

**COASTAL RESOURCES  
MANAGEMENT COUNCIL**

**SEMI-MONTHLY  
MEETING**

**TUESDAY, JUNE 13, 2017**

**6:00 P.M.**

**AGENDA**



State of Rhode Island and Providence Plantations  
**Coastal Resources Management Council**  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 116  
Wakefield, RI 02879-1900

(401) 783-3370  
Fax (401) 783-3767

## **AGENDA**

**Semi-Monthly Meeting – Full Council**  
**Tuesday, June 13, 2017; 6:00 p.m.**  
**Administration Building; Conference Room A**  
**One Capitol Hill, Providence, RI 02908**

**Approval of the minutes of the previous meeting – May 9, 2017**  
**Subcommittee Reports**  
**Staff Reports**

**Education Series: Dave Beutel, CRMC Aquaculture Coordinator**  
**Aquaculture Update**

### **Application requesting Modification before the Full Council for Decision:**

**2008-01-088 MICHAEL LEIBOWITZ** -- To modify an existing permitted residential boating facility with the addition of a 4' x 30' access float. The modification is proposed to extend ~100' seaward of the cited MLW mark, requiring a 50' length variance to RICRMP Section 300.4.

### **Applications which have been Out-To-Notice and are before the Full Council for Decision:**

**2016-07-029 ALBERTINO MILHO** -- As a result of enforcement actions, the applicant seeks to establish a Marina Perimeter Limit and expand the marina in addition to reconfiguring portions of the existing marina. Located at plat 16, lots 2 & 3; 28 Water Street, East Providence, RI.

/lat

2008-01-088 MICHAEL LEIBOWITZ

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# CRMC DECISION WORKSHEET

2008-01-088

Michael Leibowitz

Hearing Date:	
Approved as Recommended	
Approved w/additional Stipulations	
Approved but Modified	
Denied	Vote

APPLICATION INFORMATION							
File Number	Town	Project Location			Category	Special Exception	Variance
2008-01-088	Bristol	60 Everett Avenue			A*	<input type="checkbox"/>	XXX
		Plat	123 B	Lot			
		<b>Owner Name and Address</b>					
Date Accepted	2/22/2017	Michael Leibowitz 60 Everett Street Bristol, RI 02809			Work at or Below MHW		XXX
Date Completed	6/5/2017				Lease Required		<input type="checkbox"/>

## PROJECT DESCRIPTION

Cc/m a residential boating facility;mod to extend

## KEY PROGRAMMATIC ISSUES

**Coastal Feature:** Coastal wetland backed by manmade shoreline (riprap/seawall)

**Water Type:** Type 2, Low Intensity Use, Kickemuit River

**CRMP:** 120, 200.2, 210.3, 210.6, 220, 300.1, 300.4, 330

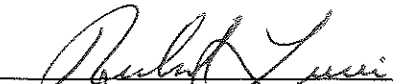

**SAMP:** N/A



**Variations and/or Special Exception Details:** A 50' length variance (25' greater than original variance) is required from RICRMP Section 300.4.E.3.1

Additional Comments and/or Council Requirements:

## STAFF RECOMMENDATION(S)

Engineer \_\_\_\_\_ Recommendation: \_\_\_\_\_  
 Biologist TAS Recommendation: No objection  
 Other Staff \_\_\_\_\_ Recommendation: \_\_\_\_\_

  
 Engineering Supervisor Sign-Off \_\_\_\_\_ date 6/6/17  
  
 Executive Director Sign-Off \_\_\_\_\_ date 6/11/17

  
 Supervising Biologist Sign-off \_\_\_\_\_ date 6/6/17  
  
 Staff Sign off on Hearing Packet (Eng/Bio) \_\_\_\_\_ date 6/7/17



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
**COASTAL RESOURCES MANAGEMENT COUNCIL**  
INTER-OFFICE MEMORANDUM

DATE: 5 June 2017  
TO: Grover J. Fugate, Executive Director  
FROM: T. Silvia, Staff Biologist  
SUBJECT: CRMC File No. 2008-01-088

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Applicant's Name: Michael Leibowitz  
Project: To modify an existing residential boating facility (extend seaward)  
Location: 60 Everett Avenue, Bristol, plat 123B, lot 7  
Water Type/Name: Type 2, Low Intensity Use, Kickemuit River  
Coastal Feature: Coastal wetland backed by man-made shoreline (rip-rap/seawall)  
Reviewed Plans: Two sheets, "Site Plan" and "Profile & Details Plan"... "Dock Modification Plan, Plat 123, Lot 7, Bristol..." dated 10/19/16 as last revised 5/8/17 by Ron T. Blanchard, RPE

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**PROJECT DESCRIPTION:**

- 1) This facility (ref. Figure 1) was originally approved by the Coastal Council on 7/22/2008 and an Assent was granted 8/29/2008 for a fixed timber pier, ramp and terminal float (150sf) extending ~75' seaward of MLW. The facility was approved with a cited depth at the terminus of ~2.5' at MLW.
- 2) A modification request was returned Deficient on 1/27/2017 as the project included a boat lift which is prohibited by the RICRMP in Type 2 waters of the Kickemuit River. The applicant revised the project to remove the lift from the design.
- 3) The owner wishes to modify the existing dock to extend further seaward, citing a deeper-draft vessel. The existing terminus is slightly out of conformance due to alleged prior owner action and the current owner will correct this as part of this application (the float is larger than authorized).
- 4) The existing terminus is proposed to be removed and replaced with a 4' x 30' access float leading to a 10' x 15' (150) sf float. The total facility is proposed ~100' seaward of MLW and will achieve ~3.5' of water depth at MLW at the new terminus.

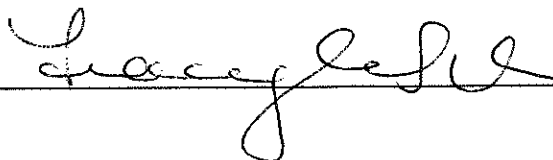
**STAFF REVIEW:**

- 1) The application was sent to a 30day public notice period on 3/20/2017 which concluded without comment. The project received an ACOE Category II GP approval dated 4/27/2017.
- 2) The submitted plans depicted a mooring within 50' of the proposed extension and staff requested clarification on ownership. An email was received in which the local Harbormaster Gregg Marsili indicated that the mooring could be relocated at the applicant's expense.
- 3) The existing facility received a Letter of No Objection (LONO) from the affected abutter and the proposed modification has received LONOs from both abutters as the work will be located within 25' of each property line. With these signoffs, no variance is required from the setback requirement.
- 4) There is no work proposed to affect existing SAV and/or coastal wetland habitat.
- 5) The proposed extension to ~100' seaward of MLW requires a 50' length variance (25' additional variance from original approval) from RICRMP Section 300.4.E.31. The proposed terminus is located landward of adjacent structures and is similar in design to existing nearby residential boating facilities.

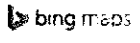
**STAFF RECOMMENDATION:**

There are no staff objections to the issuance of an Assent Modification for this project and staff defers to the Council for consideration of the variance request.

Tracy A. Silvia



Staff Biologist



60 Everett Ave, Bristol, RI 02809

Application #2008-01-088 Modification to extend dock to ~100' MLW --TS

FIGURE I





2008 01 088

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road; Suite 116  
Wakefield, RI 02879  
(401)783-3370

**CRMC ASSENT MODIFICATION REQUEST FORM**

File Number of Assent/Permit: \_\_\_\_\_ Expiration date (including extensions): \_\_\_\_\_

Name which Assent was issued to: \_\_\_\_\_

Location of Project: 60 Everett Avenue

City/Town Bristol Plat: 123 Lot: 7

Present Owner: Mike Leibowitz

Mailing Address: 60 Everette Avenue, Bristol

State: RI Zip Code: 02809

Phone No. Bus: 203-675-8512 Contact Person: Ron Blanchard, P.E.

Phone No.: 401-253-8231

Abutters: Plat 123, Lot 8, Judith Kupec, 62 Everett Ave, Bristol RI 02809

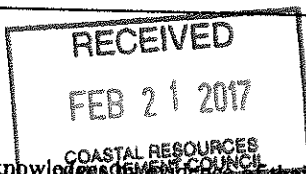
Plat 123, Lot 6, Joseph & Teresa Pavao, 58 Everett Ave, Bristol RI 02809

I hereby certify that the names and addresses of adjacent property owners whose property adjoins the project site are accurate and current as of the date of application. If said names and addresses are found to be not accurate and/or current, any subsequent Assent may become Null and Void. Signed: \_\_\_\_\_

Describe the proposed modification(s), including the reasons for change: Modification:  
Existing pier to be extended approximately 30' with floating access pier to bring overall length of dock to 100' beyond MLW. Existing float and ramp will be relocated to end of extended structure.

Reason: Applicant needs to have additional water depth (approx. 3.5') at MLW, currently there is only approx. 2.5' which the applicant finds to be insufficient to accommodate boat in all tide conditions.

What state of construction is project in? \_\_\_\_\_  
Existing facility is in good condition.



[Signature]  
Owner's Signature

Note: The applicant acknowledges by their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking State Assent. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall be access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to penalties of perjury. 5/00



# COASTAL RESOURCES MANAGEMENT COUNCIL REQUIREMENTS

## ASSENT MODIFICATION FOR RESIDENTIAL BOATING FACILITY ASSENT #2008-01-088

For  
**MIKE LEIBOWITZ**  
60 EVERETT AVENUE  
BRISTOL, RI

Prepared By  
Ron Blanchard, P.E.

### PROJECT DESCRIPTION

The project proposes to extend the existing facility by approximately 30'. A 4' wide floating dock is proposed to achieve this extension. The proposed overall length of the dock would be approximately 100' beyond MLW. A variance request is outlined below.

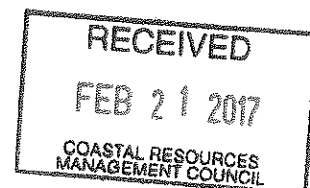
**It should be noted that the proposed dock would not extend any further seaward than a line drawn between the two nearest neighboring docks. In fact it would still be approximately 15' shy of this line. Hence the proposed extension would not extend the dock seaward of nearby similar facilities. It should also be noted that, the dock to the south is approximately 182' from the shoreline (measured with google measuring tool). Dock as proposed would only be approximately 172' from the shoreline (originally permitted at 141' from the shoreline).**

### Section 120: Variances

As outlined under the project description the project requires a variance. Due to existing conditions at the site, the dock is required to extend to approximately 100' beyond MLW in order to have adequate water depth of approximately 3.5' at low tide.

A. The Council's six criteria for a variance are addressed as follows.

1. As outlined herein, and in the plan drawings which accompany this application, with exception of the variance requested, this previously permitted facility along with the proposed extension, conforms to all applicable goals and policies of Parts Two and Three of the CRMP.
2. The proposed project will not result in any significant adverse environmental impacts or use conflicts. The proposal for a floating access dock in lieu of a fixed dock, is allowed under Section 300.4 E.3.(e). As the dock would not extend past a line between the two other neighboring docks, it would not interfere with any navigation channels.



3. The conditions at the site are such that the standard cannot be met. Conforming to the previously authorized 72' beyond MLW provides only approximately 2.5' of water at MLW. While this was acceptable to the previous owner, the new owner's boat drafts approximately 3' of water. Hence, having only 2.5' of water available at low tide hinders dock use in lower tide situations. Restricting the applicant to the previously authorized 72' beyond MLW limit is therefore having a negative impact on the intended project purpose.

4. Extension to 100' beyond MLW is considered the minimum required to relieve the hardship. This extension would achieve a depth of approximately 3.5' of water at low tide, which could accommodate the new owners boat under all normal tidal conditions, and would allow reasonable use of the facility. A depth of less than this would create a hindrance to boating operations and would therefore have an adverse affect on the intended purpose of the project.

5. The existing conditions at the site are those that naturally occur and are not a result of the any prior action of the applicant. The shallow water depths are a characteristic of the Kickemuit river.

6. Compliance with the requirement is causing the applicant an undue hardship. Conforming to the previously authorized 72' beyond MLW provides only approximately 2.5' of water at the end of the dock at low tide. This results in substantial restrictions on boating operations. As proposed, the dock would have approximately 3.5' of water available on average to be available under all normal tide conditions.

B. Subdivisions do not apply to this project.

C. As stated under item 1. above, the project complies with all other requirements of the CRMP.

D. The possibility of variance from the local municipality, which would obviate the need for a CRMC variance, is not applicable to this project.



Joseph & Teresa Pavao  
58 Everett Avenue  
Bristol, RI 02809

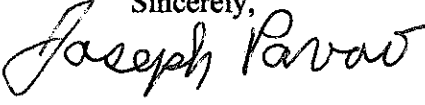
October 19, 2016

State of Rhode Island  
Coastal Resources Management Council  
Oliver H. Steadman Government Center  
Tower Hill Road  
Wakefield, RI 02879

**Subject: Residential Dock Modification Application for 60 Everett Avenue, Bristol**

Dear Sir/Madam:

Regarding the subject application please be advised that as owner of abutting property, I have had discussions with the applicant, Mr. Mike Leibowitz regarding his proposal to modify the dock at his property. It has been explained to me that regulations require docks be located a minimum of 25' from the property line and/or the property line extension. I understand that the applicant proposes to install the dock at a minimum of approximately 11' from the property line extension. Please be advised that I have reviewed the layout of the dock with the applicant and have no objection to the placement of the dock as proposed.

Sincerely,  
  
Joseph Pavao

Ian & Nina Baxter  
62 Everett Avenue  
Bristol, RI 02809

October 19, 2016

State of Rhode Island  
Coastal Resources Management Council  
Oliver H. Steadman Government Center  
Tower Hill Road  
Wakefield, RI 02879

**Subject: Residential Dock Modification Application for 60 Everett Avenue, Bristol**

Dear Sir/Madam:

Regarding the subject application please be advised that as owner of abutting property, I have had discussions with the applicant, Mr. Mike Leibowitz regarding his proposal to modify the dock at his property. It has been explained to me that regulations require docks be located a minimum of 25' from the property line and/or the property line extension. I understand that the applicant proposes to install the dock at a minimum of approximately 15' from the property line extension. Please be advised that we have reviewed the layout of the dock with the applicant and have no objection to extension of the dock as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian & Nina Baxter', written in a cursive style.

Ian & Nina Baxter

Harbor Master OK - TS

**Tracy Silvia**

---

**From:** Tracy Silvia <tsilvia@crmc.ri.gov>  
**Sent:** Monday, May 15, 2017 3:46 PM  
**To:** 'Ron Blanchard'  
**Subject:** RE: Leibowitz dock 08-1-88

That works re HM signoff on mooring, thanks. Two full-sized plus an 8.5 x 11 plan please.

TS

Tracy A Silvia  
Sr. Environmental Scientist  
Coastal Resources Management Council  
Oliver Stedman Govt. Center  
4808 Tower Hill Rd  
Wakefield, RI 02879  
(401) 783-3370

**From:** Ron Blanchard [<mailto:seironblanchard@msn.com>]  
**Sent:** Monday, May 15, 2017 11:32 AM  
**To:** Tracy Silvia  
**Cc:** Yahoo Personal  
**Subject:** Fw: Leibowitz dock 08-1-88

Tracy:

Is this acceptable for you to proceed with finalizing a permit for subject? How many copies of revised plans do you need?

Regards  
Ron Blanchard

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**From:** Gregg Marsili <[gmarsili@bristolri.us](mailto:gmarsili@bristolri.us)>  
**Sent:** Friday, May 12, 2017 3:17 PM  
**To:** Ron Blanchard  
**Subject:** Re: Leibowitz dock 08-1-88

Hello Ron,

I thought I replied the other day, the owner of the dock will have to pay the cost of moving the mooring.

Have a good weekend,  
Gregg

Sent from my iPad

On May 11, 2017, at 3:05 PM, Ron Blanchard <[seironblanchard@msn.com](mailto:seironblanchard@msn.com)> wrote:



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

### PUBLIC NOTICE

File Number: 2008-01-088 (Modification) Date: March 20, 2017

This office has under consideration the application of:

Michael Leibowitz  
60 Everett Street  
Bristol, RI 02809

for a State of Rhode Island Assent to construct and maintain: To modify an existing permitted residential boating facility with the addition of a 4' x 30' access float. The modification is proposed to extend ~100' seaward of the cited MLW mark, requiring a 50' length variance to RICRMP Section 300.4.

Project Location:	60 Everett Avenue
City/Town:	Bristol
Plat/Lot:	123B / 7
Waterway:	Kickemuit River

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before April 20, 2017.



# PROJECT LOCATION

LOCUS MAP  
NITC

RECEIVED  
FEB 21 2017  
COASTAL RESOURCES  
MANAGEMENT COUNCIL



DK-1

BRISTOL, RHODE ISLAND

# SITE PLAN DOCK MODIFICATION PLAN PLAT 123, LOT 7

RHODE ISLAND DEPARTMENT OF REVENUE (REV. 08-00)

SITE ENGINEERING INC. ENGINEERS - ARCHITECTS - PLANNERS

SEI

DATE 10/19/18  
DR. VS  
CHK. RB  
DSSG. RB

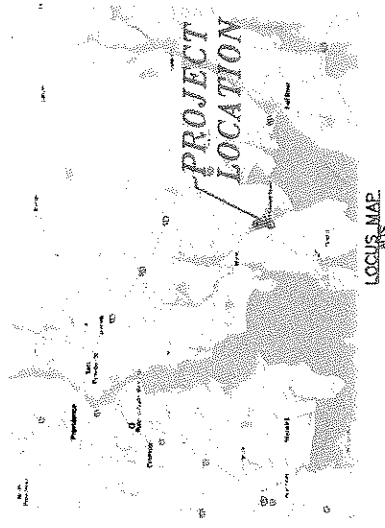
REVISIONS

NO.	DATE	DESCRIPTION
1	10/19/18	ISSUED FOR PERMIT
2		
3		
4		
5		
6		
7		
8		
9		
10		



THIS PROJECT IS THE PROPERTY OF THE CLIENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CLIENT.

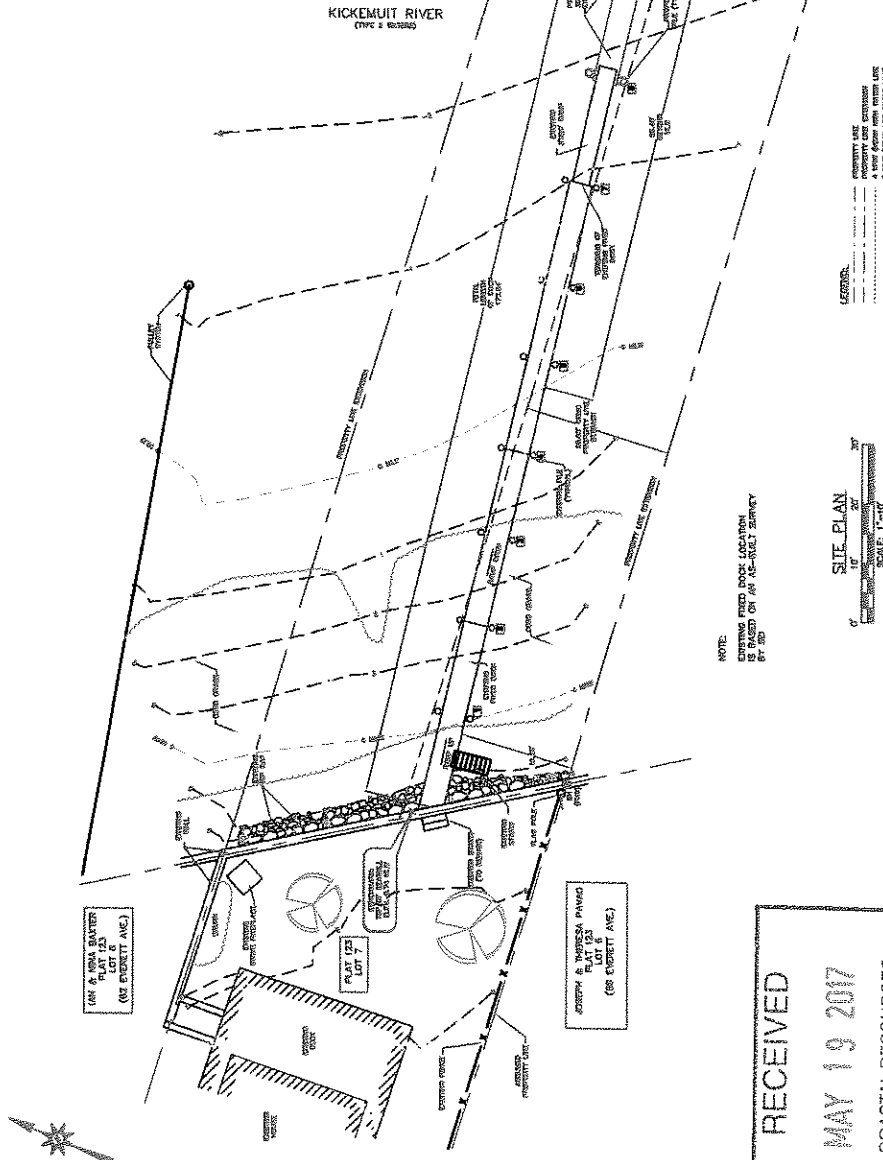
CLIENT/SITE ADDRESS:  
123 E. STREET  
BRISTOL, RI 02809



AERIAL PHOTO NTS



LOCUS MAP NTS



- LEGEND:
- PROPERTY LINE
  - EXISTING DOCK MODIFICATION
  - EXISTING DOCK
  - EXISTING PILING
  - EXISTING PILE
  - EXISTING PILE CAP
  - EXISTING PILE HEAD
  - EXISTING PILE POINT
  - EXISTING PILE TIP
  - EXISTING PILE BASE
  - EXISTING PILE TOP
  - EXISTING PILE BOTTOM
  - EXISTING PILE MIDDLE
  - EXISTING PILE END
  - EXISTING PILE JUNCTION
  - EXISTING PILE CONNECTION
  - EXISTING PILE INTERSECTION
  - EXISTING PILE OVERLAP
  - EXISTING PILE GAP
  - EXISTING PILE OFFSET
  - EXISTING PILE ALIGNMENT
  - EXISTING PILE ORIENTATION
  - EXISTING PILE POSITION
  - EXISTING PILE PLACEMENT
  - EXISTING PILE LOCATION
  - EXISTING PILE COORDINATE
  - EXISTING PILE ELEVATION
  - EXISTING PILE DIMENSION
  - EXISTING PILE AREA
  - EXISTING PILE PERIMETER
  - EXISTING PILE VOLUME
  - EXISTING PILE MASS
  - EXISTING PILE WEIGHT
  - EXISTING PILE FORCE
  - EXISTING PILE MOMENT
  - EXISTING PILE ENERGY
  - EXISTING PILE POWER
  - EXISTING PILE FLUX
  - EXISTING PILE CURRENT
  - EXISTING PILE FLOW
  - EXISTING PILE VELOCITY
  - EXISTING PILE ACCELERATION
  - EXISTING PILE DECELERATION
  - EXISTING PILE FREQUENCY
  - EXISTING PILE PERIOD
  - EXISTING PILE PHASE
  - EXISTING PILE AMPLITUDE

NOTE:  
EXISTING DOCK MODIFICATION IS BASED ON AN AS-BUILT SURVEY BY SD

SITE PLAN OF PLAT 123, LOT 7  
SCALE: 1"=10'

GENERAL INFORMATION:  
THIS SITE PLAN IS THE PROPERTY OF THE CLIENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CLIENT.

CLIENT/SITE ADDRESS:  
123 E. STREET  
BRISTOL, RI 02809

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CLIENT/SITE ADDRESS:  
123 E. STREET  
BRISTOL, RI 02809

RECEIVED  
MAY 19 2017  
COASTAL RESOURCES  
MANAGEMENT COUNCIL



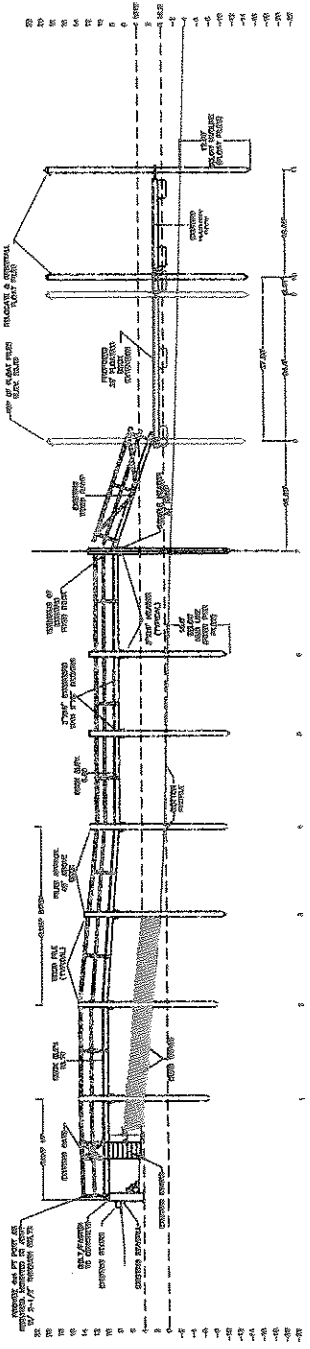
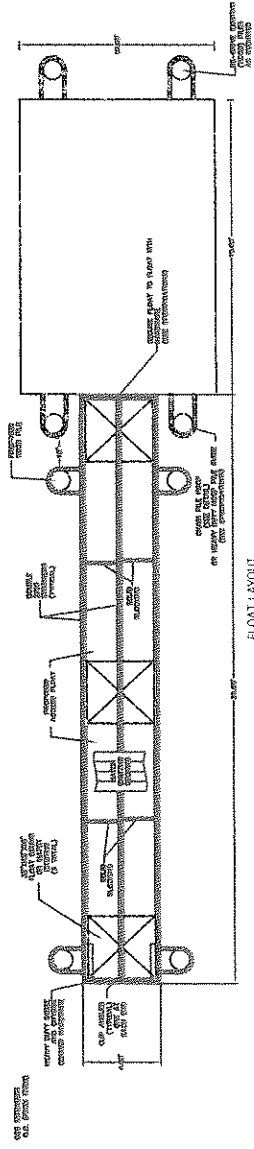
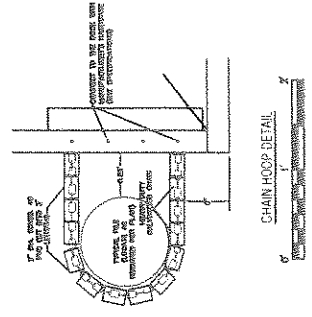
CONTRACT APPROVED  
STATE OF RHODE ISLAND  
OFFICE OF PROFESSIONAL REGULATION  
DIVISION OF PROFESSIONAL REGULATION  
PLATE 123, LOT 7

**PROFILE & DETAILS**  
**DOCK MODIFICATION PLAN**

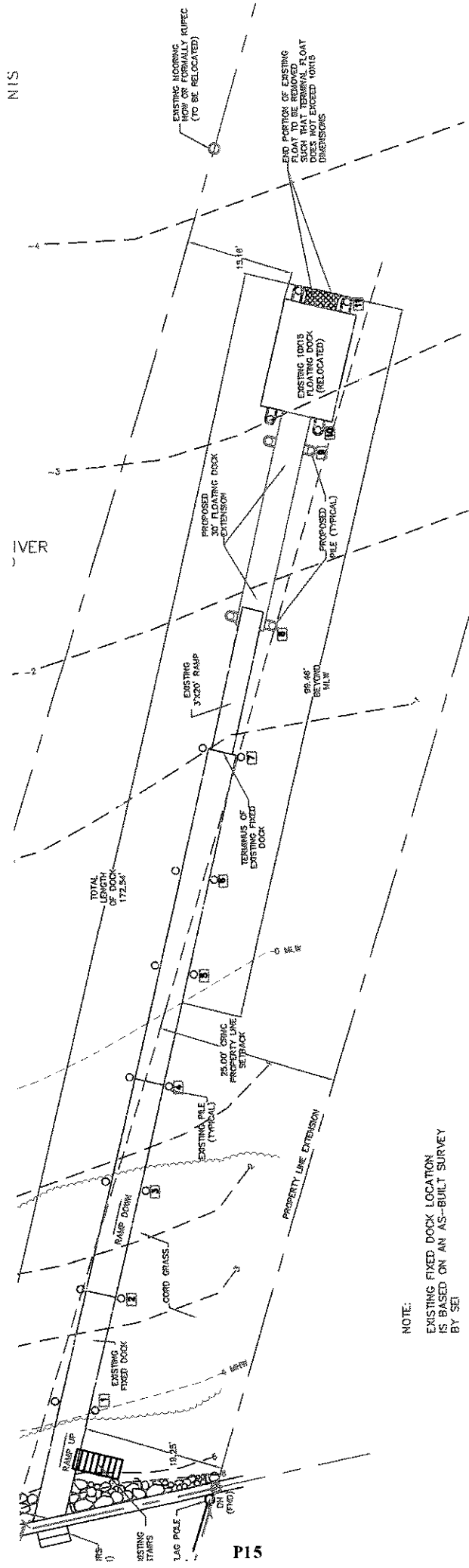
**SEI**  
**SITE ENGINEERING INC.**  
ENGINEERS - SURVEYORS - ARCHITECTS  
1000 WEST MAIN STREET  
PROVIDENCE, RI 02903-3401  
(401) 855-0001

**REVISIONS**

NO.	DATE	BY	DESCRIPTION
1	10/19/16	DR	ISSUED FOR PERMITTING
2		DR	ISSUED FOR PERMITTING
3		DR	ISSUED FOR PERMITTING
4		DR	ISSUED FOR PERMITTING
5		DR	ISSUED FOR PERMITTING
6		DR	ISSUED FOR PERMITTING
7		DR	ISSUED FOR PERMITTING
8		DR	ISSUED FOR PERMITTING
9		DR	ISSUED FOR PERMITTING
10		DR	ISSUED FOR PERMITTING



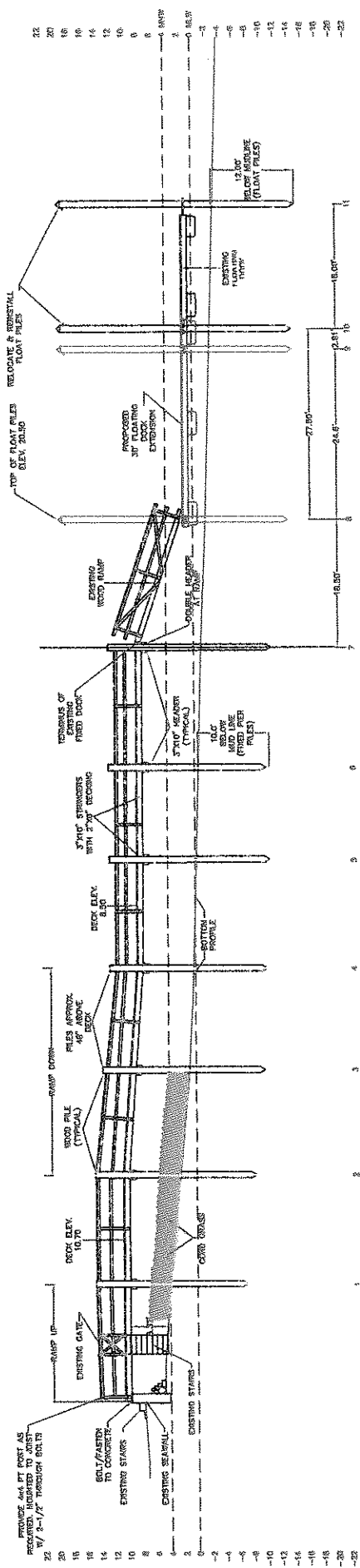
**RECEIVED**  
**MAY 19 2017**  
**COASTAL RESOURCES**  
**MANAGEMENT COUNCIL**



NOTE:  
 EXISTING FIXED DOCK LOCATION  
 IS BASED ON AN AS-BUILT SURVEY  
 BY SEI

RECEIVED  
 MAY 19 2017  
 COASTAL RESOURCES  
 MANAGEMENT COUNCIL

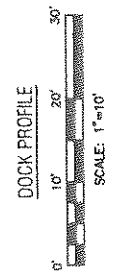
RECEIVED  
MAY 19 2017  
COASTAL RESOURCES  
MANAGEMENT COUNCIL

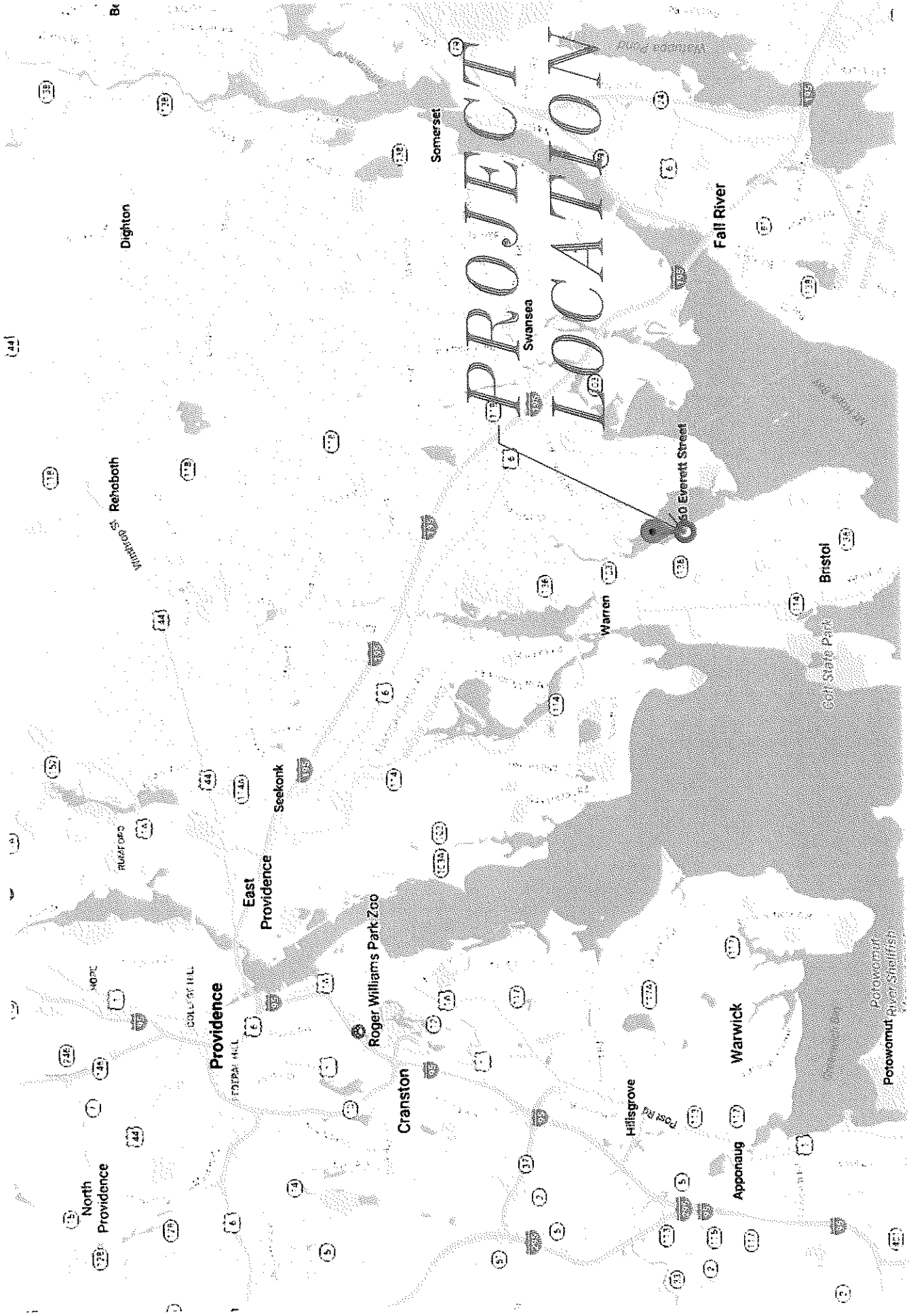


NOTE:  
FLOOD ZONE IS V (EL. 18) MS.  
HEIGHT OF FLOAT PILES=47.00' TO 48.50' (FRESHWATER) & 49.00' TO 50.50'

NOTE:  
ALL PILED UP PILES SHALL BE  
GRUBBED TO BOTTOM SOLE.  
ALL FLOAT PILES SHALL BE DRUSH  
12' BELOW AROUND.

NOTE:  
EXISTING WOOD RAMP &  
FLOAT TO BE RELOCATED





LOCUS MAP  
NTS

RECEIVED  
MAY 19 2017  
COASTAL RESOURCES  
MANAGEMENT COUNCIL

2016-07-029 ALBERTINO MILHO

# CRMC DECISION WORKSHEET

2016-07-029

Albertino Milho

Hearing Date:	
Approved as Recommended	
Approved w/additional Stipulations	
Approved but Modified	
Denied	Vote

APPLICATION INFORMATION						
File Number	Town	Project Location		Category	Special Exception	Variance
2016-07-029	East Providence	28 Water Street		<b>B</b>	<input type="checkbox"/>	<input type="checkbox"/>
		Plat	16			
Date Accepted		Owner Name and Address				
Date Completed		Albertino Milho 288 Warren Avenue East Providence, RI 02914				
		Work at or Below MHW				<input checked="" type="checkbox"/>
		Lease Required				<input type="checkbox"/>

## PROJECT DESCRIPTION

Alter Marina Layout & Legalize boulder wall

## KEY PROGRAMMATIC ISSUES

Coastal Feature(s)

Water Type  
CRMP  
SAMP

Type 4, Multi-Purpose Waters  
<list relevant RICRMP sections>  
<list relevant SAMP sections>

Variations and/or Special Exception Details:

**Additional Comments and/or Council Requirements:** Parking for facility shared with adjacent restaurant, City of East Providence Development District Commission parking decision included in material

## STAFF RECOMMENDATION(S)

Engineer DRG Recommendation: Approval  
 Biologist NONE Recommendation: NO BIO REPORT, SEE ENG. REPORT  
 Other Staff \_\_\_\_\_ Recommendation: \_\_\_\_\_

Engineering Supervisor Sign-Off \_\_\_\_\_ date  
 Executive Director Sign-Off \_\_\_\_\_ date  
 5/12/17

David S. Per 5/15/17  
 Supervising Biologist Sign-off \_\_\_\_\_ date  
 Staff Sign off on Hearing Packet (Eng/Bio) \_\_\_\_\_ date



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
COASTAL RESOURCES MANAGEMENT COUNCIL  
ENGINEERING REVIEW**

TO: Grover J. Fugate, Executive Director  
DEPT: Coastal Resources Management Council  
FROM: Danni Goulet, PE  
DEPT: CRMC Engineering Section

Date: May 9, 2017

SUBJ: CRMC File No.: 2016-07-029

Owner: Albertino Milho

Site Address: 28 Water Street Plat: 16 Lot: 02

Site Town: East Providence

Project: Provide a New Marina Perimeter Limit to an existing marina, legalize work performed without a permit (retaining wall enforcement resolution), expand and reconfigure marina and repair an existing boat ramp.

**Water Type/Name:** Type 4, Multi-Purpose Waters

**Coastal Feature:** Manmade shoreline

**Staff Comments/Recommendation:**

This application was in response to an enforcement action at the existing marina. The enforcement action was for a wall built/expanded without a permit and is attached for the Councils reference. It was determined during the enforcement action that the marina did not have a marina perimeter limit or official boat count even though the marina has been in existence for many years. The current application is to permit the wall after the fact, expand the existing marina and have the marina come into compliance with the requirements of RICRMP Section 300.4 thereby resolving the enforcement action. There is also some maintenance work proposed for the existing boat ramp.

The wall is labeled as a boulder retaining wall on the plans. The wall is above the mean high water line and does not create any fill in tidal waters. The retained fill actually is required to be public access with dedicated parking and signs. The work that was proposed would have been permitted under the RICRMP and is in the opinion of staff permissible particularly since the public access is enhanced.

The existing marina did not have a perimeter limit or boat count. The current owner would like to expand the marina from its current approximate boat capacity of 50+/- boats to 71 vessels. The expansion is a combination of additional docks and reconfiguration of the existing docks. In addition to the marina, the facility has a restaurant/function hall which shares the parking lot(s). This multiple use required a variance from the City of East Providence which entailed multiple meetings with the City Development District Commission and resulted in a detailed parking plan along with thirteen conditions of approval. The plan approved by the City is in the opinion of the staff engineer very detailed and complete. Staff recommends the Council accept the City approved

Signed \_\_\_\_\_

Staff Engineer

parking plan as adequate for the marina.

After parking, the next significant issues for marinas are sanitary facilities and pump outs. Currently the marina patrons utilize the facilities in the restaurant when it is open. This does not meet the requirements of 300.4 which require restrooms available at all times. The applicant is unable to reconfigure the existing restroom situation to meet this requirement so they will install two "portable toilets" for the current season. These will be available to the marina patrons at any time while the restaurant will be available as it has been historically. The applicant has committed to building a dedicated restroom facility on an adjacent lot and have the facility operational by next boating season. It is the opinion of staff that this is a reasonable compromise and better than the current situation which has existed for some time. There is a proposed stipulation to this effect in the recommended stipulations.

The marina does not have a pump out facility. The marina expansion requires the installation of the pumpout and the owner has committed to installing the pump out. There is a required process beyond CRMC approval to allow the pumpout to be connected to the sewers. This process can take some time. The applicant has asked if this facility can be a stipulation requiring it to be operational by the next boating season. It is the opinion of staff that this is a reasonable request and in keeping with past Council practice. There is a recommended stipulation to this effect.

It is the opinion of staff that the remaining applicable requirements of Section 300.4 have been met as well as the site and operation allows. Staff recommend approval of the proposal so long as the typical marina stipulations and the recommended stipulations are part of the approval.

The plans reviewed for this review, report and recommendations are entitled "2016 Waterfront Commission Plan 1 – A.P. 16 Block 2, Parcels 1 & 2 – Water Street – East Providence, Rhode Island" – Sheets C-1 and C-2 and "2017 CRMC Bathroom Schematic A.P. 16 Block 2, Parcels 1 & 2 – Water Street – East Providence, Rhode Island" – Sheet C-1. All work has been prepared by Waterman Engineering Company and stamped by Richard Lipsitz PLS # 1837.

### **Recommended Stipulations**

1. The Owner of East Providence Plat 16 lots 02 and 03 shall immediately install 2 portable toilets as shown on the referenced plans. These portable toilets shall remain in place until October 31, 2017 or until all boats have been removed from the slips, whichever is later.
2. The Owner of East Providence Plat 16 lots 02 and 03 shall construct and have operational sanitary facilities that conform the RICRMP Section 300.4 by May 1, 2018.
3. The Owner of East Providence Plat 16 lots 02 and 03 shall permit, install and have operational to the general boating public (for a reasonable fee) a marine pumpout facility by May 1, 2018.
4. The public access required under Assent 2013-06-020 and 2015-04-131 shall have large prominent signs that state No Restaurant Parking – Public Access Parking. The landscaping or uses at the site in the vicinity of the public access parking shall not block or limit access to the public access area. The public access pathway shall be constructed prior to any marina float relocation or additional floats installed.

BK: 3678 PG: 109

COASTAL RESOURCES MANAGEMENT COUNCIL

APPROVED PLANS

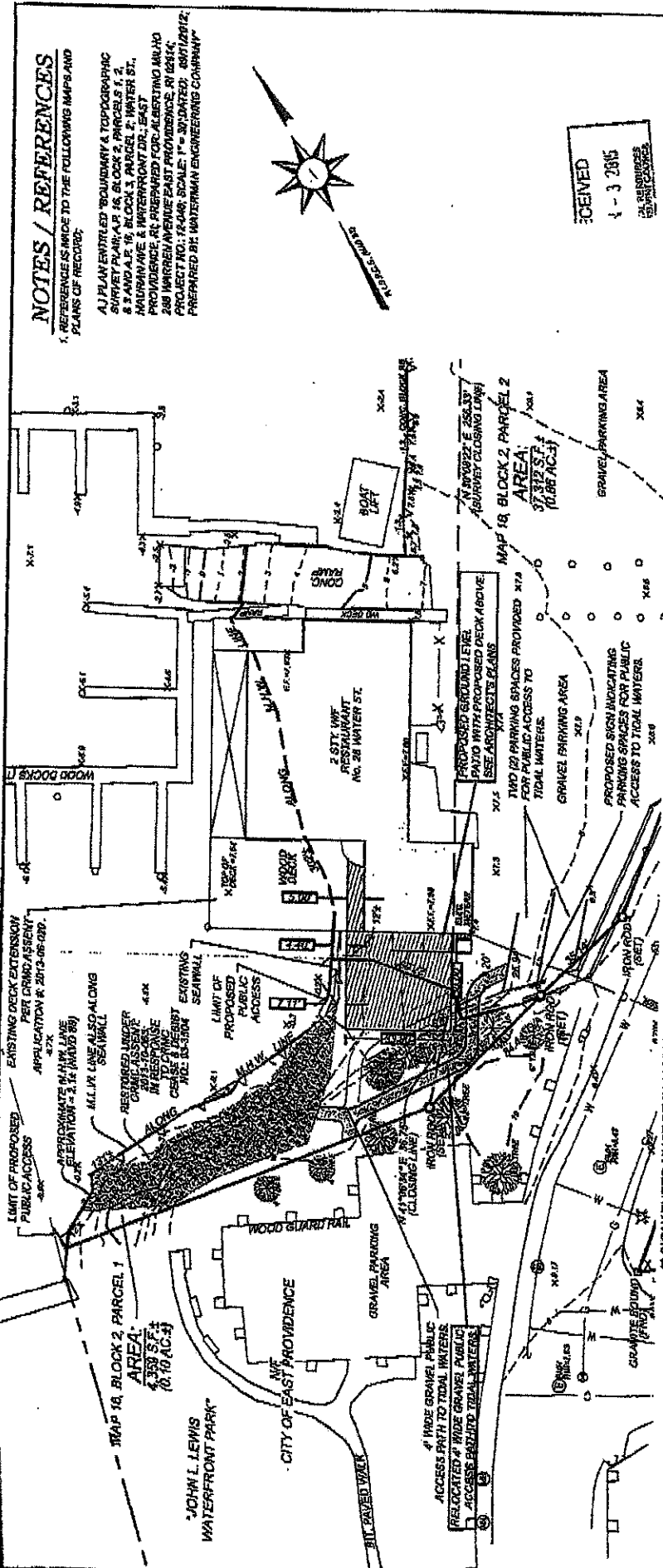
DATE 6/5/15

STAFF MEMBER D. DELS

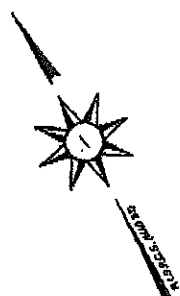
SUBJECT TO STIPULATIONS CONTAINED IN

ASSENT NUMBER A2015-04-131

RECORDED  
2015 JUN 16 11:27A  
EAST PROVIDENCE, R.I.  
KIM A. CASCI-PALANGIO  
CITY CLERK



**NOTES / REFERENCES**  
1. REFERENCE IS MADE TO THE FOLLOWING MAP AND PLANS OF RECORD:  
A) PLAN ENTITLED "BOUNDARY & TOPOGRAHIC SURVEY PARCELS 18, BLOCK 2, PARCELS 1, 2, & STANDALONE, BLOCK 3, PARCELS 1, WATER ST., RUMBLEWIRE & WINTERWATER DR., EAST PROVIDENCE, RI PREPARED FOR ALBERTINO MILANO ARCHITECTURE, 125 WINTER AVENUE EAST PROVIDENCE, RI 02814; PROJECT NO. 12-048; SCALE: 1" = 30'-0"; DATED: 08/12/02; PREPARED BY: WATERMAN ENGINEERING COMPANY"



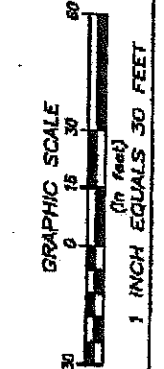
RECEIVED  
6-3-2015  
ALBERTINO MILANO ARCHITECTURE

PROJECT NO.	15-001
DATE	6/5/15
SCALE	AS SHOWN
PROJECT	PROPOSED DECK, PATIO & GRVEL PARKING AREAS, MAP 19, BLOCK 2, PARCELS 1, 2, & STANDALONE, BLOCK 3, PARCELS 1, WATER ST., RUMBLEWIRE & WINTERWATER DR., EAST PROVIDENCE, RI 02814
DESIGNED BY	ALBERTINO MILANO ARCHITECTURE
CHECKED BY	ALBERTINO MILANO ARCHITECTURE
DATE	6/5/15
SCALE	AS SHOWN

ALBERTINO MILANO ARCHITECTURE  
125 WINTER AVENUE EAST PROVIDENCE, RI 02814  
TEL: 401-421-1234  
WWW.AMILANO.COM

**Waterman**  
ENGINEERING COMPANY  
Richard S. Lipsitz - P.E.  
Waterman Engineering Company

**CERTIFICATION**  
THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING CLASS STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 1994.  
BOUNDARY SURVEY - CLASS 1  
TOPOGRAPHIC SURVEY - CLASS III  
RICHARD S. LIPSITZ  
PROFESSIONAL SURVEYOR  
WATERMAN ENGINEERING COMPANY  
1977 6-2-15  
REG. NO. DATE



RECEIVED  
JUN 16 2015  
COASTAL RESOURCES MANAGEMENT COUNCIL



State of Rhode Island and Providence Plantations  
**Coastal Resources Management Council**  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 116  
Wakefield, RI 02879-1900

(401) 783-3370  
Fax (401) 783-3767

October 23, 2015

Albertino Milho  
288 Warren Avenue  
East Providence, RI 02914

**Cease and Desist Order**

Dear Mr. Milho:

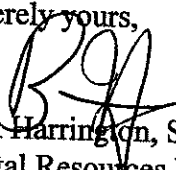
Under the regulations of the Rhode Island Coastal Resources Management Program (RICRMP), any construction, grading, or filling activities or other alterations within 200 feet of coastal feature associated with tidal waters or coastal ponds of the state or in CRMC's freshwater wetlands in the vicinity of the coast jurisdiction, requires plans for the proposed work be submitted to the Coastal Resources Management Council (CRMC) for review, evaluation, and comment prior to the proposed activity. Failure to do so is a violation of the RICRMP. After evaluation of the plans by CRMC staff, their comments and the requirements for the proposed activities are forwarded to the applicant.

It has come to the attention of the CRMC that you or your agent have undertaken unauthorized construction of structural shoreline protection and have installed a float at your property located at Plat 16, Lot 2, 28 Water St., East Providence; without benefit of a CRMC assent or in violation of a Council order.

This activity is in violation of the Rhode Island Coastal Resources Management Program. You are hereby issued a Cease and Desist Order Number 15-0139, dated October 23, 2015, and ordered to cease all activity at this site and to contact this office within 10 days of the date of this letter.

Failure to comply with this order shall be a violation of a duly adopted Council regulation, and subject to all fines and penalties established by law. Each day of noncompliance shall be deemed a separate and distinct violation in accordance with Section 46-23-7, G.L.R.I.

Sincerely yours,

  
Brian Harrington, Sr. Environmental Scientist  
Coastal Resources Management Council

/kc  
CERTIFIED MAIL

7013 3020 0001 2708 1164



EAST PROVIDENCE WATERFRONT SPECIAL  
DEVELOPMENT DISTRICT COMMISSION

NOTICE OF DECISION

Date: February 21, 2017  
Location: 28 Water St.  
Applicant: Albertino Milho  
Owner: Albertino Milho  
Zoning: Bold Point Waterfront Sub-District  
Assessors  
Map: Assessor's Map 16, Block 2, Parcels 1 & 2

2017 FEB 22 PM 1:40  
RECORDED  
EAST PROVIDENCE RI

As required by Chapter 19, Article 9 of the *Revised Ordinances of the City of East Providence*, at its meeting of August 20, 2007, the East Providence Waterfront Special Development District Commission ("Waterfront Commission") reviewed the above-referenced development for the purpose of determining whether the proposal is consistent with the purposes, intent and performance standards of the *Waterfront District Zoning District Regulations*. The project consists of the: relocation of several boat slips; construction of a new dock; removal of several piles; removal of several boat slips; replacement of a deteriorated concrete boat ramp; and reconfiguring of the parking lot, which requires a waiver from the Hearing Panel for a reduction in the required number of parking spaces.

In its review of the proposed development, the Waterfront Commission received a presentation by the Applicant, as well as supporting documentation, including site plans of the proposed development submitted to the Waterfront Commission and deemed complete on January 9, 2017. The Design Review Committee considered the Applicant's request for a waiver at a hearing held on February 16, 2017 and voted 4-0 to recommend approval of the application. The Commission also considered the January 5, 2017 advisory recommendation of the Planning Department regarding consistency with the *Comprehensive Plan* and the *Land Development and Subdivision Regulations* and the recommendations of the Design Review Committee as detailed in their memorandum of February 18, 2017 (attached). There were no members of the public present at any of the public hearings and no additional public comments were received. All hearings were held pursuant to the Administrative Procedures Act ("APA"), R.I. General Laws § 42-35-15, *et seq.*, and Section 19-477 of the Ordinance.

At its February 16, 2017 hearing, the Hearing Panel voted 5-0 to recommend that the Commission approve the request for a waiver because the literal enforcement of the regulations relating to the required number of parking spaces as outlined in Section 19-482 of the East Providence *Zoning Ordinance*, Article IX, would preclude the full enjoyment of the owner as a permitted use and would amount to more than a mere inconvenience.

In approving the request, the Hearing Panel considered the following:

- 1) Protection of adjoining properties and other parcels in the waterfront district from any detrimental use on the site.

- 2) Convenience and safety of vehicular and pedestrian movement within the site in relation to adjacent streets, properties, improvements and in conformance with the express design intent.
- 3) Adequacy of the methods of disposal for sewage, refuse and other wastes, and methods of drainage of surface water.
- 4) Provisions of off-street loading and unloading of vehicles incidental to the servicing of the buildings and related uses on the site.
- 5) Adequacy of all other municipal facilities and services to meet the needs of the site; and
- 6) Achievement of overall design objectives of the development plan;

Pursuant to Section 19-473(1)(d) of the Ordinance, when an application has been referred to the Hearing Panel, the Commission may not hear new evidence and is bound by the Hearing Panel's judgment as to the weight of the evidence of questions of fact. Because the literal enforcement of the regulations relating to the required number of parking spaces as outlined in Section 19-482 of the East Providence *Zoning Ordinance*, Article IX, would preclude the full enjoyment of the owner as a permitted use and would amount to more than a mere inconvenience, the Hearing Panel voted 5-0 to recommend that the Waterfront Commission approve the request.

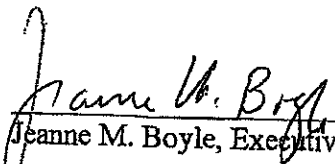
The Commission voted 6-0 (on a motion made by Mr. Pesce and seconded by Mr. Hardcastle) to adopt the Design Review Committee's Advisory Recommendation, which includes the following conditions of approval:

#### CONDITIONS OF APPROVAL:

Based upon the record as a whole, including all testimony, all public comments and the findings of fact provided in the Hearing Panel Decision and adopted herein, the Commission voted 6-0 to approve the application subject to the following conditions:

1. The development shall be in conformance with the documentation and testimony submitted to the Design Review Committee at their hearing of February 16, 2017.
2. The development shall be in conformance with the documentation and testimony submitted to the Hearing Panel at their hearing of February 16, 2017.
3. That the approval be based upon the attached memorandum and its attachments, dated February 17, 2017 from the Design Review Committee to the Waterfront Commission.
4. The Applicant shall coordinate any necessary permits/assents from the State of Rhode Island and/or any other applicable divisions with Commission staff and consultants.
5. All taxes and/or fees owed to the City of East Providence shall be paid.
6. All prohibited signage shall be removed from public rights-of-way.

7. All comments received from the Director of Public Works and the City Engineer shall be addressed in the plans to their satisfaction.
8. All comments received from the Fire Chief shall be addressed in the plans to his satisfaction.
9. All comments received from the Commission's landscape architect shall be addressed in the plans to her satisfaction.
10. The Applicant shall meet all applicable Federal, State and local requirements and obtain all applicable Federal, State and local permits.
11. Any approval for modification that may be granted by the Waterfront District Commission will not relieve the applicant from the obligation to comply with applicable aspects of the development approval previously granted by the Waterfront District Commission pursuant to Section 19-473 of the East Providence *Zoning Ordinance*.
12. The Applicant shall work with the Department of Public Works and the Police Department to provide on-street parking on Water Street.
13. The Applicant shall define the off-street parking spaces with paint and/or signage to the satisfaction of the Public Works Director.

  
Jeanne M. Boyle, Executive Director

cc: Waterfront Commission  
City Solicitor  
Fire Chief  
Building Inspector  
Zoning Officer  
Applicant: Albertino Milho  
Engineer: Richard Lipsitz, Waterman Engineering





EAST PROVIDENCE WATERFRONT  
SPECIAL DEVELOPMENT DISTRICT COMMISSION

MEMORANDUM

To: Waterfront Commission  
From: Design Review Committee  
Date: February 17, 2017  
Re: *Advisory Recommendation to the Waterfront Commission*  
Address: 28 Water Street  
Owner and applicant: Albertino Milho  
Assessor's Map 16, Block 2, Parcels 1 & 2  
Zoning – Bold Point Waterfront Sub-District

INTRODUCTION

The property is located within the East Providence Waterfront Special Development District (Bold Point Sub-District). The East Providence Waterfront Special Development District Commission ("the Commission") was created to oversee development review and approval for properties located within the East Providence Waterfront Special Development District. Development in the waterfront district is subject to the waterfront zoning amendments adopted by the City Council on March 2, 2004. The Waterfront Zoning ordinance requires design review by the Design Review Committee ("DRC") prior to final action by the Waterfront Commission.

Mr. Albertino Milho ("the Applicant") has submitted a request for a modification to a previously approved development plan. The Applicant's development plans are to: relocate several boat slips; construct a new dock; remove several piles; remove several boat slips; replace a deteriorated concrete boat ramp; and reconfigure the parking lot, which requires a waiver from the Hearing Panel for a reduction in the number of parking spaces.

Plans were received by the Waterfront Commission in November 2016. The development plans were reviewed by staff of the Department of Planning, the Department of Public Works, the City Engineer, and the Fire Department. The plans were also reviewed by the Commission's landscape architectural consultant, Bradford Associates. A review meeting also took place among the Applicant's consultants and Waterfront staff.

The application was deemed complete on January 9, 2017. The Commission also considered the January 5, 2017 advisory recommendation of the Planning Department regarding consistency with the *Comprehensive Plan* and the *Land Development and Subdivision Regulations*. The Design Review Committee held a meeting for this project on February 16, 2017 and unanimously voted 4-0 to make a recommendation to the Waterfront Commission to approve the plans. The Hearing Panel also met on February 16, 2017 and voted 5-0 to grant a requested waiver for a reduction in the required number of parking spaces.

A meeting of the full Waterfront Commission was held on February 16, 2017 to hear the application: the Commission voted 6-0 to approve the project.

## **SPECIFICS OF THE PROPOSAL**

### **Location and existing site conditions**

The 1.12-acre site is located south of Route 195, west of Waterfront Drive, and directly on the Seekonk River. The site consists of a two-story building with an adjacent parking area covered in crushed shell. The existing marina was established in 1962 and has fifty boat slips, a boat ramp and a dock.

A four-foot wide gravel path and two public access parking spaces were added as part of a CRMC assent to provide public access to tidal waters.

### **Marina proposal**

The proposed marine limit is currently under review by the US Army Corps. Of Engineers and the RI Coastal Resources Management Council (CRMC) to establish a marina perimeter limit. Initial comments from these agencies indicate that the Applicant must provide a sewer pumpout station.

Recent repairs to the marina and attached restaurant through CRMC assents include: altering the marina layout, legalizing a boulder retaining wall, constructing an existing deck extension over tidal waters, extend an existing commercial deck, piling and docks repairs, general maintenance, and construction of an emergency egress stairwell addition.

### **Parking**

City of East Providence regulations require 157 parking spaces for restaurant and marina patrons. The Applicant proposes to reconfigure the parking lot to provide fifty-four (54) spaces, or approximately sixty-six percent (66%) of the required spaces. The Applicant requested a waiver from the Hearing Panel for this reduction in spaces: at its hearing on January 25, 2017 the Hearing Panel voted X-X to allow grant the requested waiver.

The 9'x18' spaces within the lot will be designated with concrete stops.

The Applicant owns a parcel across Water Street from the site that contains a large building and one small building. It is approximately one acre in size. The Applicant has stated that he would like to exclude this parcel from the discussion about parking requirements in order to maintain maximum potential from the site in the future.

### **Circulation**

Waterman Engineering Company provided plans for the reconfigured parking lot: these plans were reviewed by City staff, who had no comments on the lot layout and circulation.

### **Landscape considerations**

A landscaping plan was provided and reviewed by Bradford Associates, the Commission's landscape consultant. Landscape architect Sara Bradford had several comments (see attached), which were forwarded to the Applicant's landscape architect for incorporation into the plans.

### **Stormwater runoff**

The parking lot will remain as crushed shell, to minimize impervious surfaces and stormwater

runoff.

**Other agency approvals**

The developer must seek and acquire any necessary Federal, State and local permits and approvals.

**DRC RECOMMENDATION**

At its meeting of February 16, 2017, the DRC took into consideration comments from City staff, the Commission's landscape architectural consultant, and the Applicant's consultants and voted 4-0 at its meeting of February 16, 2017 on a motion made by Mr. Pesce and seconded by Mr. Coutu that the project is in conformance with the reviewing criteria set forth in Section 19-477 of the East Providence *Zoning Ordinance* and the purposes of Article IX, "Waterfront Special Development Districts" regulations of the East Providence *Zoning Ordinance* to recommend approval of the 28 Water Street project, subject to the following conditions.

**Conditions of Approval:**

- A. The Applicant shall coordinate any necessary permits/assents from the State of Rhode Island and/or any other applicable divisions with Commission staff and consultants.
- B. All taxes and/or fees owed to the City of East Providence shall be paid.
- C. All prohibited signage shall be removed from public rights-of-way.
- D. All comments received from the Director of Public Works and the City Engineer shall be addressed in the plans to their satisfaction.
- E. All comments received from the Fire Chief shall be addressed in the plans to his satisfaction.
- F. All comments received from the Commission's landscape architect shall be addressed in the plans to her satisfaction.
- G. The Applicant shall meet all applicable Federal, State and local requirements and obtain all applicable Federal, State and local permits.
- H. Any approval for modification that may be granted by the Waterfront District Commission will not relieve the applicant from the obligation to comply with applicable aspects of the development approval previously granted by the Waterfront District Commission pursuant to Section 19-473 of the East Providence *Zoning Ordinance*.
- I. The Applicant shall work with the Department of Public Works and the Police Department to provide on-street parking on Water Street.
- J. The Applicant shall define the off-street parking spaces with paint and/or signage to the satisfaction of the Public Works Director.

Present and voting:

Mr. Luis Torrado  
Mr. Stephen Coutu  
Ms. Jeanne Boyle  
Mr. John Pesce

Absent:

Mr. David Sluter

Respectfully submitted,

*Luis Torrado (Rd)*

LUIS TORRADO, Chairman

Cc: Waterfront Commission  
City Council  
City Manager  
Director of Public Works  
Fire Chief  
Zoning Officer  
Albertino Milho, Applicant  
Richard Lipsitz, Waterman Engineering

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 COASTAL RESOURCES MANAGEMENT COUNCIL  
 4808 TOWER HILL ROAD; Suite 3, WAKEFIELD, RI 02879  
 (401) 783-3370

Application for State Assent to perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

	File No.
Location No. <u>28 Street Water Street</u> City/Town <u>E. Providence</u>	<u>2016 07 029</u>
Owner's Name <u>Albertino Milho</u> Plat No.	Lot No.
Mailing Address <u>288 Warren Avenue</u> City/Town <u>E. Providence</u> State <u>RI</u> Zip Code <u>02914</u>	Res. Tel. # <u>(401) 481-8265</u> Bus. Tel. # <u>(401) 431-1322</u>
Contractor RI Lic. #                      Address	Tel. No.
Designer                                      Address	Tel. No.
Name of Waterway <u>Seekonk River</u> Est. Project Cost <u>\$100,000.00</u>	Fee/Costs <u>\$1,000.00</u>

Have you or any previous owner filed an application for and/or received an assent for any activity on this property? (If so please provide the file and/or assent numbers). 1987-09-023, 2006-05-030, 2012-10-063 2013-04-038 & 2013-06-020

IS THIS APPLICATION BEING SUBMITTED IN RESPONSE TO A COASTAL VIOLATION?  
 YES  NO

IF YES, YOU MUST INDICATE NOV OR C&D NUMBER 15-0139

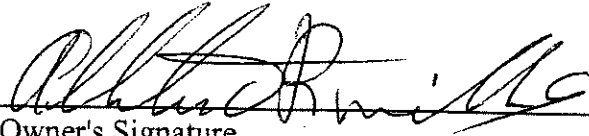
Name and Addresses of adjacent property owners whose property adjoins the project site. (Accurate addresses will insure proper notification. Improper addresses will result in an increase in review time.)

State of Rhode Island 1 Capitol Hill Providence, RI 02908

City of East Providence 145 Taunton Avenue East Providence, RI 02914

Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)

To establish a current Marina Perimeter Limit for a marina that was allowed under a vague Harbors and Rivers Commission permit and has been in service for 50+ years. To move around existing dock slips and piles as shown on the attached plan. To build a new dock, slips, piles and dock ramps and to replace a deteriorating concrete boat ramp.

  
 Owner's Signature

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicants property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury.

08.04

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

**STATEMENT OF DISCLOSURE AND APPLICANT AGREEMENT AS TO FEES**

The fees which must be submitted to the Coastal Resources Management Council are based upon representations made to the Coastal Resources Management Council by the applicant. If after submission of this fee the Coastal Resources Management Council determines that an error has been made either in the applicant's submission or in determining the fee to be paid, the applicant understands that additional fees may be assessed by the Coastal Resources Management Council. These fees must be paid prior to the issuance of any assent by the Coastal Resources Management Council.

The applicant understands the above conditions and agrees to comply with them.

  
Signature

  
Date

Albertino Milho 288 Warren Avenue East Providence, RI 02914

Print Name and Mailing Address

TO: Coastal Resources Management Council  
4808 Tower Hill Road Suite 3  
Wakefield, RI 02879  
Phone: (401) 783-3370



FROM: Building Official

DATE: June 6, 2016

SUBJ: Application of: Milho CRMC Marina Perimeter Limit Assent

Location: 28 Water Street East Providence, RI 02914

Address: 28 Water Street East Providence Plat No. \_\_\_\_\_ Lot No.: \_\_\_\_\_ A.P. 16, Block 2, Parcels 1,2,

To Construct: Additional boat slips, rectify a CRMC violation, repair an existing boat ramp and establish a marina perimeter limit. The site has been a legal marina under the R.I. Division of Harbors and Rivers since May 1962.

I hereby certify that I have reviewed \_\_\_\_\_ foundation plan(s).  
\_\_\_\_\_ plan(s) for entire structure  
\_\_\_\_\_ site plans

Titled: \_\_\_\_\_

Date of Plan (last revision): \_\_\_\_\_

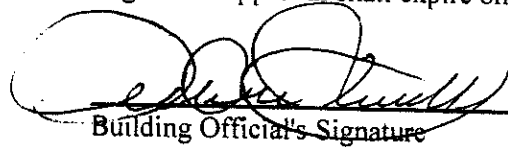
\_\_\_\_\_ and find that the issuance of a local building permit is not required as in accordance with Section \_\_\_\_\_ of the Rhode Island State Building Code.

\_\_\_\_\_ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

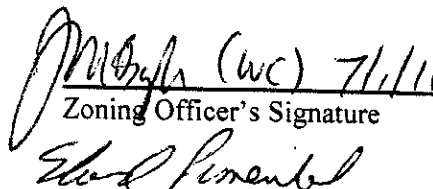
\_\_\_\_\_ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

\_\_\_\_\_ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

\_\_\_\_\_ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on \_\_\_\_\_.

  
Building Official's Signature Date 6/8/16

\_\_\_\_\_ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

  
Zoning Officer's Signature Date 7/1/16  
Edward Pimentel 7 JULY 2016





46 Sutton Avenue  
East Providence, RI 02914

Tel (401) 438-5775  
Fax (401) 438-5773  
watermanengineering.net

July 7, 2016

Via US Mail

Coastal Resources Management Council  
Oliver Stedman Government Center  
Attn.: Mr. Dan Goulet  
4808 Tower Hill Road; Suite 3  
Wakefield, Rhode Island 02879

Re: CRMC Marina Assent Application  
A.P. 16, Block 2, Parcels 1 & 2  
Water Street  
East Providence, Rhode Island

Mr. Goulet:

The enclosed Coastal Resources Management Council (CRMC) Assent submission is in response to CRMC Cease & Desist No.: 15-0139. This violation is related to the construction of an unapproved boulder wall. This assent is also seeking to establish a marina perimeter limit for this pre-existing marina. This marina was established under the Rhode Island Division of Harbors and Rivers on May 7, 1962 and does not have a current CRMC marina perimeter limit. This assent is also looking to move some boat slips, add a new dock, replace a deteriorating boat ramp and remove some boat slips.

The current and new marina has ample parking available to satisfy the parking requirements for the existing marina and restaurant. The existing restaurant has four (4) public restrooms available to service the restaurant and the marina patrons.

If you have any questions, please call us at your convenience.

Sincerely,

**WATERMAN ENGINEERING COMPANY**

Mark Sousa  
Project Manager

March 6, 2017

Via Delivery

Danni Goulet, PE  
Coastal Resources Management Council  
4808 Tower Hill Road  
Wakefield, RI 02879

Re: Albertino Milho  
Water Street  
East Providence, RI  
# 2015-04-031

Dear Dan:

As we have discussed, based on the emails we exchanged last fall and over the winter there were three outstanding issues that needed to be resolved to move this Assent forward. They were parking, the CRMC's requirement to include a pump-out as part of the Marina upgrades and the need to obtain a Water Quality Certificate from the RIDEM.

To that end, we have been before the East Providence Waterfront Commission this winter requesting their approval of the new site plan and parking layout. We received their unanimous approval (decision & plan attached).

Mr. Milho has indicated that he will obtain the necessary permits to install a pump-out and tie it into the City sewers. The issue that has arisen is that it will be a fairly time consuming process to work with the RIDEM to obtain partial funding and / or a grant to help offset some of the cost associated with this portion of the project. It will also take time to obtain permits from the City of East Providence to tie into the municipal sewer system and a discharge permit from the Narragansett Bay Commission. We would request that some type of language be added to the Assent approval to allow the reconfiguration of the marina and the landscape construction to begin (taking advantage of the spring construction period) and be complete for the beginning of this boating season. We would be amenable to some type of stipulation in the assent requiring the pump-out be permitted and installed, perhaps by next boating season?



46 Sutton Avenue  
East Providence, RI 02914

Tel (401) 438-5775  
Fax (401) 438-5773  
watermanengineering.net

As to the Water Quality certificate, we have been instructed by our client to prepare and submit that application to the RIDEM. We would obtain this prior to beginning any construction.

Please let me know your thoughts on the request regarding the pump-out design and installation timing or any other matters that could be helpful in completion of much of the work activities this spring?

Very truly yours,  
**WATERMAN ENGINEERING COMPANY**

Richard Lipsitz, PLS  
President

# **Operations and Maintenance Program**

## **Milho Marina**

### Submitted to:

#### **Coastal Resources Management Council**

Stedman Government Center

4808 Tower Hill Road; Suite 116

Wakefield, Rhode Island 02879-1900

### Submitted by:

#### **Waterman Engineering Company**

46 Sutton Avenue

East Providence, Rhode Island 02914

Phone: (401) 438-5775

Fax: (401) 438-5773

### Dated:

June 1, 2016

This operations and maintenance program (OMP) accurately identifies (1) activities that occur at the facility and (2) BMPs that are applicable to mitigate nonpoint source issues for the marina. This OMP is submitted to the Coastal Resources Management Council pursuant to section 300.4 of the Rhode Island Coastal Resource Management Program. The following section identifies the activities that exist on site. This is achieved by first describing the site and also displaying the appropriate information on the attached site plan.

## IDENTIFIED ACTIVITIES

### Notes

- (1) **Location** – The marina is located on the Seekonk River. The marina is situated on A.P. 16, Block 2 Parcels 1 & 2 in East Providence, RI. These two parcels are 41,671 sq. ft. in area. See the attached Proposed Marina Perimeter Plan set for property bounds.
- (2) **Marina perimeter** – See site plan for location of in-water facilities and marina perimeter delineation.
- (3) **Boat Capacity of the existing slip layout** - The existing in-water capacity is 50 vessels, ranging from under 25 feet to approximately 40 feet. The proposed in-water capacity will be 71 vessels, ranging from under 25 feet to approximately 40 feet.
- (4) **Parking areas** – There is sufficient parking space available to satisfy the parking requirements for the existing restaurant and marina on A.P. 16, Block 2, Parcel 2.
- (5) **Services and activities** – Services available at the facility include a boat ramp, an existing restaurant, restrooms within the restaurant and covered dumpsters for trash. This marina is strictly for mooring recreation boating vessels. There are no sewer pumpout stations, fueling stations, or maintenance facilities on site.
- (6) **Dry rack storage** – There is no dry rack storage.
- (7) **Structures** – There is an existing two story restaurant with two wood decks and a boat ramp located at the marina.
- (8) **Underground utilities** – Underground utilities are shown on the attached Proposed Marina Perimeter Plan set.

### Site Plan

- (1) See attached

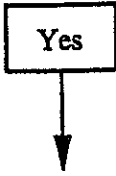
## **BMP SELECTION AND IMPLEMENTATION SCHEDULE**

The existing site to best of our knowledge has no existing BMPs. The existing parking lot area is a gravel parking area. With the exception of the existing restaurant, decks and boat ramp, A.P. 16, Block 2, Parcels 1 & 2 are predominately impervious.

## **OPERATIONS AND MAINTENANCE PLAN WORKSHEETS**

# 1. Storm Water Runoff

Are hull maintenance areas\* present on-site?



Next Section

**Why?**

Only operation of boats occur/will occur at this marina. If a private boat owner does do minor maintenance or hand boat hull washing above the waterline, it is the responsibility of the boat owner to properly dispose of any waste materials in the provided covered dumpsters. If hazardous materials are produced, it is the responsibility of the boat owner to remove the material from the marina and dispose of per City, State and Federal regulations.

**These practices are:**

Install and maintain adequate buffer areas between the coastal zone and upland facilities (section 100.3).  
Explain:

**Existing      Planned      Not Applicable**

Implement effective runoff control strategies such as surfacing area with crushed gravel, decreasing slope of facility towards coastal zone, or installing filters and wet ponds (section 100.3).  
Explain:

Perform maintenance work inside buildings whenever possible (section 100.1).  
Explain:

Perform maintenance over tarps to ease the cleanup process and prevent material from being carried into surface waters. Dispose of collected material properly (section 100.1).  
Explain:

Use vacuum sanders to remove paint from hulls and collect paint dust (section 100.1).  
Explain:


Other.  
Explain:


\* Hull maintenance areas are areas whose primary function is to provide a place for boats during the scraping, sanding, and painting of their bottoms. If boat bottom scraping, sanding, and/or painting is done in areas other than those designated as hull maintenance areas, this checklist applies to those areas as well. A hull maintenance area may indicate a need for a storm water permit. See Appendix B for additional details.

## 2. Fueling Stations

Yes

No


**Next Section**  
No fueling stations are/will be provided at this marina.  
**Why?**

**These practices are:**

	Existing	Planned	Not Applicable
Have adequate spill response equipment (section 200.1). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintain a spill prevention and recovery plan (section 200.1). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inform your local harbormaster and fire department about your spill protection and recovery plan and equipment (section 200.1). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Properly dispose of used oil spill response equipment (section 200.2). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other. Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



### 3. Solid Waste

Are solid wastes (including trash, recyclables, hull-cleaning debris, waste generated from boat maintenance) produced by the operation, cleaning, maintenance and repair of boats that are stored on site?

No

Next Section

Why?

These practices are:

Provide covered containers for solid waste that is generated within the facility (section 100.1).

Explain:

Covered dumpsters will be available to the marina patrons in the restaurant parking area for the disposal of any trash produced during the operation, hand cleaning above the waterline, minor maintenance, and minor repair of boats moored at the facility. Any hazardous materials produced by the boat owners will be required to be removed from the marina and properly disposed of by the boat owner.

Existing      Planned      Not Applicable

Provide proper disposal facilities to marina patrons (section 100.2).

Explain:

Covered dumpsters will be available to the marina patrons in the restaurant parking area for the disposal of any trash produced during the operation, hand cleaning above the waterline, minor maintenance, and minor repair of boats moored at the facility. Any hazardous materials produced by the boat owners will be required to be removed from the marina and properly disposed of by the boat owner.

Provide facilities for the eventual recycling of appropriate materials, such as glass, aluminum and plastic (section 100.2).

Explain:

The City of East Providence does not provide for commercial recycling.

Support the use of environmentally compatible products (section 100.3).

Explain:

The tenant-marina use agreement will contain language encouraging the use of environmentally compatible products.

Use pamphlets, flyers, newsletters, inserts and meetings to convey the importance of any environmental precautions that have been instituted in the marina (section 100.3).

Explain:

The tenant-marina use agreement will contain language encouraging the use of environmentally compatible products. Also, the use agreement will detail that this marina will not allow any major engine repairs or major boat repairs.

Continued next page

**Have adequate signs throughout facility identifying BMPs (section 100.5).**

**Explain:**

Stormwater BMPs are not present at this site. The parking area for the marina and restaurant is gravel.

**Perform abrasive blasting within spray booths or plastic tarp enclosures to prevent residue from being carried into surface waters. If tarps are used, blasting should be closely monitored on windy days (section 100.1).**

**Explain:**

Abrasive blasting will not be allowed at this marina.

**Provide and clearly mark designated work areas for boat repairs and maintenance. Do not permit work outside designated areas (section 100.1).**

**Explain:**

Only the minor maintenance and minor boat repairs will be allowed at this marina. Language will be inserted into the tenant-marina use agreement that certain areas and techniques will be used when conducting minor maintenance and minor boat repairs.

**Clean trash, sandings, paint chips, etc., immediately after any maintenance activity (section 100.1).**

**Explain:**

A covered dumpster will be available to marina tenants for the disposal of trash used in any minor maintenance activity. Any hazardous materials produced by the boat owners will be required to be removed from the marina and properly disposed of by the boat owner. However, sanding and painting will not be allowed at this marina.

**Insert language into facility contract that requires tenants to use certain areas and techniques when conducting boat maintenance (section 100.6).**

**Explain:**

Language will be inserted into the tenant-marina use agreement that certain areas and techniques will be used when conducting minor maintenance and minor boat repairs.

**Have a clearly written outside contractors agreement (section 100.6).**

**Explain:**

A clearly written outside contractors agreement will be drafted for this marina.

**Other.**

**Explain:**

## 4. Fish Waste

Is fish waste, as determined by CRMC and DEM, a potential source of water pollution within the facility?

Yes  
↓

No → Next Section

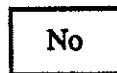
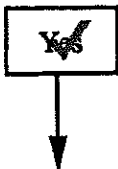
**Why?** Cleaning of fish and any fish waste will not be allowed at this marina.

### These practices are:

	Existing	Planned	Not Applicable
Establish fish-cleaning areas (section 100.2). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Educate boaters regarding the importance of proper fish-cleaning practice (section 100.4). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Issue rules governing the conduct and location of fish-cleaning operations (section 100.6). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other. Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 5. Liquid Material

Are liquid materials (including oil, harmful solvents, antifreeze, and paints) used in the maintenance, repair, or operation of boats stored on site?



Next Section

Why?

These practices are:

Have separate containers for the disposal of liquid materials such as waste oil, waste gasoline, used antifreeze, waste diesel, kerosene, and mineral spirits available and clearly labeled (section 200.2 and 300.1) .

Only operation of boats will occur at this marina. If a private boat owner does do maintenance on site to their boat, it will be the responsibility of the boat owner to remove any maintenance hazardous material waste from the marina site.  
Institute a recycling program for oil filters (section 200.2).

**Explain:**

Only operation of boats will occur at this marina. If a private boat owner does do maintenance on site to their boat, it will be the responsibility of the boat owner to remove any maintenance hazardous material waste from the marina site.

Build curbs, berms or other barriers around areas used for the storage of liquid material to contain spills. Store materials in areas impervious to the type of material stored (section 300.1) .

**Explain:**

Liquid materials will not be stored on site.

Maintain a spill prevention and recovery plan for hazardous material (section 300.2).

**Explain:**

In the event of a spill, a spill prevention and recovery plan will be enacted.

Have adequate spill response equipment for hazardous material (section 300.2).

**Explain:**

The marina will have adequate spill response equipment in the event of a spill.

Place containment berms around fixed pieces of machinery within the facility that use oil and gas (section 200.3).

**Explain:**

There are no fixed pieces of machinery within the facility that uses oil and/or gas that would require the placement of containment berms.

Recycle where possible, adhere to existing state regulations pertaining to disposal of hazardous material (section 300.3).

**Explain:**

Only operation of boats will occur at this marina. If a private boat owner does do maintenance on site to their boat, it will be the responsibility of the boat owner to remove any maintenance hazardous material waste from the marina site.

Existing	Planned	Not Applicable
----------	---------	----------------






















Continued next page

**Enforce the prohibition on the use of TBT-based paint (section 300.4).**

**Explain:**

Only operation of boats will occur at this marina. The tenant-marina use agreement will specify that painting of boating vessels will not be allowed at this marina.

**Use environmentally compatible antifreeze (section 300.4).**

**Explain:**

The tenant-marina use agreement will contain language encouraging the use of environmentally compatible products.

**Keep to a minimum amounts of hazardous material stored and used (section 300.4).**

**Explain:**

The marina will not store and/or use hazardous materials.

**Provide to marina tenants information on collection and recycling programs and source reduction (section 300.4).**

**Explain:**

The City of East Providence does not provide for commercial recycling. The tenant-marina use agreement will encourage the boat owners to remove any recyclable items from the site and dispose of the property.

**Direct marina patrons as to the proper disposal of all liquid materials through the use of signs (section 300.4).**

**Explain:**

Signs will posted directing marina patrons as to the proper disposal of all liquid materials.

**Insert language into facility contract that requires tenants to dispose of hazardous material in the proper containment facilities (section 300.4).**

**Explain:**

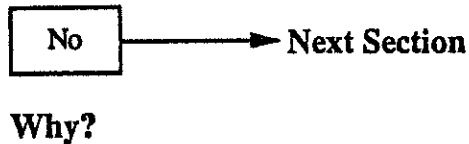
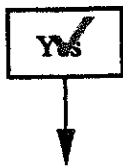
The tenant-marina use agreement will include language that requires tenants to remove hazardous materials from the marina and dispose of it per Municipal, State and Federal regulations.

**Other.**

**Explain:**

## 6. Petroleum Control

Do fuel and oil from boat bilges and tank air vents enter the marina and surface waters?



### These practices are:

Promote the use of oil-absorbing materials in the bilge areas of all boats with inboard engines (section 200.3).

**Explain:**

The tenant-marina use agreement will promote the use of oil-absorbing materials in the bilge areas of all boats with inboard engines.

Existing      Planned      Not  
Applicable

Use automatic shut-off nozzles and promote the use of fuel/air separators on air vents or tank stems of inboard fuel tanks to reduce the amount of fuel spilled into surface waters during fueling of boats (section 200.3).

**Explain:**

The tenant-marina use agreement will not allow the boating vessels to refuel within this marina.

Provide to marina tenants information on collection and recycling programs for oil and oil absorbing pads (section 200.4).

**Explain:**

The tenant-marina use agreement will include language that requires tenants to remove hazardous materials from the marina and dispose of it per Municipal, State and Federal regulations.

Direct marina patrons to the proper disposal of all used hydrocarbon products through the use of signs, mailings and other means (section 200.4).

**Explain:**

The tenant-marina use agreement will include language that requires tenants to remove hazardous materials from the marina and dispose of it per Municipal, State and Federal regulations.

Insert language into facility contract that recommends tenants use fuel/air separators and oil absorption materials (section 200.4).

**Explain:**

The tenant-marina use agreement will include language that recommends tenants use fuel/air separators and oil absorption materials.

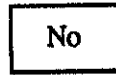
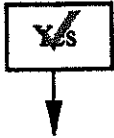
          

Other.

**Explain:**

# 7. In-Water Boat Cleaning

Do the cleaning of boat topsides and hull scrubbing in the water occur on site?



Next Section

Why?

These practices are:

Existing      Planned      Not Applicable

Wash the boat hull above the waterline by hand (section 300.4).

**Explain:**

The tenant-marina use agreement will include language that recommends tenants use environmentally compatible products when washing the boat hull above the waterline by hand.




Where feasible, remove the boat from the water and perform cleaning where debris can be captured and properly disposed of (section 100.3).

**Explain:**

The tenant-marina use agreement will include language that encourages tenants to remove the boating vessel from the water where debris can be captured and properly disposed of.




Recommend and use phosphate-free and biodegradable detergents and cleaning compounds for washing boats (section 300.4).

**Explain:**

The tenant-marina use agreement will include language that recommends tenants use environmentally compatible products when washing the boat hull above the waterline by hand.




Discourage the use of detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye (section 300.4).

**Explain:**

The tenant-marina use agreement will include language that recommends tenants use environmentally compatible products when washing the boat hull above the waterline by hand.




Other.

**Explain:**

## 8. Sewage Facility

Are sewage pumpout facilities or dump stations present on site?

Yes



**These practices are:**

Provide the service at convenient times and at a reasonable cost (section 400.2).  
**Explain:**

Make the pumpout station user friendly (section 400.2).  
**Explain:**

Develop and adhere to a regular inspection and maintenance schedule for the pumpout station (section 400.2).  
**Explain:**

Work with local and state governments to declare your harbor a no-discharge area once adequate pumpout facilities are installed (section 400.3).  
**Explain:**

Provide educational information about the pumpout service to customers (section 400.4).  
**Explain:**

Formally advise your municipality that you have a pumpout facility available and provide pertinent information, such as time of operation and fee (section 400.5).  
**Explain:**

Encourage the local harbormaster to enforce existing state and federal regulations pertaining to MSDs (section 400.5).  
**Explain:**

Install adequate signs to identify the pumpout station (section 400.6).  
**Explain:**

Other.  
**Explain:**



Next section

This marina will not have sewage pumpout facilities or dump stations present on site.

**Why?**

	Existing	Planned	Not Applicable
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Oliver Stedman Government Center  
 4808 Tower Hill Road; Suite 116  
 Wakefield, RI 02879  
 401-783-3370

**PUBLIC NOTICE**

File Number: 2016-07-029 Date: September 7, 2016

This office has under consideration the application of:

Albertino Milho  
 288 Warren Avenue  
 East Providence, RI 02914

for a State of Rhode Island Assent to construct and maintain: As a result of enforcement actions, the applicant seeks to establish a Marina Perimeter Limit and expand the marina in addition to reconfiguring portions of the existing marina.

Project Location:	28 Water Street
City/Town:	East Providence
Plat/Lot:	16 / 02 & 16/03
Waterway:	Seekonk River

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before October 7, 2016.



**NOTES / REFERENCES**  
SEE SHEET FOR NOTES AND REFERENCES

**LOCUS**

**RECEIVED  
AUG 31 2016  
COASTAL RESOURCES  
MANAGEMENT COUNCIL**  
ADVERTISEMENTS MUST BE IN BLUE INK  
TO DISTINGUISH FROM ORIGINAL COPY

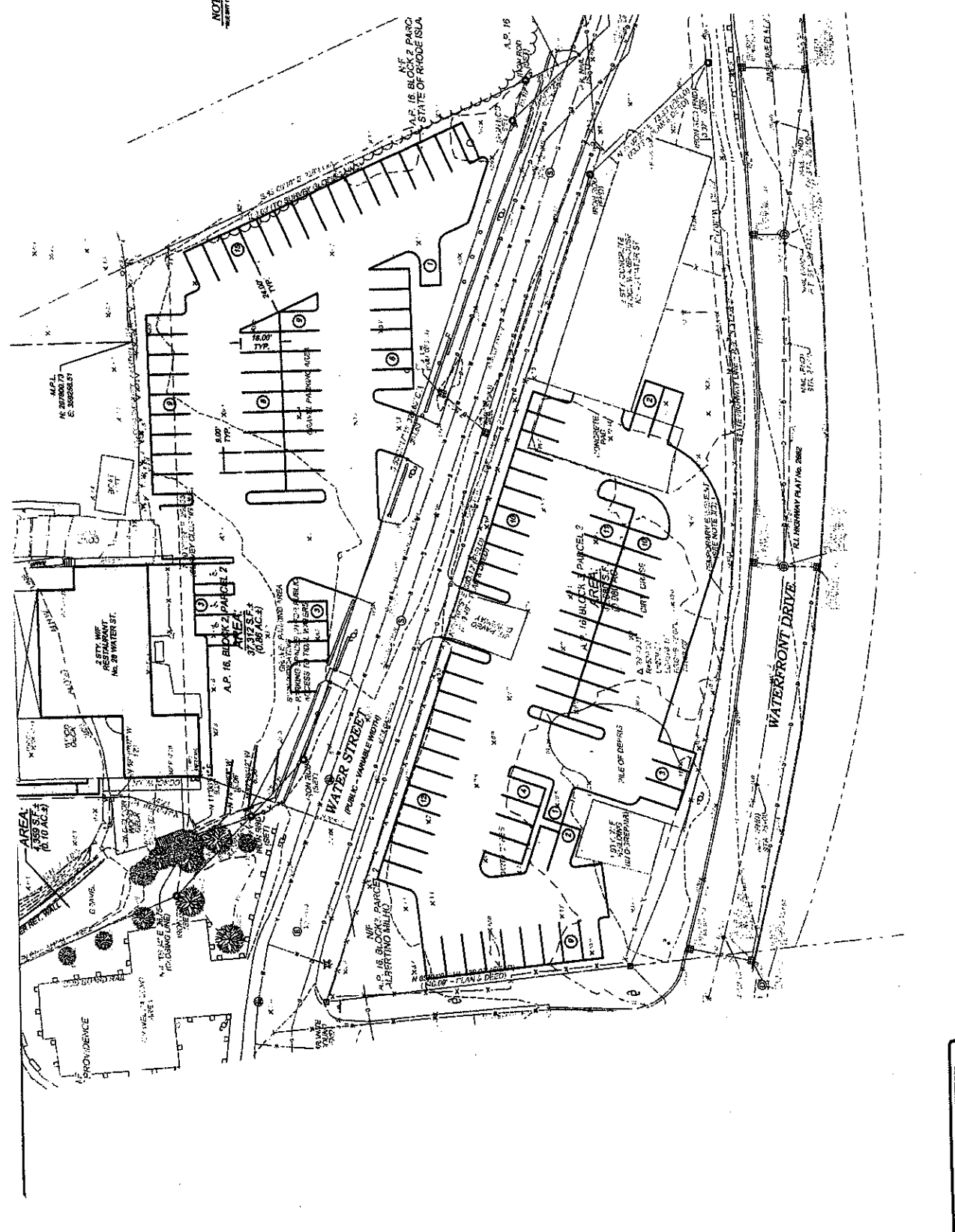
**CERTIFICATION**  
THIS PLAN AND SPECIFICATIONS TO THE FOLLOWING LOCAL PROJECT OF  
CONSTRUCTION OF WATERMAIN ALONG WATERFRONT DRIVE, A.P. 18,  
ALBERTINO MILANO, STATE OF ARIZONA, HAS BEEN PREPARED AND  
SUBMITTED TO THE DISTRICT ENGINEER FOR REVIEW AND APPROVAL.  
DATE OF SUBMISSION: 8-22-16  
DATE OF REVIEW: 8-22-16  
PROJECT NO. 16122

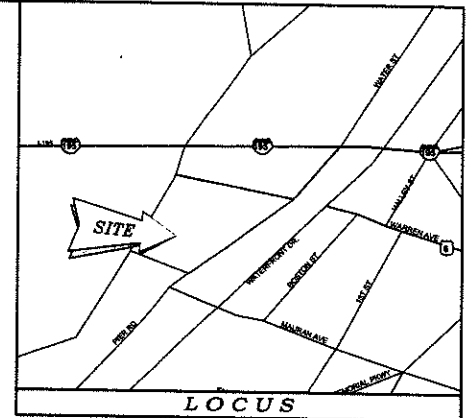
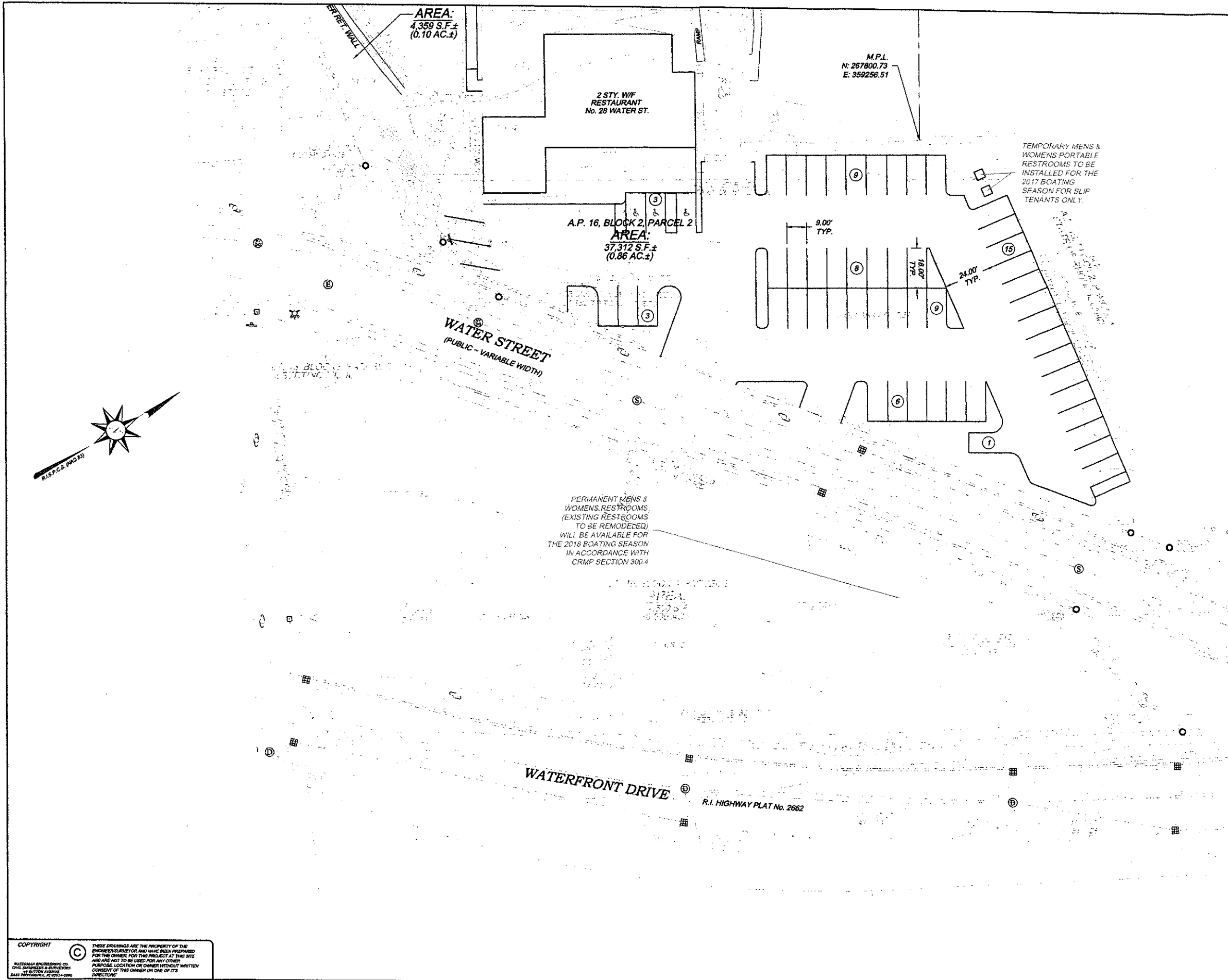
**LEGEND & ABBREVIATIONS**

AC	APPROXIMATE CENTERLINE
AD	ADJUSTED CENTERLINE
AL	ALIGNED CENTERLINE
AS	ASPHALT SURFACE
BS	BRICK SURFACE
CL	CENTERLINE
CS	CURB SURFACE
DS	DRAINAGE SURFACE
EL	ELECTRICAL
FM	FINAL GRADE
GL	GROUND LEVEL
HL	HYDRAULIC LOSS
IS	INTERSECTION
KL	KERB LINE
LS	LAND SURFACE
MS	MANHOLE SURFACE
NS	NATURAL SURFACE
OS	ORIGINAL SURFACE
PS	PROPOSED SURFACE
RS	RAILROAD SURFACE
SS	SUBSTRATE SURFACE
TS	TREASURY SURFACE
US	UTILITY SURFACE
VS	VEGETATION SURFACE
WS	WATER SURFACE
XS	EXISTING SURFACE
YS	YARD SURFACE
ZS	ZONING SURFACE

**GRAPHIC SCALE**  
1 INCH EQUALS 20 FEET

**Waterman  
ENGINEERING COMPANY**  
3000 N. GILBERT AVE., SUITE 100  
MESA, ARIZONA 85203  
PH: (602) 838-8800  
WWW.WATERMAN-INC.COM





**NOTES / REFERENCES**  
 1. REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:  
 A.J. PLAN ENTITLED '2017 R.I.D.E.M. WATER QUALITY CERTIFICATION PLAN 1 & 2 A.P. 16, BLOCK 2, PARCELS 1 & 2 WATER STREET EAST PROVIDENCE, RHODE ISLAND; PROJECT # 12-048; SCALE: 1" = 20'; DATED: 09/11/12; SHEETS 1-3; PREPARED FOR: ALBERTINO MILHO; PREPARED BY: WATERMAN ENGINEERING COMPANY.'

\*\* SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN

**RICHARD S. LIPSITZ**  
 No. 1837  
 PROFESSIONAL LAND SURVEYOR

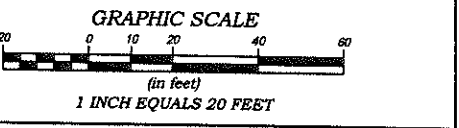
**CERTIFICATION**  
 THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING CLASS STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 1984.

BOUNDARY SURVEY - CLASS 1  
 TOPOGRAPHIC SURVEY - CLASS #1

*[Signature]*  
 RICHARD S. LIPSITZ 1837 4/25/2017  
 WATERMAN ENGINEERING COMPANY REG. NO. DATE

**LEGEND & ABBREVIATIONS**

NF	- NOW OR FORMERLY	---	- PROPERTY LINE
A.P.	- ASSESSORS PLAT	- - -	- ZONING SETBACK LINE
S.F.	- SQUARE FEET	- - -	- EXISTING CONTOUR
AC.	- ACRES	- - -	- NEW CONTOUR
±	- PLUS OR MINUS	○	- STONE WALL
STY	- STORY	X	- FENCE
W/F	- WOOD FRAMED	S	- SEWER LINE
SHP	- STATE HIGHWAY PLAT	D	- DRAIN LINE
RET.	- RETAINING WALL	W	- WATER LINE
PED.	- PEDESTRIAN	G	- GAS LINE
FOUND	- FOUND	E	- ELECTRIC LINE
R/H	- R.I. HIGHWAY BOUND	⊕	- SANITARY SEWER MANHOLE
PK NAIL	- MASONRY NAIL	⊕	- CATCH BASIN
FE	- FLARED END	⊕	- STORM DRAIN MANHOLE
RCP	- REINFORCED CONCRETE PIPE	⊕	- WATER GATE
CLF	- CHAIN LINK FENCE	⊕	- GAS VALVE
IN	- INVERT	⊕	- ELECTRIC MANHOLE
± 0.00	- EXISTING SPOT GRADE	⊕	- GRANITE BOUND
± 0.00	- NEW SPOT GRADE	⊕	- DRILL HOLE
		○	- RICH PIPE



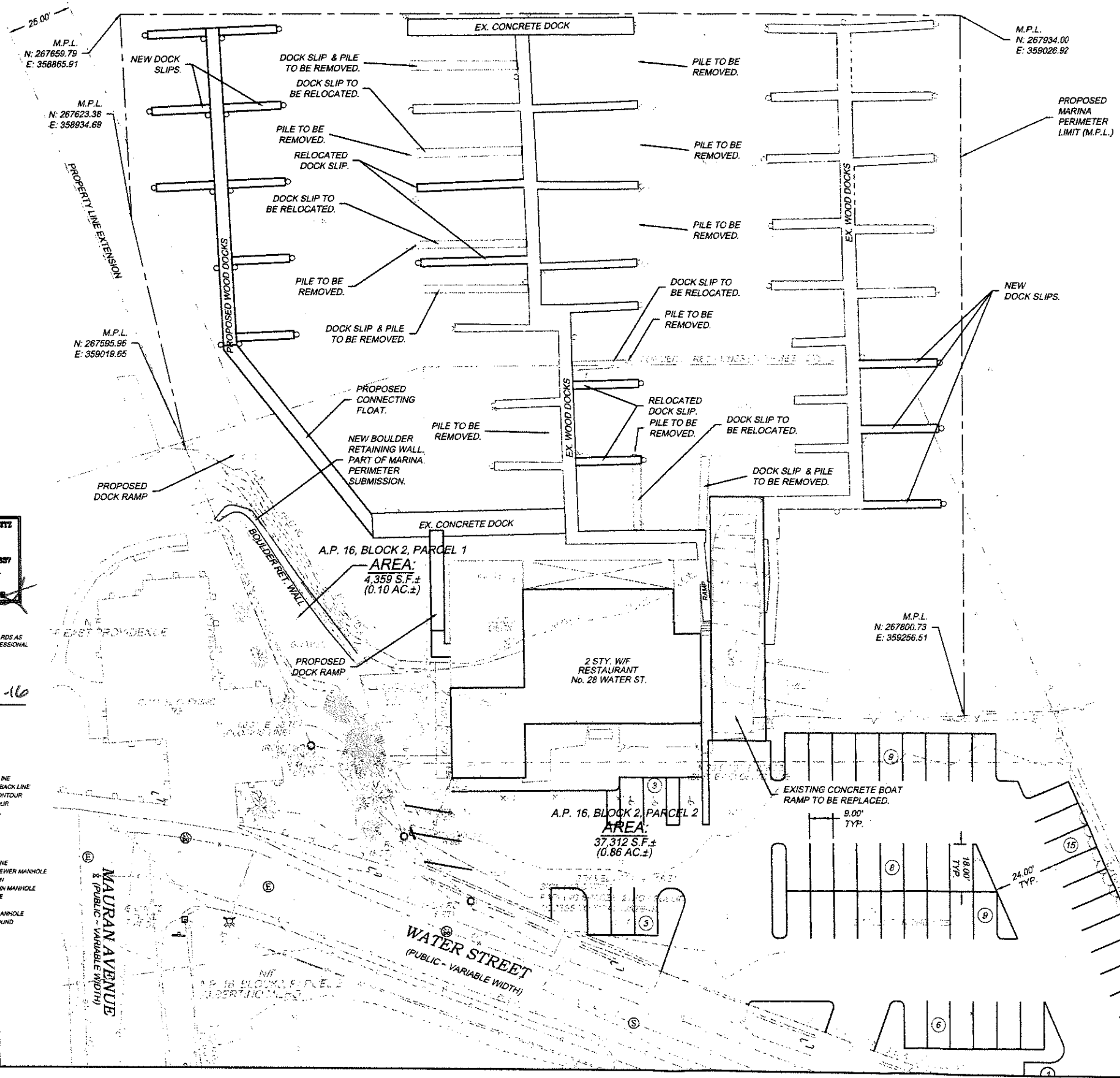
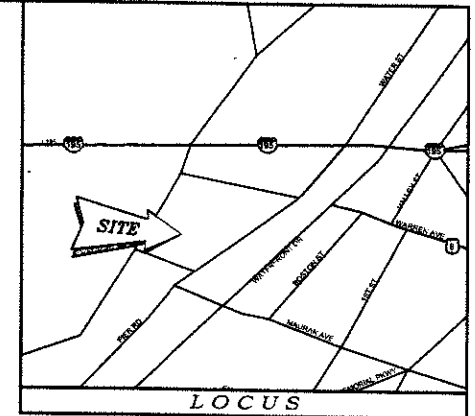
NO.	DATE	REVISION	CHECKED BY
1	4/25/2017	TEMPORARY & PERMANENT RESTROOM NOTATIONS	RSL
2017 CRMC BATHROOM SCHEMATIC A.P. 16, BLOCK 2, PARCELS 1 & 2 WATER STREET EAST PROVIDENCE, RHODE ISLAND			PREPARED BY: RSL SCALE: 1" = 20' DATE: 09/11/12 DRAWN BY: BJT/MS CHECKED BY: RSL
ALBERTINO MILHO 288 WARREN AVENUE EAST PROVIDENCE, RHODE ISLAND 02914			PREPARED FOR: CRMC DATE: 09/11/12 DRAWN BY: BJT/MS CHECKED BY: RSL

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**Waterman**  
 ENGINEERING COMPANY  
 Engineers & Surveyors - Est. 1894

46 Sutton Avenue  
 East Providence, RI  
 Phone: (401) 438-2775  
 Fax: (401) 438-2773  
 www.watermaneng.com

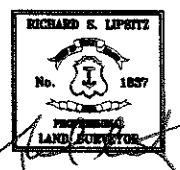
SEEKONK RIVER



NOTES / REFERENCES

- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
  - RHODE ISLAND HIGHWAY PLAT No. 2662
  - PLAN ENTITLED "R.R. PLAT No. 2" WHICH IS ON FILE AT THE STATE OF RHODE ISLAND R.I.D.O.T. PLAN ROOM
  - PLAN ENTITLED "PLAN OF LAND IN EAST PROVIDENCE, R.I. BELONGING TO CHARLES L. GUILD BY WATERMAN ENGINEERING CO. AUG. 1862 SCALE: 1" = 40"
  - PLAN ENTITLED "NEW YORK, NEW HAVEN AND HARTFORD RAILROAD REAL ESTATE AND RIGHT OF WAY DEPARTMENT LAND IN EAST PROVIDENCE, R.I. TO BE CONVEYED TO EVELYN SILVA SCALE: 1" = 20' APR. 1887" WHICH IS RECORDED WITH THE LAND EVIDENCE RECORDS AT THE CITY OF EAST PROVIDENCE, RHODE ISLAND IN VOLUME 137, PAGE 363.
  - PLAN ENTITLED "PLAT SHOWING LAND IN TOWN OF EAST PROVIDENCE TAKEN ON BEHALF OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS BY VOTE OF WASHINGTON BRIDGE COMMISSION ON THE THIRTEENTH DAY OF MARCH A.D. 1826. PLAT No. 219"
  - PLAN ENTITLED "No. 4 PLANS OF THE SOUTHERLY TERMINUS EAST PROVIDENCE BRANCH P. & W. R.R. JULY 1883"
  - PLAN ENTITLED "PLAT OF LAND IN SEEKONK BELONGING TO JOSEPH MAURAN SURVEYED SEPT 12th 1845 BY S.E. CUSHING COPIED BY CUSHING & WALLING NOV. 18th 1847"
- REFERENCE IS MADE TO THE FOLLOWING CITY OF EAST PROVIDENCE LAND EVIDENCE RECORDS REGARDING RECORDED TITLE TO THE PREMISES SURVEYED.
  - A.P. 16, BLOCK 2, PARCEL 1 - ALBERTINO MILHO - VOLUME 3360, PAGE 6
  - A.P. 16, BLOCK 2, PARCELS 2 & 3 AND A.P. 16, BLOCK 3, PARCEL 2 - ALBERTINO MILHO - VOLUME 3360, PAGE 10
- THESE PREMISES MAY BE SUBJECT TO THE FOLLOWING EASEMENTS, RIGHTS OF WAY OR AGREEMENTS OF RECORD:
  - FENCE LINE AGREEMENT OF RECORD AS DESCRIBED IN VOLUME 3360, PAGE 10 (NOT PLOTTABLE)
  - TEMPORARY EASEMENT AS SHOWN ON PLAN REF. 1(A)
  - A POSSIBLE EASEMENT MAY EXIST OVER THE EXISTING 24" AGT HIGH PRESSURE GAS MAIN OVER THE CORNER OF A.P. 16, BLOCK 3, PARCEL 2 (NO RECORDS FOUND)
- THESE PREMISES ARE SITUATED IN A BOLD POINT HARBOR WATERFRONT SUB-DISTRICT ZONE
- THESE PREMISES ARE SITUATED IN A ZONE 1A (EL. 12) & ZONE 1A (EL. 12) AS DESIGNATED ON "NATIONAL FLOOD INSURANCE PROGRAM, FIRM FLOOD INSURANCE RATE MAP PROVIDENCE COUNTY, RHODE ISLAND (ALL JURISDICTIONS) PANEL 309 OF 451 CITY OF EAST PROVIDENCE MAP NUMBER 44007C039K MAP REVISED OCTOBER 2, 2016. FEDERAL EMERGENCY MANAGEMENT AGENCY."
- ANY UTILITIES SHOWN ON THIS PLAN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING PLANS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM ALL AVAILABLE INFORMATION. (PLEASE CONTACT DIG SAFE 24 HOURS PRIOR TO CONSTRUCTION AT PHONE NO. 1-888-DIG-SAFE AND/OR ALL LOCAL UTILITY COMPANIES.)
- THE HORIZONTAL DATUM FOR THIS PROJECT IS THE R.I.S.P.C.S. (NAD 83) AND THE VERTICAL DATUM FOR THIS PROJECT IS NAVD 83. THE PROJECT DATUMS WERE ESTABLISHED FROM DATA TRANSMITTED FROM TRS REFERENCE STATIONS USING THE MTS RTK NETWORK VIA LEICA GPS1200 SERIES ANTENNAS / RECEIVERS.
- THE HARBOR LINES AS SHOWN ARE THOUGHT TO BE EXTINGUISHED BY THE R.I. GENERAL ASSEMBLY.
- THE PURPOSE OF THIS PLAN IS TO ESTABLISH A MARINA PERIMETER LIMIT, REVISE SOME OF THE BOAT SLIPS, AND A NEW DOCK & SLIPS AND REPLACE THE DETERIATING EXISTING BOAT RAMP.
- No. 26 WATER STREET RESTAURANT HAS 4 PUBLIC BATHROOMS FOR MARINA TENANT USE.
- MEAN LOW WATER (M.L.W.) ELEVATION = 2.3 +/-
- MEAN HIGH WATER (M.H.W.) ELEVATION = 2.1 +/-
- EXISTING MOORING SLIPS: 80 SLIPS
- PROPOSED MOORING SLIPS: 71 SLIPS
- REQUIRED PARKING FOR MARINA & RESTAURANT: 157 PARKING SPACES
- PARKING FOR MARINA & RESTAURANT PROVIDED: 54 PARKING SPACES
- PARKING FOR PUBLIC ACCESS: 9 PARKING SPACES
- TOTAL PARKING: 66 PARKING SPACES

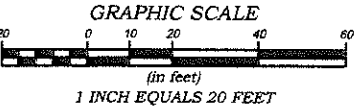
SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN



**CERTIFICATION**  
 THIS SURVEY AND PLAN CONFORM TO THE FOLLOWING CLASS STANDARDS AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 1984.  
 BOUNDARY SURVEY - CLASS I  
 TOPOGRAPHIC SURVEY - CLASS III  
 11-9-16  
 RICHARD S. LIPSITZ REG. NO. DATE  
 WATERMAN ENGINEERING COMPANY

**LEGEND & ABBREVIATIONS**

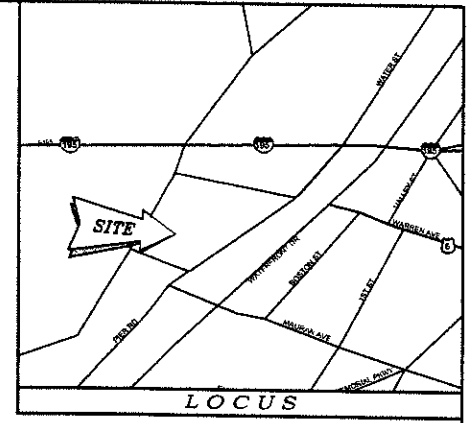
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WF	- WOOD FRAMED	- - -	- SEWER LINE
SHIP	- STATE HIGHWAY PLAT	- - -	- DRAIN LINE
RET	- RETAINING WALL	- - -	- WATER LINE
PED	- PEDESTRIAN	- - -	- GAS LINE
(FND.)	- FOUND	- - -	- ELECTRIC LINE
RHS	- RI HIGHWAY BOUND	- - -	- SANITARY SEWER MANHOLE
FR WAL	- MASONRY WALL	- - -	- CATCH BASIN
FE	- FLARED END	- - -	- STORM DRAIN MANHOLE
RCP	- REINFORCED CONCRETE PIPE	- - -	- WATER GATE
CLF	- CHAIN LINK FENCE	- - -	- GAS VALVE
INV	- INVERT	- - -	- ELECTRIC MANHOLE
10.80	- EXISTING SPOT GRADE	- - -	- GRANITE BOUND
11.80	- NEW SPOT GRADE	- - -	- DRILL HOLE
		- - -	- IRON PIPE



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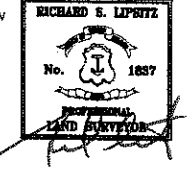
NO.	DATE	REVISION	CHECKED BY
2016 WATERFRONT COMMISSION PLAN 1 A.P. 16, BLOCK 2, PARCELS 1 & 2 WATER STREET EAST PROVIDENCE, RHODE ISLAND			PROJECT NO. 12-046 SCALE 1" = 20' DATE 09/11/12 DRAWN BY: BJT/MS CHECKED BY: RSL TITLE: 12th dist. Waterman SHEET NO. 2 OF 2 SHTS DRAWN BY: C-I
ALBERTINO MILHO 288 WARREN AVENUE EAST PROVIDENCE, RHODE ISLAND 02914			86 Suttan Avenue East Providence, RI 02914-4071 Phone: 401-475-5770 Fax: 401-475-5770





**LOCUS**  
**NOTES / REFERENCES**  
 \*\*SEE SH1 FOR NOTES AND REFERENCES

\*\* SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN

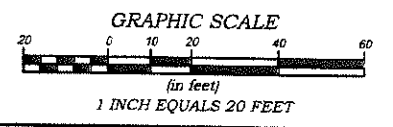


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BOUNDARY SURVEY - CLASS 1  
 TOPOGRAPHIC SURVEY - CLASS 1  
 RICHARD S. LIPITZ  
 WATERMAN ENGINEERING COMPANY  
 REG NO. 1837  
 DATE 11-9-16

**LEGEND & ABBREVIATIONS**

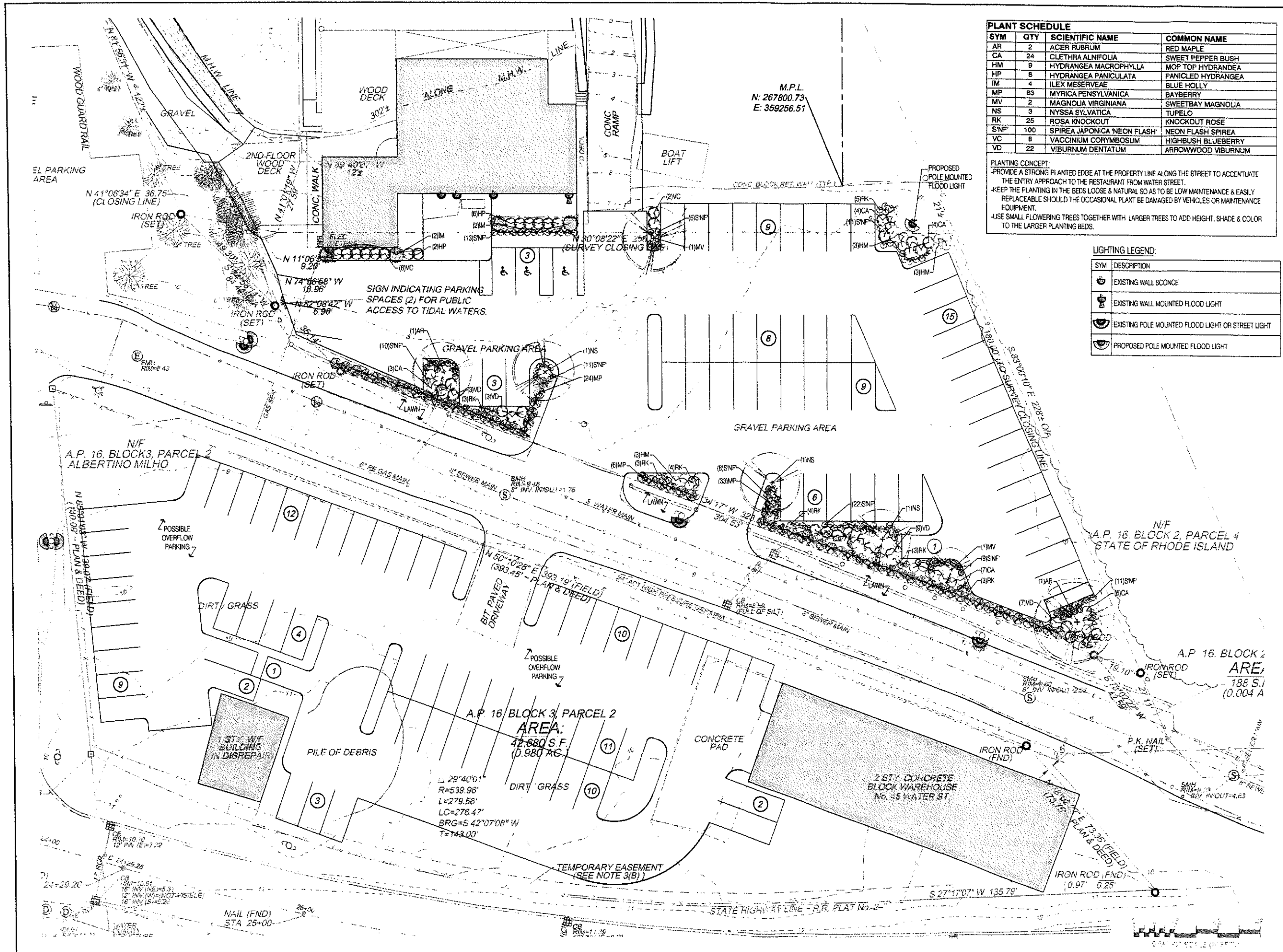
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FO	- FOUND	- - -	- ELECTRIC LINE
RHB	- RI HIGHWAY BOUND	- - -	- SANITARY SEWER MANHOLE
MN	- MASONRY NAIL	- - -	- CATCH BASIN
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...	- NEW SPOT GRADE	- - -	- DRILL HOLE
		- - -	- IRON PIPE



NO.	DATE	REVISION	CHECKED BY
2016 WATERFRONT COMMISSION PLAN 2 A.P. 16, BLOCK 2, PARCELS 1 & 2 WATER STREET EAST PROVIDENCE, RHODE ISLAND			CHECKED BY: RSL DATE: 09/11/13 DRAWN BY: B.T.M.S. CHECKED BY: RSL FILE NO.: 1004-2014-000004 SHEET: 2 OF 2 SHEETS DRAWING: C-2

**Waterman ENGINEERING COMPANY**  
 16 Sutton Avenue  
 East Providence, Rhode Island 02914  
 Phone: 401-431-4311  
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**PLANT SCHEDULE**

SYM	QTY	SCIENTIFIC NAME	COMMON NAME
AR	2	ACER RUBRUM	RED MAPLE
CA	24	CLETHRA ALNIFOLIA	SWEET PEPPER BUSH
HM	9	HYDRANGEA MACROPHYLLA	MOP TOP HYDRANGEA
HP	8	HYDRANGEA PANICULATA	PANICLED HYDRANGEA
IM	4	ILEX MESERVEAE	BLUE HOLLY
MP	83	MYRICA PENNSYLVANICA	BAYBERRY
MV	2	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA
NS	3	NYSSA SYLVATICA	TUPELO
RK	25	ROSA KNOCKOUT	KNOCKOUT ROSE
SNF	100	SPIREA JAPONICA 'NEON FLASH'	NEON FLASH SPIREA
VC	8	VACCINIUM CORYMBOSUM	HIGHBUSH BLUEBERRY
VD	22	VIBURNUM DENTATUM	ARROWWOOD VIBURNUM

**PLANTING CONCEPT:**  
 - PROVIDE A STRONG PLANTED EDGE AT THE PROPERTY LINE ALONG THE STREET TO ACCENTUATE THE ENTRY APPROACH TO THE RESTAURANT FROM WATER STREET.  
 - KEEP THE PLANTING IN THE BEDS LOOSE & NATURAL SO AS TO BE LOW MAINTENANCE & EASILY REPLACEABLE SHOULD THE OCCASIONAL PLANT BE DAMAGED BY VEHICLES OR MAINTENANCE EQUIPMENT.  
 - USE SMALL FLOWERING TREES TOGETHER WITH LARGER TREES TO ADD HEIGHT, SHADE & COLOR TO THE LARGER PLANTING BEDS.

**LIGHTING LEGEND:**

SYM	DESCRIPTION
(Symbol)	EXISTING WALL SCONCE
(Symbol)	EXISTING WALL MOUNTED FLOOD LIGHT
(Symbol)	EXISTING POLE MOUNTED FLOOD LIGHT OR STREET LIGHT
(Symbol)	PROPOSED POLE MOUNTED FLOOD LIGHT

JACOB MATHER DESIGN  
*landscape architecture*

11 WEST ASH STREET  
 NORTH AVONINGTON, RHODE ISLAND 02885  
 401.292.2525

FOR REVIEW & PERMITTING  
 PURPOSES ONLY  
 NOT FOR CONSTRUCTION



APRIL 18, 2017

SCALE: 1" = 10'

ALS WATERFRONT  
 RESTAURANT &  
 LOUNGE

25 WATER STREET  
 EAST PROVIDENCE,  
 RHODE ISLAND 02914

LANDSCAPE &  
 PLANTING PLAN

L1.0