

# Beavertail residents concerned over vegetation clearing of protected coastal land without permits

By Michaela Kennedy

Don and Katherine Wineberg of Beavertail Road spoke to the Conservation Commission at its Oct. 10 meeting concerning unauthorized clearing of vegetation on Lot 41 to the west of Beavertail Road.

The Winebergs, who are abutters to the south of the cleared land, told the commission that the new owners "cleared the entire parcel with no permit from CRMC (the state Coastal Resources Management Council)."

Don Wineberg showed the commission before-and-after pictures of the 28-acre lot, and estimated the clearing to be about a 360- by 750-foot area within 200 feet of

coastal feature associated with tidal waters.

Wineberg also showed a picture of a no trespassing sign near the shore, which is another "offensive" coastal violation. Under state law, no postings are allowed in a coastal buffer zone without CRMC consent.

In August, the CRMC sent a cease-and-desist order to PBH Realty, in care of the Procaccianti Group in Cranston. The order explained that the unauthorized clearing is in violation of the Coastal Resources Management Program.

Commission Chairman Christopher Powell reminded the commission that "we are only advi-

sory," but he suggested writing a strong letter to the CRMC urging strict action.

Powell noted that most of the coastal waters around Beavertail are categorized as Type 1, which is conservation area. "There's a lot of protected wildlife in the area," he said.

The commissioners voted unanimously to draft a letter to the CRMC that would give a timeline of the violations and cite the CRMC buffer zone requirements. "The letter will include the fact that all other properties in the area are in compliance with CRMC," Powell also said.

The commission agreed to ask the CRMC for the buffer zone to be restored as it was before the clearing, with comparable vegetation. In addition, the commission agreed to write a letter to the Town Council, recommending that the council also write a letter to the CRMC objecting to the violations.

According to the state, the CRMC imposed a fine of \$2,500 in August at the same time the cease-and-desist order was issued. A CRMC officer revisited the site in October, and found the property owner was continuing to clear despite the original order. The CRMC imposed a second fine of \$2,500, and a lien has been placed on the property. "CRMC is being vigilant in this matter, and is continuing to monitor the situation," said CRMC spokeswoman Laura

Ricketson, adding that the problem is a "significant violation."

In correspondence, the Conservation Commission received a copy of an advisory memorandum to the town clerk from the attorney general's office. The memo said that rolling quorums are considered a violation of the open meetings forum policy. Powell read from the memo some examples of a rolling quorum, including e-mail correspondence and discussion of issues outside a publicly announced meeting.

In a discussion concerning the Hull Cove right-of-way project, Powell informed panel members that a wetlands map was made of the area. He said the commission must submit the map to the CRMC before construction is started on the proposed boardwalk.

"We will give the information to the Eagle Scout who will put together a plan for the project," Powell said.

In new business, the commission agreed to look at properties that may qualify for the Farm, Forest and Open Space Tax Relief Act. "We need to do a little public relations work because many people may be eligible but are not aware. The price of land may push some of the older families to sell," Powell said.

In a discussion of a project to restore Great Creek, Powell noted that Commissioner Carol Trocki found information on a possible grant that could finance the work. The project would involve clearing out clogged pipes, including a pipe under the Newport Bridge toll booths, allowing salt water to flow through in order to control the phragmites in the creek area.

The commission welcomed Cathy Roheim and Mark Baker, who are new appointees to the commission. Roheim is a professor of environmental science at University of Rhode Island, and Baker runs a nature tour company.

Powell asked the new members to consider volunteering for board liaison positions to committees. A current opening is on the Wildlife Committee, he noted.

Commissioners Tom Johnson, Jennifer Talancy and Carol Trocki were absent.

## Town Hall moved, Town Offices remain the same

The Jamestown Town Hall staff along with the town planner and planning clerk have settled into the building located at the Jamestown Golf Course, 245 Conanicus Ave., across the street from the Jamestown Police Station.

The following offices are located at 245 Conanicus Ave.: Town Clerk, who handles land evidence records, dog licensing, liquor licensing, yard sale licenses, marriage licenses, probate court, and deeds., Tax Assessor, Building/zoning departments, Town planner, and Board of Canvassers.

The Town Hall mailing address remains the same: 93 Narragansett Avenue, Jamestown, RI 02835

The town planner's address remains the same: P O Box 377, Jamestown, RI 02835.

The Town Offices staff located at 44 Southwest Ave. did not relocate.



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Because a major thrust of our effort is a quest for our own education, we invite those who are so inclined, to share with us your comment on any of our weekly presentations. Our contact information is set out below. Your questions and comments are welcome.

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