame. Mr. Furtado did write a letter to the commissioners in January explaining his circumstances and Executive Director Bois offered him the opportunity to appeal upon a vote by the Harbor Commission. Commissioner Romano made a motion to invite Mr. Furtado to the May meeting to present his appeal, and Commissioner Archibald seconded. So voted: 5 aye, 0 nay.

B. East Ferry Commercial Agreement – Review, discussion, and/or potential action and/or vote;

Due to the use last summer of the touch and go docks by commercial charter operators to unload large groups of passengers, Executive Director Bois has developed a permitting system for the use the docks at East Ferry. The charter boats must use the concrete dock that the Jamestown/Newport Ferry uses to load and unload, but such charters would not be able to interfere with the ferry schedule. The charters must give the Harbor Office a schedule and contact the harbormasters and the ferry on the radio when they are planning on docking. The permit fees would be as follows:

Non-profit organization - \$50.00/season

Vessels w/50 passengers or less - \$750.00/season

Vessels w/51 or more passengers - \$1,000.00/season

There was some discussion, and questions regarding enforcement and coordination between the harbormaster, charter operator, and ferries. The permit fees would go toward the harbor budget. Charmain Banks made a motion to approve the permitting system.

Paul Sprague of Mast Street commented that he believes trying to coordinate between the ferries, charter vessels, and the harbormasters could become an administrative nightmare, and he does not believe it is a safety issue for charter vessels to use the touch and go docks. He feels the safety issue is in the fairway with the number of vessels entering and exiting. He also stated that in Newport, the ferry has exclusive use of a slip to avoid such congestion, and other vessels are fined if they use the ferry slip.

Joseph Pinheiro of Beacon Avenue wanted clarification whether the smaller 6-pack charters would be required to purchase a permit, and they would not be required to.

Christian Infantolino of Reservoir Circle, who also represents the owners of the Jamestown/Newport ferry, asked if any language would be added to the permit agreement regarding consequences of a violation. There was some discussion.

Donna Wood of Southwest Avenue asked if there would be a blackout period during the Folk and Jazz Festivals barring the charters from using the ferry dock, and she noted most summer

weekends are very busy for the ferry. She also clarified that the 60 feet for the Coastal Queen referenced earlier in the meeting was 60 feet off the east end of the concrete dock, not the east end of the wood pile pier.

Chairman Banks withdrew his earlier motion and moved to postpone voting on the permit agreement so language regarding consequences of violations can be added, and the new motion was seconded by Commissioner Romano. There was no more discussion. So voted: 5 aye, 0 nay.

C. Ft. Getty Pier Access Road Change – Review, discussion, and/or potential action and/or vote;

The parking ordinance for the access road to the Ft. Getty pier could be revised to limit parking to active loading and unloading only.

Richard Lawlor of Stanchion Street asked where people were supposed to park once they were done loading or unloading. Executive Director Bois stated there is parking available near the kayak racks and also on the grass area near the campsites.

Tony Pinheiro of Beacon Avenue stated he has been parking on the access road for 30 some years, and there has never been an issue with parking. It has traditionally been only for the commercial fisherman who use the pier and outhauls, and they are issued a special parking sticker.

Joseph Pinheiro of Beacon Avenue stated that the access road is parking by special permit, issued by the Recreation Department, although it is not really enforced. Recreational fishermen also park there, although he has never had a problem with parking.

Chief Campbell stated the potential ordinance change came out of meetings with the Recreation Department staff and the Town Administrator, along with input from Executive Director Bois, with the goal of easing congestion in that area. Chief Campbell has not seen the parking situation during the summer months yet and has relied on input from Town staff who have been here much longer. There was discussion about restricting parking to commercial fishermen and aquafarmers, and Paul Sprague suggested somehow blocking the road off just for the commercial fishermen and aquafarmers, and putting that area under the jurisdiction of the Harbor Department.

D. Ft. Getty Oyster Farmer Support – Review, discussion, and/or potential action and/or vote;

Executive Director Bois has spoken with the eight aquafarmers who have been affected by the closure of the Ft. Getty pier, and they have all been impacted by the closure. He suggested offering each of them the use of a mooring or possibly an outhaul, depending on the size of the boat, for this year so they can continue to operate their businesses. There was some discussion.

Joseph Pinheiro of Beacon Avenue stated he has reservations about possibly taking someone's mooring opportunity. He also stated he could anchor his boat as long as he was given an exception to the three-day anchoring regulation, and asked if he could keep his small work boat at the West Ferry harbormaster dock before the harbormaster boat goes in. There was some discussion, and that request was denied.

Chairman Banks made a motion to allow the aquafarmers to bump those on the wait list for West Ferry to be given temporary use of mooring and it was seconded by Commissioner Romano. There was no further discussion. So voted: 5 aye, 0 nay.

XII. Open Forum – Continued (If Necessary)

Richard Lawlor of Stanchion Street stated he felt that allowing the aquafarmers to bump those individuals currently on the wait list feels like a public subsidy of a for-profit business.

XIII. Adjournment

Commissioner Romano made a motion to adjourn which was seconded by Commissioner Campbell. So voted: 5 aye, 0 nay. The meeting adjourned at 6:23 p.m.

Attest,



Joan Rich, Harbor Clerk