COASTAL RESOURCES MANAGEMENT COUNCIL

SEMI-MONTHLY MEETING

TUESDAY, MAY 14, 2019

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) 783-2069

AGENDA

Semi-Monthly Meeting – Full Council
Tuesday, May 14, 2019; 6:00 p.m.
Administration Building; Conference Room A
One Capitol Hill, Providence, RI 02908

Approval of the minutes of the previous meeting – April 23, 2019
Subcommittee Reports
Staff Reports

APPLICATIONS WHICH HAVE BEEN OUT-TO-NOTICE AND ARE BEFORE THE FULL COUNCIL FOR DECISION:

2018-04-078 JOHN F. CRANDALL – Create and maintain a 1.5 shellfish farm for oysters, hard shell clams, and softshell clams using two methods: direct bottom plant; and rack and bag. Located in Quonochontaug Pond, Charlestown, RI.

PUBLIC HEARING FOR SPECIAL EXCEPTION BEFORE THE COUCIL:

2018-09-019 BONNET SHORES BEACH CLUB CONDOMINIUM ASSOCIATION -- Construct and maintain an on-site gravity based sewage collection system to include an on-site sewage pumping station to service the Bonnet Shores Beach Club and construct and maintain a seasonal sanitary sewer force main line to be constructed through Bonnet Point Road between the Bonnet Shores Beach Club and the Town of Narragansett Waste Water Pumping Station at the corner of Bonnet Point Road and Allagash Road. This application requires a Special Exception pursuant to RICRMP Section 1.2.2(B)(2)(e): "The construction of new infrastructure or utilities or expansion of existing infrastructure or utilities shall be prohibited on all barriers. Such infrastructure or utilities shall include but not be limited to public or private water, electric, gas and sewer lines."

PUBLIC HEARING ON PROPOSED RULEMAKING:

Amendment to § 3.4.12 of the Salt Pond Region SAMP to extend the date by five years to October 7, 2024 for experimental coastal erosion control methods.

/lat

2018-04-078 JOHN F. CRANDALL

CRMC DECISION WORKSHEET
2018-04-078
John F. Crandall

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
2018-04-078	Charlestown	Quonnie Pond Plat: Lot:	B	☐	☐
		Owner Name and Address			
Date Accepted: 4-23-18		John F. Crandall 5329 Old Post Road Charlestown, RI 02813	Work at or Below MHW	☒	
Date Completed: 12-10-18			Lease Required	☒	

PROJECT DESCRIPTION

1.5 acre shellfish farm

KEY PROGRAMMATIC ISSUES

Coastal Feature: Submerged land

Water Type: Type 2, Low Intensity Use

CRMP: 1.1.4(G); 1.2.1(B); 1.3.1(A); 1.3.1(K); 1.3.1(R)

Variances and/or Special Exception Details:

Additional Comments and/or Council Requirements:

Specific Staff Stipulations (beyond Standard stipulations):

STAFF RECOMMENDATION(S)

Engineer _____ Recommendation: **NA**

Biologist _____ Recommendation: **NA**

Aqua DJB Recommendation: **Approval**

David Bentel 12-12-18
Aquaculture Coordinator Sign-Off date

David Bentel 4-17-19

DEC 12 2018
Executive Director Sign-Off date

David Bentel 12-19-18
Staff Sign off on Hearing Packet (Aqua) date

Name: John F. Crandall
CRMC File No.: *2018-04-078*
Staff Report

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

INTER-OFFICE MEMORANDUM

DATE: April 16, 2019

TO: Grover J. Fugate, Executive Director

FROM: David Beutel

SUBJECT: CRMC File No. 2018-04-078

Applicant's Name: John F. Crandall
Project: 1.5 acre shellfish farm

Location: Quonnie Pond, Charlestown,
Water Type/Name: Type 2, Low Intensity Use,
Coastal Feature: submerged land

STAFF REPORT Addendum

This application for 1.5 acres of bottom planted and caged shellfish was first reviewed at the March 12, 2019 CRMC Semi-Monthly Meeting. The section of the transcript from that meeting which covers the Crandall application is attached and referenced in this report addendum (transcript pages 19-51).

The Council directed staff to create a map that removed fifty feet from the southeast corner with a maximum of 5,000 square feet removed. The map was to be reviewed by the applicant and the objector for their agreement. If they agreed to the new map the application would be considered approved. If they did not agree the application would come again before the Council. The applicant and objector have not agreed which is the reason this application is here again (transcript pages 49-50).

Staff worked through the MOU with the Town of Charlestown to create a map with the town GIS specialist Steve McCandless. A number of iterations were created before staff sent the map to the applicant's attorney (Attachment A2). This map removed the southeast corner of the proposed location by going 50' toward the southwest corner and 79.6' toward the northeast corner. The dimensions removed are greater than the 50' in either direction that was proposed and agreed upon by Mr. Whitney and his attorney (please see transcript

pages 40-42, 46, and 48). The total area removed in this map is 0.05 acres, or 2,178 square feet which is within the guidelines of the approved motion (no more than 5,000 square feet).

Mr. Crandall's attorney, Mr. Allard let CRMC know of Mr. Crandall's acceptance of the map on April 1, 2019 (Attachment A1). Mr. Whitney's attorney, Mr. Oliverio did not accept the map and counter proposed 100' off of the southeast corner in each direction (Attachment B1-3). Mr. Longo contacted the attorneys stating that this matter would go to the next Council meeting if they could not determine a solution (B4). The counter proposal has no basis of support from the March 12, 2019 CRMC meeting transcript (pages 35-37, 42, 45-46). Given the transcript record, it is challenging to assert that the goal was a 5,000 square foot reduction or 100' in each direction from the southeast corner. Staff asserts that the reduction shown in Attachment A2 is sufficient for navigation to and from Mr. Whitney's dock, that staff has met the recommendations of the Council, and Mr. Crandall has agreed to the site reduction, therefore staff recommends approval of the site dimensions provided in Attachment A. Please note that the Council requested coordinates for the cage area. Staff has received a map modification from the Charlestown GIS specialist showing the exact coordinates of the cage area and the southeastern corner removed (Attachment C). This map should be used for all of the proposed site coordinates.

David Beutel _____ Aquaculture Coordinator

A1

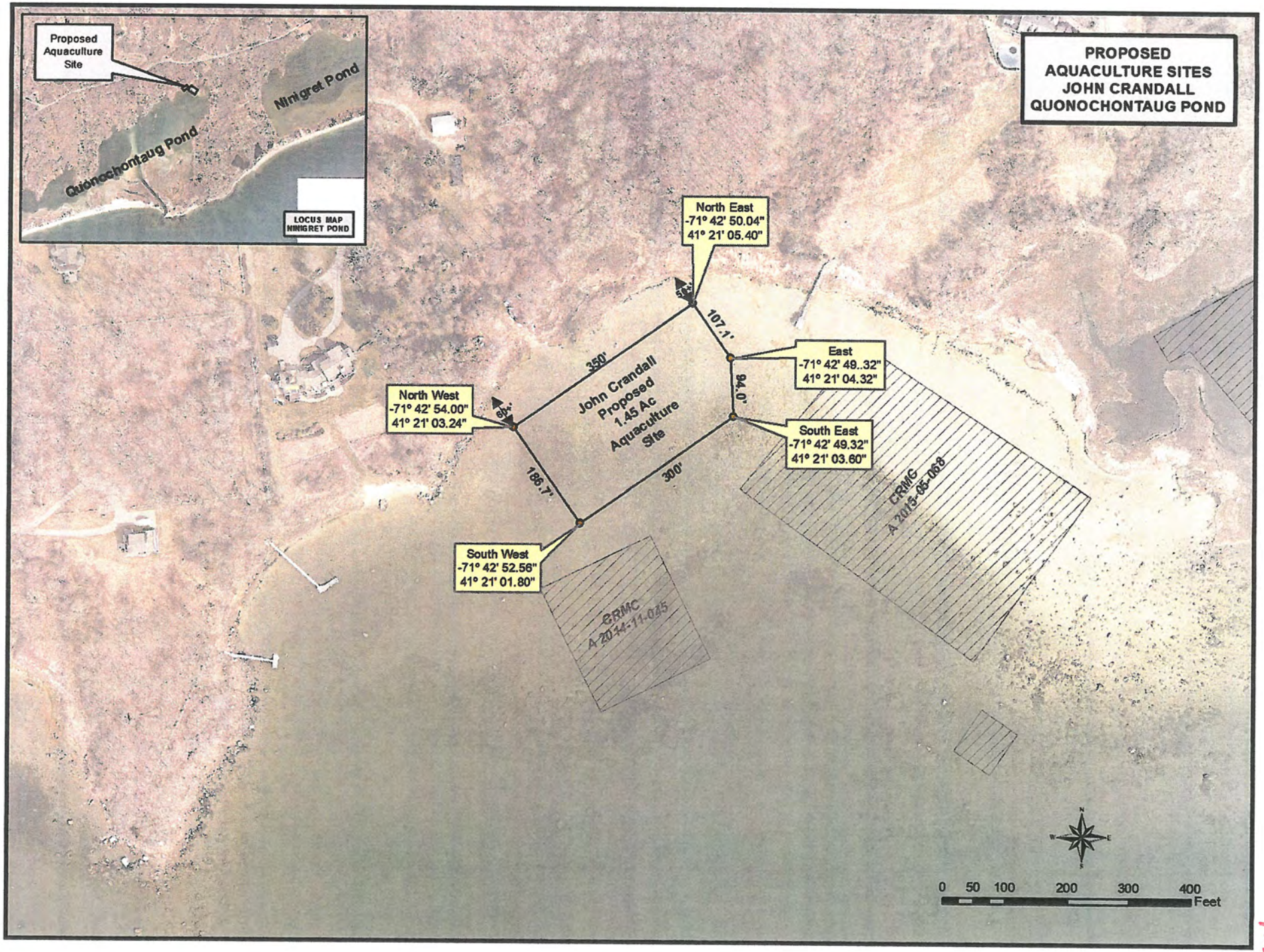
Dave Beutel

From: Corey Allard <callard@allardlaw.com>
Sent: Monday, April 01, 2019 9:18 AM
To: Dave Beutel
Subject: Re: crandall

We have no objection to the map you forwarded.

On Apr 1, 2019, at 8:10 AM, Dave Beutel <dbeutel@crmc.ri.gov> wrote:

> Good morning Corey,
>
> Attached is a map of the proposed change for the shape of John's lease site. If this is acceptable for John I can send it to Whitney and Oliverio. This map was created by going fifty feet bisecting the northeast corner; it is substantially less than what Whitney and Oliverio were proposing but meets the criteria of the council motion. I would like to move this forward if possible. Please advise. Thank you.
>
> Dave
>
> David Beutel
> Coastal Resources Management Council
> Aquaculture Coordinator
> Oliver Stedman Government Center
> 4808 Tower Hill Road
> Wakefield, RI 02879
> 401-783-3370
>
> <2019_B_Crandall.jpg>


PROPOSED
AQUACULTURE SITES
JOHN CRANDALL
QUONOCHONTAUG POND
Proposed Aquaculture Site
Ninigret Pond
Quonochontaug Pond
LOCUS MAP
NINIGRET POND
North East
-71° 42' 50.04"
41° 21' 05.40"
East
-71° 42' 49..32"
41° 21' 04.32"
South East
-71° 42' 49.32"
41° 21' 03.60"
South West
-71° 42' 52.56"
41° 21' 01.80"
North West
-71° 42' 54.00"
41° 21' 03.24"
John Crandall
Proposed
1.45 Ac
Aquaculture
Site
350'
107.1'
94.0'
300'
186.7'
64°
CRMC
A 2015-05-068
CRMC
A 2014-11-045
0 50 100 200 300 400
Feet

P5

A2

B1

Dave Beutel

From: Matthew Oliverio <mto@om-rilaw.com>
Sent: Monday, April 01, 2019 10:32 AM
To: Dave Beutel
Cc: John Longo
Subject: RE: quonochontaug lease site

Follow Up Flag: Follow up
Flag Status: Flagged

Gentlemen, based on this sketch, this represents 25% (1250 square ft) of the amount (5000 square ft) that we and the Council agreed upon at the last meeting. We propose lopping off 100' at each corner, which will provide for a reduction of 5,000 square feet, an amount sufficient to provide adequate access to Mr. Whitney's dock. Kindly provide a new drawing with those coordinates.

Thank you,
Matt

Matthew T. Oliverio, Esquire
OLIVERIO & MARCACCIO LLP
55 Dorrance Street, Suite 400
Providence, RI 02903
(401) 861-2900
(401) 861-2922 Facsimile
Visit us on our website www.om-rilaw.com

From: Dave Beutel [mailto:dbeutel@crmc.ri.gov]
Sent: Monday, April 01, 2019 9:20 AM
To: Matthew Oliverio
Cc: John Longo
Subject: quonochontaug lease site

Good morning Matt,

Please share the attached map of the proposed Crandall lease site with Mr. Whitney. This change is what I had mentioned during the discussion with the Council on March 12. The northeast corner was bisected by a distance of fifty feet with the subsequent line drawn down each of the northern and eastern sides. Removing this corner should provide Mr. Whitney sufficient space to navigate and meets the parameters of the approved motion. Please review and comment. This change is acceptable to Mr. Crandall. Thank you.

Dave

David Beutel
Coastal Resources Management Council
Aquaculture Coordinator
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
401-783-3370

B2

Dave Beutel

From: Matthew Oliverio <mto@om-rilaw.com>
Sent: Wednesday, April 03, 2019 11:02 AM
To: John Longo; Dave Beutel
Cc: Brian Whitney
Subject: RE: quonochontaug lease site
Attachments: Whitney Proposed Map.pdf

John, evidently there was a misunderstanding about our position. What I meant was 100' on each side of the SE corner, thereby providing for the intended 5000 square feet. I attach a sketch that clarifies. I trust we can work a compromise without the need for CRMC intervention. Please advise.

Thanks,
Matt

Matthew T. Oliverio, Esquire
OLIVERIO & MARCACCIO LLP
55 Dorrance Street, Suite 400
Providence, RI 02903
(401) 861-2900
(401) 861-2922 Facsimile
Visit us on our website www.om-rilaw.com

From: John Longo [mailto:jtlongo@citadelpc.com]
Sent: Wednesday, April 03, 2019 10:38 AM
To: Matthew Oliverio; Dave Beutel
Subject: Re: quonochontaug lease site

Matt - The discussion I recall at the Council was lopping off 1 corner of the proposed lease area, not to exceed 5,000 sq ft, to give your client a bigger path to his dock. I do not have the transcript yet but regardless I am sure it the motion made clear if the parties could not agree on a new map it would go back before the Council. It appears the parties cannot agree on the new map.

Dave - Put this on the next available Council agenda.

John Longo
(401) 383-7550

From: Matthew Oliverio <mto@om-rilaw.com>
Sent: Monday, April 1, 2019 10:32 AM
To: Dave Beutel
Cc: John Longo
Subject: RE: quonochontaug lease site

Gentlemen, based on this sketch, this represents 25% (1250 square ft) of the amount (5000 square ft) that we and the Council agreed upon at the last meeting. We propose lopping off 100' at each corner, which will provide for a reduction of 5,000 square feet, an amount sufficient to provide adequate access to Mr. Whitney's dock. Kindly provide a new drawing with those coordinates.

Thank you,
Matt

Matthew T. Oliverio, Esquire
OLIVERIO & MARCACCIO LLP
55 Dorrance Street, Suite 400
Providence, RI 02903
(401) 861-2900
(401) 861-2922 Facsimile
Visit us on our website www.om-rilaw.com

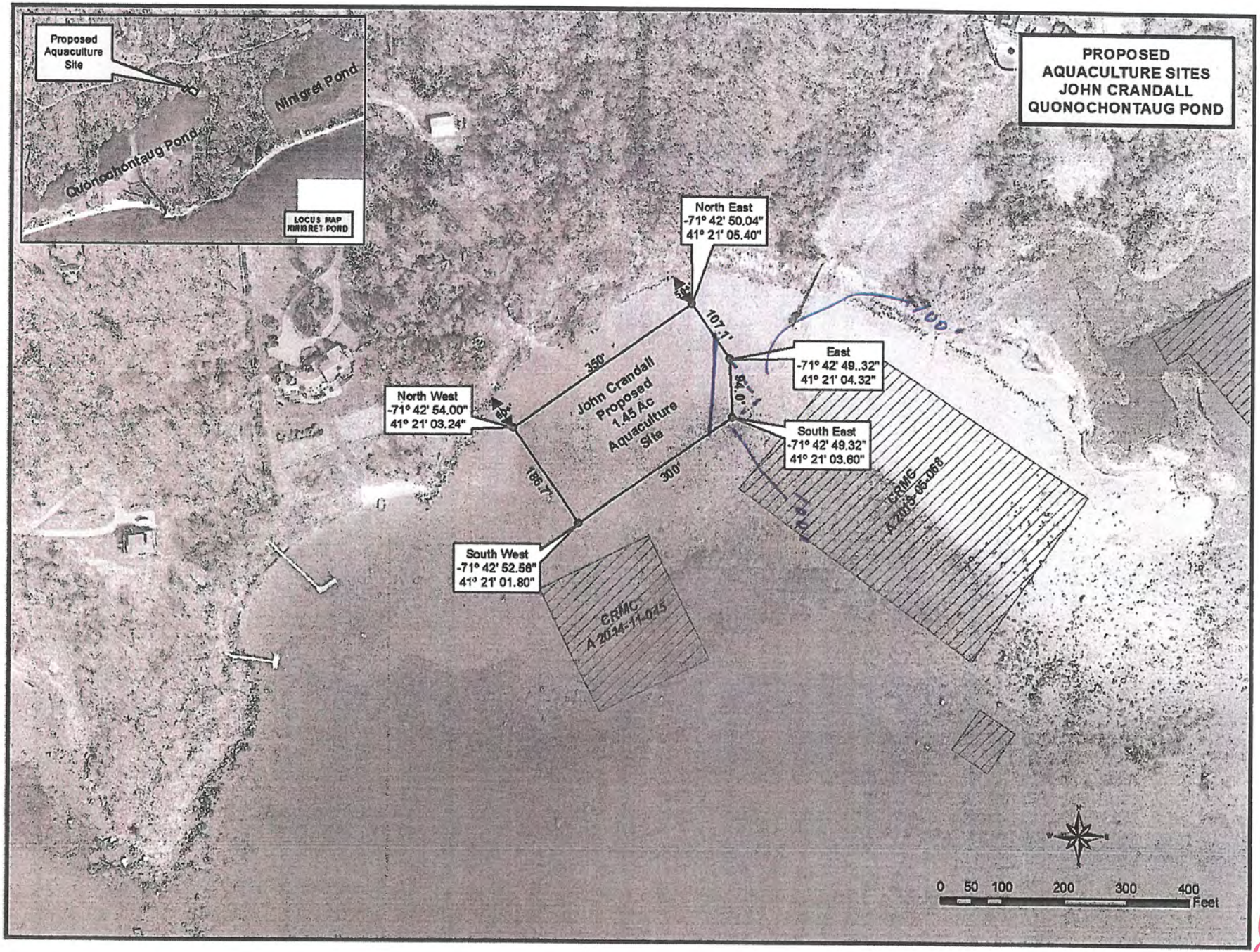
From: Dave Beutel [mailto:dbeutel@crmc.ri.gov]
Sent: Monday, April 01, 2019 9:20 AM
To: Matthew Oliverio
Cc: John Longo
Subject: quonochontaug lease site

Good morning Matt,

Please share the attached map of the proposed Crandall lease site with Mr. Whitney. This change is what I had mentioned during the discussion with the Council on March 12. The northeast corner was bisected by a distance of fifty feet with the subsequent line drawn down each of the northern and eastern sides. Removing this corner should provide Mr. Whitney sufficient space to navigate and meets the parameters of the approved motion. Please review and comment. This change is acceptable to Mr. Crandall. Thank you.

Dave

David Beutel
Coastal Resources Management Council
Aquaculture Coordinator
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
401-783-3370


PROPOSED
AQUACULTURE SITES
JOHN CRANDALL
QUONOCHONTAUG POND
Proposed Aquaculture Site
Ninigret Pond
Quonochontaug Pond
LOCUS MAP
NINIGRET POND
North East
-71° 42' 50.04"
41° 21' 05.40"
East
-71° 42' 49..32"
41° 21' 04.32"
South East
-71° 42' 49.32"
41° 21' 03.60"
South West
-71° 42' 52.56"
41° 21' 01.80"
North West
-71° 42' 54.00"
41° 21' 03.24"
John Crandall
Proposed
1.45 Ac
Aquaculture
Site
350'
107.1'
84.0'
186.7'
300'
CRMC
A 2004-05-068
CRMC
A 2014-11-075
100'
0 50 100 200 300 400
Feet

P9

W3

34

Dave Beutel

From: John Longo <jtlongo@citadelpc.com>
Sent: Monday, April 08, 2019 11:06 AM
To: callard@allardlaw.com; Matthew Oliverio; mto@om-rilaw.com
Cc: David Beutel
Subject: CRMC - Crandall Aquaculture - Maps
Attachments: CRMC Crandall Proposed Map by Applicant April 1 2019.jpg; CRMC Crandall Proposed Map by Objector April 3 2019.pdf; CRMC Transcript March 12 2019.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Applicant: John Crandall
CRMC# 2018-04-078

Dave Beutel - FYI.

Matt & Cory - I am putting this in your laps.

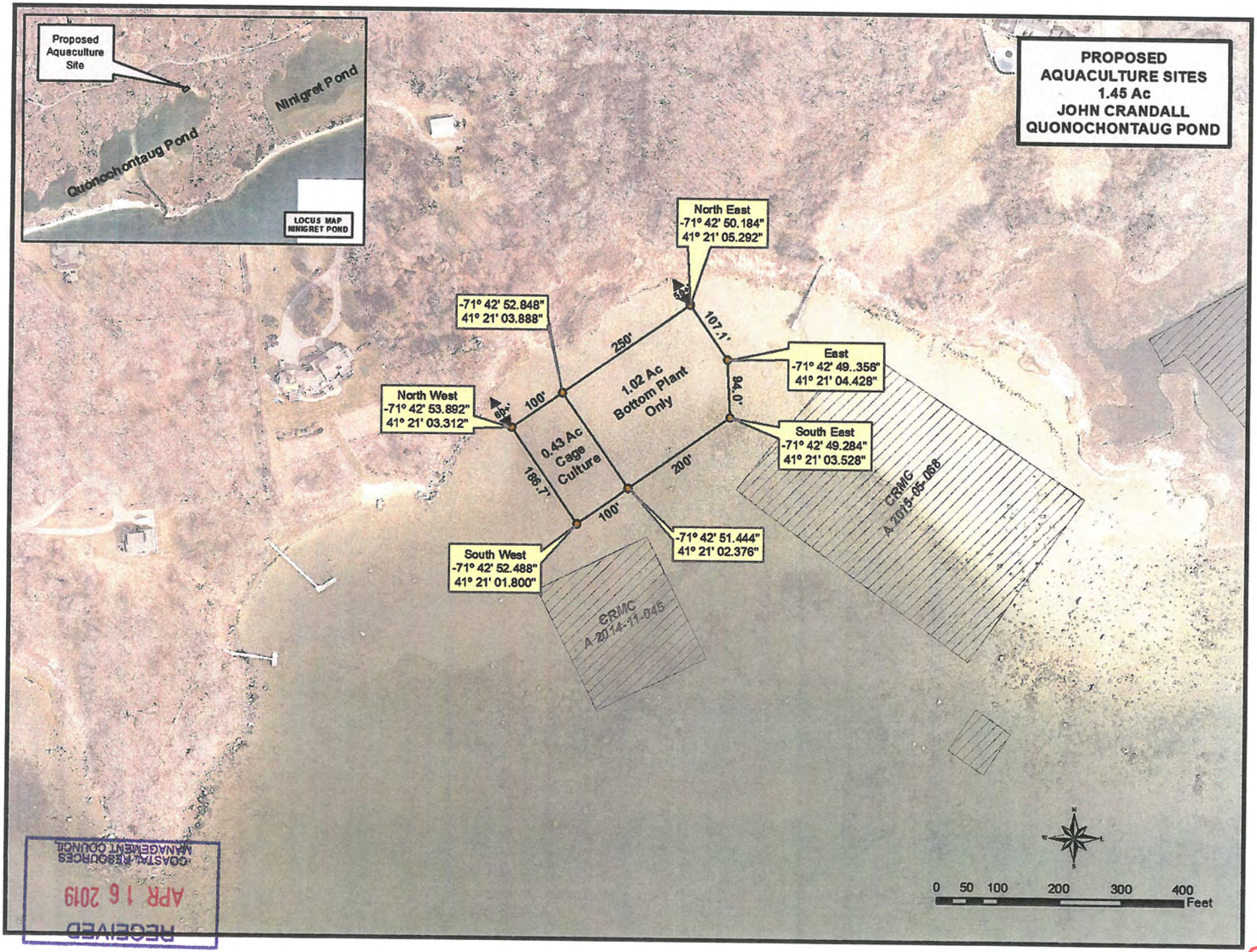
Attached is the transcript from the Council meeting on this. The Council approved the application with a reduction in the lease area up to 5,000 sq. ft. to be achieved by loping off one corner of the proposed area. The Council said if your two client could not agree on a new map the matter would go back before them.

Attached are the dueling maps we have - one showing 50 feet taken off the corner and one showing 100 feet taken.

I told Dave Beutel to have this put on the next available Council agenda; if you two agree on a size before then, let Dave know and he will have a new map drawn up that reflects your agreement and the permit will be issued. (Dave is CC'd on this e-mail.)

FYI - The next possible Council meeting is April 23rd but that agenda may already be full; the CRMC staff will let you what agenda this makes.

John Longo
Office (401) 383-7550
Mobile (401) 378-4441



RECEIVED
APR 16 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

P11

entered my appearance for Mr. Crandall.

CHAIRWOMAN CERVENKA: Thank you. Is there anyone else here on behalf of Mr. Crandall? Just you?

MR. ALLARD: Just me.

CHAIRWOMAN CERVENKA: Okay. And are there objectors that are here tonight?

MR. OLIVERIO: Yup. Matthew Oliverio for abutter Brian Whitney.

CHAIRWOMAN CERVENKA: Thank you.

MS. MAIN: And Robin Main for abutter Charlie Gleu.

CHAIRWOMAN CERVENKA: So let's start again with the staff report, Mr. Beutel.

MR. BEUTEL: Once again, this application was scheduled for the January 8th meeting and was not heard with the recommendation that the applicant, Mr. Crandall, and the neighbor Mr. Whitney work on trying to resolve the issues of Mr. Whitney's objection.

CHAIRWOMAN CERVENKA: Just to refresh everyone's recollection, we didn't hear it at all. It was just continued.

MR. BEUTEL: I'm just starting off with

that.

CHAIRWOMAN CERVENKA: Okay.

MR. BEUTEL: This is an application for 1.5 acres, an acre and a half of a combination of cage aquaculture that's on the southern part of the proposed lease area. So that's the map on Page 5. The northern and eastern parts are bottom plant. To be clear, bottom plant, and this is bottom plant for oysters, quahogs and steamers. Quahogs and steamers live in the sediment; so they wouldn't even be on the sediment. They would be lower than the sediment. The oysters in the bottom plant area would be on the sediment.

CHAIRWOMAN CERVENKA: Can you give that to me again? The cage will be in the southern portion?

MR. BEUTEL: Correct. So if you look at the map on Page 5, it's the left.

MR. LONGO: On Page 6.

MR. BEUTEL: On Page 6, too. Yes. Page 6 is the aerial view.

CHAIRWOMAN CERVENKA: Okay. Then the rest are what you just described?

MR. BEUTEL: Pardon me?

CHAIRWOMAN CERVENKA: The rest are what you just described, the bottom plantings?

MR. BEUTEL: Correct.

CHAIRWOMAN CERVENKA: Okay.

MR. BEUTEL: So the map on Page 5 shows the adjacent aquaculture leases and may give a better perspective. I want to make clear that the aquaculture site that is to the east of the proposed area, the three-quarters of that that are adjacent to Crandall's proposal, are all bottom plant; so it's a wide area of bottom planted oysters is the bottom.

CHAIRWOMAN CERVENKA: Okay.

MR. BEUTEL: So an acre and a half for three species. The major method is bottom plant. The cage area is adjacent to rocks. So it's not a navigable area. And this application has received a number of approvals, but it has also received a few objections. The report addresses those objections, but I'll summarize them.

So the Town of Charlestown supplied a list of concerns, and that's Attachment 5 on this. Their main concern was the land side use. We have established already that that is not part of the

CRMC jurisdiction, and Mr. Longo had said he would answer questions about that as needed.

If I can summarize, Mr. Gleu's objections have also had to do with land side use and the activity on land. Once again, that's not part of the CRMC purview. What we're looking at here, as a reminder, is leasing submerged land for aquaculture.

A citizen, Phil Capaldi, submitted a bunch of questions, but there was no objection in that, and that correspondence is included in the packet.

Mr. Whitney, through his attorney, provided a letter of objection that had six major points, and since they're all here, I'll go through each of these points. One is that the proposed aquaculture would impede navigation and recreation around Mr. Whitney's dock. CRMC staff would agree that it is shallow around Mr. Whitney's dock, but we'd also assert that bottom plant aquaculture has no effect on the depth of the water and the ability to use it. I want to make clear to everyone that there is no prohibition of anyone operating a boat on any aquaculture site; so that the ingress and egress to that dock, in staff opinion, would remain

unchanged. That really addresses two -- the first two aspects of the objections that were submitted.

The third one was that Quonochontaug Pond is Type II waters, and the need for aquaculture must be demonstrated. Aquaculture by definition in the Red Book is permitted in all water types. It is a business. Aquaculture provides businesses. That's the need. So we're -- Mr. Crandall maybe not clearly stated that he wanted to start a business; that's what he wanted to do.

Objection No. 4 of the aquaculture application does not include proposed gear layout. And cross-section in operations plan -- I'm sorry if Mr. Whitney and the attorney missed that, but all three of those were included in the application. They were on -- let's see, the aerial plan is on Page 6. The cross-section is on Page 20 of your packet. They were all included in the original application.

No. 5, Mr. Crandall has not demonstrated that all local ordinances have been met. That's, once again, looking at the land side use. That's not an issue for us.

CHAIRWOMAN CERVENKA: Can I interrupt with

a question? So the Category B general requirements are to include that evaluation of local ordinances, but it doesn't necessarily apply to an aquaculture lease?

MR. BEUTEL: Here's where Mr. Longo said he would explain.

MR. LONGO: So the purpose of the Council requiring that an applicant demonstrate he has his local permits is so we don't waste our time on theoretical applications and pie in the sky pipe dreams.

Us giving a permit does not necessarily trump any local ordinance. It doesn't trump anyone else's property rights. So the applicant -- we don't require -- we're not going to settle the issue if the Town wants to say he can't store his gear there. That would not be our concern. It doesn't affect the water side use. So in my opinion, he demonstrates sufficient compliance with local zoning and business ordinances, for lack of a better term, that we can act on this application.

CHAIRWOMAN CERVENKA: There aren't any local ordinances that would apply in the proposed lease area?

MR. LONGO: No, no, they can't regulate the water.

CHAIRWOMAN CERVENKA: Okay.

MR. BEUTEL: Thank you, Mr. Longo.

CHAIRWOMAN CERVENKA: Thank you.

MR. BEUTEL: Additionally, No. 5 in the objection was an assertion that the Henry's Marina inclusion in the application was irrelevant, and there is some documents about Henry's Marina. CRMC staff agrees that that's irrelevant. There is no marina there. We're not going to permit a marina there, but there's one point that Mr. Crandall let me know why he included that, and it was for illustrating the fact that the Town of Charlestown had accepted fees for a business activity related to that property. So once again, it's not part of us, but that's why it was in there. It is irrelevant to what's occurring here.

And once again, the lease -- the final one is the access and staff asserts that Mr. Whitney's access will not be hindered and that Mr. Crandall currently accesses his moorings by walking out from his property and that should continue. Staff recommends approval.

CHAIRWOMAN CERVENKA: Any questions for Mr. Beutel? Mr. Gagnon.

MR. GAGNON: So on that cross-section on Page 20, it shows the cages in water depths of at least 3 feet at low tide; so is that basically, are we to take that if the water depth is 3 feet or greater you can have a cage, but if it's less than 3 feet at low tide, you'll be using the bottom plantings?

MR. BEUTEL: I wouldn't assume that, but we can stipulate to that.

MR. GAGNON: Does it help with the navigation issue at all?

MR. BEUTEL: It may. It could. One thing I forgot while I was talking about the objections, we received letters of approval from the Historical Preservation Commission and DEM Division of Fish and Wildlife and Division of Marine Fisheries and Office of Water Resources.

CHAIRWOMAN CERVENKA: Thank you.

MR. BEUTEL: Not approvals but letters of no significant impact from the Marine Fisheries Council that this site would not have a negative impact on fisheries.

MR. FUGATE: Has this been before the PGP yet?

MR. BEUTEL: PGP, the way that we're working it now, if it's approved here, it's discussed at the next -- PGP being the Army Corps.

CHAIRWOMAN CERVENKA: Any other questions for Mr. Beutel?

(NO RESPONSE)

CHAIRWOMAN CERVENKA: Okay. Anything further?

(NO RESPONSE)

CHAIRWOMAN CERVENKA: So would the applicant's attorney like to come up.

MR. ALLARD: Good evening. Corey Allard for the applicant, John Crandall. First, I want to just state that John Crandall apologizes for not being here tonight. He was ill and could not make the hearing, but he would still want to go forward with his application and hearing on his application this evening.

CHAIRWOMAN CERVENKA: Excuse me for a minute. So we're okay with that, as a representative but --

MR. LONGO: Yes.

MR. FUGATE: As long he would have the authority.

CHAIRWOMAN CERVENKA: -- you would have to bind your client -- you would have to be able to bind your client with any decision or compromise you'd make here tonight.

MR. ALLARD: That's fine.

CHAIRWOMAN CERVENKA: Okay.

MR. ALLARD: And all that he wanted me to speak about with regards to the application is that at this point he feels that he meets all the requirements of the CRMC for this lease area. You know, I think the only thing I would add to Mr. Beutel's presentation is that the -- it had to do with Mr. Gagnon's question regarding the cages -- the area that Mr. Whitney is objecting to is the southeast portion of the area, and that's bottom feed as it is. You know, and our application is for bottom feed. No cages would be in that area anyway or around it; so the navigable area wouldn't be impacted in that portion that Mr. Whitney complains about.

My client and Mr. Whitney did have some communications regarding his objection, but they

were unable to make any agreement or concessions to remove the objection tonight. And my client would press his assertion that the bottom feeded plantings would not impact the navigable area of Mr. Whitney.

CHAIRWOMAN CERVENKA: And did you want to address the objections by the other objector, Mr. -- the Gleu family?

MR. ALLARD: Mr. Gleu's objection has to do with the land side use, and we would have no objection to his approval -- you know, a statement in the approval saying that the approvals have nothing to do with the land side use. You guys are not permitting the land side use. Your approval has nothing to do with that.

CHAIRWOMAN CERVENKA: Any questions for the applicant's attorney? All right. If nothing else, we'll hear from the objectors.

MR. OLIVERIO: Good evening, Madam Chair, members of the Council. My name is Matt Oliverio. I represent Brian Whitney.

Madam Chair, may I have a document marked, a schematic, for the Council?

CHAIRWOMAN CERVENKA: Yes.

MR. OLIVERIO: I don't know if you mark it as Exhibit A or 1. I have ten copies. I don't know if that's enough.

CHAIRWOMAN CERVENKA: That would be helpful.

MR. OLIVERIO: Thank you. I appreciate it. So while Mr. Longo is passing that out, you'll recall that this was, as Mr. Beutel said, it was on for hearing on the 8th, and I was here, and I did submit a letter that Mr. Beutel detailed the various objections. I want the Council to know and to understand that my client, Brian Whitney, who owns the property, if you look at this schematic, he owns most of the property that abuts the larger aquaculture farm and then the proposed farm by Mr. Crandall. You'll see his dock, you see it from that aerial, that's the dock where he brings his boat in. So you have a sense for how close the proposed field is to his dock and the other field.

So our position is -- and I stated this in the letter of objection -- we do not object to this type of activity. We do not object to the installation of an aquaculture farm. We think it's good. The issue really concerns the first two

items, and that is the recreation and the navigation.

Please appreciate in this area, including where the field is located, at the mean low tide it's about a foot and a half. It's not 3 feet. It's a foot and a half. And I know that because not only has my client measured it, but he navigates in that area frequently. He's there all summer and into the fall. And there's also many, many rock formations, which make it difficult for him to make a beeline into his dock. So he has to navigate in an area that requires him -- it would require him to go inside the aquaculture farm field.

When we were here the last time, I'm glad Mr. Allard brought up the fact that we had had discussions with Mr. Crandall, because we thought we were -- we felt pretty positive that we could resolve this. That's why the application wasn't heard, to give us the opportunity to do that. And we met with Mr. Crandall, and we said, okay, you have an acre and a half. We're just looking for a little concession in terms of the size. Because we do have to come in there and it does make it

difficult to navigate, even with it bottom planted because the mean low tide or the mean -- yeah, the low mean tide is so shallow in that area and then you have the rock formations. And the concern, of course, is the health of the plantings. And we explained that to Mr. Crandall, and he told us that he had no objection to reduce the field by a mere 50 feet, which is really negligible for the scope of this application. And he said he was comfortable with that but had to speak with Mr. Beutel about that. And what he told my client is that Mr. Beutel encouraged him not to deviate whatsoever; that we should just go forward with the existing application, not to compromise it. That bothered me. That bothered me when I heard that. And --

MR. WHITNEY: Matt, excuse me. What he actually said was that he felt that he was in the middle between Dave Beutel and me.

MR. OLIVERIO: This is Mr. Whitney, Brian Whitney.

MR. LONGO: You need to come up so we can swear you in. Hold on, we have to swear you in first.

BRIAN WHITNEY, having been duly sworn, testifies as follows:

EXAMINATION

BY MR. OLIVERIO:

Q. Are you the owner of the parcel that's depicted on this aerial photo?

A. Yes, I am.

Q. And can you explain to the Council your primary objection and your willingness to work with the applicant?

A. Sure. There's a couple of things that I think are factually incorrect. When people say it doesn't affect navigation, it certainly does. These oysters don't sit there and are vacuumed up by some machine. People have to go there and pull them out by hand. So when they're pulling things up by hand, I can't get to my dock. I just can't get there. The boat I have has got a 450 horsepower engine. It will tear up the entire bed of the oysters. And if people are working there, there's no way I can get to my dock. And that's the only access I have is over that path. So to say it doesn't affect navigation, it does. If they're working in the field, I can't get to my dock. Or

they have to move, which creates safety issues. All I requested was to reduce the size of the field 50 feet.

CHAIRWOMAN CERVENKA: And you were working towards that compromise directly with Mr. Crandall?

MR. WHITNEY: He came to my house for coffee. He said to me, The problem I'm having is I feel I'm in the middle. I said, In the middle of what? Well, in the middle of what Dave Beutel's telling me and what you want me to do. Which was quite shocking to me.

Q. So that was back in mid-January, right within --
A. Probably two weeks after we had the hearing.
Q. Okay. And have you had any communication with Mr. Crandall since that time?
A. After that meeting I said I'd call him. I called him three times, and he's never returned my call.
Q. And is it the first time today that you knew he was represented by counsel?
A. Correct.
Q. And you're aware that Mr. Allard just entered his appearance yesterday on behalf of Mr. Crandall?
A. I didn't know that, but yeah.

MR. OLIVERIO: So, again, we're not here

to object to the application. Again, we think it's a good thing. We're asking the Council to give consideration to an abutter who needs -- who just described to the Council the issues involving his navigation even with bottom plantings. And it is really a negligible request to reduce, at least on that corner, by 50 feet from the -- from the northeast to the southeast corner, just lop off 50 feet, and we would withdraw our objection, and I think it's a way of -- it's a good neighborly compromise, and Mr. Crandall can have his aquaculture farm, and it doesn't create an issue with navigation for my client.

Q. But can you just explain to the Council the number of rock formations that are in the area that make it difficult even without --

A. Everyone, I think even Dave Beutel knows, there's tons of rocks there, and I've hit many of them. You have very limited access to my dock, and with people working in that field, I would have no access.

Q. And what's the draw on your engine?

A. It's only 18 inches.

MR. OLIVERIO: That's really our request

and our position with the Council. We think it's reasonable. We think it's fair. And we'd ask the Council to consider that as a condition to approval, that it just be reduced by 50 feet.

CHAIRWOMAN CERVENKA: In that particular --

MR. OLIVERIO: In that area.

MR. WHITNEY: That's all.

MR. OLIVERIO: That's all.

CHAIRWOMAN CERVENKA: And how would you describe that area?

MR. WHITNEY: You take that border that's near my dock and you move it.

CHAIRWOMAN CERVENKA: Yeah, but just give me the coordinates just so we know what we're considering.

MR. OLIVERIO: That I'm not so good at.

CHAIRWOMAN CERVENKA: Well, not exact. Approximately.

MR. OLIVERIO: Sure. So from the northeast corner up through the southeast corner, just lop off 50 feet.

MR. FUGATE: So it's just taking the corner off.

MR. WHITNEY: Well, it would be from one corner to the other.

MR. OLIVERIO: Yeah, it would be one corner to the other, Mr. Fugate. Yeah.

MR. GOMEZ: It's parallel to that?

MR. OLIVERIO: That's right.

MR. WHITNEY: Yes, that's correct. So just draw a line 50 feet from one corner, 50 feet from the other corner in a straight line.

CHAIRWOMAN CERVENKA: So what would that -- did you want to say something, Mr. Beutel?

MR. BEUTEL: I would like to clarify statements with Mr. Crandall.

CHAIRWOMAN CERVENKA: Yes, I imagine you would. Go ahead, and then I'll ask my question.

MR. BEUTEL: So my statement to Mr. Crandall was you can change your configuration or you can leave it as it is, and I will present it to the Council either way. That was my statement to Mr. Crandall.

CHAIRWOMAN CERVENKA: All right. As I expected. Yeah. The 50 foot, we can ask the counsel for the applicant, but what does that mean as far as the number of bottom plants, like, how

much does it reduce by? I don't know how closely they're planted and what that means as far as quantity.

MR. OLIVERIO: It's about 5,000 square feet, I guess.

CHAIRWOMAN CERVENKA: Yeah. I mean, as far as the number of plants.

MR. OLIVERIO: Yeah.

CHAIRWOMAN CERVENKA: We can ask the Council.

MR. BEUTEL: It would reduce it by approximately a quarter of an acre.

MR. FUGATE: So it would be one and a quarter acres.

MR. OLIVERIO: It's 50 by 186.

MR. BEUTEL: I might recommend that rather than 50 feet end to end, bisecting the southeast corner by 50 feet and making this five sided would certainly provide plenty of ingress and egress to Mr. Whitney's dock.

MR. WHITNEY: Make it a triangle; is that what you're suggesting?

MR. FUGATE: Pentagon. If you cut the corner off.

MR. BEUTEL: Cut the corner. Not lop an end off. Cut the corner off. Which I had also --

CHAIRWOMAN CERVENKA: Do we have experience with pentagon?

MR. BEUTEL: Which I had also said to Mr. Crandall that could be an option for reduction.

CHAIRWOMAN CERVENKA: That can be an option. Okay. Ms. Collie.

MS. COLLIE: I was going to ask, can we add that lost space to the other end?

MR. FUGATE: The problem that we have with that is reduction is not usually an issue, but expanding it potentially could be an issue if there's a property line near there and suddenly somebody -- so I don't know where the property lines fall on this.

MS. COLLIE: So it's not just shimmying it over.

CHAIRWOMAN CERVENKA: That would be a renotice.

MR. FUGATE: Potentially.

CHAIRWOMAN CERVENKA: Okay. Yes. All right, any other questions for this objector, Mr. Whitney, or Mr. Oliverio?

MR. OLIVERIO: We appreciate your consideration.

CHAIRWOMAN CERVENKA: Yeah.

MR. LONGO: Could you come up here a minute?

CHAIRWOMAN CERVENKA: And show on this exhibit what you would be proposing to lop off.

MR. LONG: For the record, Matt, would you agree with me that Objector's Exhibit A is what you were referring to during your testimony?

MR. OLIVERIO: Yes.

MR. LONGO: And the star on it is your client's dock?

MR. OLIVERIO: That's correct. So what we were proposing was -- assume this is 50 feet; so it would have been this 50 by the 186, because he's got to navigate in this area. He has to navigate because of the rocks.

MR. FUGATE: But if you were to cut that corner off --

MR. OLIVERIO: That would work, too.

MR. LONGO: So the circle here is the circle you were talking about?

MR. OLIVERIO: There's also a mooring

here, too, in that area, just so you know.

MR. LONGO: So the circle on Exhibit A is the corner that people have talked about lopping off, and the oval is the area that people have talked about lopping off?

MR. OLIVERIO: Yes, that's correct.

CHAIRWOMAN CERVENKA: This objector.

MR. OLIVERIO: I don't know if there are other objectors that have that issue.

MR. LONGO: Yes.

CHAIRWOMAN CERVENKA: Okay. Yes.

MR. HUDNER: I think the better view of this is on Page 5.

MR. WHITNEY: I actually do have a question for the Council. What is my liability if I go across his oyster field?

MR. OLIVERIO: Why don't you ask me first.

CHAIRWOMAN CERVENKA: You can have a moment to talk with your counsel.

MR. WHITNEY: Is there a liability?

MR. OLIVERIO: No, there isn't, because you have a right to navigate over the field.

MR. WHITNEY: Okay. So there's no liability ever?

MR. OLIVERIO: No, but you're concerned about the environment as well.

MR. WHITNEY: I'm also concerned about his oysters if he loses half of his oysters he can sue me.

MR. OLIVERIO: Anybody can sue anybody for anything.

MR. GOMEZ: So the suggestion to lop off the corner, that was 50 by 50? What's the dimensions of that triangle that you're taking away, the height and the "X" and the "Y"?

CHAIRWOMAN CERVENKA: So we're not going to figure this out.

MR. GOMEZ: It was 50 foot that was asked for; so are we starting at that 50-foot mark?

MR. FUGATE: I think if the Council agrees to lop off the corner, we can work with the objector and the applicant.

MR. WHITNEY: I guess we just have to understand how much of the corner you're lopping off. Again, because if they're working in the field, I just can't get to the dock. You've got to give me some egress.

MR. FUGATE: Understood.

CHAIRWOMAN CERVENKA: Any other further questions? Mr. Hudner, did you want to make reference to that Page 5 as a visual?

MR. HUDNER: I'd be pleased to. I think Page 5 gives the best overall presentation of what the issues are and what the solution might be because it has -- I believe your dock is that black line.

MR. WHITNEY: Yes.

MR. OLIVERIO: Is that what you're referring to, Mr. Hudner?

MR. HUDNER: Yes.

MR. FUGATE: I can give you a copy of this.

MR. HUDNER: And it has the other sites that are being farmed, and you can see the significance of that corner being set back.

MR. OLIVERIO: Yes.

MR. FUGATE: This is the document they're referencing.

MR. OLIVERIO: Oh, thanks. Thanks, Grover. Thank you.

MR. HUDNER: As a practical matter, you can say go in 50 feet from the southeast corner

down from that line and then go halfway up.

MR. FUGATE: If the Council approves it, I think we can work it out between the applicant and the objector.

CHAIRWOMAN CERVENKA: So I think we should then bring our next objector up and then the applicant's counsel, again. And thank you for your presentation.

MR. OLIVERIO: Thank you for your consideration.

MS. MAIN: I will just be a moment, and I dare not even raise this as an objection but more as a comment that Mr. Allard has already acknowledged, and that is some condition in the assent, as even the Charlestown solicitor mentioned at the last hearing, that specifically notes that any approval here does not extend to any land side uses for this proposed project. We know that's outside of CRMC's jurisdiction, but this has been a contention with this matter.

Just so you can rationalize one of our concerns here, the Gleus and Mr. Crandall share a significant easement that runs from Route 1 or Post Road down to their residence, and that's the

only ingress and egress to this property. So that's been a concern about how that, if at all, will be used, and that's why the condition in the assent, just to make it obvious to the reader, that your approval does not extend to that land based use is important to us. Otherwise, Mr. Gleu has no objections at all.

CHAIRWOMAN CERVENKA: Thank you.

MR. FUGATE: We can put that in.

CHAIRWOMAN CERVENKA: All right. Any other objectors? I don't think so. Anyone else who wants to speak on behalf or opposed. And I'll invite you back up, Mr. Allard, if you'd like to address some of the comments made.

MR. ALLARD: Can I just see the map that was received?

MR. OLIVERIO: I have it. I have it right here.

MR. LONGO: When they talked about lopping off, it talked about lopping off 50 feet and then talked about lopping off the corner.

MR. ALLARD: So I'm looking at the drawing now, and my client wouldn't have --

CHAIRWOMAN CERVENKA: Which one is this,

Page 5?

MR. ALLARD: The drawing on Page 5. So my client wouldn't have an objection to modifying his area to just lopping off that corner.

CHAIRWOMAN CERVENKA: The 50 feet?

MR. ALLARD: That's correct. He would be opposed to the entire rectangle area 50 feet extending all the way down. I think the minimal impact to his aquaculture lease would be to chop off that corner to allow Mr. Whitney access to the boat -- to his docks.

CHAIRWOMAN CERVENKA: And you have authority here tonight to make that representation?

MR. ALLARD: I do.

CHAIRWOMAN CERVENKA: Okay. Did you previously discuss that with him?

MR. ALLARD: Yeah. We had -- we discussed many of the different options.

CHAIRWOMAN CERVENKA: Variations?

MR. ALLARD: Right.

CHAIRWOMAN CERVENKA: And the comments made by Ms. Main, that there would be language in the assent that this doesn't extend the land side activities, that you obviously don't have any issue

with that?

MR. ALLARD: We don't have any issue with that. That's outside of this hearing.

CHAIRWOMAN CERVENKA: Any other questions for Mr. Allard? Mr. Gagnon.

MR. GAGNON: Just to avoid future confusion, while they're trying to redraw the lines for the lease, it might be worth just coming up with the line for what the difference is between cages and bottom plant so that you know what area will be confined to the cages and they don't start sneaking over into the bottom plant area and avoid any future conflicts.

MR. FUGATE: You would like to see that as a stipulation?

MR. GAGNON: Yes.

CHAIRWOMAN CERVENKA: That there be particular coordinates for where the cages would go?

MR. GAGNON: Yes.

CHAIRWOMAN CERVENKA: Okay. But not tied to that 3 feet that you were pointing out earlier?

MR. GAGNON: No. While they're working out this corner issue, they can work that out, too.

CHAIRWOMAN CERVENKA: Okay. Anything else for Mr. Allard? Okay. Do you have anything else, Mr. Allard?

MR. ALLARD: No.

CHAIRWOMAN CERVENKA: Thank you.

MR. ALLARD: Thank you.

MR. HUDNER: Are we trying to resolve this line now?

MR. FUGATE: No.

CHAIRWOMAN CERVENKA: No.

MR. FUGATE: You're leaving that to staff.

CHAIRWOMAN CERVENKA: I think that would be very difficult.

MR. HUDNER: You could say go north 50 feet, go west 50 feet.

CHAIRWOMAN CERVENKA: Right. We can give that guideline. Let me close the public comment period, and then we can have discussion on that. Okay?

MR. LONGO: Okay.

MR. FUGATE: I think we can work it out. If it poses a problem, we can always bring it back.

MR. GOMEZ: Couldn't we put in a number to quantify this a little bit for the maximum -- the

maximum number of square feet that would -- that would be allowable, something like 5,000, and then they could -- any number negotiated under that -- what's a reasonable number? I think 5,000. Then the assent stands and you work with a number so you can go up to a number. And I'm thinking 5,000. You know, if you did the rectangle, I think it's that.

MR. HUDNER: The rectangle is like 9,500.

MR. GOMEZ: 93 something.

CHAIRWOMAN CERVENKA: And the objector who is requesting it approximated about 5,000.

MR. GOMEZ: Just now you've got a number, we've got a hard assent, and they can work to that number but not over it. And we just need a decent number, and I think 5,000 is good.

MR. FUGATE: Okay.

CHAIRWOMAN CERVENKA: Okay. All right. Any other comments or questions on this? Okay. Then I'll take a motion from someone to approve.

MR. HUDNER: I so move.

CHAIRWOMAN CERVENKA: With --

MR. HUDNER: With the stipulations we discussed in the agreement to reduce the area off

the southeast corner by not more than 5,000 square feet to be settled, you know, at dawn with whatever kind of words.

MR. FUGATE: In the assent plan and mention also the line between the cages and the bottom plant.

MR. HUDNER: That was not for inclusion.

CHAIRWOMAN CERVENKA: The line being just the coordinates.

MR. FUGATE: Yeah.

MR. GOMEZ: I'll second that.

CHAIRWOMAN CERVENKA: I'm sorry. Did you say the language in the assent about the land side activities?

MR. HUDNER: I didn't, but that should be. For good order's sake, it's a statement of fact.

CHAIRWOMAN CERVENKA: Is that the third?

MR. FUGATE: That would be the three, yeah.

CHAIRWOMAN CERVENKA: Okay.

MR. LONGO: And you're delegating it to staff to come up with those lines, and if staff and the applicant and the objector cannot, then it would come back before you to settle the lines and the corners.

MR. HUDNER: That would be unfortunate, but yes.

MR. OLIVERIO: We'll work it out.

CHAIRWOMAN CERVENKA: Okay. Is there a second to Mr. Hudner's motion?

MR. GOMEZ: Second.

MR. REYNOLDS: Second.

CHAIRWOMAN CERVENKA: All those in favor say "aye."

(WHEREUPON A VOICE VOTE WAS TAKEN)

MR. ALLARD: Thank you.

MR. OLIVERIO: Thank you.

CHAIRWOMAN CERVENKA: Okay. I will move to adjourn.

MR. COIA: Move to adjourn.

MR. HUDNER: Second.

CHAIRWOMAN CERVENKA: All those in favor.

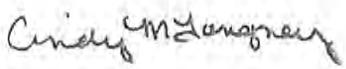
(WHEREUPON A VOICE VOTE WAS TAKEN)

(MEETING ADJOURNED AT 7:08 P.M.)

C E R T I F I C A T E

I, Cindy M. Tangney, a Commissioner in and for the State of Rhode Island, hereby certify that the foregoing pages are a true and accurate record of my stenographic notes that were reduced to print through computer-aided transcription.

In witness whereof, I hereunto set my hand this 19th day of March, 2019.

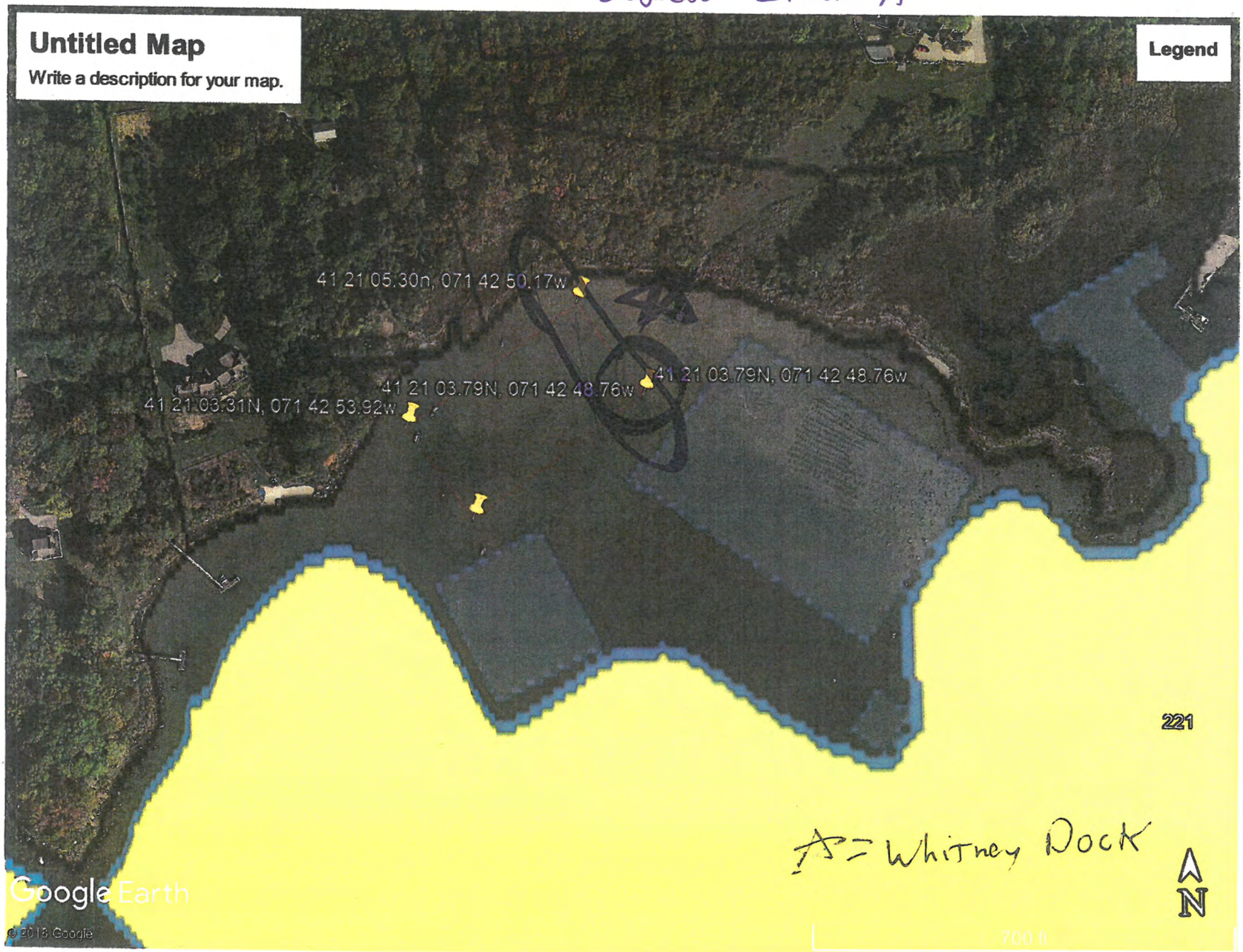


CINDY M. TANGNEY, RMR

My Commission (RI) Expires on 01/31/2020

My Commission (MA) Expires on 12/20/2023

Objector Exhibit A



Name: John F. Crandall
CRMC File No.: *2018-04-078*
Staff Report

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

INTER-OFFICE MEMORANDUM

DATE: December 10, 2018

TO: Grover J. Fugate, Executive Director

FROM: David Beutel

SUBJECT: CRMC File No. 2018-04-078

Applicant's Name: John F. Crandall
Project: 1.5 acre shellfish farm

Location: Quonnie Pond, Charlestown
Water Type/Name: Type 2, Low Intensity Use,
Coastal Feature: submerged land

STAFF REPORT

Mr. Crandall has applied for a 1.5 acre shellfish farm in Quonochontaug Pond just south of his property (Parcel 03-145) on Quonochontaug Pond (Attachment 1). The proposed activities are to grow oysters in a rack and bag system on part of the site, and grow hard clams, soft clams, and oysters using the bottom plant method for the rest of the site (Attachment 2). The methods proposed are consistent with the shellfish growing methods used on other sites in Quonochontaug Pond. The applicant followed all of the CRMC staff recommendations from the preliminary determination (CRMC #2017-10-097).

During the thirty day public comment period CRMC received correspondence from Phil Capaldi, an objection from Robin Main representing Charles Glew, comments from the Town of Charlestown, and an objection from Matthew Oliverio representing Brian Whitney. Mr. Glew and Mr. Whitney are Mr. Crandall's adjacent neighbors.

The e-mail exchange with Mr. Capaldi is attached (Attachment 3). The objection from the Glew family (Attachment 4) has four points summarized and answered as follows:

1. The farm will impede water activities and access to their two docks. Please see Attachment 1 to determine that the proposed farm is sufficiently away from the docks so that it does not impede access or activities, particularly because of the bottom plant area.
2. A Category B Assent should be required. This report is for a Category B aquaculture application.
3. Mr. Crandall cannot meet all local ordinances. The proposed farm is on state submerged land. Mr. Crandall has moorings off of his property. He may access the boats on his moorings from his property and access the farm. There is alternate access to the farm from the Quonochontaug launch ramp. This is not a CRMC issue.
4. Mr. Crandall does not have adequate landside access to the proposed oyster farm. Please see the response to point 3.

The Town of Charlestown submitted a list of concerns provided by the Town Council (Attachment 5). The town requests CRMC to clarify their questions about cleaning the gear, gear storage, parking, gear ownership, traffic and a reference in the application to a marina. While these questions may be significant for the town, the questions have no relevance to the CRMC aquaculture application review process with the exception of gear cleaning if it occurs on the aquaculture site. Gear cleaning on the aquaculture site is part of routine maintenance and is usually conducted by scraping off the bio-fouling with a brush. It would be prudent for CRMC to stipulate that gear cleaning on site could not be conducted by powerwashing as the noise would affect all of the neighbors.

The objection on the behalf of Mr. Whitney has six points of issue (Attachment 6):

1. The proposed aquaculture will impede navigation and recreation for Mr. Whitney (please see Attachment 1). Mr. Whitney's dock is the one in between the proposed Crandall site and the existing site shown as CRMC#2015-05-068. Please note that the northeastern part of Crandall's proposal and the northwester part of #2015-05-068 are all areas for bottom planted oysters. Bottom planted oysters have no effect on navigation. The area around the dock will continue to be available for swimming.
2. The area of the lease is shallow and the size should be reduced for Mr. Whitney's navigation to and from his dock. Again, bottom planted oysters have no effect on navigation.
3. Quonochontaug Pond is Type 2 waters and the need for aquaculture must be demonstrated. The RICRMP allows aquaculture in all CRMC water types.
4. The aquaculture application does not include proposed gear layout, cross section, and operations plan. All of these items were included in the application. Please see Attachments 2, 7 and 8.
5. Mr. Crandall has not demonstrated that all local ordinances have been met and is seeking a commercial operation in a residential zone. As previously stated aquaculture is allowed in all water types. He can access his boat on the mooring off of his property. His gear storage is not a CRMC issue.
6. Mr. Crandall does not have adequate landside access to his proposed farm. This is the same concern raised in point 5. The staff response is the same as for point 5.

The town and neighbors have not provided objections that would prevent CRMC from leasing submerged land for aquaculture in an area where there are similar aquaculture operations. Navigation will not be impacted from the proposed operation. There is access to the aquaculture site whether or not Crandall's property is used. The Henry's Marina document in the application confused reviewers but it is not important to the application except to show that the Town of Charlestown did not have reservations issuing a business license for the property.

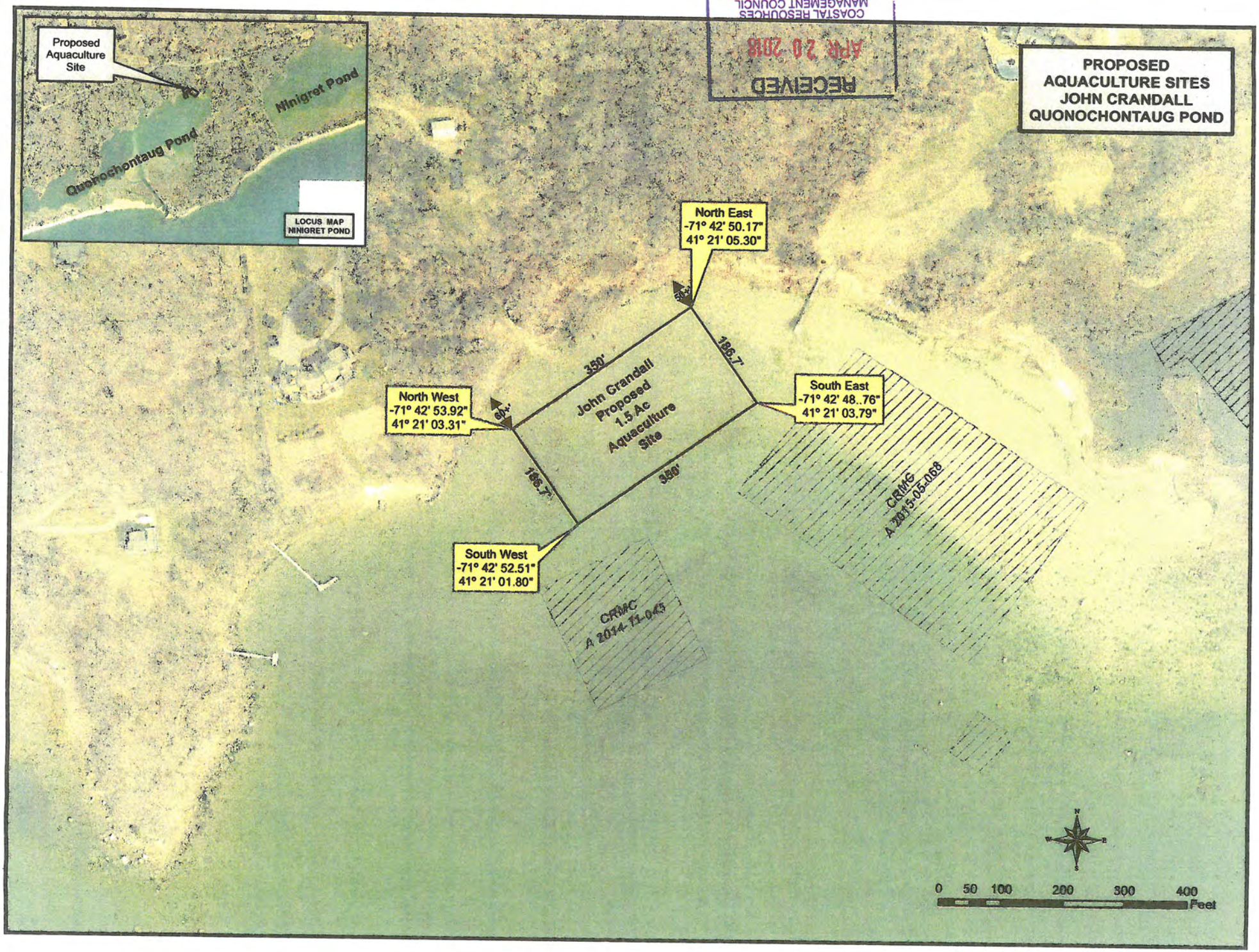
Name: Jeffrey Gardner
CRMC File No.: *1993-05-091*
Staff Report

CRMC has received the following correspondence of no significant impact:

- RI Historical Preservation and Heritage Commission, May 4, 2018
- RI Department of Environmental Management (DEM) Division of Marine Fisheries, May 29, 2018
- RI DEM Office of Water Resources (as part of the preliminary determination), November 14, 2017
- RI Marine Fisheries Council, June 29, 2018

Mr. Crandall has met the requirements of the RI Coastal Resources Management Program. Staff recommends approval for this application with the stipulation that powerwashing cannot be conducted on the lease site and/or anywhere on the pond.

David Beutel Aquaculture Coordinator


PROPOSED
AQUACULTURE SITES
JOHN CRANDALL
QUONOCHONTAUG POND
RECEIVED
APR 20 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL
Proposed
Aquaculture
Site
Ninigret Pond
Quonochontaug Pond
LOCUS MAP
NINIGRET POND
North East
-71° 42' 50.17"
41° 21' 05.30"
North West
-71° 42' 53.92"
41° 21' 03.31"
South East
-71° 42' 48..76"
41° 21' 03.79"
South West
-71° 42' 52.51"
41° 21' 01.80"
John Crandall
Proposed
1.5 Ac
Aquaculture
Site
350'
186.7'
350'
186.7'
60+/-
60+/-
CRMC
A 2014-11-043
CRMC
A 2015-05-068
0 50 100 200 300 400
Feet

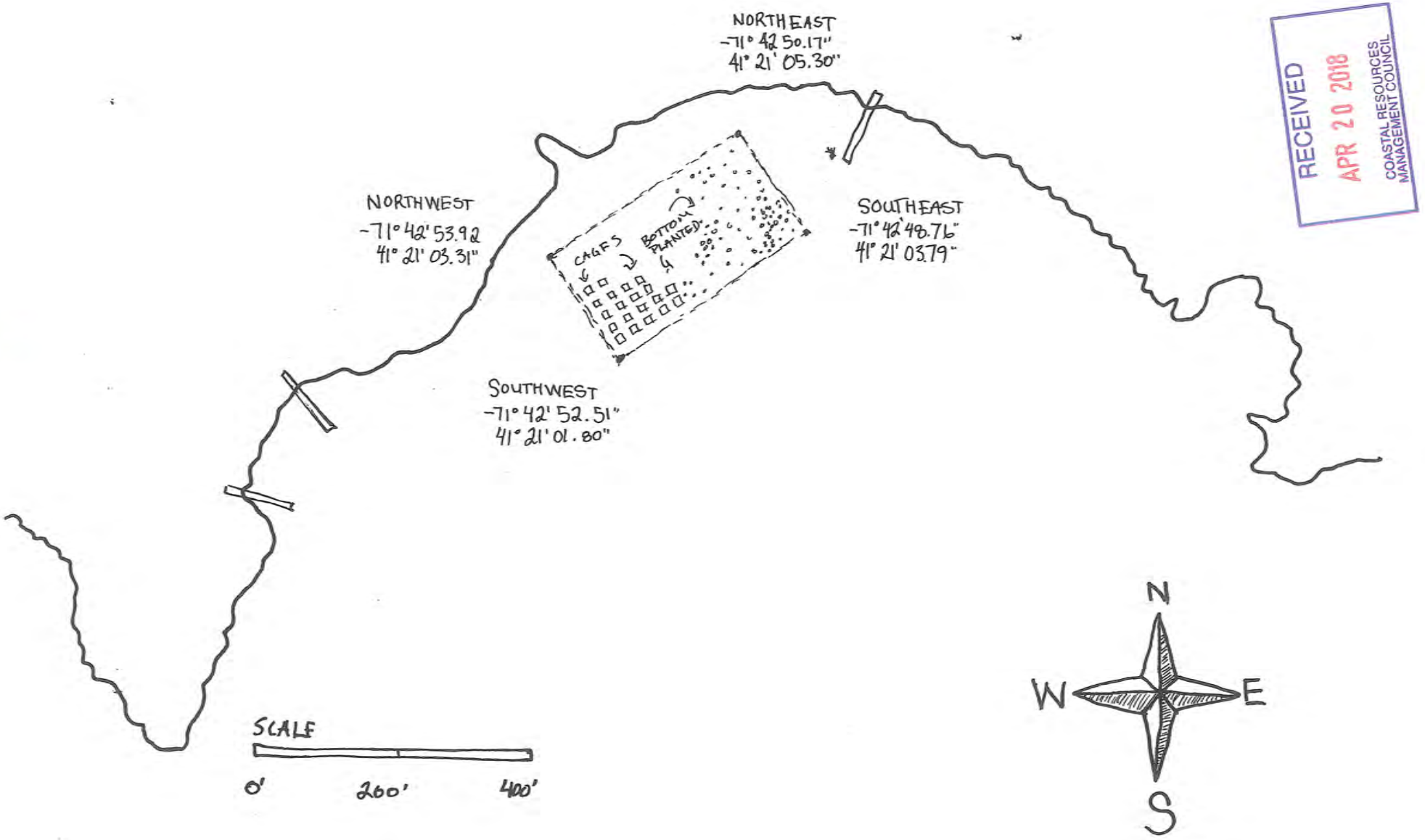
P50

(2)

MARKET BY THE SEA

PROPOSED AQUACULTURE LEASE
QUONOCHONTAUG POND
CHARLESTOWN, RI

APPLICANT: JOHN CRANDALL
SITE PLAN
4.16.18



RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P51

3a

Amanda Turco

From: Phil Capaldi <philcapaldi@yahoo.com>
Sent: Sunday, May 06, 2018 10:07 PM
To: 'Steve Medeiros'; 'Azure Cygler'; 'Robert Rheault'; 'Robert Ballou'; 'Rich Fuka'; mclamdigger@aol.com; Taylor.M.Bell@usace.army.mil; 'Dennis Erkan'; 'Prescott, David'; 'Leavitt, Dale'; gvdwood@cox.net; 'Art Ganz'; saltpondscoalition@gmail.com; 'Jim Arnoux'; 'Dave Reis'; 'Jeff Grant'; 'Jeff Gardner'; 'Katie Eagan'; kurt.blanchard@dem.ri.gov; 'Michael A. Rice'; 'Rich Hittinger '; FVThistle@verizon.net; 'Rick Bellavance'; cgreinstrategies@gmail.com; lad0626@aol.com; 'Catherine White'; Gerry Schey; 'John Torgan'; 'Jerry Carvalho'; 'Steve McCandless'; 'Rob Lyons'; 'Tom Frost'; 'David Keil'; 'Tracey Dalton'; 'Virginia Lee'; cindy.hannus@dem.ri.gov; travisbarao@gmail.com; mroderick@towndock.com; maridee2@gmail.com; 'Dick Pastore'; 'Livermore, Julia (DEM)'; 'Rob Krause'; 'Justin Vail'; suemarinaro@me.com; michaelaonosoko@gmail.com; dean.hoxsie@dem.ri.gov; LeBlanc, Edward G CIV; Dave Beutel
Cc: ontherocksri@gmail.com; mvv1020.com@live.com; jdbruno1@cox.net; scott.wakeman@verizon.net; chaplinbbarnes@yahoo.com; granawhit@aol.com; executivedirector@weekapaugfoundation.com; rasmith@msn.com; joseph.t.macandrew@pfizer.com; tmwesterly@cox.net; james.j.federico@pfizer.com; harveyperry2@gmail.com; 'Mark Stankiewicz'; 'Charles Glew'; 'Alison Verkade - NOAA Federal'; 'Jody King'; 'Mcmanus, Conor (DEM)'; ckarp@brown.edu; 'Beuth, Joshua (DEM)'; 'Jason Peet'; 'Jason McNamee'; 'Amanda Turco'; 'timothy gilchrist'; 'Jennifer Harrington'; 'Mark J. Keeley'; 'David Lovesky'; Bill Wilson; john_crosson@watkinson.org; dacapaldi@aol.com; mmcapaldi@aol.com; jschickler@cox.net; traceydistefano2013@gmail.com; elschwab@comcast.net
Subject: Re: 30 day public notice Quonochontaug Pond

RECEIVED
MAY - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Mr. Beutel,

I have a few questions regarding 2018-04-078 that I seek further clarification. Please excuse the list.

1. Does riparian rights extend to individuals who are granted easements for property use? If so, can you provide the statute that speaks to this? Is there a record within Charlestown Town Hall that articulates the easement and the agreement with all parties regarding use of access to the lease?

2. Can there be an commercial marina in type II waters? Would that necessitate pump out facilities within Quonochontaug Pond - or will Ninigret Pond still be the pump out point for Quonochontaug?

3. Since access will be on land for this lease - what protocols regarding notification of the landowners who abut the property have been taken?

4. Can you clarify, any relationship/potential impact between CRMC 2018-04-078 and Quonnie Farms Brewery, Farmstand and Oyster Farm (pre - application discussion 16 West Beach Road Plat 4, Lot 68) as aquaculture coordinator?

5. Have you reached out to the Charlestown Town Council directly about the impacts regarding the leases in this section of Quonochontaug Pond? Are they aware of the marina?

Finally, does CRMC have any guidelines, regulations or state statue that helps guide where the aquaculture leases are positioned in the salt ponds? (Outside of the 5%, shellfish survey and eelgrass stuff) Does CRMC

3b

actively council potential lessees about stacking these leases right on top of one another - in shallow water that is within a close proximity to a spawner sanctuary. Has CRMC and DEM spoken about the biological impacts?

Sincerely,
Phil Capaldi
15 Baneberry Trail
Saunderstown, RI 02874
401-294-2923

On Monday, April 23, 2018, 12:08:11 PM EDT, Dave Beutel <dbeutel@crmc.ri.gov> wrote:

This application for a 1.5 acre shellfish farm using the rack and bag method and direct bottom plant begins thirty day public notice today. Please submit any comments to CRMC by January May 23, 2018.

David Beutel

Coastal Resources Management Council

Aquaculture Coordinator

Oliver Stedman Government Center

4808 Tower Hill Road

Wakefield, RI 02879

401-783-3370

RECEIVED
MAY - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Virus-free. www.avg.com

3c

Dave Beutel

From: Dave Beutel <dbeutel@crmc.ri.gov>
Sent: Monday, May 07, 2018 11:47 AM
To: 'Phil Capaldi'
Subject: RE: 30 day public notice Quonochontaug Pond

1. In general CRMC recognizes waterfront owners riparian privileges but not easements
2. Yes, but not a new one. The marinas in Ninigret Pond are in Type 2 waters. Marinas need a pumpout; commercial docks do not need one
3. The normal aquaculture protocol was followed
4. No
5. CRMC has worked with the town on all aquaculture applications
6. No, yes, yes

David Beutel
Coastal Resources Management Council
Aquaculture Coordinator
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
401-783-3370

From: Phil Capaldi [mailto:philcapaldi@yahoo.com]
Sent: Sunday, May 06, 2018 10:07 PM
To: 'Steve Medeiros'; 'Azure Cygler'; 'Robert Rheault'; 'Robert Ballou'; 'Rich Fuka'; mclamdigger@aol.com; Taylor.M.Bell@usace.army.mil; 'Dennis Erkan'; 'Prescott, David'; 'Leavitt, Dale'; gvdwood@cox.net; 'Art Ganz'; saltpondscoalition@gmail.com; 'Jim Arnoux'; 'Dave Reis'; 'Jeff Grant'; 'Jeff Gardner'; 'Katie Eagan'; kurt.blanchard@dem.ri.gov; 'Michael A. Rice'; 'Rich Hittinger '; FVThistle@verizon.net; 'Rick Bellavance'; cgreinstrategies@gmail.com; lad0626@aol.com; 'Catherine White'; Gerry Schey; 'John Torgan'; 'Jerry Carvalho'; 'Steve McCandless'; 'Rob Lyons'; 'Tom Frost'; 'David Keil'; 'Tracey Dalton'; 'Virginia Lee'; cindy.hannus@dem.ri.gov; travisbarao@gmail.com; mroderick@towndock.com; maridee2@gmail.com; 'Dick Pastore'; 'Livermore, Julia (DEM)'; 'Rob Krause'; 'Justin Vail'; suemarinaro@me.com; michaelaonosoko@gmail.com; dean.hoxsie@dem.ri.gov; LeBlanc, Edward G CIV; Dave Beutel
Cc: ontherocksri@gmail.com; mvv1020.com@live.com; jdbruno1@cox.net; scott.wakeman@verizon.net; chaplinbbarnes@yahoo.com; granawhit@aol.com; executivedirector@weekapaugfoundation.com; rasmith@msn.com; joseph.t.macandrew@pfizer.com; tmwesterly@cox.net; james.j.federico@pfizer.com; harveyperry2@gmail.com; 'Mark Stankiewicz'; 'Charles Glew'; 'Alison Verkade - NOAA Federal'; 'Jody King'; 'Mcmanus, Conor (DEM)'; ckarp@brown.edu; 'Beuth, Joshua (DEM)'; 'Jason Peet'; 'Jason McNamee'; 'Amanda Turco'; 'timothy gilchrist'; 'Jennifer Harrington'; 'Mark J. Keeley'; 'David Lovesky'; Bill Wilson; john_crosson@watkinson.org; dacapaldi@aol.com; mmcapaldi@aol.com; jschickler@cox.net; traceydistefano2013@gmail.com; elschwab@comcast.net
Subject: Re: 30 day public notice Quonochontaug Pond

Mr. Beutel,

I have a few questions regarding 2018-04-078 that I seek further clarification. Please excuse the list.

1. Does riparian rights extend to individuals who are granted easements for property use? If so, can you provide the statute that speaks to this? Is there a record within Charlestown Town Hall that articulates the easement and the agreement with all parties regarding use of access to the lease?

(3d)

2. Can there be an commercial marina in type II waters? Would that necessitate pump out facilities within Quonochontaug Pond - or will Ninigret Pond still be the pump out point for Quonochontaug?

3. Since access will be on land for this lease - what protocols regarding notification of the landowners who abut the property have been taken?

4. Can you clarify, any relationship/potential impact between CRMC 2018-04-078 and Quonnie Farms Brewery, Farmstand and Oyster Farm (pre - application discussion 16 West Beach Road Plat 4, Lot 68) as aquaculture coordinator?

5. Have you reached out to the Charlestown Town Council directly about the impacts regarding the leases in this section of Quonochontaug Pond? Are they aware of the marina?

Finally, does CRMC have any guidelines, regulations or state statue that helps guide where the aquaculture leases are positioned in the salt ponds? (Outside of the 5%, shellfish survey and eelgrass stuff) Does CRMC actively council potential lessees about stacking these leases right on top of one another - in shallow water that is within a close proximity to a spawner sanctuary. Has CRMC and DEM spoken about the biological impacts?

Sincerely,
Phil Capaldi
15 Baneberry Trail
Saunderstown, RI 02874
401-294-2923

On Monday, April 23, 2018, 12:08:11 PM EDT, Dave Beutel <dbeutel@crmc.ri.gov> wrote:

This application for a 1.5 acre shellfish farm using the rack and bag method and direct bottom plant begins thirty day public notice today. Please submit any comments to CRMC by January May 23, 2018.

David Beutel

Coastal Resources Management Council

Aquaculture Coordinator

Oliver Stedman Government Center

4808 Tower Hill Road

Wakefield, RI 02879

401-783-3370

4a

HINCKLEY ALLEN

RECEIVED
MAY 23 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

100 Westminster Street, Suite 1500
Providence, RI 02903-2319
p: 401-274-2000 f: 401-277-9600
hinckleyallen.com

Robin L. Main
Direct Dial 401-457-5278
rmain@hinckleyallen.com

May 21, 2018

Grover Fugate, Executive Director
David Beutel, Aquaculture Coordinator
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Glews' Substantive Objections to Application for 1.5 acre shellfish farm for oysters in Quonochontaug Pond, Charlestown, Rhode Island, submitted by John C. Crandall, No. 2018-04-078 (the "Application")

Dear Messrs. Fugate and Beutel:

I represent Charles and Kathie Glew, who live at 5790B Post Road, Charlestown, Rhode Island. They also own the property abutting 5790B Post Road located at 134 Shirley Drive, Charlestown. The purpose of this letter is to present the Glews' substantive objections to the Application and to request that this matter become a "contested" case that will be heard before the Coastal Resources Management Council ("CRMC"):

1. The Glews oppose the Application to the extent that Mr. Crandall's oyster farm will impede access to the Quonochontaug Pond frontage of their two homes, both of which have recreational docks. Mr. Crandall's proposed aquaculture use must be compatible with other existing and potential water activities, such as boating, swimming and fishing. In no way should the Glews' access to their two docks be impeded. As such, the Glews request that, if Mr. Crandall's farm is approved, it be in a location and of a size not to impede access to the Glews' docks or any other water dependent activities;

2. Given that the proposed farm is in Type 2 waters, we believe that it must have a category B assent. As such, the Council should hold a public hearing on the application;

3. Mr. Crandall has not and cannot demonstrate that all local ordinances will be met. He seeks to conduct a commercial operation in a residential zone. He seems to rely on a license that the Town of Charlestown has issued for "Henry's Marina" for support for commercial activities. CRMC has not licensed this marina. Moreover, a commercial marina is prohibited in Type II waters. In addition, the license that the Town of

RECEIVED
MAY 23 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Charlestown issued for Henry's Marina is, at best, only a "holiday" license for retail sales on state holidays. The license also is based on applications filed over the years riddled with conflicting information on purpose (e.g. renting boats, no fee marina, and mooring boats). There is even a notation on the 2007 application apparently from a Town clerk that Mr. Crandall does not "really operate this as a marina." For these reasons, the license for Henry's Marina, which has dubious legal authority, should be disregarded at CRMC as irrelevant to the review of the Application; and

4. Mr. Crandall does not have adequate landside access to the proposed oyster farm. The property from which Mr. Crandall proposes to conduct his commercial oyster farm activities is zoned residential. While there is some contradiction in the Application on whether "non-tidal" activity will occur at Mr. Crandall's property and should be clarified before CRMC, in the event that commercial aquaculture activities occur at his property, we believe that they would violate the Town's ordinance. In addition, the Rhode Island Right to Farm Act, R.I. Gen. Laws 2-23-1 et seq. does not provide Mr. Crandall with any relief as it seeks to prevent urban encroachments, which are absent here.

Please place me on any mailing lists regarding the Application and do not hesitate to contact me with any questions.

Very truly yours,

Robin L. Main

RLM/lsg

Enclosure

cc: Mr. & Mrs. Charles Glew

52

TOWN OF CHARLESTOWN

June19, 2018

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

Re: Aquaculture Permit CRMC 2018-4-078 – John Crandall – Charlestown RI

Honorable Members of the Coastal Resources Management Council:

At the June 11, 2018 meeting of the Charlestown Town Council, the members reviewed the Aquaculture Permit CRMC 2018-04-079 of John Crandall and correspondence from the Charlestown Coastal Pond Management Commission (CPMC) relative thereto and heard from Charles Glew, Charlestown resident and abutter to the proposed lease. After some deliberation and consultation with the CPMC Chairman, the Charlestown Town Council voted to authorize this letter be sent.

As background, the CPMC had reviewed this application during a Preliminary Determination Process at their November 6, 2017 meeting. During that review, several objections were raised by abutters regarding egress to and from a dock owned by Ocean Farms III LLC located on Lot 4-69-5 and proposed landside use by the property owner Charles Glew on Lot 3-144. Subsequent to the current application, Mr. Crandall did make some modifications at the CPMC's May 7th meeting, including relocating bottom gear from the east end of the proposed lease.

At the June 11th meeting the Town Council noted concerns that it requests CRMC consider prior to any approval:

1. Egress to and from the dock abutting the proposed lease is not adequate. The Council requests that a true egress to and from the abutting dock between the existing aquaculture lease and the proposed lease be established.

2. Some statements are ambiguous and their relevance is also unclear. The Town Council requests that CRMC ask the applicant to provide clarification regarding the following:
   - There is no indication of how and where the contamination procedures (daily washing of equipment and sanitation of sorting surfaces) would be carried out.
   - It is unknown what the "current activities" referenced are and what "negligible" means.
   - The statement that gear storage and parking would be "out of view of neighbors from any water traffic" is confusing; also there is no indication of (1) why gear would be stored, what

RECEIVED
JUN 21 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

(56)

type of gear and how much gear are proposed to be stored, who owns the gear that would be stored, and the location of the storage or (2) why there would be parking, the amount of parking, where the parking would be located, and who would be utilizing the parking.

- The statement that vehicle traffic through the easement would not increase dramatically is inexact in that there is no indication of what traffic occurs now, why it would increase at all, and by how much.
- There is no indication as to why the reference to a marina is made or its relevance to the application.

If approved, the Town Council requests that language reflecting the applicant's statements "All activities will be done on State-submerged land" and "No non-tidal activities will be used in conjunction with the proposed lease" be included. In addition, the Town Council requests that it be clear in any approval that the aquaculture racks, bags and other ancillary equipment will be below the water at mean low tide; that operations will be limited during the waterfowl migration season (November through March), as requested by RI Department of Environmental Management; and that any land-based operations must conform to all applicable regulations including zoning.

Although not part of this particular application, the Town has observed that a majority of aquaculture leases in Quonochontaug Pond are issued in the portion bordering Charlestown. We understand that there is no regulation for the equitable distribution of the five percent of area dedicated for aquaculture between local towns; however we feel the residents of Charlestown should not bear an undue burden. Finally, we understand CRMC is the legal enforcement authority for any special conditions or restrictions on aquaculture leases, permits and operations within Charlestown. If the lease is approved, the Council requests that CRMC be particularly responsive to any complaints given the local attention that application has thus far received.

Thank you for the opportunity to comment on this application. Please feel free to call should you have any questions or need additional information.

Sincerely,

Mark Stankiewicz
Charlestown Town Administrator

Town Hall
4540 South County Trail
Charlestown, RI 02813
401-364-1210
mstankiewicz@charlestownri.org

RECEIVED
JUN 21 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

6a

Oliverio & Marcaccio LLP Counsellors At Law

RECEIVED
JUN 22 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

55 Dorrance Street
Suite 400
Providence, RI 02903

Tel: (401) 861-2900
Fax: (401) 861-2922
www.om-rilaw.com

Matthew T. Oliverio
Raymond A. Marcaccio

Santiago H. Posas

All attorneys admitted in RI and MA

June 21, 2018

Grover Fugate, Executive Director
David Beutel, Aquaculture Coordinator
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Application of John F. Crandall for Aquaculture Farm
On Quonochontaug Pond
#2108-04-078

Dear Messieurs Fugate and Beutel:

I write on behalf of my client, Brian Whitney, the owner of property located at 5740 Post Road, Charlestown, Rhode Island, who objects, in part, to the application of the proposed aquaculture project sought by Mr. John Crandall for the following reasons:

1. Mr. Whitney owns a recreational dock in the immediate vicinity of the proposed 1.5 acre aquaculture field, as well as an approved, town-issued mooring located in the southeast corner of the proposed field. While Mr. Whitney may concede that aquaculture can have a net positive effect on the environment and is an acceptable activity in all water types, aquaculture needs to be compatible with other existing and potential uses of the area including navigation, recreation, and fisheries. Thus, Mr. Whitney must be provided with a means of reasonable ingress and egress to and from the area used for aquaculture operations to enjoy traditional water activities such as boating, swimming, and fishing. As you know, the area in the immediate vicinity of Mr. Whitney's property is concentrated with three current commercial aquaculture leases that are greater in size than the proposed application. However, the size and location of the proposed aquaculture farming field by Mr. Crandall seriously impedes and obstructs his ability to recreate in the harbor area of Quonochontaug Pond and to navigate to and from his dock and mooring.

C6
RECEIVED
JUN 22 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

2. The area of the proposed lease is extremely shallow and the bottom of the pond is littered with large rock formations that in and of itself make navigation very difficult and at times dangerous. Given these conditions, it requires Mr. Whitney to navigate his recreational boats within the area of the proposed field to avoid bottoming out. The scope and size of the proposed lease would effectively prevent Mr. Whitney from accessing his dock completely. Therefore, reducing the proposed 1.5-acre area to approximately 3/4 acre (250' x 125') would maintain more of the existing open water areas and provide somewhat less restricted access to Mr. Whitney's existing residential docks.

3. Since Quonochontaug Pond is a type II waterbody, which is intended to support low intensity recreational and residential uses, as opposed to commercial uses, the applicant must demonstrate that the project is necessary. The only statement in support of his application that the project is necessary is "to start an aquaculture business." This is hardly sufficient to meet the stringent CRMC requirements.

4. The aquaculture application must include the proposed gear layout and cross sections, and an operations plan. It does not.

5. Mr. Crandall has not and cannot demonstrate that all local ordinances will be met. He seeks to conduct a commercial operation in a residential zone. He seems to rely on a license that the Town of Charlestown has issued for "Henry's Marina" for support for commercial activities. CRMC has not licensed this marina. Moreover, a commercial marina is prohibited in Type II waters. In addition, the license that the Town of Charlestown issued for Henry's Marina is, at best, only a "holiday" license for retail sales on state holidays. The license also is based on applications filed over the years riddled with conflicting information on purpose (e.g. renting boats, no fee marina, and mooring boats). There is even a notation on the 2007 application, apparently from a Town clerk, that Crandall does not "really operate this as a marina." For these reasons, the license for Henry's Marina, which has dubious legal authority, should be disregarded at CRMC as irrelevant to the review of the Application; and

6. Mr. Crandall does not have adequate landside access to the proposed oyster farm. The property from which Mr. Crandall proposes to conduct his commercial oyster farm activities is zoned residential. While there is some contradiction in the Application on whether "non-tidal" activity will occur at Mr. Crandall's property and should be clarified before CRMC, in the event that commercial aquaculture activities occur at his property, we believe that they would violate the Town's ordinance. In addition, the Rhode Island Right to Farm Act, R.I. Gen. Laws § 2-23-1 *et seq.* does not provide Mr. Crandall with any relief. The legislative findings and declaration of the policy of the Right to Farm Act both focus on protecting agricultural operations from urban

6C
RECEIVED
JUN 22 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

encroachment – that is not what we have here, which is relevant to the point that the proposed farm does not comply with local zoning.

Please provide me with notice of the hearing date on Mr. Crandall's application.

Very truly yours,

Matthew T. Oliverio

7a

Background:

John Crandall was born and raised on the salt ponds of southern Rhode Island in a family of commercial fishermen. At an early age John learned from his father and uncles the value of our ponds and oceans; the economic value and productivity of these waters specifically related to the harvesting of fish and shellfish. This upbringing instilled a respect and protectiveness of these fragile waters to ensure the health and vitality for future generations.

John Crandall's vast knowledge of the salt-ponds and ocean ecosystems is unsurpassed and should be utilized, respected and treasured by our community. As an active member of the Salt Pond Coalition John has proven his depth of knowledge time and time again.

John's first-hand observations of the decline in some native species such as the soft and hard shell clams and oysters are the main reasons in starting this venture. This small commercial operation will mimic the natural cycles of the species and benefit the whole of the ecosystem of the pond. As an example; bottom planted mostly diploid oysters will be used. Diploid oysters grow and reproduce naturally and will help rebuild the natural population of the pond.

Operational Plan:

1. John Crandall
   5790A Post Road
   Charlestown, RI 02813

2018-04-078

2. **CRMC File Number:** D ~~2017-10-079~~

3. **DEM Aquaculture License Number:** TBD

4. **Type of Facility:** Commercial Lease
   Nature of Operation: Bottom Planted and Bottom Trays

5. **Proposed Location of facility:** Quonochontaug Pond, Charlestown, RI

NE Corner:	-71° 42' 50.17"
	41° 21' 05.30"
NW Corner:	-71° 42' 53.92"
	41° 21' 03.31"
SW Corner:	-71° 42' 52.51"
	41° 21' 01.80"
SE Corner:	-71° 42' 48.76"
	41° 21' 03.79"

6. **Species:** All CRMC and Biosecurity board seed protocols will be followed.
Eastern oyster – Crassostrea virginica
Hard shell clam - Mercenaria mercenaria
Soft shell clam – Mya arenaria

RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

7. **Types of structures, gear and methods:** Oyster seeds will be approved by the Biosecurity Board. When grown to planting size, oysters will be bottom planted and harvested by hand or with bull-rake. The hard shell clam seeds will be obtained from local sources as well but will be bottom planted and harvested by hand or with bull-rake. Bottom trays will be used to grow seeds prior to bottom planting.

8. **Methods and Equipment used to identify site:** The site will be marked with corner buoys at the four corners, secured to bottom with weighted anchors.

9. **DEM Shellfish Harvesting Classification:** 11QW

10. **Practices and procedures:** All husbandries will be done in traditional hands-on methods; all activities will be done on state submerged land. Oysters and clams will be graded as often as needed depending on growth and harvested by hand or bull-rake when market ready.

11. **Contamination Prevention:** All equipment and sorting surfaces will be washed daily and sanitized once per week. Temperature control of shellfish stock will follow all CRMC and DEM regulations. All seed will be purchased from approved bio-secure hatcheries and notice will be given to CMRC one week before purchase. All relevant records and biosecurity labeling will be adhered to.

12. **Methods of transitioning shellfish through growth:** Hand harvesting and bull raking will be performed on a weekly basis as bivalves become market ready.

13. **Record Keeping:** Records are to be maintained daily using waterproof logbook. Bottom planted oysters/clams will be recorded in batches based on location, year and class. This logbook will also be used to record the original seed purchases and planting dates. All records will be scanned/photographed to provide digital backup.

14. **Record keeping for out of state seed purchases:** All and/or any out of state seed purchases will be approved by the Biosecurity Board pending disease certifications from the relevant hatchery. All record keeping as outlined in line item #13.

Section 300.1 B Requirements

1. **Demonstrate need for proposed activity:** To start an aquaculture business.

2. **Demonstrate all local building codes and local ordinances will be met:** No non-tidal activities will be used in conjunction with the proposed lease. All local zoning ordinances, building codes, flood hazard standards and all safety codes, fire codes and environmental requirements will be met and followed in accordance to Section 300.1.2 of the RI Coastal Resource Management Program.

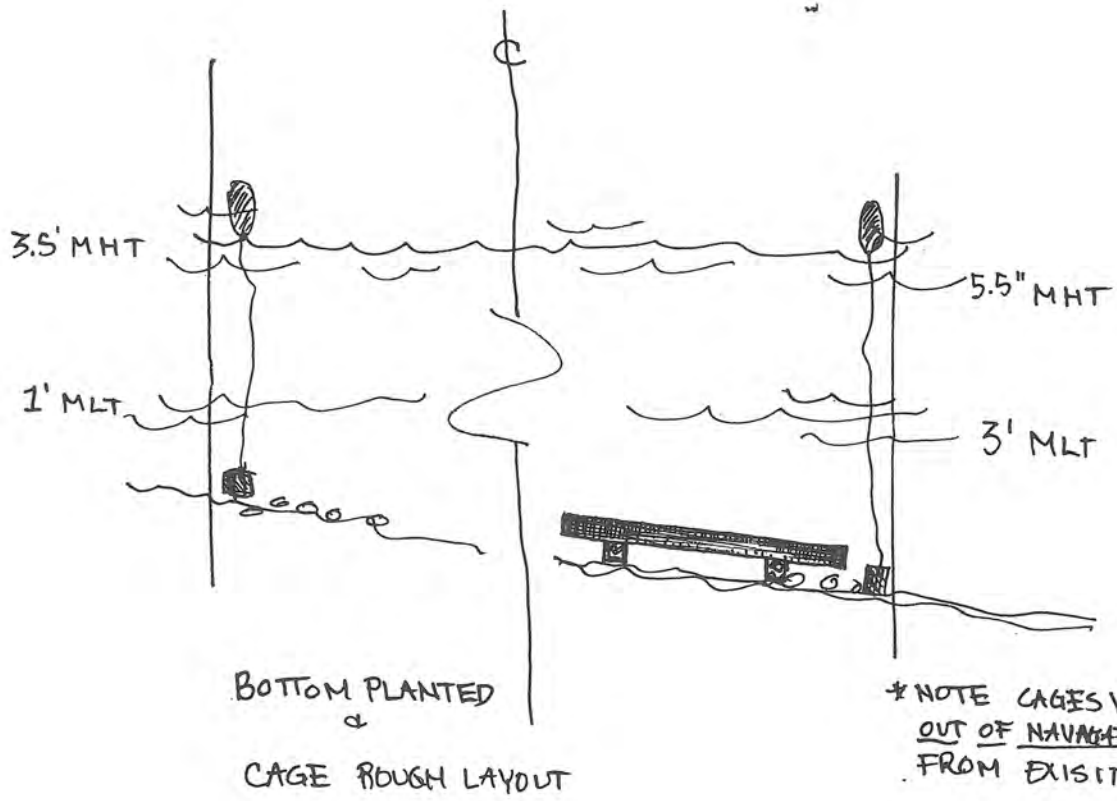
RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

8d

MARKET BY THE SEA

PROPOSED AQUACULTURE LEASE
QUONOCHONTAUG POND
CHARLESTOWN, RI

APPLICANT: JOHN CRANDALL
CROSS SECTION
GEAR LAYOUT 4·16·18



VERTICAL SCALE



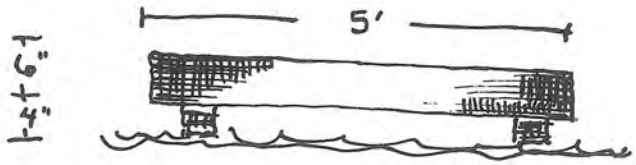
RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

(8b)

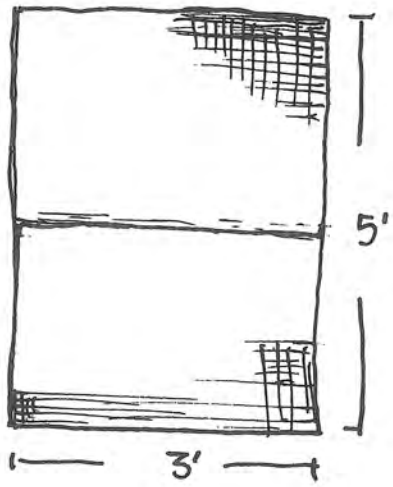
MARKET BY THE SEA

PROPOSED AQUACULTURE LEASE
QUONOCHONTAUG POND
CHARLESTOWN, RI

APPLICANT: JOHN CRANDALL
SIDE/TOP CAGE



SIDE VIEW



PLAN/TOP VIEW

NOTES

- AQUACULTURE GRADE COATED WIRE MESH

SCALE



GEAR DISCRIPTION:

- FULLY SUBMERGED OR COMPLETELY UNDERWATER CAGES
- NUMBER OF CAGES W/IN CARRING CAPASITY
- NO CAGES WILL INTERFERE WITH EXISTING NAVIGATION TO EXISTING DOCK

RECEIVED
APR 20 2018
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 3
Wakefield, RI 02879-1900

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

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Applicant's Name: JOHN C CRANDALL	File No (CRMC use only): **2018-04-078**
Mailing Address: 5329 OLD POST RD	Res. Tel. # 401-322-9347
City/Town: CHARLESTOWN State: RI Zip Code 02813	Bus. Tel. # 401-378-2148
Waterway: QUONNIE POND Est. Project Cost $ 1000,00	Fee/Costs: $

Longitude/latitude of **all corners** of Proposed Aquaculture Project Location (preferably in decimal degrees):

NE CORNER: 41°21'58.17 -71°42'50.17
NW CORNER: 41°21'58.30 -71°42'53.92"
SW CORNER: 41°21'03.31 -71°42'52.51"
SW CORNER: 41°21'01.80" -71°42'48.76"
SE CORNER: 41°21'03.79"

Have you or any previous owner filed an application for and/or received an assent for any activity on this site? (If so please provide the file and/or assent numbers). NO

Is this application being submitted in response to a coastal violation?
Yes_____ No ✓

If yes, you must indicate NOV or C&D Number_____

Is this site within a designated historic district? NO

John C Crandall JOHN C CRANDALL
Owner's Signature (sign and print)

STORMTOOLS (Http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

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 applicant's 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. 01/17

RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

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.

John C Crandall
Signature

4-11-18
Date

JOHN C. CRANDALL 5329 OLD POST RD
Charlestown RI 02813
Print Name and Mailing Address

RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Background:

John Crandall was born and raised on the salt ponds of southern Rhode Island in a family of commercial fishermen. At an early age John learned from his father and uncles the value of our ponds and oceans; the economic value and productivity of these waters specifically related to the harvesting of fish and shellfish. This upbringing instilled a respect and protectiveness of these fragile waters to ensure the health and vitality for future generations.

John Crandall's vast knowledge of the salt-ponds and ocean ecosystems is unsurpassed and should be utilized, respected and treasured by our community. As an active member of the Salt Pond Coalition John has proven his depth of knowledge time and time again.

John's first-hand observations of the decline in some native species such as the soft and hard shell clams and oysters are the main reasons in starting this venture. This small commercial operation will mimic the natural cycles of the species and benefit the whole of the ecosystem of the pond. As an example; bottom planted mostly diploid oysters will be used. Diploid oysters grow and reproduce naturally and will help rebuild the natural population of the pond.

Operational Plan:

1. John Crandall
   5790A Post Road
   Charlestown, RI 02813

2. **CRMC File Number:** D~~-2017-10-079~~ 2018-04-078

3. **DEM Aquaculture License Number:** TBD

4. **Type of Facility:** Commercial Lease
   Nature of Operation: Bottom Planted and Bottom Trays

5. **Proposed Location of facility:** Quonochontaug Pond, Charlestown, RI

NE Corner:	-71° 42' 50.17"
	41° 21' 05.30"
NW Corner:	-71° 42' 53.92"
	41° 21' 03.31"
SW Corner:	-71° 42' 52.51"
	41° 21' 01.80"
SE Corner:	-71° 42' 48.76"
	41° 21' 03.79"

6. Species: All CRMC and Biosecurity board seed protocols will be followed.
Eastern oyster – Crassostrea virginica
Hard shell clam - Mercenaria mercenaria
Soft shell clam – Mya arenaria

RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

7. **Types of structures, gear and methods:** Oyster seeds will be approved by the Biosecurity Board. When grown to planting size, oysters will be bottom planted and harvested by hand or with bull-rake. The hard shell clam seeds will be obtained from local sources as well but will be bottom planted and harvested by hand or with bull-rake. Bottom trays will be used to grow seeds prior to bottom planting.

8. **Methods and Equipment used to identify site:** The site will be marked with corner buoys at the four corners, secured to bottom with weighted anchors.

9. **DEM Shellfish Harvesting Classification:** 11QW

10. **Practices and procedures:** All husbandries will be done in traditional hands-on methods; all activities will be done on state submerged land. Oysters and clams will be graded as often as needed depending on growth and harvested by hand or bull-rake when market ready.

11. **Contamination Prevention:** All equipment and sorting surfaces will be washed daily and sanitized once per week. Temperature control of shellfish stock will follow all CRMC and DEM regulations. All seed will be purchased from approved bio-secure hatcheries and notice will be given to CMRC one week before purchase. All relevant records and biosecurity labeling will be adhered to.

12. **Methods of transitioning shellfish through growth:** Hand harvesting and bull raking will be performed on a weekly basis as bivalves become market ready.

13. **Record Keeping:** Records are to be maintained daily using waterproof logbook. Bottom planted oysters/clams will be recorded in batches based on location, year and class. This logbook will also be used to record the original seed purchases and planting dates. All records will be scanned/photographed to provide digital backup.

14. **Record keeping for out of state seed purchases:** All and/or any out of state seed purchases will be approved by the Biosecurity Board pending disease certifications from the relevant hatchery. All record keeping as outlined in line item #13.

Section 300.1 B Requirements

1. **Demonstrate need for proposed activity:** To start an aquaculture business.

2. **Demonstrate all local building codes and local ordinances will be met:** No non-tidal activities will be used in conjunction with the proposed lease. All local zoning ordinances, building codes, flood hazard standards and all safety codes, fire codes and environmental requirements will be met and followed in accordance to Section 300.1.2 of the RI Coastal Resource Management Program.

RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

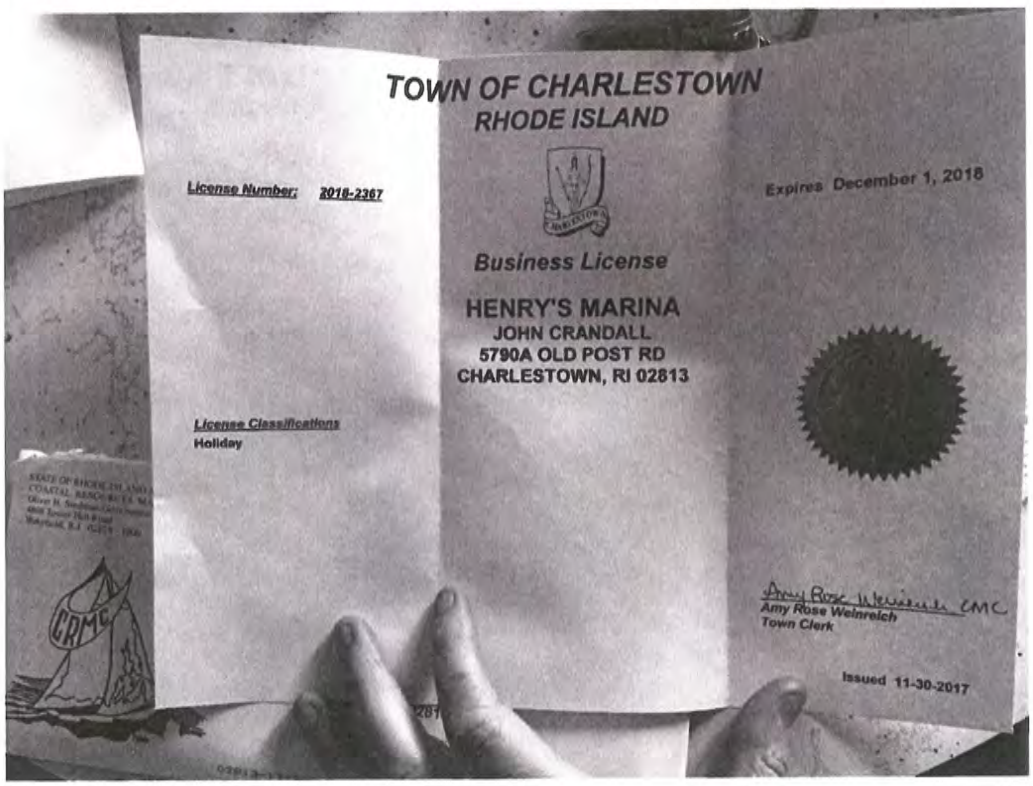
Right to Farm Legislation –

2013 Rhode Island General Laws
Title 2 - Agriculture and Forestry; Chapter 2-23 - Right to Farm

Access to the submerged site would be from the Quonochontaug Breachway or through John Crandall's riparian property, Parcel 03-145. Road access to the Parcel 03-145 is through an existing deeded easement on Parcel 03-144 with use of its private road. "In general, common law riparian rights include a right of access to reach the water, the right on accretions, the right to an unobstructed view, a qualified right to wharf out, the right to make commercial use of the water access, the right to make reasonable use of the water, and the right of navigation in common with the public. Riparian rights are the considered vested property interests." (pg. 32, Section E, Coastal and Ocean Management Law, Donna Christie and Richard Hildreth)

This is a small aquaculture project and the impact on the neighbors will be negligible compared to current activities. Gear storage and parking is out of view from neighbors from any water traffic. Vehicle traffic through easement use would not be increased dramatically with the addition of 1.5 acres of farm.

John also has a registered marina business license filed and current with the Town of Charlestown that designates John as holder and his property as address.



3. **Describe the boundaries of the coastal waters and the land areas anticipated to be affected:** Please see attached map.

RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

4. **Impacts to erosion and or deposition processes:** Bottom planted oysters have been proven to not impact erosion and or deposition processes. Bottom trays will be hidden from view under water and will not be higher than two feet from pond bottom.

5. **Impacts to the abundance and diversity of plant and animal life:** Oyster Aquaculture has been proven to improve marine habitats. No eelgrass or other aquatic vegetation has been observed within the proposed site.
Limited impact on migratory waterfowl will occur by following the winter guidelines set by Rhode Island Department of Environmental Management. Work hours will be limited to 10am - 2pm from November 1 through March 31.

6. **Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of tidal waters and/or the shore.** The proposed site was chosen because of its far distance from the majority of recreational activities and its close proximity to existing approved aquaculture farms. Small recreational craft will be able to maneuver above the cages, as they will be at least 12" below the mean low tide mark. The lease will not affect access to and from the shore. Public access to the pond is limited in the proposed area. The majority of the activity in the pond is to the east near the breach-way and the beach.
Access to the northeast neighbors (Whitney) dock will remain as is, bottom planted shellfish would be maximized in the area closest to his dock to preserve his boat access. All grow out gear (trays) used would be in the deeper part of the site, furthest from his dock in the southeast corner.

7. **Impacts on water circulation, flushing, turbidity and sedimentation:** The proposed structures are designed to allow for the greatest flow of water to enhance oyster feed to maximize growth. Structures will be arranged to allow for the natural water current to flow nicely through the site.

8. **Demonstrate that there will be no significant deterioration of water quality in the immediate vicinity:** Oyster aquaculture has been proven to improve water quality by filtering action of the oyster feeding. Walking out from private land accesses the site and the use of powerboat will be limited to a jon boat on rare occasions. When powerboat is used all precautions will be used to prevent fuel leaks/spills.

9. **Demonstrate that the activities will not result in significant impacts to areas of historic or archaeological significance.** None are known.

10. **Demonstrate the activity will not result in significant conflicts with water dependent uses:** The proposed lease site is in a low use area and no foreseen conflicts as it is located far from the breach way and boat channels, recreational areas, and any fishing or swimming witnessed on the pond in recent years. The preliminary determination found no abundance of wild shellfish or eelgrass on the proposed site.

11. **Demonstrate that measures have been taken to minimize any adverse scenic impact.** The proposed oyster aquaculture will not disturb the aesthetics of the pond. Bottom trays will be submerged under water at all times. All work performed will be done for a few hours up to twice a week. The aesthetics of the pond will be respected at all times, on and off-season and for residents and tourists alike.

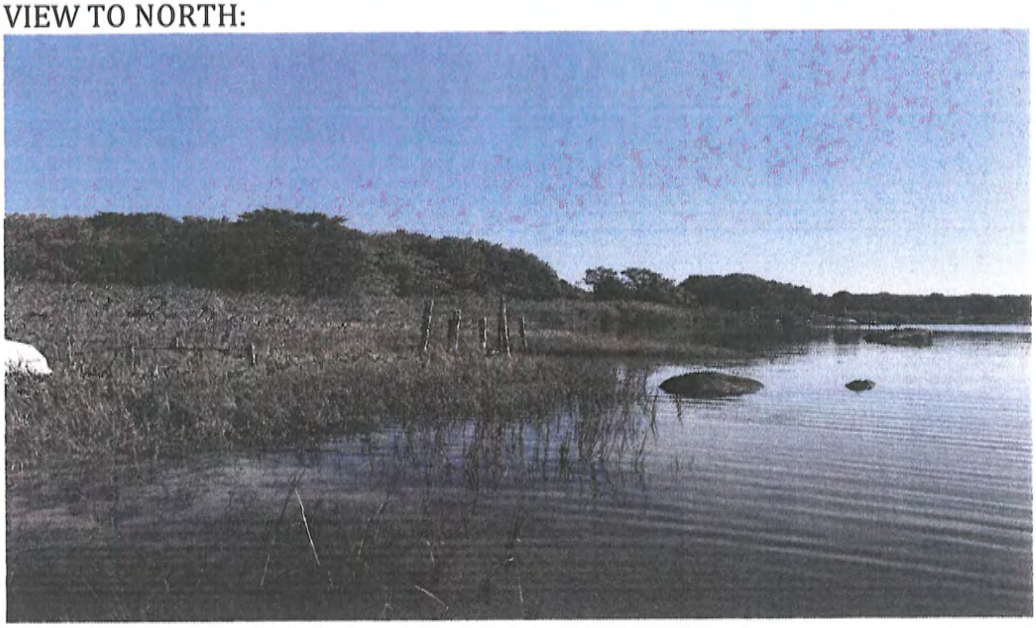
RECEIVED
APR 20 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

ACCESS FROM JOHN CRANDELLS PRIVATE LAND: WEST

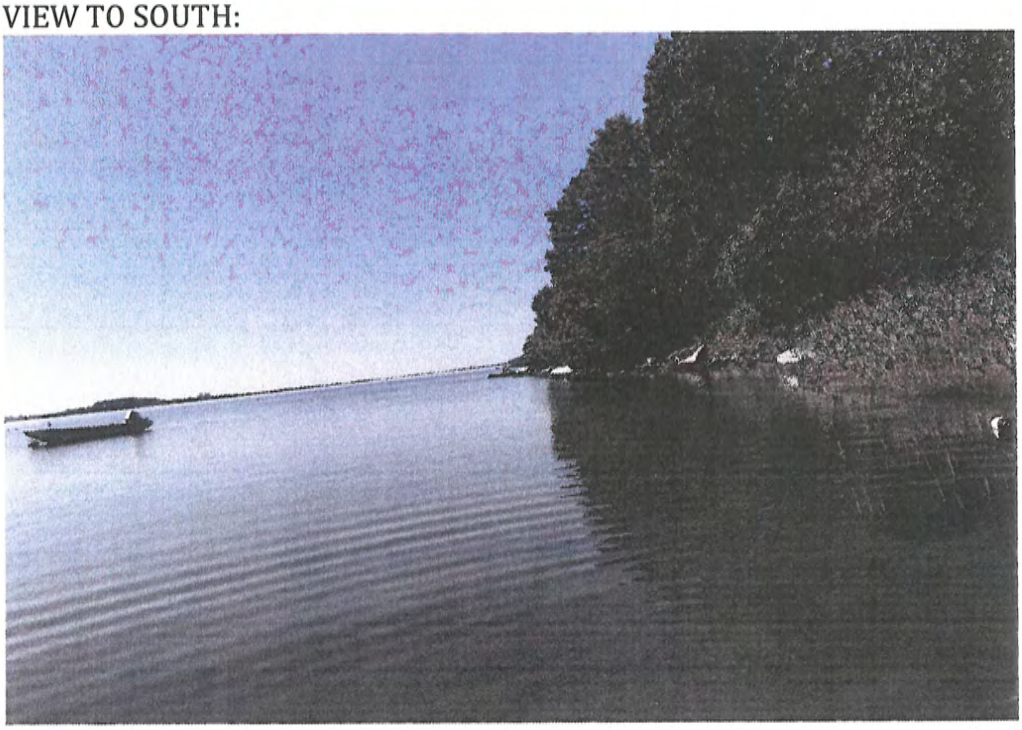


RECEIVED
APR 20 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

VIEW TO NORTH:

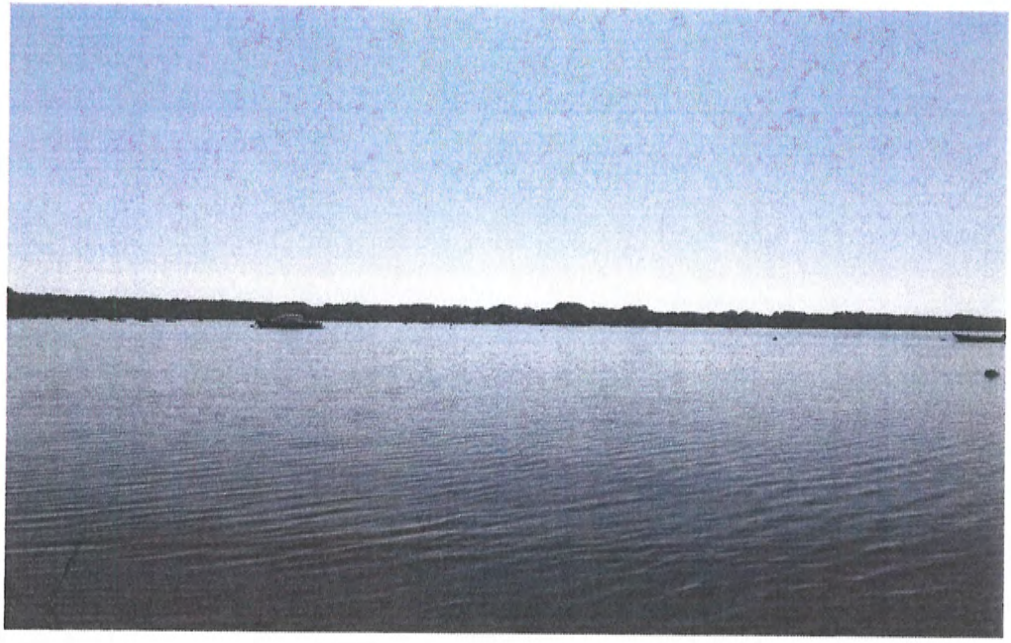


VIEW TO SOUTH:



RECEIVED
APR 20 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

VIEW EAST:



RECEIVED
APR 20 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

PUBLIC HEARING ON PROPOSED RULEMAKING:

RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING

COASTAL RESOURCES MANAGEMENT COUNCIL

Title of Rule: Salt Pond Region Special Area Management Plan (650-RICR-20-00-3)

Rule Identifier: 650-RICR-20-00-3

Rulemaking Action: Proposed Amendment

Important Dates:
Date of Public Notice: 04/25/2019
Hearing Date: 05/14/2019
End of Public Comment: 05/27/2019

Authority for this Rulemaking:
R.I. Gen. Laws § 46-23-6

Summary of Rulemaking Action:
Amend § 3.4.12(A)(1) to extend the existing regulatory deadline of 10/7/19 by five (5) years until 10/7/2024 for the filing of an experimental coastal erosion control application.

Additional Information and Comments:
All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until May 27, 2019 by contacting the appropriate party at the address listed below:

James Boyd
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
jboyd@crmc.ri.gov

Public Hearing:
A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed amendment shall be held on May 14, 2019 at 6:00 pm at Department of Administration, Conference Room A, One Capitol Hill, Providence, RI 02908 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-783-3370 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

Regulatory Analysis Summary and Supporting Documentation:
The purpose of the Salt Pond Region Special Area Management Plan (SAMP) is to provide for the integration and coordination of the protection of natural resources, the promotion of reasonable coastal-dependent economic growth, and the improved protection of life and property within the coastal watershed area within the municipalities of Westerly, Charlestown, South Kingstown and Narragansett. The proposed amendment to § 3.4.12(A)(1) does not change the status quo of the existing regulations, but merely extends the deadline for eligible coastal property owners to file an application for experimental coastal erosion control methods to protect shoreline property.

For full regulatory analysis or supporting documentation see agency contact person above.

3.4.12 Experimental Coastal Erosion Control

A. Policies

1. Unless extended by the Council, these Experimental Coastal Erosion Control rules shall expire ~~in their entirety six (6) years following their effective date of October 7, 2013~~on October 7, 2024.

2. The Council considers experimental coastal erosion methods as temporary, short-term solutions while longer-term solutions are considered for these shorelines. Longer-term solutions may require a landward retreat of residential and commercial structures, including public infrastructure, as sea level rise and coastal storm surge impacts continue into the future.

3. It is the Council's policy to carefully control and monitor the use of experimental coastal erosion techniques for use only in the Misquamicut and Matunuck Headland areas described below. Further, it is the Council's policy to assess the effectiveness of experimental coastal erosion techniques before authorizing their continued use in these two headland areas. Therefore, since some experimental techniques could have detrimental and undesirable environmental and economic impacts on the coastal environment, it is the Council's policy to evaluate such techniques over a multi-year period before approving their continued use.

4. It is the Council's policy to require that any Assent issued under the provisions herein shall terminate at the end of three (3) years. If an experimental method proves successful during the initial permit period, then the applicant may apply for renewal of the Assent.

5. Because barriers are dynamic coastal features and are constantly shifting due to wave and wind forces, the Council will not authorize the use of experimental erosion control techniques on any parcels located on CRMC-designated barriers.

6. The Council may permit experimental coastal erosion control techniques along Atlantic Avenue between and inclusive of parcels 165-282 to 165-286 and 175-1A to 175-16 and 176-17 to 176-31. These parcels comprise the shoreline of the Misquamicut Headland. See Figure 6 of § 3.4.12(E) of this Part.

7. The Council may permit experimental coastal erosion control techniques along Matunuck Beach Road between and inclusive of parcels 92-2:46 to 92-3:9. These parcels constitute a portion of the Matunuck Headland west of the cobble terrace. See Figure 7 of § 3.4.12(F) of this Part. At the request of the Town of South Kingstown, parcel 92-2:43 containing the Town Beach facility has been included as an eligible parcel for use of experimental coastal erosion control.

8. It is the Council's policy to require applicants or their agents to file a Preliminary Determination (PD) request with the CRMC. The CRMC shall not accept a formal application for an Assent until the Preliminary Determination has been completed and issued by the CRMC. There is no filing fee for the PD request. The PD process is an opportunity for a pre-application consultation and for CRMC staff, in consultation with the technical Review Panel, to provide an opinion as to whether the proposed experimental coastal erosion method is appropriate and whether a performance bond or escrow account will be required of the applicant. Pending violations shall also be reviewed and discussed during the PD meeting and a resolution of the violation(s) shall be formulated.

9. The Council's policy is that any experimental coastal erosion control technique approved for use by the Council may be subject to immediate suspension and/or termination in the event that the Council determines that the experimental technique is having a significant environmental or economic impact or a significant impact to public shoreline usage or accelerating erosion on the site or adjacent areas.

10. The Council's policy is that revetments, bulkheads, seawalls, groins, breakwaters or jetties are not authorized coastal erosion control methods for purposes of this section.

11. It is the Council's policy that unauthorized structures or unauthorized work must be removed or a valid CRMC Assent must be obtained for the unauthorized structure or work. Such unauthorized structures or work may be removed concurrently with the construction of experimental coastal erosion control techniques approved by the CRMC.

12. Erosion and the effects of an experimental coastal erosion control system are not restricted by property boundaries. Thus, it is the Council's policy to encourage joint applications amongst abutting property owners that seek to address erosion based on the natural physical environment rather than on a lot-by-lot basis. Individual applications, especially by owners of properties with limited coastal exposure will be closely scrutinized to prevent detrimental or undesirable impacts to surrounding properties and public infrastructure. The State holds the area below the Mean High Water (MHW) line in public trust.

B. Other State or Federal Permits

1. Applicants for experimental erosion control structures that are to be located in tidal waters or the intertidal zone, seaward of the mean high water (MHW) line, are required to obtain a federal Army Corps of Engineers permit. Applicants are advised to apply for the federal permit concurrently with the CRMC permit. In addition, such applications may also require a DEM Water Quality Certification, and accordingly,

applicants are advised to apply directly to DEM concurrently with the CRMC application process.

C. Prohibitions

1. The installation or use of experimental erosion control systems is prohibited unless located within the CRMC-designated areas of Misquamicut and Matunuck described herein and permitted by the CRMC.

2. The installation of new revetments, bulkheads, seawalls, groins, breakwaters or jetties is prohibited, as specified in § 1.3.1(G)(3)(a) of this Subchapter.

D. Standards

1. The Council may only permit experimental coastal erosion control systems on the Misquamicut Headland along Atlantic Avenue between and inclusive of parcels 165-282 to 165-286 and 175-1A to 175-16 and 176-17 to 176-31, and on the Matunuck Headland along Matunuck Beach Road between and inclusive of parcels 92-2:46 to 92-3:9, including parcel 92-2:43, only after review by the CRMC and after the applicant demonstrates the following conditions are met:

   a. it is feasible on an engineering and ecological basis that the proposed experimental erosion control technique will minimize coastal erosion;

   b. the proposed experimental coastal erosion control technique will not result in any long-term increased erosion on adjacent or downdrift properties; and

   c. the proposed coastal erosion control technique will not detrimentally impact coastal habitat or public access.

2. A Technical Review Panel (TRP) consisting of, but not limited to the following: the CRMC Executive Director; the CRMC Coastal Geologist; a CRMC Engineer, a CRMC Environmental Scientist; the DEM Director or designee, a URI Ocean Engineering professor, a University Coastal Geologist, and a municipal official appointed by their respective Town Councils of South Kingstown and Westerly. Additionally, a town resident from South Kingstown and Westerly appointed by their respective Town Councils may be included on the TRP as an ex-officio, non-voting member The TRP will evaluate each experimental coastal erosion control method or technique as part of the CRMC Preliminary Determination review process and make recommendations as to whether such systems should be considered for use and permitted by the CRMC. The TRP may also make recommendations as to technology-specific permit conditions where warranted.

3. Applicants shall submit a Preliminary Determination (PD) request (no filing fee) to the CRMC detailing the proposed experimental erosion control project. Applicants or their agents shall participate in a PD meeting with CRMC staff. The CRMC shall not accept a formal application until the Preliminary Determination has been processed and issued. The CRMC staff in consultation with the Technical Review Panel will provide an opinion within the PD as to whether the experimental coastal erosion method is appropriate as proposed and whether a performance bond or escrow account will be required of the applicant. Performance bond/escrow account requirements will be determined on a case-by-case basis depending on the scope and complexity of the proposed project. In addition, a resolution to any pending violation(s) shall be formulated as part of the PD meeting.

4. Applicants seeking CRMC approval for experimental erosion control techniques in the designated areas must submit the following documentation along with their applications:

    a. Proof of ownership in the form of a current certified copy of the deed of the subject property or a letter from the local tax assessor certifying ownership;

    b. A current list of the abutting property owners including names and current mailing addresses sufficient for public notice purposes;

    c. A description of the experimental erosion control technique including materials (sand, cobble, gravel, etc.) to be used as fill and the source of those materials, and the method of installation and project site access for construction equipment and vehicles;

    d. An impact avoidance and minimization statement – essentially detailing what installation methods will be used and their timing to avoid and minimize impacts to the beach and public access along the beach.

    e. For experimental erosion control installation landward of mean high water (MHW) line a site plan prepared by a Rhode Island-licensed land surveyor or professional engineer shall be submitted showing beach profile locations that are perpendicular to the shoreline and located along the property boundaries and every twenty-five feet within the property bounds. Beach profiles shall be marked with a physical datum point on the landward end of each profile. The top of each datum shall be surveyed and referenced to NAVD88. Profiles should extend seaward to MLLW, where possible. Datum should be placed deep enough so as to not erode and high enough so as not to be buried by storm overwash.

f. For experimental erosion control installation on public lands seaward of mean high water (MHW) line a site plan prepared by a Rhode Island-licensed land surveyor or professional engineer shall be submitted showing beach profile locations that are perpendicular to the shoreline and located along the property boundaries and every twenty-five feet within the property bounds. Beach profiles shall be marked with a physical datum point on the landward end of each profile. The top of each datum shall be surveyed and referenced to NAVD88. Profiles should extend seaward to MLLW, where possible. Datum should be placed deep enough so as to not erode and high enough so as not to be buried by storm overwash.

5. The Council shall require the applicant to submit a detailed survey of current site conditions in the area subject to impact by the experimental erosion control system to serve as a baseline against which to measure the effectiveness of the system. Applicants shall use the Modified Emery Method to develop a beach profile that shows current beach face elevations. A fixed control point shall be established based on a benchmark referenced to NAVD88 so that profiles can be compared to profiles in adjacent areas.

6. Unauthorized structures or unauthorized work shall be removed or a valid CRMC Assent must be obtained for the unauthorized structure or work. Such unauthorized structures or work may be removed concurrently with the construction of experimental coastal erosion control techniques approved by the CRMC. The applicant shall schedule a site visit with CRMC permit staff to ensure that the unauthorized structure was removed before or during installation of the CRMC-approved experimental coastal erosion method.

7. As determined through the Preliminary Determination process the CRMC may require the applicant to post a performance bond or provide an escrow account to ensure that failed erosion control systems are properly removed in the event of failure. The Council may require the applicant to restore the beach to pre-system installation conditions. Performance bonds or escrow accounts, when required, shall cover 100 percent of expected removal and restoration costs. The term of the performance bond or escrow account must be for the entire life of the project.

8. All experimental coastal erosion control proposals shall be processed as a Category B application requiring public notice.

9. Monitoring requirements. The applicant must submit with their application a monitoring plan with protocols developed by a coastal engineer or coastal geologist or other qualified expert that provides for a minimum three (3) years of monitoring data that includes quarterly reports submitted to the CRMC. Permittees shall submit quarterly reports to the CRMC and

include photographs and beach profiles with a fixed control point of reference. The CRMC will evaluate the plan and may require further monitoring conditions. A summary report shall be submitted to the CRMC within 30 days following the end of the 3-year period or when notified by the CRMC that details whether the experimental coastal erosion control was a success or failure and the reasons behind such success or failure.

10. Assents for experimental coastal erosion control shall only be valid for a three (3) year period, but may be renewable upon application. A Permittee must submit an application for renewal within sixty (60) days prior to the expiration of the Assent. Otherwise, the experimental coastal erosion control must be removed at the termination of the Assent and the site restored to pre-project conditions. Assents for experimental coastal erosion control are not subject to tolling as provided in R.I. Gen. Laws § 46-23-6.3.

11. Failure of experimental erosion control system shall be determined by the CRMC and may include, but not be limited to, any or all of the following:

    a. poor performance that is below the projected claims of the experimental system manufacturer or applicant;

    b. abnormal damage to properties or public infrastructure;

    c. significant environmental damage (either cumulative or site specific);

    d. presents a hazard to life or property;

    e. significant detrimental impacts to public access; and

    f. potential to become a significant hazard to public safety during a storm.

12. The fact that an experimental erosion control system has not been evaluated for the full monitoring period specified herein, shall not preclude a determination by the CRMC that the system has failed.

13. Upon determining that an experimental coastal erosion control system has failed, the CRMC will issue an Assent revocation notice to the Permittee and the Council will hold a public hearing on the matter and provide the Permittee and other parties an opportunity to present evidence. The CRMC will order the Permittee to remove, and in some cases immediately remove depending on severity of impact, of any failed experimental erosion control system as defined above, based upon the testimony and evidence presented at the public hearing. The CRMC may utilize the Performance Bond or Escrow account to pay for the removal of structures

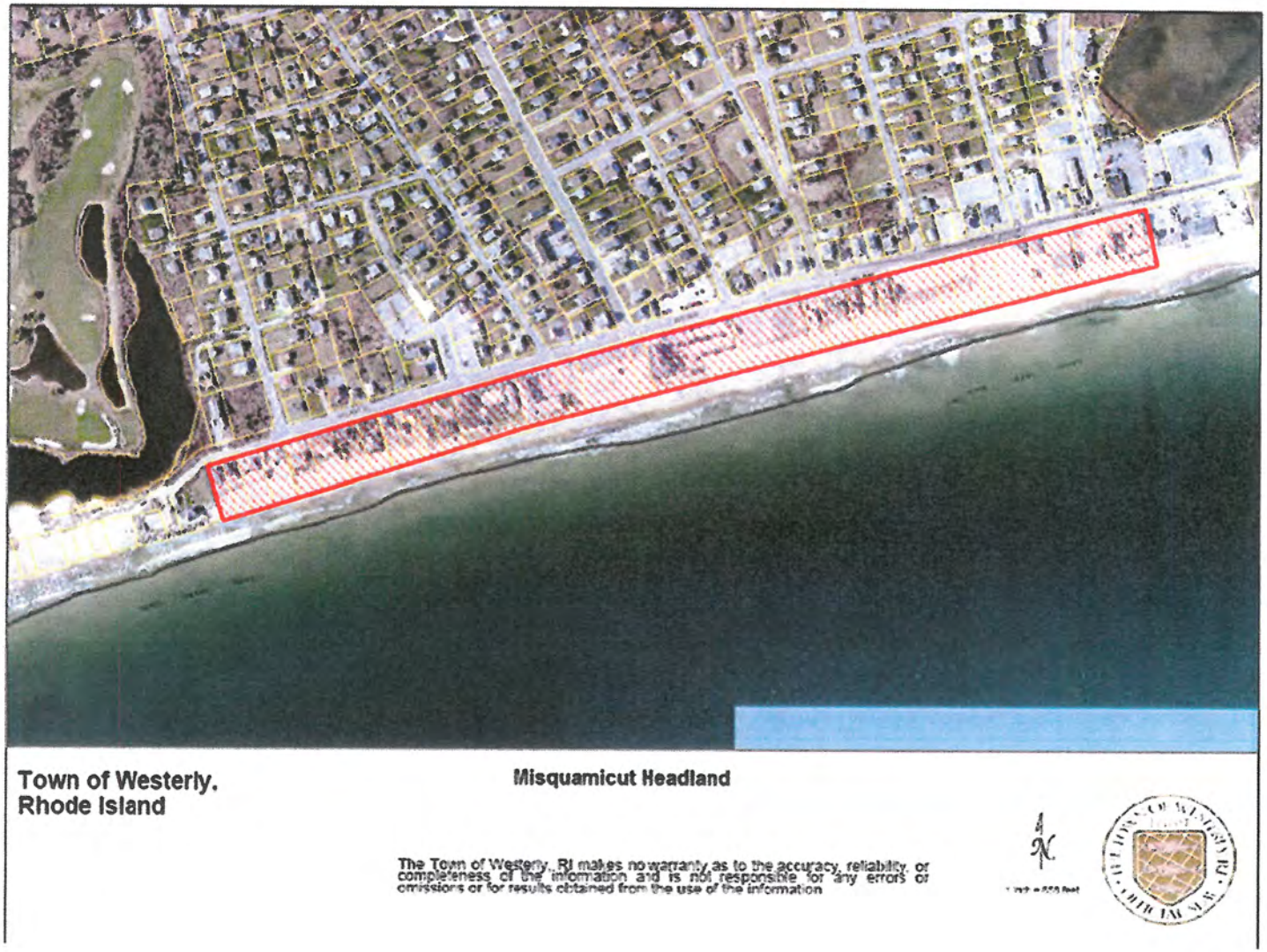
and restoration of the beach in the event that the Permittee fails to do so as ordered by the Council.

14. The CRMC shall retain jurisdiction over any Assents issued prior to the enactment of these regulations that are the subject of an outstanding compliance order or other formal administrative, civil or criminal legal action initiated by the CRMC for the purpose of litigating or settling that action.

15. The CRMC shall retain jurisdiction over any Assent application(s) acted upon by the CRMC prior to the enactment of these regulations to permit the CRMC to defend or settle any legal proceedings brought against it as a result of those actions.

16. Any compliance order issued or other civil or criminal enforcement action taken by the CRMC prior to the enactment of these regulations shall continue to be subject to the CRMC's authority and to be governed by the rules and regulations in effect at the time the order was issued or action taken.

E. Figure 6: Misquamicut headland area depicting shoreline parcels eligible for experimental coastal erosion control



F. Figure 7: Matunuck headland area depicting shoreline parcels eligible for experimental coastal erosion control



P11

G. Table 2: Eligible Parcels

Experimental Coastal Erosion Control - Eligible Parcels

Westerly - Misquamicut			South Kingstown - Matunuck	
Parcel ID	**Address**		**Parcel ID**	**Address**
165-282	149 Atlantic Avenue		92-2:46	811 Matunuck Beach Road
165-283	145 Atlantic Avenue		92-2:47	855 Matunuck Beach Road
165-285	141 Atlantic Avenue		92-3:1	883 Matunuck Beach Road
165-286	139 Atlantic Avenue		92-3:2	895A & B Matunuck Beach Road
176-17	137 Atlantic Avenue		92-3:3	907A & B Matunuck Beach Road
176-18	133 Atlantic Avenue		92-3:4	911A & B Matunuck Beach Road
176-19	129 Atlantic Avenue		92-3:5	915 Matunuck Beach Road
176-20	127 Atlantic Avenue		92-3:6	919 Matunuck Beach Road
176-21	121 Atlantic Avenue		92-3:7	921A & B Matunuck Beach Road
176-22	119 Atlantic Avenue		92-3:8	929 Matunuck Beach Road
176-23	117 Atlantic Avenue		92-3:9	933 Matunuck Beach Road
176-24	115 Atlantic Avenue		92-2:43	719 Matunuck Beach Road
176-25	111 Atlantic Avenue			
176-26	111 Atlantic Avenue			
176-27	109 Atlantic Avenue			
176-28	103 Atlantic Avenue			
176-29	89 Atlantic Avenue			
176-30	85 Atlantic Avenue			
176-31	83 Atlantic Avenue			
175-1A	75 Atlantic Avenue			
175-1	69 Atlantic Avenue			
175-2	65 Atlantic Avenue			
175-2A	57 Atlantic Avenue			
175-4	55 Atlantic Avenue			
175-5	53 1/2 Atlantic Avenue			
175-6	53 Atlantic Avenue			
175-7	51 Atlantic Avenue			
175-8	48 Atlantic Avenue			
175-9	49 Atlantic Avenue			
175-10	47 Atlantic Avenue			
175-11	45 Atlantic Avenue			
175-12B	45 Atlantic Avenue			
175-12	41 Atlantic Avenue			
175-12A	Atlantic Ave. Right-of-Way			
175-13	37 Atlantic Avenue			
175-14	35 Atlantic Avenue			
175-15	33 Atlantic Avenue			
175-16	31 Atlantic Avenue			

COASTAL RESOURCES MANAGEMENT COUNCIL

SEMI-MONTHLY MEETING

TUESDAY, MAY 14, 2019

6:00 P.M.

AGENDA
PART II

BONNET SHORES BEACH CLUB CONDO ASSOCIATION

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) 783-2069

AGENDA

Semi-Monthly Meeting – Full Council
Tuesday, May 14, 2019; 6:00 p.m.
Administration Building; Conference Room A
One Capitol Hill, Providence, RI 02908

Approval of the minutes of the previous meeting – April 23, 2019
Subcommittee Reports
Staff Reports

APPLICATIONS WHICH HAVE BEEN OUT-TO-NOTICE AND ARE BEFORE THE FULL COUNCIL FOR DECISION:

2018-04-078 JOHN F. CRANDALL – Create and maintain a 1.5 shellfish farm for oysters, hard shell clams, and softshell clams using two methods: direct bottom plant; and rack and bag. Located in Quonochontaug Pond, Charlestown, RI.

PUBLIC HEARING FOR SPECIAL EXCEPTION BEFORE THE COUCIL:

2018-09-019 BONNET SHORES BEACH CLUB CONDOMINIUM ASSOCIATION -- Construct and maintain an on-site gravity based sewage collection system to include an on-site sewage pumping station to service the Bonnet Shores Beach Club and construct and maintain a seasonal sanitary sewer force main line to be constructed through Bonnet Point Road between the Bonnet Shores Beach Club and the Town of Narragansett Waste Water Pumping Station at the corner of Bonnet Point Road and Allagash Road. This application requires a Special Exception pursuant to RICRMP Section 1.2.2(B)(2)(e): "The construction of new infrastructure or utilities or expansion of existing infrastructure or utilities shall be prohibited on all barriers. Such infrastructure or utilities shall include but not be limited to public or private water, electric, gas and sewer lines."

PUBLIC HEARING ON PROPOSED RULEMAKING:

Amendment to § 3.4.12 of the Salt Pond Region SAMP to extend the date by five years to October 7, 2024 for experimental coastal erosion control methods.

/lat

CRMC DECISION WORKSHEET
File No. 2018-09-019
Bonnet Shores Beach Club Condo Association

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
2018-09-019	Narragansett	Bonnet Point Road Plat: Lot:	B	☒	☒
		Owner Name and Address			
Date Accepted	09/07/2018	Bonnet Shores Beach Club Condominium Association 175 Bonnet Point Road Narragansett, RI 02882	Work at or Below MHW		☐
Date Completed	04/29/2019		Lease Required		☐

PROJECT DESCRIPTION

Construct and maintain an on-site gravity based sewage collection system to include an on-site sewage pumping station to service the Bonnet Shores Beach Club and construct and maintain a seasonal sanitary sewer force main line to be constructed through Bonnet Point Road between the Bonnet Shores Beach Club and the Town of Narragansett Waste Water Pumping Station at the corner of Bonnet Point Road and Allagash Road.

KEY PROGRAMMATIC ISSUES

Coastal Feature(s) Moderately Developed Barrier Beach, Coastal Wetland

Water Type Type 1, Conservation Area, Wesquage Pond

CRMP 1.1.8, 1.1.9, 1.1.10, 1.2.1(A), 1.2.2(B), 1.2.2(C), 1.3.1(A), 1.3.1(B), 1.3.1(F)

SAMP None

Variances and/or Special Exception Details: A special exception is required to §1.2.2(B)(2)(e) for the construction of a sewer line on a barrier beach. A variance is required for installation of the sewer line within Bonnet Point Road which is within the minimum 50' setback required by §1.1.9(B)(3).

STAFF RECOMMENDATION(S)

Engineer **RS** Recommendation: **Defer on S.E., no objection**

Biologist **DR** Recommendation: **Defer on S.E., no objection**

Other Staff _____ Recommendation: _____

Engineering Supervisor Sign-Off date

Executive Director Sign-Off 5/9/19 date

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
STAFF BIOLOGIST'S REPORT

TO: Grover J. Fugate
DEPT: CRMC Executive Director
FROM: David S. Reis
DEPT: CRMC Biology/Permitting Section

DATE: April 30, 2019

RE: **CRMC File No.** 2018-09-019
Applicant's Name: Bonnet Shores Beach Club Condominium Association
Project: Construct and maintain an on-site gravity based sewage collection system to include an on-site sewage pumping station to service the Bonnet Shores Beach Club and construct and maintain a seasonal sanitary sewer force main line to be constructed through Bonnet Point Road between the Bonnet Shores Beach Club and the Town of Narragansett Waste Water Pumping Station at the corner of Bonnet Point Road and Allagash Road.

Location: Bonnet Point Road
Water Type/Name: Type 1, Conservation Area, Wesquage Pond
Coastal Feature: Coastal Wetlands associated with Wesquage Pond
Freshwater Wetlands: Freshwater and Brackish Wetlands (marsh) associated with Wesquage Pond are considered coastal wetlands by definition.

A. **Staff Summary:** Due to concerns for sea level rise and the submitted objections to be considered by the Council including any new testimony relative to these objections, this reviewer defers to the Coastal Council for a decision on this matter. See recommendations for additional detail.

B. **Plans Reviewed:** "Bonnet Shores Beach Club, Narragansett, Rhode Island, Wastewater Collection System Improvements", in 10 sheets (cover sheet, G-1, C-1, C-2, C-3, C-4 CSD-1, CSD-2, M-1, E-1), by CDM Smith, revised November 2018.

C. **Staff Analysis:** The Bonnet Shores Beach Club ("Beach Club") proposes to install a sewage collection system for the Beach Club which will collect the sewage from the beach club facilities and pump it through a 2" diameter sewer force main to be installed beneath Bonnet Point Road running generally north to the Town of Narragansett's municipal pump station at the corner of Bonnet Point and Allagash Roads.

Pursuant to RICRMP Section 1.2.2(B)(2)(e): "The construction of new infrastructure or utilities or expansion of existing infrastructure or utilities shall be prohibited on all barriers. Such infrastructure or utilities shall include but not be limited to public or private water, electric, gas and sewer lines." With regard to this prohibition, legislation was enacted to specifically allow the Bonnet Shores Beach Club Condominium to connect to the Town of Narragansett Wastewater Treatment System (H5683 substitute A, as amended, enacted 7/16/09). CRMC Staff have confirmed with the Director and CRMC Legal Counsel that CRMC's interpretation of the Act is this legislation deemed a sewer line connection to be public infrastructure thereby satisfying **criteria 1** of the special exception criteria (An activity associated with public infrastructure regardless of it being located on a barrier beach.) while **criteria 2** (All reasonable steps shall be taken to minimize environmental impacts and/or use conflicts.) and **criteria 3** (There is no reasonable alternative means of, or location for, serving the compelling public purpose cited.) must still be met.

Signed: David S Reis _____ **Supervising Environmental Scientist**

With regard to special exception criteria 2 **(All reasonable steps shall be taken to minimize environmental impacts and/or use conflicts.)**, CRMC Staff have worked with the design consultants to assure appropriate methods of working in areas of high ground water have been included in the project plan specifications and dewatering notes. This was done in recognition of the high ground water levels expected just below the surface of Bonnet Point Road. Although borings advanced along the roadway showed water levels lower than expected at the time they were taken, CRMC Staff observations as well as frequent observations made by the public and Town of Narragansett personnel demonstrate the water elevation of Wesquage Pond often approaches and can inundate the surface of Bonnet Point Road. High pond water levels during these periods indicate the ground water elevation of the fill causeway supporting Bonnet Point Road is at or near the surface of the road. Since the sewer line is proposed to be installed a minimum of 18 inches below the road surface plus an additional 6 inches of excavation is required to install bedding below the sewer line, the potential exists for performing excavation well below the ground water elevation. The excavation and dewatering necessary to install utilities below the water table (ground water elevation) can be difficult as saturated sediment is excavated from a trench while ground water continues to seep into the trench as it is further excavated. The resulting difficult working conditions can result in significant sediment discharges to nearby wetlands and waterbodies. As specified by the plans, all intercepted water from sewer line trenching will be discharged to Wesquage Pond following dewatering operations and filtration. Despite appropriate specifications and dewatering provisions contained in the project plans, CRMC Staff experience has demonstrated that project contractors may be unwilling and/or unable to prevent significant sediment discharges to adjacent wetlands or tidal waters when working under such difficult circumstances. To further address this concern, the Beach Club has agreed to employ an independent construction manager to oversee the project. The use of independent environmental or project "monitors" is a common requirement in CRMC and RIDEM permits and typically results in improved project compliance. On this basis, an independent monitor helps mitigate concerns regarding sediment discharges to the waters and wetlands of Wesquage Pond.

Of further concern is the potential need to complete sewer line repairs in the future considering sea level rise. As indicated by Figure 1 herein, one foot of sea level rise will approach and nearly inundate Bonnet Point Road absent the additional impacts of flooding rain events or tidal surges. With 2 feet of sea level rise as shown in Figure 2, the roadway will be permanently inundated. According to sea level rise projections contained in CRMC's Shoreline Change (Beach) Special Area Management Plan, 2 feet of sea level rise may be expected as soon as 20 years in the future (by 2040). Future options for Bonnet Point Road will be limited to abandoning the road or raising the elevation of the road. In either case, this will result in problems for the sewer line. If the road is abandoned, it will be difficult to perform an excavation and maintenance repair below the water surface. If the road is raised, the sewer line will also likely need to be raised or it will be excessively buried in the roadway fill profile making maintenance repairs difficult and well below the ground water elevation.

Signed: _____ _____ **Supervising Environmental Scientist**



Figure 1: StormTools map layer for one foot of sea level rise.



Figure 2: StormTools map layer for two feet of sea level rise.

Signed: _____ **Supervising Environmental Scientist**

With regard to special exception criteria 3 **(There is no reasonable alternative means of, or location for, serving the compelling public purpose cited.)**, an alternative to burial of the sewer line has been suggested which is mentioned in many of the objections submitted to this office. This alternative would consist of attaching the proposed sewer line below an elevated timber walkway constructed along Bonnet Point Road. In fact, this alternative was discussed with the Town of Narragansett and the Bonnet Shores Land Trust (BSLT) during a meeting at Narragansett Town Hall on November 16, 2016 and further evaluated in a preliminary determination report issued by CRMC staff on July 24, 2017 (see attached). Both the Land Trust and the Town Engineer (Jeff Ceasrine) were receptive to this alternative during the November 16, 2016 meeting. However, the applicant discounted the walkway alternative in their application submission by stating:

> ***The Beach Club is aware of a project being studied by the Bonnet Shores Land Trust (Land Trust). The Land Trust is an entity appointed by and subject to regulation by the Fire District. The Land Trust is exploring the possibility of erecting an elevated walk way adjacent to land it owns on Bonnet Point Road. Members of the Land Trust suggested that the Sewer line be constructed within or more accurately suspended from the bottom of the walk way. The Fire District concluded that this concept is not feasible for the following reasons:***
>
> 1) ***There are no plans or financing available for walk way construction;***
> 2) ***The Beach Club would have to reengineer its design based on these plans which would cause an economic hardship;***
> 3) ***A separate easement would need to be negotiated with the Land Trust;***
> 4) ***New approvals would be needed from the Town;***
> 5) ***Bonnet Point Road would not need to be resurfaced as a result of the new plan;***
> 6) ***The exposure to weather etc. could cause fatigue associated with an exposed line instead of a sub-grade line would create additional cost and greater risk of an environmental issue;***
> 7) ***The risk of rupture of a line from a vehicle striking the walkway or storm damage; and***
> 8) ***Greater opportunity for vandalism.***
>
> ***The Beach Club supports the concept of a walk way in the area, but not the inclusion of this project. The Fire District and Land Trust have executed a letter that memorializes their support for this application and agreement that the two projects are separate.***

Although the Beach Club believes the Special Exception criteria do not apply to the project based on the legislation (H5683 substitute A, as amended, enacted 7/16/09), responses to the special exception criteria 2 and 3 were provided with a January 3, 2019 letter from Beach Club Attorney Stephen R. Ucci. In this letter the Beach Club reiterates steps taken to minimize environmental impacts consistent with criteria 2 and it addresses alternative means and locations for the sewer line consistent with criteria 3. Other sewer design/construction alternatives as well as an alternative force

Signed: _____ **Supervising Environmental Scientist**

main route to the Town's gravity sewer collection system at Bonnet Point Drive. In this regard, the narrative concludes: ***"... the parties agreed that this alternative route would only be evaluated it crossing the causeway was not feasible."*** (The "parties" being the Town of Narragansett's Engineering Department and the Beach Club.) The January 3, 2019 letter further intended to address staff comments and objections submitted during the public notice period. With regard to the walkway alternative, the letter states: ***"A consistent theme in the comments was the combination of the project with the so-called "walk way". We addressed that in our original application and, to date, there are no new facts that would change our position."***

Due to continuing concerns with regard to the future inundation of Bonnet Point Road associated with 1-2 feet of sea level rise, CRMC staff suggested an additional option which was further discussed during the meeting of February 7, 2019 between CRMC staff and the Beach Club. The suggested option was to install/affix the 2" force main (sewer line) to a series of elevated timber pilings and associated timber stringers which would resemble an elevated guard rail along Bonnet Point Road with the sewer line affixed to the structure side opposite the road. Staff suggested this would elevate the sewer line above future flooding from sea level rise and make access for maintenance easy and inexpensive. Staff noted the 2" line as currently proposed is to be evacuated (drained) in advance of storms and during the non-beach season, and, the system will have an automatic loss-of-pressure shutoff if damaged at other times; plus the resulting spill would be minimal from a 2" diameter line. Staff further noted that if designed with a future walkway in mind, the sewer line support structure would essentially represent one half of the walkway support system which could be completed at a future time, if the walk way was to go forward. The Beach Club opposed this recommended option based on a history of cars and other vehicles going off the soft shoulders of Bonnet Point Road representing a risk of damage to the sewer line. A number of police reports and photos documenting such occurrences were provided by the Beach Club to support their opposition.

D. **Variance Criteria and Category B Requirements:** With regard to the variance required for the construction of the sewer line within the minimum 50' setback of wetlands bordering Bonnet Point Road (ref. §1.1.9(B)(3)), the applicant has addressed the variance criteria and Staff finds the applicant's responses to be adequate. The applicant has also provided adequate responses to the Category B requirements (ref. §1.3.1(A)). However, due sea level rise concerns which may result in the Bonnet Point Road causeway being completely inundated within 20 years, the staff biologist believes sea level rise is the primary issue of concern which is best addressed by special exception criteria 3 (most reasonable alternative).

E. **Public Notice Comments and Objections:** A 30 day public notice was issued for this project on October 11, 2018 and concluded on November 11, 2018. On December 7, 2018 I reviewed the comments submitted during the notice period which consisted of 49 objections and 2 letters of support. Common themes in the objections was concerns for burial of the sewer line in Bonnet Point road, the poor condition and fragile nature of the causeway (upon which Bonnet Shores Road is constructed), the frequent flooding of the causeway and the effect of storms and rising waters. Many of the objectors suggested attaching the sewer line to the walk way proposed by the Bonnet Shores Land Trust was the preferred option. The two letters of support mentioned no plan for the walk way

Signed: _____ **Supervising Environmental Scientist**

s in place and the other letter mentioned exposure concerns for the sewer line under the walkway and concerns for damage from car crashes. In addition to these comments, a detailed objection letter was provided by Save The Bay (STB) which in summary indicated the following:

- Lack of information and failure to provide notice of applicable standards (for barrier beaches);
- Dangerous precedent of the 2009 act relating to the authorization of a sewer line;
- Violation of NOAA approved CRMP threatens NOAA funding of CRMC;
- CRMP barrier beach sewer prohibition and need to meet special exception criteria;
- Bonnet Point Causeway frequently submerged, integrity of the causeway and road;
- Need for dewatering details and other permit reviews;
- Full evaluation of sea level rise, project lifespan, use of stormtools needed and inundation of Bonnet Point Road causeway with 1-2 feet of sea level rise.

Regarding STB's concerns, these same issues have been addressed through the project review conducted by staff and by requesting appropriate additional information from the Beach Club where necessary. With regard to NOAA funding, CRMC Director Grover Fugate has informed staff that prior NOAA communications with him indicated that CRMC authorization of this one project would not threaten CRMC's NOAA funding but a pattern of such authorizations contrary to NOAA approved coastal program would be cause for concern.

F. **Property Damage Insurance:** The topic of property damage insurance was discussed at the meeting of February 7, 2019 between CRMC staff and the Beach Club to help minimize concerns for sediment discharge during construction. Although CRMC legal counsel and staff supports insurance provisions, the staff biologist must reiterate that it is less likely that "acute", easily identifiable or "catastrophic" impacts can be expected from this type of work. Rather, excess sediment discharges typically contribute to "chronic" environmental impacts which result in environmental degradation over time. Excess or chronic turbidity can impact fish, fish eggs and larvae, invertebrate food sources and submerged plants that require clear water to receive sufficient sunlight. Accordingly, environmental protection rules strive to minimize repeated chronic impacts to the environment as well as acute impacts such as the direct filling of a wetland which is easily quantifiable. In this regard, property damage insurance cannot be expected to compensate for chronic low-level impacts. Where low-level impacts are associated with a project which failed to meet the environmental requirements or permit conditions, mitigation is typically the most affective remedy whereby a restoration project is undertaken to improve environmental conditions by correcting for recognized damage associated with repeated chronic impacts to the environment through time. Property damage insurance is not intended to compensate for chronic low-level impacts.

G. **Procedures and Recommendation:** The Council must rule on the special exception for this project, or alternatively, determine a special exception is not required. (Although staff has determined a special exception is required at the administrative level, it appears Counsel for the Beach Club may continue to contest this determination.) The Council must then vote on the application.

Signed: _____ ___ **Supervising Environmental Scientist**

- **With regard to the Special Exception:** The staff biologist defers to Council with regard to the need for a special exception with a recommendation that Criteria 1 (An activity associated with public infrastructure) and criteria 2 (All reasonable steps shall be taken to minimize environmental impacts and/or use conflicts.) have been met for the selected alternative. However, due sea level rise concerns which may result in the Bonnet Point Road causeway being completely inundated within 20 years, the staff biologist cannot affirm the project represents the most reasonable alternative consistent with Criteria 3.

- **With regard to the application:** Due to the submitted comments and objections to be considered by the Council including any new testimony relative to these objections, this reviewer defers to the Coastal Council for a decision on this matter. However, should the Council determine the project represents the most reasonable alternative*, specifically with regard to concerns associated with sea level rise, the staff biologist does not object to the application provided the following stipulations are adhered to.

(*Consistent with common practice for environmental impact reviews, the staff biologist recommends that any approval be contingent upon the Council determining that the project represents the most reasonable alternative regardless of the need for a special exception.)

H. Recommended Stipulations:

1. **Independent Construction Manager:** An independent construction manager/environmental monitor shall be utilized to supervise sewer line installation across the Bonnet Point Road causeway. The independent manager ("monitor") must be approved by the CRMC prior to initiation of the project. The monitor must confirm that all erosion and sedimentation controls including filtration bags are properly installed, utilized and maintained throughout the work period. The project monitor shall specifically monitor any sedimentation or excess turbidity being discharged to Wesquage Pond or its bordering wetlands. Any and all turbid discharges shall be photographed for the record and reported to the CRMC. Date and time stamped photographs shall be repeated every 30 minutes if and when turbid discharges occur. Environmental reports containing project updates and photographs of work shall be submitted to the CRMC via email on a daily basis during work on the causeway. Any significant turbidity issues shall be immediately reported to the CRMC at 783-3370. Significant turbidity shall be defined as any observable discoloration of the waters of Wesquage Pond which is limited to or associated with the project area or as otherwise specified through CRMC agreement with methods recommended by the project monitor (such as the use of a turbidity meter).

2. **Work in the dry:** All work on the Bonnet Point Causeway shall be conducted "in the dry" when the causeway is not flooded. Construction on the causeway may only begin during a period where favorable weather conditions are forecast for a period necessary to complete the work, where possible. The CRMC shall be contacted prior to work initiation on the causeway.

Signed: _____ **Supervising Environmental Scientist**

3. **Property Damage Insurance:** Property damage insurance shall be provided in a manner approved by CRMC Legal Counsel. The applicant is advised that any significant failure to control sedimentation and turbidity impacts as determined by the CRMC in coordination with the independent project monitor may result in a mitigation requirement; where a property damage claim may be inappropriate.

4. **No Future Expansion of the Beach Club:** (Need Director authorization of no expansion letter.)

Signed: _____ **Supervising Environmental Scientist**

April 16, 2019

Mr. Grover J. Fugate
Executive Director
Coastal Resources Management Council
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879

Re: ***Application #2018 09-019 Bonnet Shores Beach Club Condominium Association/Bonnet Shores Fire Department***

Dear Mr. Fugate:

This office represents Bonnet Shores Beach Club Condominium Association (BSBCA) in relation to the above referenced application.

Please accept this letter as confirmation on behalf of BSBCA that, if the above referenced application is approved consistent with the plan submitted herewith, there shall be no expansion of the Structural Lot Coverage (as defined in CRMP 1.1.2 (142) as presently constituted), or vertical expansion of existing structures, on the property in the barrier beach or dune system unless necessary for compliance with the Americans with Disabilities Act (ADA). In the case of ADA structures, such structures must be located within the existing footprint of disturbance as defined by CRMP section 1.2.2(B)(2)(5) and as further defined herein. Furthermore the applicant agrees to not expand the number of units in the condominium beyond the nine hundred and thirty (930) that currently exist. The preceding sentence shall not prohibit the development, alteration, rehabilitation or reconfiguration of structures or accessory or associated structures as long as there is no net expansion of Structural Lot Coverage in such areas; and provided that all such activity shall be confined to the existing footprint of disturbance which, for the purposes of this sentence, shall be defined as that area encompassed by the perimeter of the structural foundation and/or areas determined by the CRMC to be substantially altered due to associated structures, excluding dunes, wetlands and areas encompassed within pertinent setback and buffer zone requirements of this program. The above prohibition on vertical expansion of existing structures shall not prohibit raising structures for flood zone purposes, subject to applicable permitting. BSBCA also acknowledges that it has reached the limit of expansion under CRMP 1.2.2(B)(2)(c)(6), as presently constituted, and that no further expansion of Structural Lot Coverage of existing recreational structures is allowed by CRMP 1.2.2(B)(2)(c)(6), as presently constituted.

Please feel free to contact me if you have any questions or require any additional information.

Very truly yours,

STEPHEN R. UCCI

SRU/nehb

RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
REPORT OF FINDINGS – PRELIMINARY DETERMINATION

STATEMENT OF LIMITATIONS

The contents of this staff determination report shall be valid only for the period on and preceding the date of this report. This report is nether an approval or denial of the subject proposal. It is an evaluation of CRMC regulations in effect as of July 24, 2017 as they pertain to the below stated proposal, including preliminary staff recommendations.

Modifications to the below stated proposal may, upon the discretion of the CRMC, render this determination null and void.

APPLICANT INFORMATION

NAME: Bonnet Shores Land Trust (BSLT) **CRMC FILE NO.** 2017-06-062
LOCATION/POLE: Bonnet Point Road
CITY/TOWN: Narragansett **PLAT(S):** N-S **LOT(S):** 630, 634
CONTACT PERSON(S) & ADDRESS:
Terrance Duffy, Chairman, Bonnet Shores Land Trust, 46 Richard Smith Road, Narragansett, RI 02882
Jeff Ceasrine, P.E, Town Engineer, Town of Narragansett, 25 Fifth Avenue, Narragansett, RI 02881

PRELIMINARY REVIEW INFORMATION

PROPOSAL: Construct elevated timber wetland walkway (boardwalk) structure, ramps and paved walkways.

PLAN(S) REVIEWED:

"Bonnet Shores Land Trust, Causeway Pedestrian Walkway, Bonnet Point Road, Narragansett, RI", in three sheets (proposed site plan, section/elevations, walkway reference imagery spec), by Bisbano & Associates, Inc., dated 05.24.2017. (sheet one has a 2016 date which appears to be a typo)

"Site Sketch Depicting Approximate Wetland Delineation Bonnet Point Road, Narragansett, RI", by Natural Resource Services, Inc., dated January 26, 2017.

INVESTIGATOR	DATE	TIME
David S. Reis	July 2017	Office Review Only

MEASUREMENTS & OBSERVATIONS:

None specific to this determination but the reviewing staff member is familiar with the site conditions along Bonnet Point Road and Wesquage Pond.

PREVIOUS CRMC ACTIONS FOR SITE:

A pre-application meeting was held with the Town of Narragansett and the Bonnet Shores Land Trust on November 16, 2016 to discuss the walkway and the Bonnet Shores Beach Club sewer project.

SUMMARY OF FINDINGS

CRMC JURISDICTION: (Y OR N) **TYPE WATER:** Type 1, Conservation Area, Wesquage Pond

For the purpose of this review the coastal feature(s) shall be the coastal wetland and the inland edge of coastal(s) feature shall be the inland edge of coastal wetland.

Applicability of CRMP and SAM Plans (as amended):

CRMP Sections: 120, 130, 140, 150, 200.1, 200.2, 200.3, 200.4, 200.5, 200.6, 210.1, 210.2, 210.3, 210.4, 210.5, 210.6, 300.1, 300.2, 300.3, 300.4, 300.5, 300.6, 300.7, 300.8, 300.9, 300.10, 300.12, 310, 320, 325, 330, 335, other.

SAM PLAN: None

BUFFER (ref. Section 150 CRMP): For a project of this type, a buffer zone is typically determined based on an individual assessment of potential project impacts on coastal resources. The proposed project would be located in a manner (within the wetland) which does not allow for the establishment of a buffer zone. This will be an environmental concern associated with the project.

SETBACK (ref. Section 140 CRMP): The proposed elevated timber walkway is considered a "recreational" or "commercial "structure" which is subject to CRMP setback standards. A variance will be required.

STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:

1. **"Recreational" or "Commercial" Structure:** For the purposes of determining consistency with the RI Coastal Resources Management Program (RICRMP), the proposed elevated timber walkway is considered a "recreational" or "commercial" structure. With regard to the Coastal Program, by either definition it will be subject to the same or similar polices standards and prohibitions. The project cannot be considered a "wetland walkover structure" pursuant to RICRMP Section 300.17 since it does not meet the definition of "...providing pedestrian access between areas of upland isolated by the presence of wetland." Rather, as proposed, the walkway is sited within wetland alongside an existing roadway which already provides access to upland areas (that are not "isolated" by wetland). In addition, the proposed structure does not meet the design standards for a wetland walkover structure as specified in RICRMP Section 300.17.F.

2. **Special Exception:** The construction of recreational and/or commercial structures is prohibited over coastal wetlands bordering Type 1 waters. Accordingly, a special exception will be required. As discussed during the November 2016 meeting, a special exception can only be granted if all 3 criteria contained in RICRMP Section 130 are met (see attachment 1). The primary criterion of RICRMP Section 130 is that the project must serve a compelling public purpose which provides benefits to the public as a whole (i.e., broad segments of the public) as opposed to individual or private interests. In this regard, the project as currently proposed does not meet the requirements for a special exception if it only serves Bonnet Shores Residents (i.e., neighborhood residents out walking).

Rather, as discussed in November 2016, the project would need to be designed as "a public destination" with appropriate parking as necessary to attract/serve members of the public from areas beyond the Bonnet Shores neighborhood. In this regard, CRMC Staff recommends that a minimum of six (6) non-resident parking places be provided at the beginning of the boardwalk. As previously discussed, the Town sewage pump station property at Allagash Trail would provide an appropriately located parking area for the boardwalk if this could be worked out with the Town. The BSLT and the Town may also wish to consider working with the Bonnet Shores Beach Club (BSBC) to provide public parking at the beach club parking lot. In a further effort to satisfy the compelling public purpose requirement, providing a parking location for a school bus in combination with efforts to make the boardwalk an environmental education opportunity for children and others may help serve a compelling public purpose. The proposed boardwalk observation platforms along with environmental signage and kiosks would help further this effort. Beyond these initial suggestions, other alternatives may be proposed to help satisfy the special exception criteria.

Finally, provided the compelling public purpose criterion is met, it must further be demonstrated that all reasonable alternatives have been taken to minimize environmental impacts (a higher boardwalk will minimize impacts) and there is no alternative location for serving the public purpose cited. (See discussion of Bonnet Shores Beach Club sewer line below.)

3. **Mitigation:** The Coastal Council will need to determine if the project results in a wetland alteration which requires mitigation in accordance with RICRMP Section 300.12. Due to the lack of plan details (boardwalk height, wetland edge delineation, etc.) CRMC staff is not prepared to address this issue at this time. Please be advised that boardwalk of lower elevation which does not allow for the growth of wetland vegetation beneath the boardwalk is more likely to be considered an alteration as opposed to a higher boardwalk elevation which accommodates wetland growth beneath it. Ramps lengths should be minimized to the handicap accessible slope necessary to achieve the boardwalk height. Paved walks ways located in wetlands will certainly be considered an alteration which requires mitigation.

4. **Bonnet Shores Beach Club Sewer line:** It is very important to consider that during the meeting of November 16, 2016, CRMC Staff offered an opinion that utilizing the proposed boardwalk to provide a means to locate and structurally support the proposed Bonnet Shores Beach Club (BSBC) sewer line may help satisfy the regulatory review criteria for both projects. Specifically, proceeding with a combined project may help provide the necessary rationale to meet the RICRMP special exception criteria. In this regard, CRMC Staff's interpretation of the legislation (2009 – H5683 Substitute A) which authorized the BSBC sewer line effectively deemed the sewer line "public infrastructure" in accordance with RICRMP Section 130, criterion 1. However, CRMC Staff believes the project remains subject to special exception criteria 2 (All reasonable steps shall be taken to minimize environmental impacts and/or use conflicts.) and 3 (There shall be no reasonable alternative means of, or location for, serving the compelling public purpose cited.). On this basis, and as opined by CRMC Staff in November 2016, we believe that locating the sewer line beneath and attached to the boardwalk serves both to minimize environmental impacts (considering burial concerns in an area of high ground water) and a reasonable alternative location for the sewer line (as opposed to burial alongside Bonnet Point Road). We therefore strongly recommend that both projects proceed as a single unified effort. Otherwise, CRMC Staff is likely to have significant difficulty determining consistency with the special criteria.

5. **Sea Level Rise and Flood Zone Considerations:** As shown in Figure 1 below, Bonnet Point Road (the causeway) will be flooded during high tides with 3 feet of Sea Level Rise (SLR). Accordingly, the causeway will no longer be accessible for vehicle (or foot) traffic. Based on currently expected rates of SLR, sea level is expected to rise 3 feet by 2065. This should be considered by the project proponents and in the project design should the project move forward. It is further important to consider that the boardwalk (as shown on the preliminary plans) will not provide access to and from "dry land" with 3 feet of SLR. Rather, both ends of the boardwalk will be flooded. Furthermore, any sewer line to be attached to the boardwalk should be designed for inundation (and coastal storm impacts).

   Pursuant to Figure 2 below, the project area is currently located within a VE 15 flood zone (absent consideration of SLR). Accordingly, the boardwalk (and any attached sewer line) should be designed to survive a 100 year storm with "V" zone (wave) conditions.

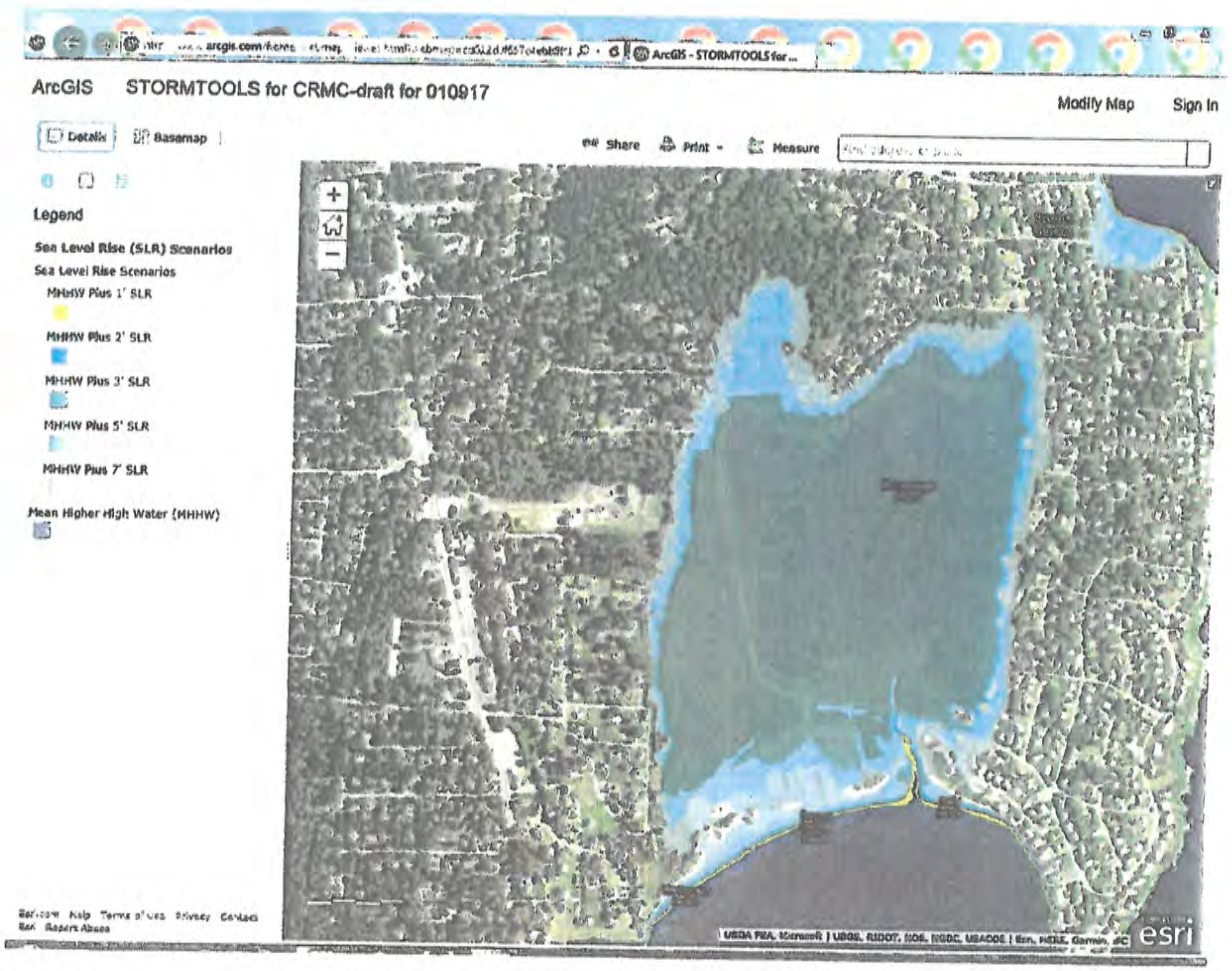


Figure 1: Sea Level Rise based on CRMC Stormtools.

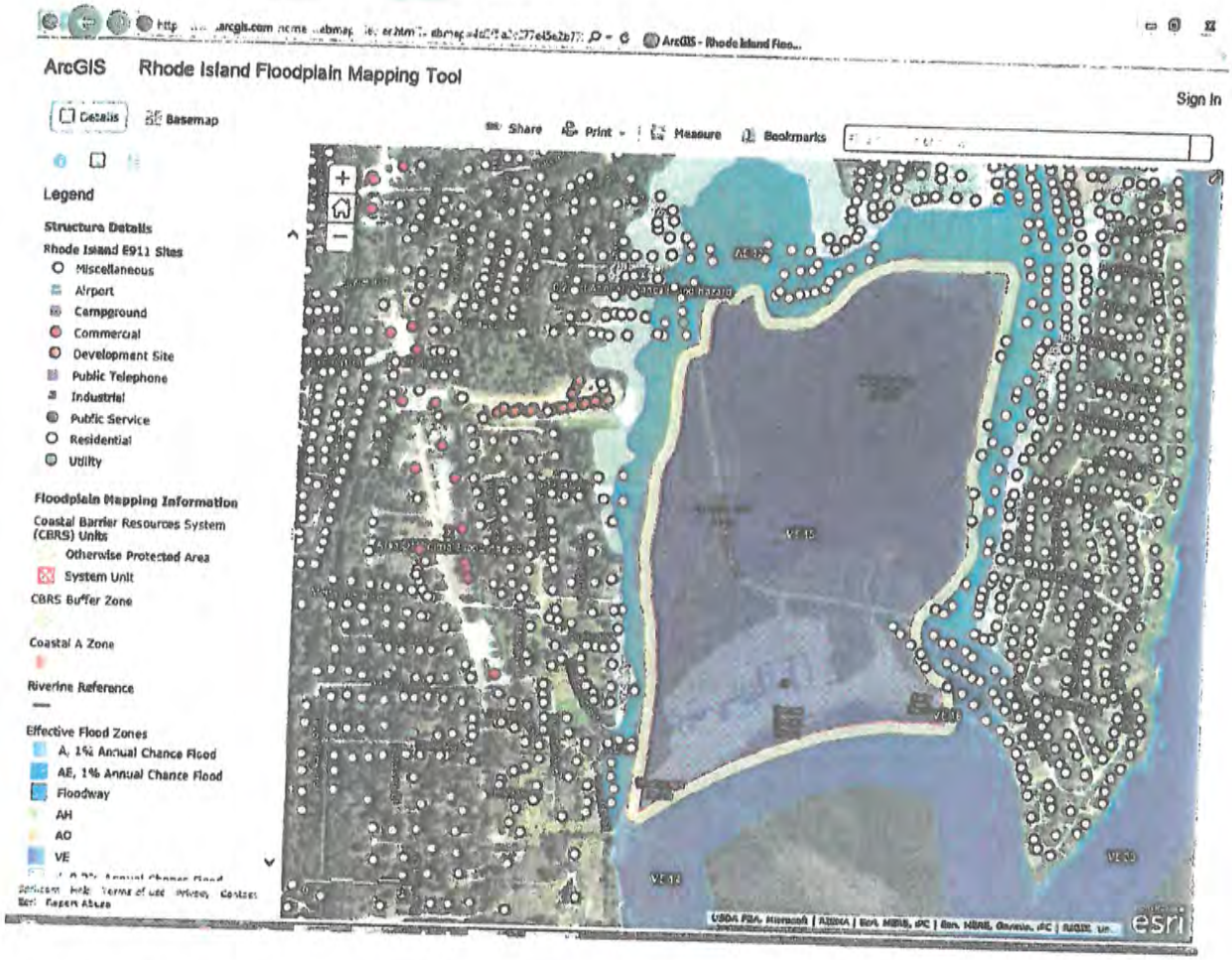


Figure 2: RI Emergency Management Agency Flood Plain Mapping Tool.

6. **Barrier Beach:** It should be considered that the project is located landward of a CRMC designated moderately developed barrier beach. In addition, the entire Bonnet Shores Beach area along with Wesquage Pond is located within a federally designated Coastal Barrier Reserve System (CBRS) "unit" designated RI-09 (see Figure 2). Neither Federal funding nor Federal flood insurance is available for structures located within CBRS units.

7. **Conclusion:** The comments contained in this preliminary CRMC staff report should be thoroughly evaluated and considered prior to the submission of a CRMC application. A future application will require a Category "B" submission and review. Category "B" applications are subject to a public notice, a public hearing and a final decision by the full Coastal Resources Management Council.

SIGNATURE: David S. Reis **STAFF BIOLOGIST**

Attachment 1

RICRMP Section 130 - Special Exceptions

A. Special exceptions may be granted to prohibited activities to permit alterations and activities that do not conform with a Council goal for the areas affected or which would otherwise be prohibited by the requirements of this document only if and when the applicant has demonstrated that:

1) The proposed activity serves a compelling public purpose which provides benefits to the public as a whole as opposed to individual or private interests. The activity must be one or more of the following:
(a) an activity associated with public infrastructure such as utility, energy, communications, transportation facilities, however, this exception shall not apply to activities proposed on all classes of barriers, barrier islands or spits except as provided in 210.2.D.9;
(b) a water-dependent activity that generates substantial economic gain to the state; and/or
(c) an activity that provides access to the shore for broad segments of the public.
2) All reasonable steps shall be taken to minimize environmental impacts and/or use conflict.
3) There is no reasonable alternative means of, or location for, serving the compelling public purpose cited.

B. Special exceptions may be granted only after proper notice in accordance with the Rhode Island Administrative Procedures Act, a public hearing has been held, and the record of that hearing has been considered by the full Council. The Council shall make public the findings and conclusions upon which a decision to issue a Special Exception are based.

C. In granting a Special Exception, the Council shall apply conditions as necessary to promote the objectives of the Program. Such conditions may include, but are not limited to, provisions for:

1) Minimizing adverse impacts of the alteration upon other areas and activities by stipulating the type, intensity, and performance of activities, and the hours of use and operation;
2) Controlling the sequence of development, including when it must be commenced and completed;
3) Controlling the duration of use or development and the time within which any temporary structure must be removed;
4) Assuring satisfactory installation and maintenance of required public improvements;
5) Designating the exact location and nature of development; and
6) Establishing detailed records by submission of drawings, maps, plots, or specifications.

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

TO: Grover J. Fugate, Executive Director Date: 4/22/19
DEPT: Coastal Resources Management Council
FROM: Ross Singer
DEPT: CRMC Engineering Section

SUBJ: **CRMC File No.:** A2018-09-019
Owner: Bonnet Shores Beach Club Condominium Association Bonnet Shores Beach Club Condominium Association
Site Address: 175 Bonnet Point Road Plat: N-S Lot: 631,632,633
Site Town: Narragansett
Project: Construct and maintain sewer line

Water Type/Name: Type 1/Wesquage Pond

Coastal Feature: coastal wetland, coastal pond, moderately developed barrier

Staff Analysis:

The applicant has proposed to construct and maintain a sewage collection system and an on-site sewage pumping station to service the Bonnet Shores Beach Club. A seasonal sanitary sewer force main line is proposed to be constructed along Bonnet Point Road between the Bonnet Shores Beach Club and the Town of Narragansett Waste Water Pumping Station at the corner of Bonnet Point Road and Allagash Road. The Town Council has granted permission to connect to the sewer system and the submitted plan was formally approved September 8, 2017.

An onsite gravity collection system would transport wastewater from the facility to an onsite wastewater pumping station located in the eastern part of the parking lot. A sewer injection grinder pump would be located in a four (4) foot diameter round sewer manhole and transport wastewater to a seasonal sanitary forced main. The force main would consist of a two (2) inch PVC line buried between eighteen (18) and twenty four (24) inches beneath the center of Bonnet Point Road and extend approximately 2,300 feet to the pumping station on Allagash Road. The existing onsite waste treatment system (OWTS) is proposed to be abandoned. A 3000 gallon holding tank is proposed to be installed to hold off season waste. The holding tank design was approved by the Department of Environmental Management in March 2017.

The forced sewer main will be buried at a minimum depth of eighteen (18) inches within an eighteen (18) inch width trench. The two (2) inch diameter PVC pipe with gasket joints will a sit in a six (6) inch bed of screened gravel and then covered by an additional twelve (12) inches of screened gravel. The remainder of the trench will be filled with imported bank run gravel. The final trench asphalt pavement consists of a two (2) inch binder course and two (2) inch surface course. The remainder of the entire roadway will be milled and overlaid with new asphalt. It is the Staff's

opinion that the materials and design are in accordance with general engineering practice and standards. Normal roadway use does not pose a likely impact to the integrity of the infrastructure. The Town of Narragansett Engineering Department approved the design in September 2017.

Groundwater was determined to be present at depths between 1.8 feet and six feet below grade. That said, the causeway is frequently flooded due to storm conditions. Taking sea level rise into account, the sewer pipe will be submerged in groundwater at greater frequencies. It is not uncommon for utilities to be located below the groundwater table. If the system is installed properly, the design and choice of materials are suitable for submerged conditions.

The total area of proposed soil disturbance for the project is 0.93 acres. Although proposed construction on the causeway is limited to a two foot wide trench to be done in twenty sections; special attention will be necessary to avoid environmental impact. Soil erosion and sediment controls through the use of straw waddle and sediment fencing have been detailed in the site plans. In addition a dewatering plan with the use of filter bags has been included in the contract drawings. Environmental Protection Procedures and Erosion and Sedimentation Control documents were provided. It must be noted that the potential of environmental impact can not be guaranteed due to the possibility of construction error and the constraints of high groundwater table and the proximity of wetlands and surface water. Furthermore, the section of Bonnet Shore Road along the causeway will have to be raised or abandoned someday in the future due to sea level rise. Taking sea level rise projections into account, future maintenance activities will be costly and pose a greater threat to impact the area. See Staff Biologist report for additional details concerning the impact of sea level rise.

Public Notice Comments and Objections:

Many objections were received out of concerns about the possibility of impact to the area in case of failure of the sewer line. While a catastrophic failure or system leakage can never be guaranteed, a number of steps have been detailed to avoid or minimize impacts. The sewer system will be pressure tested during installation to ensure leak free operation. In the case of a power outage, in addition to the 3000 gallon holding tank, an emergency generator will be installed to keep the system running. The sewer main can be shut down in the case that a storm has the potential to wash out the causeway. The system will only be in operation seasonally from May through October. At the end of the season the sewer main will be removed from service and winterized to avoid rupture of the system to freezing conditions. Prior to bring the force main back online in the beginning of the season, the system can be inspected to see if the sewer main has been compromised through the presence of groundwater infiltration. In addition, the Town of Narragansett has required an Operation and Maintenance plan and an Emergency Response Plan prior to the issuance of construction permits.

Many of the Objections received stated a preference for the sewer main to be elevated and attached beneath an elevated walkway along the causeway. An exposed force main has the potential to be impacted through the exposure of the elements, storms, and the high risk of damage from a vehicle striking the walkway. An application for a walkway has not been submitted.

Alternatives:

The alternative of locating the sewer main towards the west along Conanicut Road to be tied in with

the Town's gravity collection system in Bonnet View Drive was also considered during a preliminary evaluation with the Town. This alternative route is less direct but would avoid crossing the causeway. The western route would require the force main to be an additional 500 feet long and require a 90 foot difference in elevation. Potential issues with this route include obtaining easements, construction impacts within residential neighborhoods, the presence of wetlands, identified ledge outcrops, potential utility conflicts, and possible sewer capacity limitations. Although this alternative was not thoroughly investigated by the consultant, the number of obstacles and risks associated with this this route likely make this a less reasonable alternative.

The alternative of renovating an onsite wastewater treatment (OWTS) system also exists. An application for the installation of a 17200 gallon capacity OWTS (2004-08-141) was approved April 12, 2007 in response to a 2001 Notice of Intent to Enforce issued by RIDEM. The system was never installed, and it appears that no action has been taken to rectify outstanding issues associated with the existing OWTS. An updated application for a modern denitrification OWTS would be required. It is the Staffs opinion that the installation of an OWTS is an alternative that can effectively manage and treat wastewater generated from the facility. While the alternative of installing a new OWTS is feasible it does not eliminate associated potential impacts to the environment from failure due to storms or sea level rise.

Of the reasonable alternatives, the applicant argues that the submitted plan to construct a sewer main through the causeway presents the least impact to the environment because it is the most direct route to the Narragansett sewer system, and it eliminates any possible discharge of nutrients associated with an OWTS. That said, the criteria for granting of a special exception states that there is no reasonable alternative means of, or location for, serving the compelling public purpose cited. It could be argued that in installation of sewer line presents the best method of treating wastewater; however, it is the Staff Engineer's opinion that the installation of an OTWS is a reasonable alternative.

Recommendation:

There are no engineering objections to the above described project, and it is the Staffs opinion that all reasonable steps have been taken to minimize environmental impacts to the project as proposed. Due to the submitted objections and the fact that other alternatives exist, Staff defers to the Council for a decision in regard to granting the special exception.

Signed _____ **Staff Engineer**

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

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location: 175 Bonnet Point Road (No. Street) Narragansett (City/Town)	File No. (CRMC USE ONLY): 2018-09-019
Owner's Name: Bonnet Shores Beach Club Condominium Association (Bonnet Shores Fire District- Co-Applicant)	Plat: N-S Lot(s): 631,632,633
Mailing Address: 175 Bonnet Point Road City/Town: Narragansett State: RI Zip Code: 02882	Contact No.: Stephen R. Ucci Esq Adler Pollock and Sheehan 401.274.7200
Contractor RI Lic. # Address	Tel. No.
Designer: CDM Smith Kevin Schott Address: 260 West Exchange St. Suite 300 Providence RI 02903	Tel. No. 401.751.5360
Name of Waterway: Conservation Area, Wesquage Pond	Estimated Project Cost (EPC): $1.5m Application Fee: $ 7750

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

Construct and maintain a seasonal sanitary force main sewer line connected to a municipal pumping station
Construct and maintain an on-site gravity collection system and on-site pumping station

(Details attached)

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): Various

Is this site within a designated historic district? ☐ **YES** ☒ **NO**

Is this application being submitted in response to a coastal violation? ☐ **YES** ☒ **NO**

If YES, you must indicate NOV or C&D Number: _____

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.)
Please see attached

STORMTOOLS (Http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

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 applicant's 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

Co- Applicant Bonnet Shores Fire Dist.
Michael Vendetti Council President

Owner's Signature (sign and print) Kevin Lynch President

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

/ajt 06/2018

RECEIVED
SEP 07 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

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

8-17-18
Date

Kevin Lynch- President Bonnet Shores Beach Club Condominium Association
Print Name and Mailing Address

/ajt 06/2018

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

RECEIVED
C R M C
COASTAL RESOURCES MANAGEMENT COUNCIL

FROM: Building Official DATE: October 25, 2018

SUBJ: Application of: Bonnet Shores Beach Club Condominium Association (Bonnet Shores Fire District Co Applicant)

Location: 175 Bonnet Point Road Narragansett, RI

Address: 175 Bonnet Point Road Plat No. n-s Lot No. 631,632,633

To Construct: Construct and maintain a seasonal force main sewer line connected to a municipal pumping station
Construct and maintain an on-site gravity collection system and on-site pumping station

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.

NO 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.

NO and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

NO 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 _____.

[signature] 25oct2018
Building Official's Signature Date

✓ 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.

[signature] 25oct2018
Zoning Officer's Signature Date

rev. 5/11/2001

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

SUMMARY

The Bonnet Shores Beach Club Condominium Association (Beach Club) is requesting the Approval of the Coastal Resources Management Council (CRMC) for the construction and maintenance of a seasonal sanitary forced main sewer line in Bonnet Point Road and onsite waste collection and pumping station for the exclusive use of the Beach Club (Attachment 1). This sewer line will be utilized from May until October only at which time the system will be winterized. The Beach Club has received the approval of the Town of Narragansett for this project. As required in the preliminary determination, this application is also being submitted by the Bonnet Shores Fire District (BSFD) which owns of the roadway (Bonnet Point Road) and has granted an easement to the Beach Club for the project (Attachment 2). The Beach Club wishes to commence construction in the fall of 2019 to coincide with the BSFD dredging of the adjacent pond.

BACKGROUND

The Rhode Island Department of Environmental Management (RIDEM) served a Notice of Violation on the onsite waste treatment system (OWTS) in 2001. Various alternatives were proposed to correct the problem. The optimal solution for the club and for environmental concerns was for the Beach Club to abandon the OWTS and connect to the Town of Narragansett (the Town) public sewer.

In 2009 the Rhode Island General Assembly passed Public Act 77 (Attachment 3) allowing the Beach Club permission to connect to the Town sewer system. This permission is conditioned upon the Beach Club not expanding the number of units, to which the Beach Club will abide by. The Beach Club undertook a detailed engineering study to determine the most feasible alternative to connect to the public sewer.

In 2015 CRMC made a preliminary determination (Attachment 4) on the Beach Club's plans. The plans were then modified to address these concerns. The plans call for a two inch seasonal forced main sewer line which would travel from the Beach Club to the Allagash Trail pumping station via Bonnet Point Road. The sewer line would be installed eighteen (18) to twenty four (24) inches below the surface of the center of Bonnet Point Road. Bonnet Point Road is owned BSFD. BSFD is an entity chartered by the Rhode Island General Assembly and is separate and distinct from the Beach Club and the Town of Narragansett. CRMC required the BSFD to be an applicant because they are the owners of the roadway.

On June 27, 2016 the BSFD granted an easement to the Beach Club which includes an agreement to execute any documents necessary to permit the sewer line (Attachment 2). The BSFD is a Co-Applicant to this Application as requested by CRMC in the preliminary determination. The Town provided correspondence (Attachment 10) that this project would not have an impact on the integrity of Bonnet Point Road.

On October 3, 2016 the Narragansett Town Council granted permission for the Beach Club to connect to the sewer system (Attachment 5).

On March 27, 2017, RIDEM issued a permit for the Beach Club to install a Three Thousand (3000) gallon waste holding tank (Attachment 6). This tank will be utilized by office personnel during the off season when the seasonal sewer line is turned off. It will also provide emergency capacity in the event of a failure of the sewer line during the season. This permit was renewed on April 10, 2018 (Attachment 7).

On September 8, 2017 the Town of Narragansett formally gave approval to the plan submitted by the Beach Club (Attachment 8).

Project Detail

The Beach Club (and the Fire District as co-applicant) request the CRMC to approve the attached design (Attachment 11) for the construction and maintenance of the seasonal sanitary forced main sewer line.

The two (2) inch PVC line will be connected to the Allagash Trail Pump station. The line will then be placed eighteen (18) to twenty four (24) inches beneath the center of Bonnet Point Road. Core Samples taken from various points in Bonnet Point Road (Attachment 12) show the ground water level. The width of the trench in Bonnet Point Road is not expected to exceed 12 inched in width. At all times during construction the contractor will be required to abide by the erosion control, dewatering and other environmental standards which are attached (Attachment 12). Oversite of the project will be provided by the Beach club to ensure compliance with the dewatering plan. The sewer line will continue along Bonnet point Road and through the entrance of the Beach Club. Once on Beach club property, the line will continue to the South East corner of the parking lot where the pump will be located.

A sewer injection pump will be a located in a five (5) foot diameter pump chamber which will then connect to a four (4) foot diameter sewer manhole via an eight (8) inch gravity PVC sewer line. An eight (8) inch PVC sewer line will then connect to the remaining sewer lines from the Beach Club.

The Beach Club will be removing a leach field, a pump chamber, two holding tanks and seven (7) septic tanks. One 3000 gallon tank will be installed to hold off season waste.

Relief Sought

The following regulations require variance or a Category B assent:

1.1.9 Setbacks

The removal of one of the leaching fields, the pump chamber and one of the septic tanks lies within the 75 foot dune buffer as such a variance is requested. The Project also requires a variance as the entire project will occur within 200 foot setbacks.

1.4.1 (D) Freshwater Wetlands in the Vicinity of the Coast (formerly 100.4)

1.2.2 (A) Shoreline Features- Coastal Beaches (formerly 210.1)

1.2.2 (B) Shoreline Features- Barrier Beaches (formerly 210.2)

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

1.3.1 (B) Filing removing or grading shoreline features (formerly 300.2)

1.3.1 (F) Treatment of sewage and storm water (formerly 300.6)

Category B Assent Rationale

1.3.1 In Tidal and Coastal Pond Waters, on Shoreline Features and Their Contiguous Areas (formerly § 300)

A. Category B Requirements (formerly § 300.1)

1. All persons applying for a Category B Assent are required to:

a. Demonstrate the need for the proposed activity or alteration;

The proposed project replaces an existing failing onsite waste treatment system. It is the most efficient and preferred method of removing the waste from the site and takes the most direct route to the nearest town sewer connection.

b. Demonstrate that all applicable local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met; local approvals are required for activities as specifically prescribed for nontidal portions of a project in §§ 1.3.1(B), (C), (F), (H), (I), (K), (M), (0) and (Q) of this Part; for projects on state land, the state building official, for the purposes of this section, is the building official;

Please see Attachments 6, 7, 8 and 10. All State and local approval has been obtained

c. Describe the boundaries of the coastal waters and land area that is anticipated to be affected;

Please see Attachment 11.

d. Demonstrate that the alteration or activity will not result in significant impacts on erosion and/or deposition processes along the shore and in tidal waters;

The entire project will be subgrade and in areas with pre-existing impervious covering. All appropriate environmental mitigation plans are found in Attachment 12.

e. Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life;

As stated above the entire project will occur subgrade beneath preexisting impervious covering. Many of the alterations will serve to return the area to its natural state by removing the underground tanks and leach field.

f. Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore;

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

The installation of the line is occurring beneath a public way as well as on private property. There will be sporadic interruptions in traffic, however there are alternative means to access the area. All construction will occur in the fall and spring when traffic is lightest. Construction will be coordinated with the Town and BSFD.

g. Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation;

The proposed alterations are subgrade in a pre-existing roadway and parking lot. The area will be dewatered during construction (Attachment 12).

h. Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM;

The proposed alterations are subgrade in a pre-existing roadway and parking lot. The area will be dewatered during construction per CRMC and Town of Narragansett standards, please see Attachment XX.

i. Demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance;

The roadway is a manmade causeway built sometime in the 1930s or 40's. Construction will occur within that filled material. The sewer line is 2 inches in diameter. The trench for the pipeline will be 18 to 24 inches with a width of no more than 12 inches.

j. Demonstrate that the alteration or activity will not result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce, and;

The project does not occur in these areas.

k. Demonstrate that measures have been taken to minimize any adverse scenic impact (see § 1.3.5 of this Part).

There will be no scenic impact as the entire project is below grade.

Variance Criteria

1.1.7 Variances (formerly § 120)

A. Applicants desiring a variance from a standard shall make such request in writing and address the six criteria listed below in writing. Except as otherwise provided herein, the application shall then be granted a variance only if the Council finds that the following six criteria are met.

1. The proposed alteration conforms with applicable goals and policies of the Coastal Resources Management Program.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

The Project conforms with the goals and polices of CRMC (1.3.1 (F) by improving the quality of coastal wetlands, contiguous freshwater wetlands, freshwater wetlands in the vicinity of the coast, groundwater resources and tidal and salt pond surface waters by removing a failed OWTS, with minimal impact to these areas during construction. The project minimize the amount of OWTS derived nitrates and other contaminates by eliminating the OWTS.

The project allows for the removal of waste from the ground instead treating it in a sanitary manner. The system is constructed to allow for emergency closure and clearing in the event a storm, which will eliminate the environmental concerns that exist today. The line will only serve the current Beach Club as no third party would be allowed to access it eliminating the risk of future development. The applicant has agreed to no further development at the property as a condition of the approval and it is a requirement of the statute which enabled the sewer tie in. (please see attachment 3).

The project will involve minimal excavation and disturbance in the regulated areas. There will be the removal and restoration of the natural conditions when 7 underground storage tanks and one leach field are removed.

2. The proposed alteration will not result in significant adverse environmental impacts or use conflicts, including but not limited to, taking into account cumulative impacts.

The legislation that allowed for the installation of the sanitary sewer line (Attachment 3) prohibits the Beach Club from expanding. Due to the nature of a seasonal private line, no one else may utilize it, so it will not facilitate future development. There are no environmental impacts or use conflicts.

3. Due to conditions at the site in question, the applicable standard(s) cannot be met.

The route chosen for the sewer line is the most direct method of removing the effluent form the property. The entire project is within the CRMC jurisdiction and there are no alternative means.

4. The modification requested by the applicant is the minimum variance to the applicable standard(s) necessary to allow a reasonable alteration or use of the site.

The route, depth and overall scope of the project meets the minimums to achieve the removal of the effluent from the property. The seasonal nature of the line ensures that year round usage will not be allowed.

5. The requested variance to the applicable standard(s) is not due to any prior action of the applicant or the applicant's predecessors in title. With respect to subdivisions, the Council will consider the factors as set forth in § 1.1.7(B) of this Part below in determining the prior action of the applicant.

The project is not based on the actions or inactions of the applicant rather is the result of an outdated on OWTS which was compliant when installed over 30 years ago.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

6. Due to the conditions of the site in question, the standard(s) will cause the applicant an undue hardship. In order to receive relief from an undue hardship an applicant must demonstrate inter alia the nature of the hardship and that the hardship is shown to be unique or particular to the site. Mere economic diminution, economic advantage, or inconvenience does not constitute a showing of undue hardship that will support the granting of a variance.

All alternatives to this project would require a number of deviations to these regulations and more disturbance to the protected areas i.e. a new OSWTS or a different route for the sewer line tie in. This approach is the least impactful to the protected areas.

B. In reviewing requests for buffer zone variances for subdivisions of five (5) lots or less, the Council will review on a case-by-case basis the extent to which the prior action of the applicant or its predecessor in title created or caused the need for a variance, whether the applicant has created the need for a variance by the subdivision and whether the subdivision complies

N/A

C. Relief from a standard does not remove the applicant's responsibility to comply with all other Program requirements.

Acknowledged

D. Prior to requesting approval for a CRMC variance, in those instances where a variance would be obviated if a variance for a setback were acquired from the local municipality, the applicant must first exhaust his remedies before the local municipality.

All local approval has been obtained.

Walk Way Project

The Beach Club is aware of a project being studied by the Bonnet Shores Land Trust (Land Trust). The Land Trust is an entity appointed by and subject to regulation by the Fire District. The Land Trust is exploring the possibility of erecting an elevated walk way adjacent to land it owns on Bonnet Point Road. Members of the Land Trust have suggested that the Sewer line be constructed within or more accurately suspended from the bottom of the walk way. The Fire District concluded that this concept is not feasible for the following reasons:

1) There are no plans or financing available for walk way construction;

2) The Beach Club would have to reengineer its design based on these plans which would cause an economic hardship;

3) A separate easement would need to be negotiated with the Land Trust;

RECEIVED
SEP 07 2018
COASTAL RESOURCES

4) New approvals would be need from the Town;

5) Bonnet Point Road would not be resurfaced as a result of the new plan;

6) The exposure to weather etc. could cause fatigue associated with an exposed line instead of a sub-grade line would create additional cost and greater risk of an environmental issue;

7) There is risk of rupture of the line from a vehicle striking the walkway or storm damage; and

8) Greater opportunity for vandalism.

The Beach Club supports the concept of a walk way in the area, but not the inclusion of this project. The Fire District and Land Trust have executed a letter that memorializes their support for this application and agreement that the two projects are separate. The Audubon Society has also furnished a letter of non-opposition to the project (Attachment 9).

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) shows aerial view of the Bonnet Shores Beach Club, Bonnet Point Road, and Wesquage Pond.

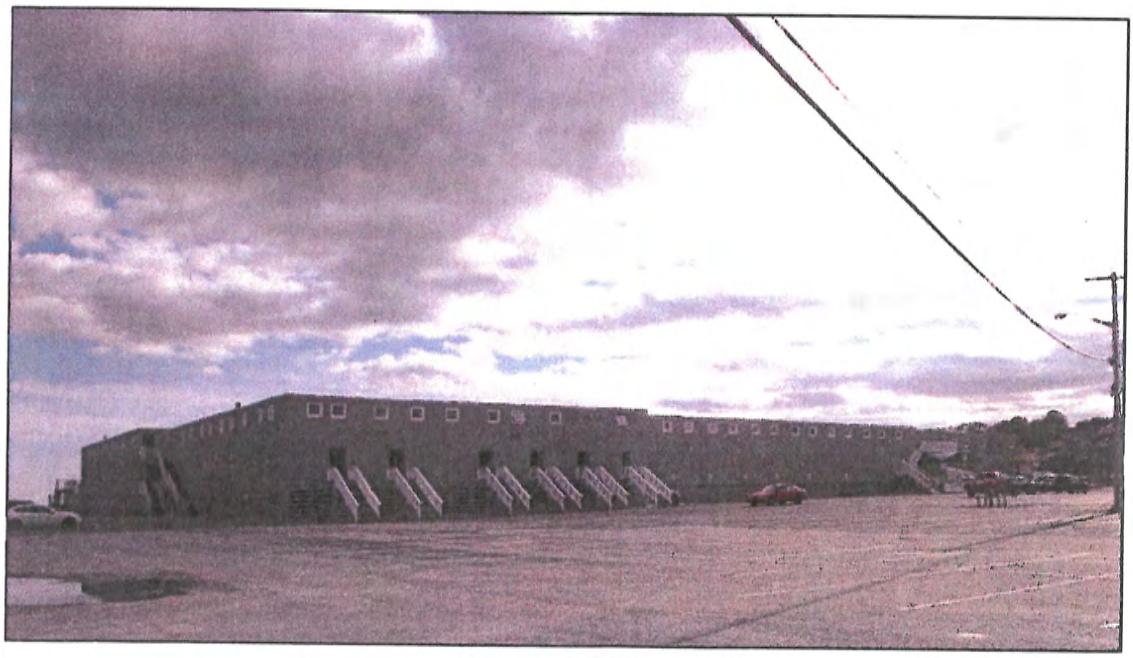


Photo (above) looking southwest shows view of the eastern portion of the Bonnet Shores Beach Club building facility and parking lot.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) looking south shows view of the eastern portion of the Bonnet Shores Beach Club building facility and parking lot.

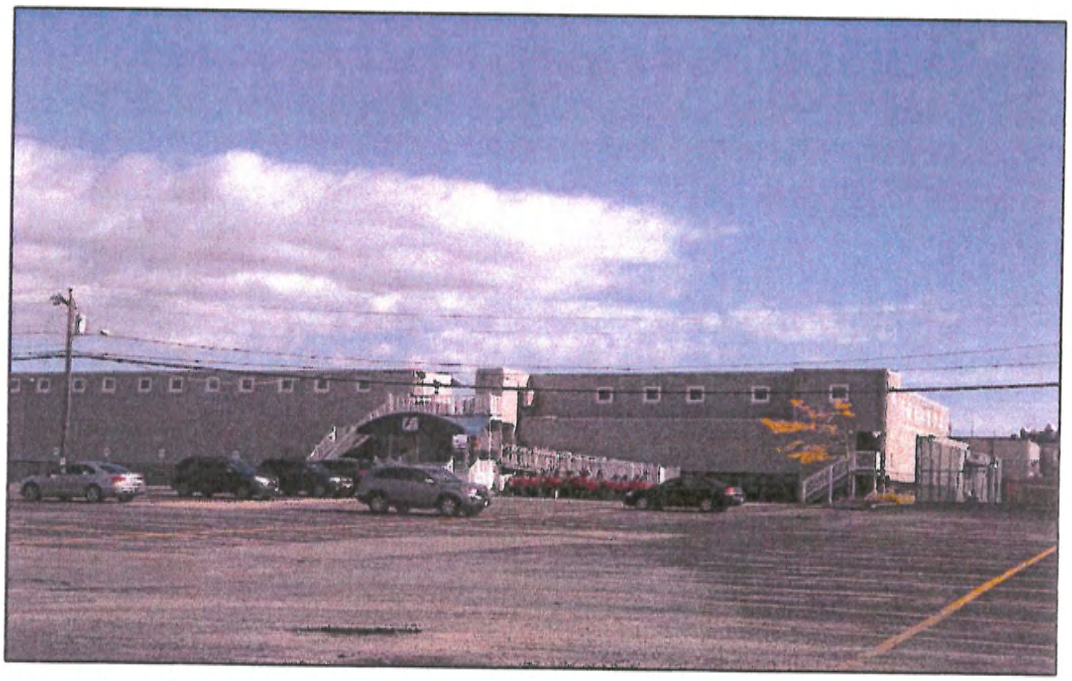


Photo (above) looking south shows view of the central portion of the Bonnet Shores Beach Club building facility (main entrance) and parking lot.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) looking south shows view of the existing wastewater holding tank (to be abandoned).



Photo (above) looking east shows view gatehouse (left) and proposed location of new wastweater pumping station in northeast corner of parking lot.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

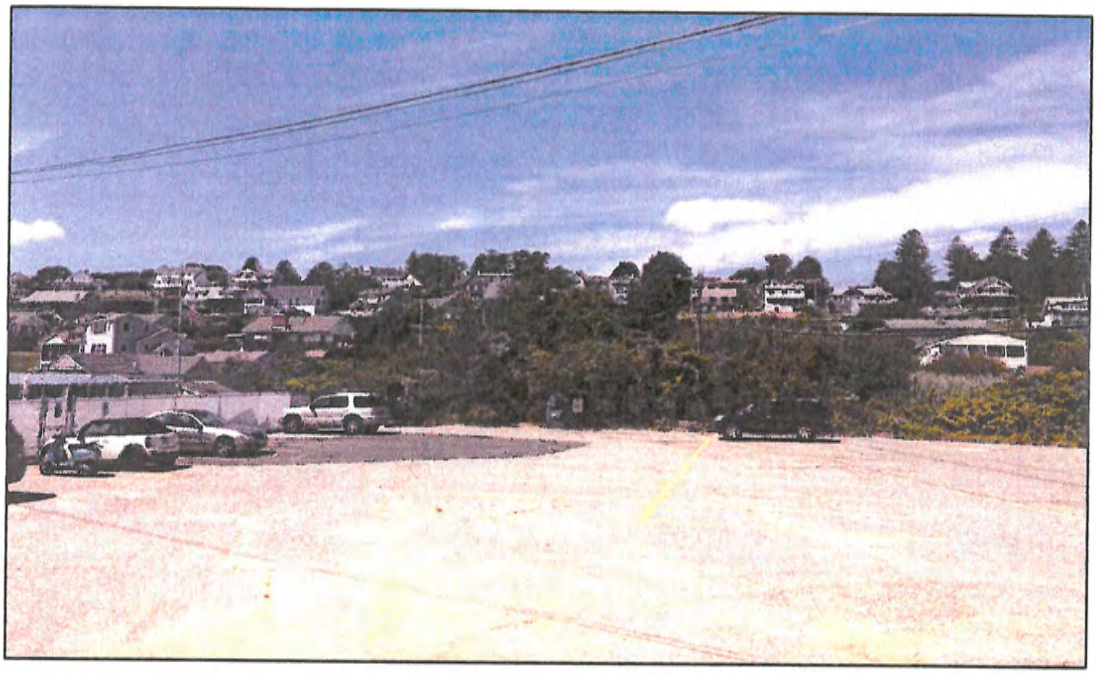


Photo (above) looking west shows western edge of property/parking lot and gated perimeter of the "Live-in" units (to the left).



Photo (above) looking southwest from existing leaching field shows gated perimeter of the "Live-in" units and parking lot.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) looking southeast from parking lot shows elevated leaching field (foreground) and "Horeshoe" building facility (background).



Photo (above) looking southeast from parking lot shows elevated leaching field (foreground) and "Horeshoe" building facility (background).

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) looking northeast shows elevated leaching field and concrete block retaining wall (left) and "Horeshoe" building facility (right).

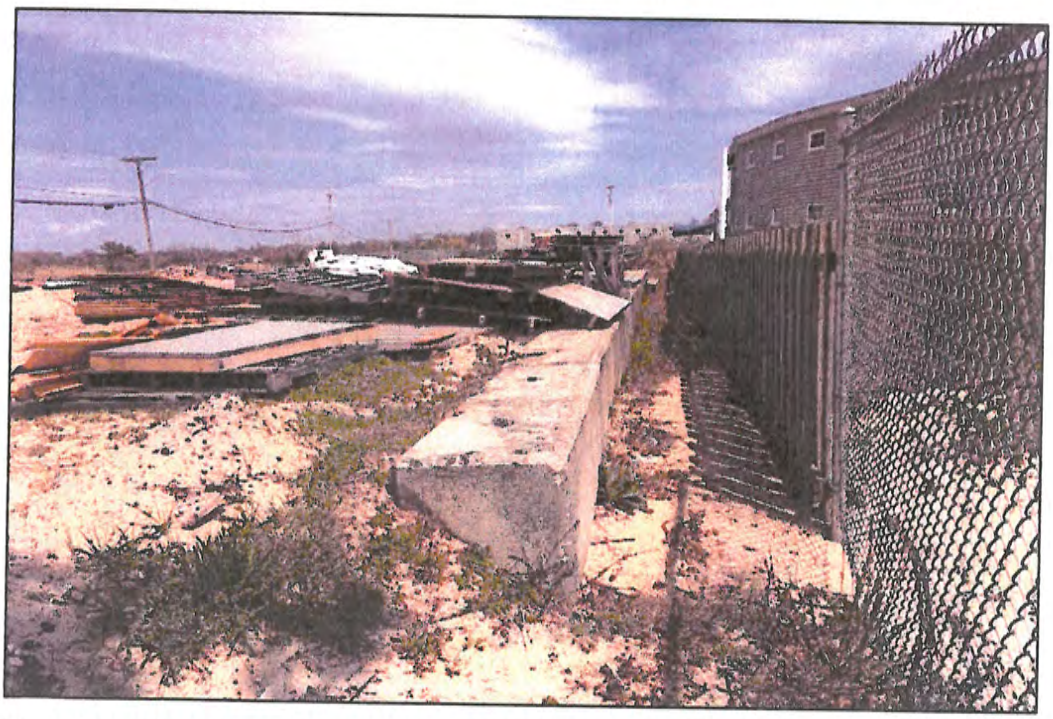


Photo (above) looking northeast shows elevated leaching field and concrete block retaining wall (left), existing fence and "Horeshoe" building facility (right).

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) looking southeast from parking lot shows beach and dune on east side of Bonnet Shores Beach Club facility.

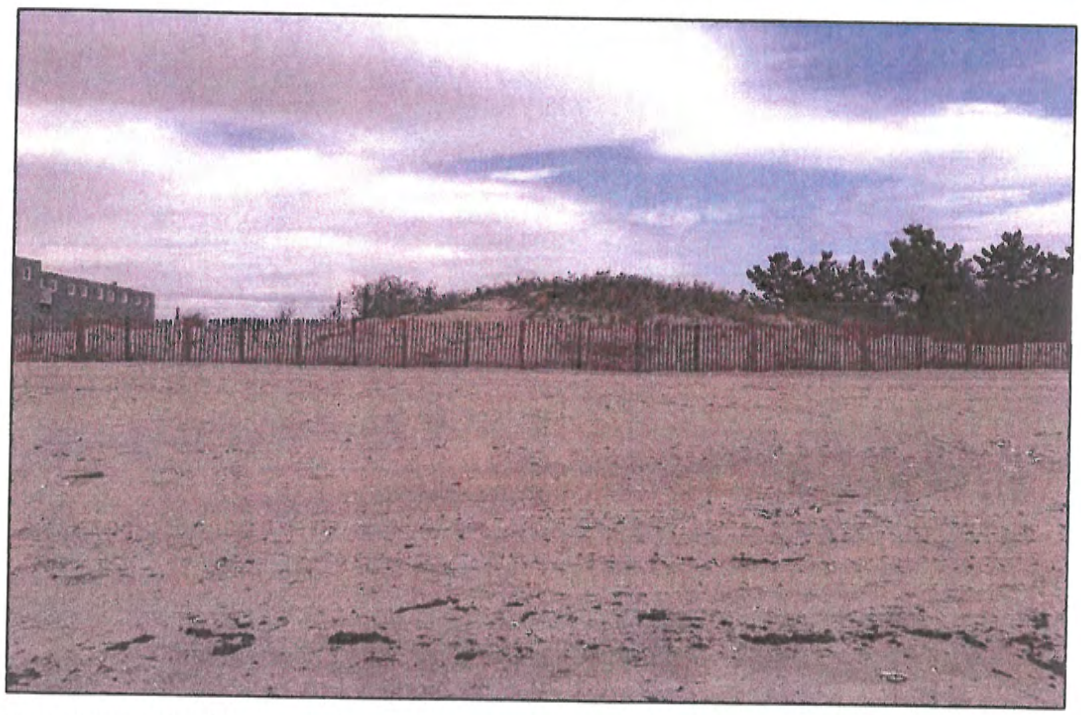


Photo (above) looking north from beach showing view of dune on east side of Bonnet Shores Beach Club facility (right) and Bonnet Shores Beach Club Facility (far left).

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) from parking lot showing the eastern portion of the parking lot/property.



Photo (above) looking northeast from beach showing view of dune on west side of Bonnet Shores Beach Club facility (foreground) and and "Horeshoe" building facility (right).

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

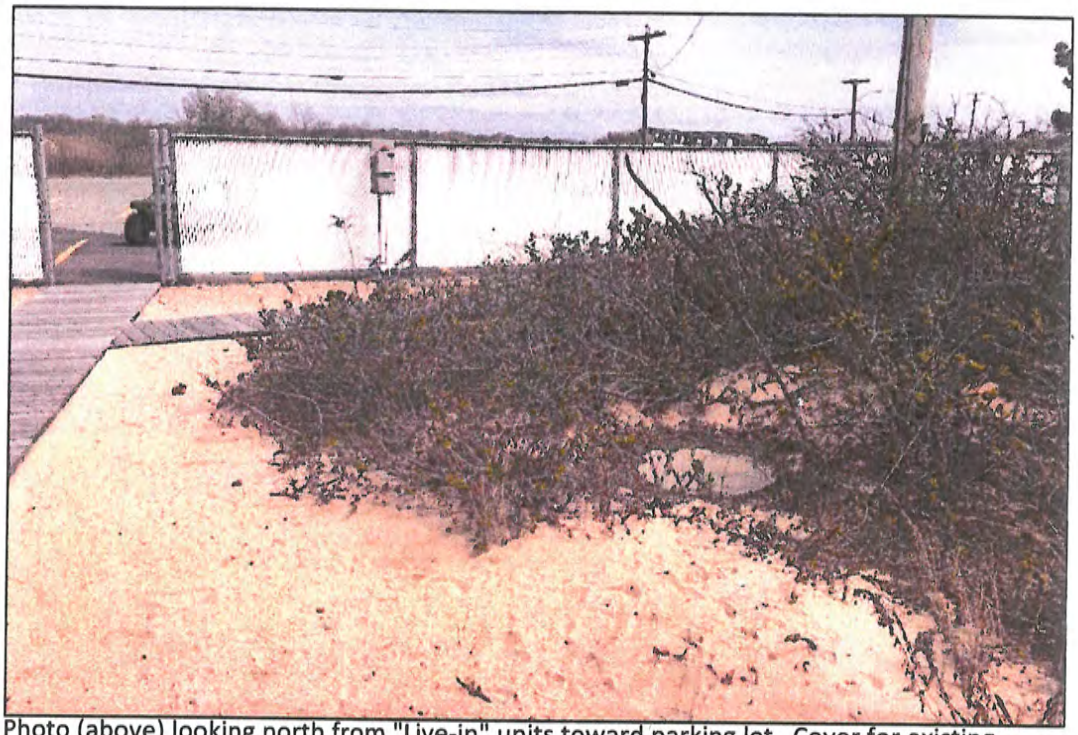


Photo (above) looking north from "Live-in" units toward parking lot. Cover for existing septic tank No. 7 shown in center of photo. Control panel for existing pump chamber



Photo (above) looking south from perimeter fence toward beach and "Live-in" units . Cover for existing septic tank No. 7 shown in left center of photo.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) looking northwest from Bonnet Point Road toward the Town of Narragansett's Allagash Trail Wastewater Pumping Station. The existing manhole cover for the proposed sewer connection is shown in right center of photo. Allagash Trail is shown



Photo (above) looking south along Bonnet Point Road from the intersection of Allagash Trail and Bonnet Point Road.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



Photo (above) looking south along Bonnet Point Road.

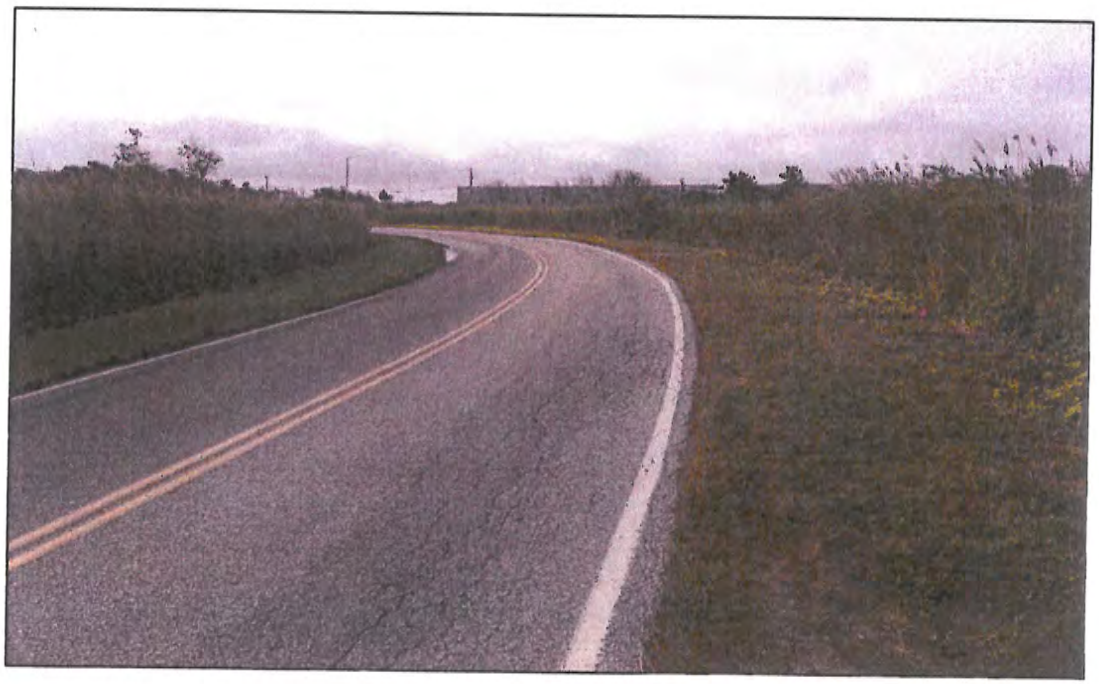


Photo (above) looking south along Bonnet Point Road. The Bonnet Shores Beach Club building facility is shown in the background.

RECEIVED
SEP 07 2018
COASTAL RESOURCES



Photo (above) looking east along Bonnet Point Road from the entrance to the Bonnet Shores Beach Club (right).

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

After recording, please return to:
Locke Lord, LLP

2800 Financial Plaza
Providence, RI 02903-2499
Attention: Stephen R. Ucci, Esq.

Execution Copy
As Agreed to by BSFD
Council on June 22, 2016

SANITARY SEWER LINE EASEMENT AGREEMENT

SANITARY SEWER LINE EASEMENT AGREEMENT (this "Agreement") is made and entered into as of the 27 day of June, 2016 by and between Bonnet Shores Fire District, a fire district chartered and existing under Rhode Island law and having an address of 130 Bonnet Point Road, Narragansett, Rhode Island 02882 (the "Grantor"), and Bonnet Shores Beach Club Condominium Association, a Rhode Island non-profit corporation and having an address of 175 Bonnet Point Road, Narragansett, Rhode Island 02882 (the "Grantee" and/or interchangeably referred to as the "Beach Club").

W I T N E S S E T H:

WHEREAS, the Grantor was created by the General Laws of the State of Rhode Island and has been asked by Grantee to grant an easement in a portion of that certain roadway located in the Town of Narragansett known as Bonnet Point Road (such portion of Bonnet Point Road being hereinafter referred to as the "Causeway");

WHEREAS, the Grantee is the association that represents all of the unit owners of the Bonnet Shores Beach Club Condominium, a condominium declared pursuant to that certain Declaration of Condominium dated January 26, 1988, and recorded in the Land Evidence Records of the Town of Narragansett at Book 215 at Page 169, as amended (the "Condominium" or the "Bonnet Shores Beach Club Condominium"), which Condominium affects certain real property and improvements as currently described in the aforesaid condominium declaration (the "Benefited Land" or "Grantee's Property"), and which abuts Bonnet Point Road;

WHEREAS, the Grantee desires to construct, operate and maintain within a portion of the Causeway a force main sewer line that will provide for the conveyance and disposal of the sanitary sewage generated at the Bonnet Shores Beach Club to the Town of Narragansett sanitary sewer pumping station located at the intersection of Bonnet Point Road and Allagash Trail in Narragansett; and

WHEREAS, Grantee has requested, and Grantor has agreed, to convey to Grantee a non-exclusive, easement for a sanitary sewer line burdening the Causeway for the benefit of Grantee's Property;

WHEREAS, the easement shall be solely for the benefit of the Grantee's Property and shall inure to the benefit of Grantee's successors and assigns as provided for herein;

WHEREAS, the easement shall be utilized by the Grantee in conformance with this grant and the Grantee shall indemnify and hold harmless the Grantor as set forth herein:

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

WHEREAS, the easement is granted in consideration of and the receipt of terms and conditions from the Grantee provided to the Grantor, who acknowledges receipt of the same, pursuant to this Agreement.

WHEREAS, the Grantor agrees to provide to the Grantee an easement within a portion of Bonnet Point Road for such sewer line in accordance with and subject to the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration given, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Grant of Easement**. Subject to Grantee's receipt of any and all state and local approvals necessary or appropriate for the construction, installation and operation of the Sanitary Sewer Line (herein defined), the Grantor does hereby grant to the Grantee a non-exclusive easement (the "Easement") underneath that portion of the Causeway as shown on the drawing attached hereto as Exhibit A (the "Easement Area") to construct, install, maintain, repair, remove, replace, use and operate one (1) force main sanitary sewer line (the "Sanitary Sewer Line") solely for the purpose of connecting (and transmitting sanitary sewerage from) the Bonnet Shores Beach Club Condominium seasonal beach club to the Town of Narragansett sanitary sewer pumping station located at the intersection of Bonnet Point Road and Allagash Trail, all at the sole cost and expense of Grantee, and all in accordance with the terms and provisions of this Agreement, and for no other use and for no other purpose. All lines, fixtures, equipment and apparatus so installed in the Easement Area (collectively, the "Sewer Fixtures") shall, after installation, remain the sole property and responsibility of the Grantee and Grantor shall have no responsibility or liability whatsoever with respect to the Sewer Fixtures. The Sanitary Sewer Line and Sewer Fixtures are hereinafter collectively referred to as the "Sanitary Sewer Line". It is understood and agreed that Grantor shall not be liable for any inconvenience or interruption or other consequences resulting from any damage to the Sanitary Sewer Line, howsoever caused.

2. **Temporary Easement**. The Easement shall include a temporary construction easement, as provided for herein, allowing ingress and egress to and from the Easement Area as reasonably necessary for the installation, maintenance, repair and removal of the Sanitary Sewer Line provided that none of Grantee's aforesaid activities on the Causeway shall interfere with Grantor's (and all others entitled to the use thereof) use of Bonnet Point Road, the Causeway, or the Easement Area and nothing herein shall allow Grantee to relocate any Sanitary Sewer Line to any area outside of the Easement Area.

If the surface of Bonnet Point Road or any portion thereof, or any improvements thereon, shall be disturbed by any activities performed by or on behalf of Grantee in connection with the Easement, said surface and improvements shall be promptly restored by Grantee to the condition and standards required by the Town of Narragansett, at Grantee's sole cost and expense. Immediately following the completion of work by or on behalf of Grantee, Grantee shall remove from Bonnet Point Road, including the Easement Area, all equipment, materials and debris resulting from or used in connection with such work.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

3. **Restrictions on Scope of Easement.**

The easement granted by Grantor in Section 1 herein, is made expressly subject to the condition that in no event will the Sanitary Sewer Line be utilized for any purpose other than for the transmission of sanitary sewage and non-hazardous wastewater generated by the Bonnet Shores Beach Club Condominium, operating as a seasonal beach club. As used herein, "seasonal beach club use" shall mean a private club that is open to its members and guests from May to October, and operated in a manner consistent with the current use; provided, however, that the Grantee is not limited from expanding services to benefit its members and owners consistent with its current use, as a seasonal beach club.

In addition, this Easement is expressly made subject to the following covenants and conditions, which, if violated shall render the rights of Grantee hereunder null and void:

(a) The Benefited Land may only be used as a seasonal beach club. Grantee agrees that this Easement is an easement in gross and that Grantee's rights hereunder shall cease and be of no further force or effect in the event that the Benefited Land is used for any use other than a seasonal beach club. The Sanitary Sewer Line and Easement may only serve the Benefited Land and no other property may utilize or burden the Easement or the Easement Area, except as expressly set forth in Section 10(c) hereof.

(b) The Sanitary Sewer Line and Grantee's Work must be built and performed in strict accordance with the approved construction plans from the State and local regulatory agencies which will approve such plans ("Plans"). The approved Plans shall be incorporated herein by reference as identified on Exhibit B, attached hereto and incorporated herein.

4. **Construction on Easement Area.** Grantee will perform (or cause to be performed) all construction in a workmanlike manner in accordance with the Plans, and all applicable laws, statutes, ordinances and codes and all permits and approvals therefor and in such manner so as to minimize any interference with the use and enjoyment of Bonnet Point Road by Grantor (and all others entitled to the use thereof) and only upon forty eight (48) hours prior notice during business hours, which notice shall include a description of the scope and nature of the work to be performed.

Following the installation of the Sanitary Sewer Line, Grantee shall repair and resurface the entire Causeway, from edge to edge. The resurfacing and repair will be pursuant to the requirements of the Town of Narragansett. The installation of the Sanitary Sewer Line and the performance of the aforesaid repair and resurfacing of the Causeway are collectively referred to as "Grantee's Work". Grantee's Work shall not be performed during June, July or August and, once commenced, shall be diligently completed, within a reasonable time period.

Prior to the commencement of any construction, the Grantee agrees to provide the Grantor with a construction schedule; Insurance Binder naming Grantor as an insured party which shall be consistent with the insurance requirements set forth in Section 7 hereof; and, provide Grantor with evidence of all necessary approvals from the Rhode Island Department of

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Environmental Management, Town of Narragansett, Rhode Island Coastal Resources Management Council, and any other governmental entity having jurisdiction with respect to the Grantee Work, for the construction and the installation of the Sanitary Sewer line.

To ensure that Grantee timely completes Grantee's Work as required herein, Grantee shall, prior to commencing Grantee's Work, provide a copy of the Bond posted with the Town of Narragansett, which Bond will name the Grantor as a party.

Grantee shall promptly pay when due all charges from all contractors, subcontractors and suppliers supplying goods or services to Grantee and shall keep the Causeway free and clear of any liens related to such charges.

Grantee shall ensure that all contractors and subcontractors performing any work with respect to the Causeway are duly licensed and insured.

5. **Maintenance and Repair**. Grantee shall, at all times, repair, and maintain the Sanitary Sewer Line, at its sole expense, in a workmanlike manner and accordance with all then-applicable laws, statutes, codes and ordinances. Prior to performing any such maintenance, repairs or replacements, Grantee shall deliver to Grantor prior notice during business hours of at least five (5) business days (except in emergencies threatening injury to persons or property when such notice as is practicable under the circumstances shall be provided), which notice shall include a description of the scope and nature of the work to be performed. Any damage or disturbance to Bonnet Point Road caused by any such entry shall be repaired by Grantee in a workmanlike manner and in accordance with the standards and requirements of the Town of Narragansett. Grantee shall assure at all times that the Sanitary Sewer Line does not leak and that no sanitary sewage, petroleum-containing substance, hazardous substance or hazardous material is discharged or released therefrom in, on or under the Causeway or any other property. If Grantee in the course of the exercise of any of its rights hereunder, including without limitation, constructing, installing, operating, inspecting, maintaining, repairing or replacing any Sewer Fixtures and the Sanitary Sewer Line in the Causeway damages the pavement, landscaping or other improvements on the Causeway, Grantee shall promptly repair at its sole cost and expense all damage and restore the Causeway in accordance with the standards and requirements of the Town of Narragansett. Notwithstanding the foregoing, any damage or disturbance to Bonnet Point Road arising in whole or in part from the Grantee's exercise of its rights under this Agreement, the neglect or misuse by Grantee, or from the installation, connection, maintenance, repair and replacement of the Sanitary Sewer Line by Grantee shall be immediately cured by Grantee at its sole cost. Grantor and Grantee shall coordinate with each other with regard to any temporary road closures that may be required in connection with such maintenance or repair work. Grantee agrees to mitigate any road closures, the need for road closures and perform all necessary repairs, maintenance and replacements with the least impact to the Grantor and the Causeway as possible. Grantee agrees that any temporary road closures that may be required in connection with such construction shall be coordinated with the Grantor. Repair and maintenance may occur year round, however the Grantee will use best efforts to minimize work performed in July and August.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

6. **Reservation**. Grantor hereby reserves and retains all other property rights in and to the Bonnet Point Road and the Easement Area, including without limitation, the right to use Bonnet Point Road and the Easement Area for any purpose whatsoever, so long as such use does not substantially and unreasonably interfere with Grantee's rights hereunder. The Grantor reserves the right to relocate the Sanitary Sewer Line at any time, necessary to improve Bonnet Point Road and the Easement Area, so long as the relocation has a minimal impact on the Grantee. In addition, Grantee shall fully cooperate with Grantor and the Town of Narragansett in connection with any maintenance, repair, replacement or reconstruction of the Causeway conducted by Grantor or the Town of Narragansett. Grantor also agrees to reasonably cooperate with Grantee, at no cost to Grantor and without incurring any liability thereunder, in executing such applications, as may be reasonably necessary or appropriate to facilitate the permitting and installation of the Sanitary Sewer Line. The Grantor does hereby authorize the President of the Bonnet Shores Fire District Council to execute such documents.

7. **Insurance**.

Grantee shall obtain and at all times maintain, at its own cost and expense, a policy or policies of general liability insurance with respect to the activities permitted pursuant to the terms of this Agreement, such policies to provide coverage for death or personal injury and for property damage having minimum limits of not less than One Million Dollars ($1,000,000) per occurrence and Five Million Dollars ($5,000,000) in the aggregate. Such insurance shall include but not be limited to coverage for the accidental release or discharge of sanitary sewage from the Sanitary Sewer Line.

The policy/policies shall name Grantor as an additional insured and contain a waiver of subrogation in favor of Grantor. All such policy or policies shall be issued by companies having a Best's rating of not less than A. An insurance certificate, evidencing such coverage and requiring thirty (30) days prior written notice to Grantor of any cancellation or termination of such insurance, shall be provided to the Grantor prior to the commencement of any construction activities conducted pursuant to this Agreement and within thirty (30) days of any such policy renewals or expiration.

8. **Indemnity**. The Grantee shall indemnify, defend and hold harmless the Grantor from and against any and all action, causes of action, suits, claims, demands, obligations, damages and liabilities, of any nature whatsoever, including court costs and reasonable attorneys' fees, arising directly or indirectly from the exercise of the Grantee's rights or performance of its obligations hereunder, any other acts or omissions of Grantee, its employees, agents or contractors, or Grantee's breach of any of the terms and provisions of this Agreement, or arising from any accident, injury or property damage whatsoever relating to bodily injury (including, but not limited to death of any person) or damage occurring on or about the Easement Area, or arising from any accident, injury (including, but not limited to death of any person) or damage occurring on the Easement Area, where such accident, injury or damage results or is claimed to have resulted from any act, omission or negligence on the part of such Grantee or such Grantee's permittees, or their contractors, licensees, affiliates, nominees, assigns, agents, servants, invitees or employees. This indemnity and hold harmless covenant shall include an indemnity against all costs, expenses and liabilities incurred in connection with any such claim or proceeding brought

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

thereon, and the defense thereof, including without limitation any effects or consequences resulting from any exposure to Hazardous Waste or violation of any state and/or federal environmental law. Grantee agrees that Grantor shall not be responsible or liable to Grantee, or to those claiming by, through our under Grantee, for any loss or damage that may be occasioned by or through the acts, omissions or negligence of persons or entities occupying, visiting, or otherwise using the Grantee's Property (including, but not limited to, Grantee's permittees). This indemnity shall survive the expiration or earlier termination of this Agreement.

9. **No Dedication**. Nothing contained herein shall be deemed to be a gift or dedication of any land to the general public or for any public use or purpose whatsoever. Except as specifically set forth herein, no right, privilege or immunity of any party shall inure to the benefit of any third party, nor shall any third party be deemed to be a beneficiary of this Agreement.

10. **Consideration**. (a) Grantee agrees to make a one-time payment of $21,000 (Twenty-One Thousand Dollars) to Grantor within fifteen (15) days of the issuance of all necessary approvals for the construction of the Sanitary Sewer Line, but prior to commencing construction or installation of the Sanitary Sewer Line.

(b) Grantee hereby grants to the Grantor an access easement to allow the Grantor to have access to the main entrance to the Benefited Land from the Causeway, year-round at all reasonable times, to permit backhoes and other machinery to access the beach and shoreline for purposes of maintaining Kelly Beach, the breachway and performing such other activities on the Grantor's Property as Grantor deems appropriate.

(c) Upon installation and implementation of the Sanitary Sewer line, Grantee agrees to grant to Grantor, and or the Bonnet Shores Land Trust, the necessary permission and utility easement to connect to the operational Sanitary Sewer Line for restrooms on property owned by Grantor and or the Bonnet Shores Land Trust, on what is commonly known as Kelly Beach. Grantee agrees to publicly support the restroom construction during all phases of permitting and execute all necessary documents.

11. **Successors and Assigns**. The covenants and obligations of Grantee under this Agreement shall constitute covenants and easements appurtenant to the real property of the Grantor and its related entities, and shall run with the land. The rights and privileges granted to the Grantee hereunder are in gross and shall terminate and be of no further force or affect in the event that the Grantee breaches any of the terms and conditions set forth herein. This Grant of Easement cannot be assigned, transferred, conveyed, or assumed by any other entity, Association and/or person who intends to utilize the Benefited Land for any other purpose other than a seasonal beach club, as currently used.

12. **Remedies and Enforcement.**

A. In the event of a breach or threatened breach by Grantee of the provisions hereof, Grantor shall be entitled to full and adequate relief by injunction and all other available

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

legal and equitable remedies.

B. In addition to all other remedies available at law or in equity, upon the failure of Grantee to cure a breach of this Easement Agreement within thirty (30) days following written notice thereof, Grantor shall have the right to perform such obligations contained in this Easement Agreement on behalf of Grantee and be reimbursed by Grantee upon demand for the reasonable costs thereof. Any claim for reimbursement and all costs and expenses including reasonable attorneys' fees awarded to Grantor in enforcing any payment in any suit or proceeding under this Agreement shall be assessed against the Grantee and shall constitute a lien (the "Assessment Lien") against the Benefited Land until paid, effective on and as of the time and date of the recording of a notice of lien with respect thereto in the Land Evidence Records of the Town of Narragansett (the "Registry"). Upon the timely curing by the Grantee of any default for which a notice of lien was recorded, the party recording same shall record an appropriate release of such notice of lien and Assessment Lien.

C. In any legal or equitable proceeding to determine the rights of the parties to enforce or restrain the breach of this Easement Agreement, the unsuccessful party shall pay the reasonable attorneys' fees and costs of the prevailing party. The remedies set forth herein shall be cumulative and in addition to all of the remedies permitted at law or in equity.

13. **Governing Law.** This instrument shall be governed and construed under the laws of the State of Rhode Island.

14. **Reasonable Use of the Easement.** This grant of easement is to be used and enjoyed by the Grantee (its permittees as provided herein) in such a manner so as not to unreasonably interfere with, obstruct or delay the conduct and operations of Bonnet Point Road and adjacent properties. Grantee shall not overburden the existing sewer facilities owned by Grantor located on, in, under and through the Causeway.

15. **Headings.** Paragraph headings, where used herein, are inserted for convenience only and are not intended to be a part of this Easement Agreement or in any way to define, limit or describe the scope and intent of the particular paragraphs to which they refer.

16. **Amendment.** This Easement Agreement may only be amended by a recorded document executed by the Parties to this Easement Agreement or their successors of record.

17. **Waiver.** No waiver of, acquiescence in, or consent to any breach of any term, covenant or condition of this Easement Agreement shall be construed as a waiver of or acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant or condition.

18. **Severability.** If any term or provisions of this Easement Agreement shall, to any extent be invalid or unenforceable under applicable law, then the remaining terms and provisions of this Easement Agreement shall not be affected thereby, and each such remaining terms and provisions shall be valid and enforced to the extent permitted by law.

7

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Agreement as of the day and year first written above.

Grantor:

BONNET SHORES FIRE DISTRICT

By: Leonard J. Mercier
Name: Leonard J. Mercier
Title: President

Grantee:

BONNET SHORES BEACH CLUB CONDOMINIUM ASSOCIATION

By: Carol A O'Donnell
Name: Carol A O'Donnell
Title: BSBCA president

8

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

09-LA077
2009 -- H 5683 SUBSTITUTE A AS AMENDED
Enacted 07/16/09

AN ACT
RELATING TO AUTHORIZATION FOR SANITARY SEWER LINE FROM BONNET SHORES BEACH CLUB CONDOMINIUM TO TOWN OF NARRAGANSETT WASTEWATER TREATMENT SYSTEM

Introduced By: Representative Donald J. Lally
Date Introduced: February 25, 2009

It is enacted by the General Assembly as follows:

SECTION 1. Notwithstanding any other state law or regulation to the contrary, the Bonnet Shores Beach Club Condominium Association, Inc. is hereby authorized to construct, use, operate, maintain and repair a sanitary sewer line (and any necessary pumping or lift station equipment) connecting the Bonnet Shores Beach Club Condominium property located at 175 Bonnet Point Road, Narragansett, Rhode Island, to the Town of Narragansett wastewater collection and treatment system. Such sewer line shall allow for the discharge of sanitary sewage from the Bonnet Shores Beach Club Condominium to the Town of Narragansett wastewater collection and treatment system in lieu of existing on-site wastewater treatment and disposal.

SECTION 2. The construction, use, operation, maintenance and repair of such sanitary sewer line shall be subject to the issuance of all required state and local approvals, permits and licenses to the extent not inconsistent with the foregoing authorization.

SECTION 3. The foregoing authorization is and shall remain conditioned upon no creation of additional units in the Bonnet Shores Beach Club Condominium beyond the number of units declared and constructed in the Bonnet Shores Beach Club Condominium as of January 1, 2009.

SECTION 4. Any connection to such sewer line from any property other than from the Bonnet Shores Beach Club Condominium shall be allowed by the Town of Narragansett only as a replacement for an on-site wastewater treatment and disposal system at such other property in existence as of January 1, 2009.

SECTION 5. In the event of the issuance of any final decision by the U.S. Department of Commerce or the National Oceanic and Atmospheric Administration (NOAA) that the continued provision of funds by said Department or NOAA to the Rhode Island Coastal Resources Management Council is to be terminated, reduced, or negatively amended as a result of the passage of this act, this act shall then be deemed to be null and void and of no further effect.

SECTION 6. This act shall take effect upon passage.

LC01869/SUB A/2

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

NAME: **Bonnet Shores Beach Club**
CRMC FILE NUMBER: **D 2015-01-021**

a—The Assent application will require Category B review, including 30 day public notice and Coastal Council public hearing.

b—All wetlands and waterbodies along Bonnet Point Road are classified as Type 1 conservation area.

c—All wetlands along Bonnet Point Road are regulated as coastal wetland under Sections 210.3 and 300.12.

d—Both landowners (BSBCA & BSFD) shall sign the application as co-owners of the properties. Appropriate easements and future responsibility for construction and maintenance purposes shall also be documented at the time of Assent application.

e—A variance to Section 140 setback requirements will be necessary for the roadway earthwork.

✓ Section 150 buffer requirements are inapplicable to this project if the work is contained to the roadway/existing developed areas. In addition, the setback requirements from beach/dune areas may be applicable to the project and require a Special Exception or variance (it is unclear from the submitted plans). Future application shall include the southern coastal feature (beach/dune area).

f—The ACOE GP may be required for work below MHW or alteration of wetlands. The project will be initially reviewed by the ACOE through CRMC's public notice/GP process, however, the applicant is encouraged to consult directly with the ACOE with respect to the proposed project.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

SIGNATURE: _____ STAFF BIOLOGIST

SIGNATURE: _____ STAFF ENGINEER

NAME: **Bonnet Shores Beach Club**
CRMC FILE NUMBER: **D 2015-01-021**

SUMMARY OF FINDINGS

CRMC JURISDICTION: YES **TYPE WATER: 1, Conservation Area, Wesquage Pond**
For the purpose of this review the coastal feature(s) shall be the coastal beach, dune and wetland system located on a moderately developed barrier and the inland edge of coastal(s) feature shall be the back of beach, inland edge of foredune zone and/or inland edge of coastal (including contiguous freshwater) wetland, as applicable. Note, portions of this project directly abut a developed barrier also.

Applicability of CRMP and SAM Plans (as amended):
CRMP Sections: 100.4, 120, 130, 140, 145, 200.1, 210.1, 210.2, 210.3, 220, 300.1, 300.2, 300.3, 300.6

STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:

1) RICRMP Section 210.2 prohibits "new development" on Moderately Developed Barriers and specifically prohibits the "construction of new infrastructure or utilities or expansion of existing infrastructure or utilities" on all barriers. Not withstanding legislative action (2009 H5683 as amended) relief from such prohibition requires the issuance of a Special Exception consistent with Section 130 burdens of proof. The full Coastal Council will have to determine if this project qualifies for the legislative relief referenced above.

2) The proposed project seeks to direct-cut install a new sewer line from the existing municipal pumping station along a low-elevation causeway abutting Wesquage Pond to a proposed pumping station and collection system to be located within the parking lot of the existing beach club. Additionally, existing drainage pipes below the causeway are proposed to be replaced. The sewer line is proposed to replace existing failing OWTS.

3) A portion of the project site is located on a moderately developed barrier and much of the project is located immediately adjacent to coastal wetlands, which includes a wildlife refuge. The majority of work near the wetlands is limited to the existing roadway with the exception of the proposed drainage work. Permanent disturbance to wetland will require a Special Exception as well as 2:1 mitigation pursuant to Section 300.12 requirements.

4) The applicant shall address the requirements of Section 300.6 including the most recent Stormwater Manual and Soil Erosion & Sediment Control Manual.

5) The applicant shall delineate the extent of all proposed work (stockpiling, earthwork, access, future maintenance, impact to wetlands, etc).

6) The applicant shall provide a signoff from the Town of Narragansett at the time of CRMC application.

7) A RIDEM Water Quality Certification may be required for the proposed work. The applicant is advised to consult directly with RIDEM though concurrent CRMC review can occur as applicable.

8) The applicant seeks guidance on six particular questions as discussed below:

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
REPORT OF FINDINGS -- PRELIMINARY DETERMINATION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

STATEMENT OF LIMITATIONS

The contents of this staff determination report shall be valid only for the period on and preceding the date of this report. This report is neither an approval nor denial of the subject proposal. It is an evaluation of CRMC regulations in effect as of 27 April 2015 as they pertain to the below stated proposal, including preliminary staff recommendations.

Modifications to the below stated proposal may, upon the discretion of the CRMC, render this determination null and void.

APPLICANT INFORMATION

NAME: **Bonnet Shores Beach Club** **CRMC FILE NO.** D2015-01-021
LOCATION/POLE: 175 Bonnet Point Road
CITY/TOWN: Narragansett **PLAT:** N-S **LOT:** 631,632,633

CONTACT PERSON(S) & ADDRESS:

Bonnet Shores Beach Club Condominium Assn.
P O Box 238
Saunderstown, RI 02874

Kevin Schott
CDM Smith, Suite 300
260 West Exchange St.
Providence, RI 02903

PRELIMINARY REVIEW INFORMATION

PROPOSAL: C/m a sanitary force main sewer line connection to a municipal sewer pumping station; C/m onsite gravity collection system and onsite pumping station.

PLAN(S) REVIEWED: "Bonnet Shores Beach Club, Narragansett…Wastewater Collection System Improvements…" dated November 2014 by CDM Smith, total 4 sheets.

INVESTIGATOR: T. Silvia, R. Singer

PREVIOUS CRMC ACTIONS FOR SITE: There are numerous CRMC permits and several previous Enforcement actions for this property cited within the CRMC's database.

Preliminary Buffer and Setback Requirements:

SETBACK (ref. Section 140 CRMP): 50'
BUFFER (ref. Section 150 CRMP): N/A

Note: Setbacks apply to "construction related activities" including filling, removing, and grading (ref: Section 300.2 CRMP). The coastal program requires a minimum setback of either 50', or the buffer zone width plus 25' (whichever is greater). Work within this minimum setback will require a variance per Section 120 of the CRMP. All variances must be requested in writing. No construction or construction related work shall occur within the required setback (exemptions include structural shoreline protection, outfalls and water dependant uses).

TOWN OF NARRAGANSETT
Town Hall • 25 Fifth Avenue • Narragansett, RI 02882
Tel. (401) 789-1044 TDD (401) 782-0610 Fax (401) 783-9637

ENGINEERING DEPARTMENT

October 5, 2016

Adler Pollock & Sheehan, P.C.
One Citizen's Plaza, 8th Floor
Providence, RI 02903-1345
Attn: Stephen R. Ucci

Re: Bonnet Shores Beach Club Sewer Approval

Dear Mr. Ucci:

At their meeting of October 3, 2016, the Town Council unanimously voted to approve the recommendations of the Sewer Policy Committee and grant permission to the Bonnet Shores Beach Club to connect to the public sanitary sewer system. A copy of the Town Council Agenda Item is attached – please note the conditions of approval as stated therein.

Please do not hesitate to contact this office should further information be needed.

Sincerely

Jeffry Ceasrine, P.E.
Town Engineer

Enc:
cc: Kevin W. Schott, P.E., CDM Smith (w\enc)
Dawson Hodgson, Town Solicitor (w\enc)
John Lawless, P.E., Project Engineer (w\enc)
Joseph Amatore, Project Engineer (w\enc)
Glenn Blacklock, Engineering Technician (w\enc)
Kristen Giblin, Water\Wastewater Clerk (w\enc)

705-L-174-16

USEPA "Partner for Change" 1997
USEPA "Clean Water Partner for the 21st Century" 2003
Environmental Council of RI "Senator John H. Chafee Conservation Award" 2004
Southern Rhode Island Conservation District "Outstanding Conservation Municipality" 2003
Atlantic States Rural Water & Wastewater Association "Good Government and Good Neighbors = Clean Water" Award 2014

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION

CC: 01
Amend No. _____

Date Prepared: September 26, 2016
Council Meeting Date: October 3, 2016

TO: James M. Manni, Town Manager

FROM: Jeffry Ceasrine, P.E., Town Engineer

SUBJECT: Sewer Policy Committee Recommendation; Plat N-S, Lot 631, 175 Bonnet Point Road, Bonnet Shores Beach Club

RECOMMENDATION:

CW|SBC 5-0

That the Town Council approve the recommendations of the Sewer Policy Committee relative to the granting of waivers for Plat N-S, Lot 631, 175 Bonnet Point Road, Bonnet Shores Beach Club

SUMMARY:

The Sewer Policy Committee meets on an ad hoc basis to hear appeals from staff level decisions relating to the Town's Sewer Policy. The Committee met on May 4, 2015 to consider the following request for relief, and made the recommendations noted therein.

Applicant – Kevin Schott (CDM Smith) on behalf of the Bonnet Shores Beach Club

By way of background, the Bonnet Shores Beach Club first made application to connect to public sewers in the late 1990's. Under the Sewer Policy at that time (and the relevant sections are still in place today), the staff properly denied the request. The property is not within a Sewer Area as defined by the Policy (and approved by the Town Council) and, being in the area of town tributary to the Regional Wastewater Treatment Facility, is not eligible for a sewer extension permit. The applicant was advised to apply to the Town Council for relief if desired. They did not (at that time).

In 2009, the General Assembly enacted 2009-H-5683, which authorized the Bonnet Shores Beach Club to connect to public sewer, pursuant to a number of conditions. This legislation was introduced following another staff denial for a sewer extension; again, the applicant did not request relief from the Town Council from the Sewer Policy. H-5683 does require the issuance of "local approvals".

The Bonnet Shores Beach Club (BSBC) property includes 930 cabana-style units, serviced by on-site sewage disposal systems. The systems have been acknowledged to be failing for some time now. Their engineering firm investigated both the replacement of the on-site systems, along with the installation of a sewer system to connect to the public sewer system on Allagash Trail.

RECEIVED
SEP 07 2018
COASTAL RESOURCES

In 2010, the Town entered into negotiations with the BSBC relative to resolving outstanding tax classification litigation. The Town had recently adopted a new Inflow\Infiltration (I\I) removal program designed to allow applicants the ability to "purchase" flow capacity within the public sewer system by paying a supplemental fee which is earmarked towards the removal of extraneous flow. Our efforts since 2008 in this regard have allowed us to open up a ***limited*** amount of sewer capacity in the area tributary to the Regional WWTF. In addition to the II Removal Fee, the standard Sewer Lot Development Fee (for overall system betterments) would also apply. This was a key factor in the negotiations, as the Town has long claimed that the property should be taxed as commercial for property tax purposes, which carries a higher rate than the residential tax rate. However, the BSBC requested a residential rate, which would have (in turn) provided for a much more significant Sewer Lot Development Fee. After much negotiation, the parties agreed on a settlement that preserved the commercial tax rate for the property, and allowed the BSBC to connect to the public sewers subject to the payment of the I\I Removal Fee and the commercial (rather than residential) Sewer Lot Development Fee. The Town Council ultimately approved a Settlement Agreement on March 18, 2013 that memorialized these terms.

Administratively, the BSBC still needs to obtain a formal Town Council waiver of the Sewer Policy, to wit:

1. Waiver of Section 3c required (to allow for an extension within Sewer Area I tributary to the Regional WWTF).
2. Waiver of Section 4 (property is not within a Sewer Area as defined by the Policy).
3. Sections 8c and 8d will apply (I/I removal fee and basis for calculation).

- The Sewer Lot Development Fee on a commercial basis would be $35,320.40 (Code of Ordinances Sec. 78-402). This can be paid in four (4) annual installments (with interest), with the first payment due at the time of application.
- The I/I Removal Fee would be $106,841.20, and is also due upon application (in full).

The only matter in question before the Sewer Policy Committee was to consider the necessary waivers of the Sewer Policy Committee as noted above. Given that the Town Council has already approved the Settlement Agreement that allows for the connection of the BSBC to the public sewer system, this action is more administrative than anything else.

At the Sewer Policy Committee meeting of May 4, 2015, the applicant presented a review of the above items, and noted that the Sewer Policy approval is a necessary administrative step in order for them to proceed with certain regulatory permit applications.

Given the information presented above, the consensus of the Sewer Policy Committee was to support the applicant's request for relief from the Sewer Policy, and recommend approval by the Town Council accordingly. The conditions of approval are as follows:

1. The sewer line is be installed and maintained by the BSBC. The Town must approve the design.
2. Road restoration is subject to review and approval by the Town.
3. The BSBC must provide written proof of the right of access over lands that they do not own or control (i.e. rights-of-way that may be owned by the Bonnet Shores Fire District, etc.).
4. All design, permitting, fees, and construction shall be in accordance with the executed April 2, 2013 Agreement between the Town and the BSBC Condominium Association.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

This item first appeared on the Town Council docket on May 18, 2015, was continued to June 1, 2015, and then withdrawn at the applicant's request while they attempted to resolve right-of-way issues with the Bonnet Shores Fire District.

RECEIVED
SEP 07 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
ONSITE WASTEWATER TREATMENT SYSTEM CONSTRUCTION PERMIT

FOR RIDEM USE ONLY

APPLICATION No. 1720 0357 DATE RECEIVED 3/27/17 AMOUNT RECEIVED $150.00 CHECK # 0019 NOTE 015A

TYPE OF APPLICATION (CHECK ALL THAT APPLY)

- ☐ NEW BUILDING CONSTRUCTION
- ☐ ALTERATION
- ☑ REPAIR
- ☐ TRANSFER
- ☐ A/E TECHNOLOGY TYPE _____
- ☐ VARIANCE
- ☐ REDESIGN
- ☐ JOINT OWTS/WETLANDS PD

SITE INFORMATION

175 Bonnet Point Rd Narragansett N/a
NO. STREET CITY/TOWN POLE #

PLAT NUMBER N-5 LOT NUMBER 631 SUBDIVISION LOT NUMBER —

LOT SIZE 28± Ac SQUARE FEET —

SUBDIVISION NAME —

SUBDIVISION SITE SUITABILITY CERTIFICATION # —

RECEIVED Environmental Management MAR 27 2017 Office of Water Resources

OWNER INFORMATION

Bonnet Shores Beach Club
LAST NAME FIRST NAME M.I.

Po Box 238 Saunderstown RI 02874
NO. STREET CITY/TOWN ZIP CODE

RIDEM APPLICATION HISTORY

PREVIOUS SITE TESTING ☐ YES ☐ NO APPLICATION # _____

DEPTH TO APPROVED WATER TABLE _____ HOW DETERMINED _____

TEST HOLE # _____ DATE EXCAVATED __/__/__ WETLANDS within 200' OF OWTS ☐ YES ☐ NO

WETLAND DETERMINATION ☐ YES ☒ NO RIDEM FILE # _____ DATE __/__/__

LARGE SYSTEM ☐ YES ☒ NO

DESIGN INFORMATION

BUILDING USE: ☐ Residential ☒ Commercial Beach Club ☐ Other _____

WATER SUPPLY: ☒ public water ☐ public well ☐ private well

OF DESIGN UNITS 5 persons

UNIT DESIGN FLOW 15 gallons per person (unit) TOTAL DAILY FLOW 75 gallons

TANK SIZE 3,000 gallons DESIGN LOADING RATE N/A gpd/sf

MINIMUM REQUIRED LEACHFIELD AREA N/A square feet

LEACHFIELD TYPE Holding Tank

TOTAL AREA OF LEACHFIELD PROVIDED N/A square feet

RECEIVED SEP 07 2017 COASTAL RESOURCES MANAGEMENT COUNCIL

CERTIFICATION

I, Jeffrey K. Balch (print), the undersigned licensed OWTS designer, certify that I prepared this application and accompanying forms, submittals, plans and sketches in accordance with the RULES of the RIDEM pertaining to OWTS and that all the information provided on this application and accompanying forms, submittals, plans and sketches is true and accurate.

Designer's Signature Jeffrey K. Balch License # 2036

Designer's Email JBalch@frisella.com Phone # (401) 783-5949

Business/Company Name Frisella-Balch & Associates

I certify that a) I am the owner of the property indicated under the site information on this application, b) I will hire a licensed OWTS installer to install the system proposed herein, c) the system will be installed in strict accordance with this application, d) I will hire and retain the licensed OWTS designer of record to witness and inspect the installation of the system, e) I assume all responsibility for the truth and accuracy of this application and all liability and responsibility for any improper installations of the system on this site and agree to hold the RIDEM harmless from any and all claims relating whatsoever to the system. In the case of a transfer application, I acknowledge that the permit application and plans previously approved and accompanying this application are the operative documents subject to certification.

Owner(s) Signature _____ Phone Number 401 539 7723

PERMIT APPROVAL SECTION: DO NOT WRITE BELOW THIS LINE

Based upon the representations of the owner and the owner's agents, including the representations of the owner's OWTS designer, and the truth and accuracy of all information submitted, this application for an OWTS is hereby approved. The RIDEM assumes no responsibility or liability for the future safe operation or maintenance of the aforesaid system, or the fitness or suitability of this system to this site, nor does it assume any responsibility for the accuracy and truth of the owner's, or the owner's agent's representations. This approval is subject to future suspension or revocation in the event that subsequent examination reveals any data indicated on any application, form, submittal, plan or sketch to be incorrect, or not in compliance with the RULES or any conditions at the site are such that the approved design is not in accordance with the RULES, or in the event that the system discharges inadequately treated wastewater to waters of the State or fails to operate satisfactorily in any other manner.

IMPORTANT: Additional terms of approval as circled.

A. Bottom of leaching area excavation must be inspected by the RIDEM prior to placement of any gravel or stone.
B. System installation must be inspected by RIDEM prior to covering any component of the system with backfill.
C. Applicant shall comply with all requirements, conditions and stipulations of variance(s) approved on _____.
D. Joint Permit: Designer of record must contact RIDEM prior to start of any site construction.
E. A/E Technology: additional installation, operation or maintenance requirements may apply (see A/E Technology Certification.)
F. Copy of this form and Operation/Maintenance contract must be filed in land evidence records prior to conformance.
G. Proposed construction falls within "Coastal Zone". Contact Rhode Island Coastal Resources Management Council.
H. Proper erosion and sedimentation controls must be installed prior to start of construction.
I. Transfer: See original permit for all applicable conditions.
J. Other
- Submit pumping contract w/COC
- CRMC

Signature of RIDEM Official	Date of Approval	Date of Expiration
	3/29/17	3/29/18

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
ONSITE WASTEWATER TREATMENT SYSTEM CONSTRUCTION PERMIT

FOR RIDEM USE ONLY

APPLICATION No. 1720-0371 DATE RECEIVED 4/10/18 AMOUNT RECEIVED $ 150.00 CHECK # 12659 NOTE OTA

TYPE OF APPLICATION (CHECK ALL THAT APPLY)

- ☐ NEW BUILDING CONSTRUCTION
- ☐ ALTERATION
- ☑ REPAIR
- ☐ TRANSFER
- ☐ A/E TECHNOLOGY TYPE _____
- ☐ VARIANCE
- ☐ REDESIGN
- ☐ JOINT OWTS/WETLANDS PD

SITE INFORMATION

175 BONNET POINT RD NARRAGANSETT N/A
NO. STREET CITY/TOWN POLE #

PLAT NUMBER 45 LOT NUMBER 631 SUBDIVISION LOT NUMBER —

LOT SIZE 28,340 SQUARE FEET

SUBDIVISION NAME —

SUBDIVISION SITE SUITABILITY CERTIFICATION # —

OWNER INFORMATION

P51

BONNET SHORES BEACH CLUB
LAST NAME FIRST NAME M.I.

PO BOX 286 SAUNDERSTOWN RI 02874
NO. STREET CITY/TOWN ZIP CODE

RIDEM APPLICATION HISTORY

PREVIOUS SITE TESTING ☐ YES ☐ NO APPLICATION # _____

DEPTH TO APPROVED WATER TABLE _____ HOW DETERMINED _____

TEST HOLE # _____ DATE EXCAVATED __/__/__ WETLANDS within 200' OF OWTS ☐ YES ☐ NO

WETLAND DETERMINATION ☐ YES ☒ NO RIDEM FILE # _____ DATE __/__/__

LARGE SYSTEM ☐ YES ☒ NO

DESIGN INFORMATION

BUILDING USE: ☐ Residential ☒ Commercial BEACH CLUB

☐ Other _____

WATER SUPPLY: ☒ public water ☐ public well ☐ private well

OF DESIGN UNITS 5 PERSONS

UNIT DESIGN FLOW 15 gallons per PERSON (unit) TOTAL DAILY FLOW 75 gallons

TANK SIZE 1000 gallons DESIGN LOADING RATE N/A gpd/sf

MINIMUM REQUIRED LEACHFIELD AREA N/A square feet

LEACHFIELD TYPE HOLDING TANK

TOTAL AREA OF LEACHFIELD PROVIDED N/A square feet

SEP 17 2018 RECEIVED COASTAL RESOURCES MANAGEMENT COUNCIL

CERTIFICATION

I, JEFFREY K. BALCH (print), the undersigned licensed OWTS designer, certify that I prepared this application and accompanying forms, submittals, plans and sketches in accordance with the RULES of the RIDEM pertaining to OWTS and that all the information provided on this application and accompanying forms, submittals, plans and sketches is true and accurate.

Designer's Signature Jeffrey K. Balch License # _____

Designer's Email jbalch@friscia.com Phone # [illegible]

Business/Company Name FRISCIA, BALCH & ASSOCIATES

I certify that a) I am the owner of the property indicated under the site information on this application, b) I will hire a licensed OWTS installer to install the system proposed herein, c) the system will be installed in strict accordance with this application, d) I will hire and retain the licensed OWTS designer of record to witness and inspect the installation of the system, e) I assume all responsibility for the truth and accuracy of this application and all liability and responsibility for any improper installations of the system on this site and agree to hold the RIDEM harmless from any and all claims relating whatsoever to the system. In the case of a transfer application, I acknowledge that the permit application and plans previously approved and accompanying this application are the operative documents subject to certification.

Owner(s) Signature [illegible] Phone Number [illegible]

PERMIT APPROVAL SECTION: DO NOT WRITE BELOW THIS LINE

Based upon the representations of the owner and the owner's agents, including the representations of the owner's OWTS designer, and the truth and accuracy of all information submitted, this application for an OWTS is hereby approved. The RIDEM assumes no responsibility or liability for the future safe operation or maintenance of the aforesaid system, of the fitness or suitability of this system to this site, nor does it assume any responsibility for the accuracy and truth of the owner's, or the owner's agent's representations. This approval is subject to future suspension or revocation in the event that subsequent examination reveals any data indicated on any application, form, submittal, plan or sketch to be incorrect, or not in compliance with the RULES or any conditions at the site are such that the approved design is not in accordance with the RULES, or in the event that the system discharges inadequately treated wastewater to waters of the State or fails to operate satisfactorily in any other manner.

IMPORTANT: Additional terms of approval as circled.

A. Bottom of leaching area excavation must be inspected by the RIDEM prior to placement of any gravel or stone.
B. System installation must be inspected by RIDEM prior to covering any component of the system with backfill.
C. Applicant shall comply with all requirements, conditions and stipulations of variance(s) approved on _____.
D. Joint Permit: Designer of record must contact RIDEM prior to start of any site construction.
E. A/E Technology: additional installation, operation or maintenance requirements may apply (see A/E Technology Certification.)
F. Copy of this form and Operation/Maintenance contract must be filed in land evidence records prior to conformance.
G. Proposed construction falls within "Coastal Zone". Contact Rhode Island Coastal Resources Management Council.
H. Proper erosion and sedimentation controls must be installed prior to start of construction.
I. Transfer: See original permit for all applicable conditions.
J. Other

- Submit Pumping Contract w/ COC
- CRMC

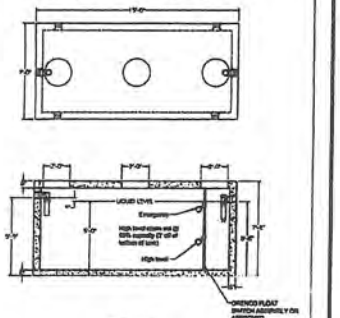
Signature of RIDEM Official	Date of Approval	Date of Expiration
[signature]	9/26/18	9/26/23

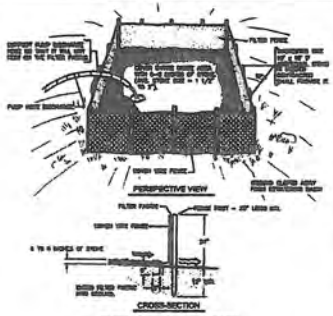
OWNER

Not a Boundary Survey

P52

3000 GALLON H20 SINGLE COMPARTMENT SEPTIC TANK



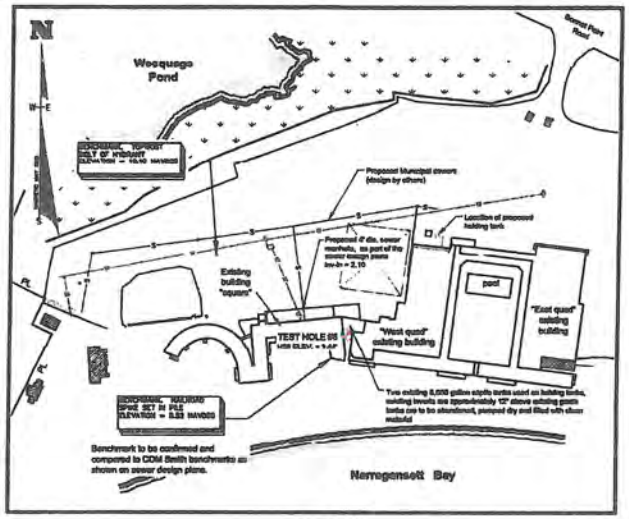


FILTER FABRIC DEWATER BASIN

SCALE: NONE

DEWATERING EXCAVATION:
If the water table is encountered during excavation the water table shall be temporarily lowered by pumping.
The contractor shall install a dewatering basin as shown in the dewatering basin detail.

This pump discharge shall be directed to this basin to prevent sediments from leaving the construction area.
the contractor shall install additional basins if required.
Install the basin as shown on the site plan if so noted, otherwise install the basin(s) within the limits of disturbance as shown by the silt fence or hay bales.



SITE PLAN

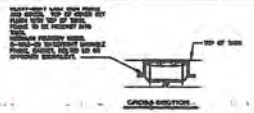
Scale 1" = 100'



LOCATION PLAN

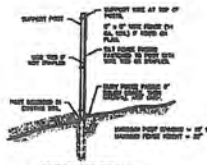
SCALE: 1" = 1000'

TANK NOTE:
Estimated water table elev. = 3.8
Bottom of tank @ -1.17
WEIGHT OF TANK = 42,000 LBS. TANK DOES NOT FLOAT DUE TO HIGH GROUNDWATER



H-20 CAST IRON RISER AND COVER

NO SCALE



SILT FENCE DETAIL

NOT TO SCALE

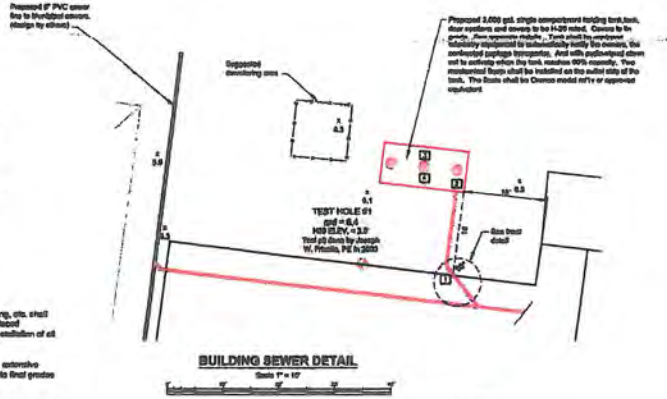
WATER-TIGHTNESS:
Contractor shall test the holding tank for water tightness (in the presence of FRISELLA-BALCH & ASSOCIATES) prior to back filling the excavation.
Testing may include: filling the tank full of water and let stand for 24 hours, (side of tank must be exposed), or on-site vacuum testing, or a certification of water tightness by manufacturer is acceptable when vacuum tested as per ASTM C 1227-93.
All inlets and outlets shall have pipe seals provided.

CONFINED SPACE SIGNS:
permanent durable corrosion resistant signs indicating "CONFINED SPACE - ENTRY BY PERMIT ONLY" shall be placed on door. Signs shall meet O.S.H.A. requirements for size, markings and location.

ELECTRICAL:
All wiring required for pumps, alarms etc. shall be installed in strict accordance with all applicable codes, regulations, and manufacturers instructions.
Outdoors entering the pump chambers shall be properly installed with vaportight seals to prevent sewage gases from leaving the basin.

ALARM :
Floats shall be equipped with an audible and visual alarms. Control panel shall be Orenco product code AMDUALAHWDLRBL or approved equivalent, and will be located in the shall office.

BUOYANCY CALCULATIONS:
Tank does not float under normal saturated high ground water conditions. However, to accommodate for 100-year flood, a minimum of 2 cu. yards of concrete shall be required. The reinforced concrete "hold down" slab shall be firmly anchored to the base of the structure with Type 316 stainless steel bolts. Refer to calculations by others for 100-year flood



BUILDING SEWER DETAIL

Scale 1" = 10'

EROSION AND SEDIMENTATION CONTROL NOTES:
Temporary and/or permanent erosion control devices such as baled hay, silt fencing, etc. shall be installed prior to any clearing or excavation. Hay bales or silt fencing shall be placed immediately down slope and adjoining areas of soil disturbance and stockpiles. Installation of all erosion control devices shall be conducted in accordance to detail specifications.

Clearing of existing vegetation shall be done in a controlled manner so as to avoid extensive areas of debilitated terrain subject to erosion. Areas so disturbed shall be brought to final grades and stabilized as soon as possible.

During construction the contractor shall be responsible for maintaining drainage and runoff flow during storms and periods of rainfall.

All erosion control devices shall be inspected and maintained on a regular basis during construction, especially after each rainfall.

Due to changing characteristics of the site caused by soil during construction additional erosion control measures may be required as site conditions warrant.

If construction is suspended, all disturbed areas shall be seeded and all necessary erosion control devices shall be in place and in good working order. If seeding is not possible then erosion control mats shall be placed over all disturbed soil.
Erosion control blankets (mats) shall be installed according to the manufacturers recommendations. Erosion control blankets (mats) shall be manufactured by north american green) or approved equivalent and installed according to the manufacturer's recommendations.

All erosion control methods, materials and maintenance shall be done in accordance with the "Rhode Island Soil Erosion and Sediment Control Handbook".

All areas when are disturbed during construction are to be brought to original grass with at least 6" minimum depth of good quality loam and all soil amendments deemed necessary. The area shall be seeded with a quick germinating grass seed such as url #2 or approved equivalent.

The contractor shall provide for all seeded areas to be watered and in good condition until a good healthy and uniform growth is established over the entire area.

GENERAL:
The contractor is required to maintain the construction area in a safe manner and all construction activity on the site in accordance with all applicable local, state and federal regulations.

System shall be installed as per the current "RULES AND REGULATIONS ESTABLISHING MINIMUM STANDARDS RELATING TO LOCATION, DESIGN, CONSTRUCTION AND MAINTENANCE OF ONSITE WASTEWATER TREATMENT SYSTEMS..."

This site is not located in a CRITICAL RESOURCE AREA S.D. 16.00.

There are coastal pond shoreline features and bluffs/rock including dams and subsurface drains directly discharging thereto within 200' of the proposed O.W.T.S. There is a shoreline within 200' of the proposed O.W.T.S.
there is a wetland within 200' of the proposed O.W.T.S.

WATER SUPPLY:
All water supply lines shall not come within 25' of the proposed leach field and 10' of the proposed holding tank.

UTILITIES:
The location of existing utilities shown on this plan are approximate only and have been shown using the best available data.

The contractor shall contact "dig-safe" and/or other appropriate utility companies to ascertain the exact location of the respective utility prior to excavation.
Utilities include but are not limited to gas, electric, water, telephone cable tv, etc.

LEDGE OR BOULDER REMOVAL:
The contractor shall provide a unit price cost for ledge and/or boulder removal. Unit price cost will can also and shall include:
Ledge and/or boulders less than 1 cubic yard in size based on average dimensions will not be considered payable work.
Unit price shall be given for both on and off site disposal, cost of transportation, material shall be measured if removed in material is disposed.

NOTE:
The proposed municipal sewers are intended for seasonal summer use only. The proposed holding tank shall be used during non-summer use by up to 5 maintenance employees.

This plan is intended for the design of the holding tank only. Proposed municipal sewer design by CDM Smith.

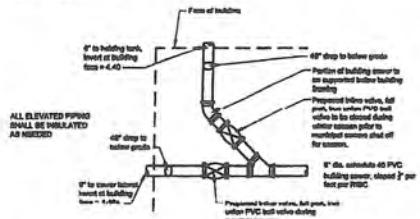
SCHEDULE OF INVERTS		
INVERT No.	LOCATION OF INVERT	INVERT ELEV.
1	NEW BUILDING SEWER	4.75
2	HOLDING TANK — IN	4.36
3	ALARM FLOAT ELEV.	1.84
5	EMERGENCY ALARM FLOAT ELEV.	4.41

CONTRACTOR SHALL PROVIDE THE FOLLOWING TO FRISELLA-BALCH & ASSOCIATES:
Product specification sheets for products used if different than specified on the plans. contractor shall obtain prior approval from FRISELLA-BALCH for any item that is different than shown on approved design plans. This would include different manufacturers than specified by FRISELLA-BALCH & ASSOCIATES.

Copy of delivery slips for all materials delivered to site.

SCHEDULE OF INSPECTIONS:
- 3-business days notice shall be given to FRISELLA-BALCH & ASSOCIATES prior to the start of construction.
- All inspections shall require at least 1 business days notice to FRISELLA-BALCH & ASSOCIATES
- The following inspections are required by FRISELLA-BALCH & ASSOCIATES:

1. pre-construction meeting with FRISELLA-BALCH & ASSOCIATES at the meeting the start of construction will be noticed in its PROCESS
2. Prior to covering any component or piping.
3. Final grading and 10' fill pedestals.
4. Plumbing control panel and float elevations (where appropriate).



PLAN VIEW INSET DETAIL VALVE CONNECTIONS

not to scale

HOLDING TANK DESIGN

GIVEN:
USE: 5 STAFF EMPLOYEES
DESIGN FLOW: 10 GAL/DAY/EMPLOYEE

TOTAL DAILY FLOW:
75 GAL/DAY

TANK REQUIRED:
MIN. CAPACITY OF TANK SHALL BE 5 X DAILY DESIGN FLOW.
75 GAL/DAY x 5 DAYS = 375 GALLON TANK (MIN.)

TANK PROVIDED:
2,000 GALLON TANK.

CERTIFICATION

This survey and this plan has been prepared in substantially conform to Section 9 of the Rules and Regulations adopted by the Rhode Island State Board of Registration for Professional Land Surveyors on November 25, 2015, as follows:

Type of Boundary Survey: Not a Boundary Survey
Monument Specification:
Other Type of Survey: Data Accumulation Survey

The purpose for the conduct of the survey and for the preparation of the plan is as follows:

This plan is intended for the design and permitting of an Onsite Wastewater Treatment System for the subject parcel.

By: _____ Date: 7/27/2018

Jeffrey K. Balch, RI Professional Land Surveyor #1839
Certificate of Authorization #A595.

FRISELLA -BALCH & ASSOCIATES
LAND SURVEYORS

NO.	DATE	DESCRIPTION	BY

DRAWING TITLE
Plan of a Proposed Repair to an Onsite Wastewater Treatment System

LOCATED ON
Lots 631, 632, 633 of Assessor's Map N-5

OWNED BY
Bonnet Shores Beach Club

PROJECT
Bonnet Point Road
IN THE TOWN OF **Narragansett, RI**

March 7, 2017
DESIGNED BY: JEFFREY K. BALCH, P.L.S.
SCALE: as noted
DRAWN BY: JB
CHECKED BY: JKB
SHEET 1 of 1

JEFFREY K. BALCH
No. 1839
PROFESSIONAL LAND SURVEYOR

© JEFFREY K. BALCH 2018

DWG'S APPLICATION #:

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

TOWN OF NARRAGANSETT
Town Hall • 25 Fifth Avenue • Narragansett, RI 02882
Tel. (401) 789-1044 TDD (401) 782-0610 Fax (401) 783-9637

ENGINEERING DEPARTMENT
Fax No. (401) 782-0669

September 8, 2017

CDM Smith
260 West Exchange Street, Suite 300
Providence, RI 02903
Attn: Kevin W. Schott, P.E.
Project Manager

Re: Bonnet Shores Beach Club Sewer System (Plat N-S, Lot 631, 175 Bonnet Point Road)

Dear Kevin:

In regards to the referenced project, our last set of review comments was dated June 28, 2017. Within that correspondence, we outlined a number of items that had been adequately addressed as well as two (2) major items that needed additional information to be resolved (on-site generator, and road restoration scope). Following the meeting on this project that was held on August 31, 2017 between members of the Beach Club, the Bonnet Shores Fire District, and the Town, the following is my understanding of the status of those two (2) outstanding items.

Emergency Generator (06/28/17 Comment No. 6) – Per the "Guide for the Design of Wastewater Treatment Works" 1998 edition (TR-16), either a standby generator or storage volume must be provided to accommodate the maximum expected daily flow over a twenty-four (24) hour period. Per your e-mail of September 5, 2017, you will add language to the plans accordingly (excerpt below from your e-mail):

"As discussed on Thursday, CDM Smith will add language to the design plans indicating that an emergency standby generator, provided by others, shall be designed, installed, tested, and operational prior to the wastewater pump station being placed online and discharging to the Town's wastewater collection system to maintain operation of the wastewater pump station during power outages."

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Road Restoration (06/28/17 Comments a, b, and c) – Comment "a" relative to trench backfill will hold as written - proper compaction using appropriate trench filling materials will be required.

Comments "b" and "c" - The road restoration methodology will include a two (2) inch mill and overlay. Any unsuitable materials encountered during this process must be excavated, removed, and replaced with suitable material (see compaction specifications). Ultimately, the responsibility for maintaining safe and adequate passage during construction and for providing an acceptable finished roadway rests with the applicant.

You may use this correspondence and the referenced June 28, 2017 letter as evidence of the Town's approval of the plans and specifications for this project in your submittal package to CRMC. Please forward a final set of plans to this office, noting any changes necessary to address each of the items within the June 28, 2017 letter and this correspondence.

Sincerely,

Jeffry Ceasrine, P.E
Town Engineer

cc: John Lawless, P.E., Project Engineer (w\enc)
Michael DiCicco, Director of Public Works

705- L-198-17

USEPA "Partner for Change" 1997
USEPA "Clean Water Partner for the 21st Century" 2003
Environmental Council of RI "Senator John H. Chafee Conservation Award" 2004
Southern Rhode Island Conservation District "Outstanding Conservation Municipality" 2003
Atlantic States Rural Water & Wastewater Association – "Best Tasting Drinking Water Award" 2009
Atlantic States Rural Water & Wastewater Association "Good Government and Good Neighbors = Clean Water" Award 2014
NWPCA Gold Award for Complete Permit Compliance 2015, 2016
RI Office of Energy Resources – "Lead by Example" Honorable Mention Award 2017

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

TOWN OF NARRAGANSETT
Town Hall • 25 Fifth Avenue • Narragansett, RI 02882
Tel. (401) 789-1044 TDD (401) 782-0610 Fax (401) 783-9637

ENGINEERING DEPARTMENT
Fax No. (401) 782-0669

June 28, 2017

Kevin W. Schott, P.E., Project Manager
CDM Smith
260 West Exchange Street, Suite 300
Providence, RI 02903

Re: Proposed Wastewater Collection System, Bonnet Point Road R.O.W. and 175 Bonnet Point Road (Assessor's Plat N/S, Lot 631), Narragansett, RI

Dear Mr. Schott,

The Town of Narragansett Engineering Department is in receipt of your letter to the Town of Narragansett Engineering Department dated June 22, 2017, and offers the following review comments (the following numbered comments correspond to numbered items in your letter):

1. A dewatering system design shall be provided by a Rhode Island licensed Professional Engineer prior to the issuance of construction permits.

2. The provided response adequately addresses the issue of pipe strength at shallow burial depth.

3. The Town maintains its opinion that alternative construction methods may be desirable, however, will not mandate such.

4. Force main shut-off valve must be shown on plans submitted to the Town prior to the issuance of construction permits.

5. The Town acknowledges its September 18, 2014 letter to CDM regarding design sewage flow rates. The rates stated in that letter remain the approved rates.

6. Sewage Pump Station: emergency storage provisions: The Town requires that all sanitary sewer designs shall be in accordance with the "Guides for the Design of Wastewater Treatment Works" 1998 edition (TR-16). Per that document, an emergency generator is required, or "*storage that equals the maximum expected amount of wastewater for a 24 hour period*". Per the approved maximum daily flow rate of 20 gpm applied to the operating hours of the BSBC facility of 8 am to 2 am, 21,600 gallons of emergency storage is required. The emergency storage stated in your June 22, 2017 letter of 5,600 gallons does not meet the required emergency storage requirement. Please submit revised plans indicating provision of the required storage volume, or indicate proposed emergency electrical generator on such revised plans, including design thereof.

7. Emergency By-pass pumping provisions: Per the Town ordinance section 78-251, the operator of the pump station shall "*Provide a list of subcontractors that are on call for*

RECEIVED
SEP 07 2018
COASTAL RESOURCES

emergency equipment rental (i.e. septage haulers, portable pump, or generators)". Such list shall be provided prior to the issuance of construction permits.

8. Emergency Response Plan: Per the Town ordinance section 78-251, the operator of the pump station shall "*Provide emergency procedures and reporting requirements in case of power outages, natural disasters, equipment failure, acts of vandalism, or sanitary sewer overflow*". Such Emergency Response Plan shall be provided prior to the issuance of construction permits.

9. An Operations and Management Plan in accordance with the Town of Narragansett Code of Ordinances Section 78-251 shall be submitted for review and consideration for approval prior to the issuance of construction permits.

In addition to the above, the Town provides the following additional review comments that must be addressed:

a. Plan Sheet CSD-1, "Typical Trench Detail for Gravity Sewer" and "Typical Trench Detail for Sewer Force Main". Common Fill is not acceptable for backfill for the anticipated soils to be encountered in the project area, as acceptable compaction cannot be achieved. Unless it can be demonstrated that 95% of the Modified Proctor Maximum dry density of the Common Fill is achievable, the full depth of the entire trench shall be backfilled with properly compacted processed gravel. The Town requires the applicant to provide compaction test results (per ASTM D 1556, ASTM D 2167, ASTM D 2922, and ASTM D 2937, as applicable) of the completed trench indicating that acceptable compaction has been achieved. A minimum of one test per 150 feet trench length is required. Existing excavated material not used for trench backfilling shall be removed from the project area and properly disposed. Provide revised plans addressing the above.

b. Plan Sheet CSD-1, "Typical Trench Detail for Gravity Sewer" and "Typical Trench Detail for Sewer Force Main". The detail label "Match existing Pavement and Subbase" is not acceptable. The pavement thickness for the full with road repaving shall be 2" asphalt base course and 2" asphalt surface course. The temporary patch shall be 1 ½ inch thickness asphalt base course. Temporary patching shall be applied daily to all completed trenches that are not steel-plated. Provide revised plans addressing the above.

c. Plan Sheet G-1, Note 24: Cold Planing is not acceptable for the full width pavement restoration. Prior to full width paving as specified above, Bonnet Point Road existing pavement shall be Cold Recycled in accordance with RIDEM "Bluebook" section 406 (most recent edition). Pavement Cold Recycling shall include all necessary processing, reshaping, rolling,

RECEIVED
SEP 07 2018

compacting and fine grading the full width roadway to pre-existing grade and to provide a roadway crown. All roadway work shall be also be performed in accordance with Narragansett Code of Ordinances Chapter 66. Provide revised plans addressing the above.

Please contact me if you have any questions. Thank you.

Sincerely,

John Lawless, Jr., P.E.
Project Engineer

JL/jl
705L134.17

cc: Jeffry Ceasrine, P.E., Town Engineer
Mike DiCicco, Director of Public Works

RECEIVED
SEP 07 2018
COASTAL RESOURCES

P57

Bonnet Shores Fire District
130 Bonnet Shores Road
Narragansett, R.I. 02882
Est. 1932

March 28, 2018

President Lynch
President
Bonnet Shores Beach Club
P.O. Box 238
Saunderstown R.I. 02874

Dear President Lynch:

We write as the Chairpersons of both the Bonnet Shores Fire District (BSFD) and of the Bonnet Shores Land Trust (BSLT) regarding the proposal to build a walkway along the causeway. Both the BSFD and the BSLT want to reassure you that both boards support the beach club's sewer project and recognize it is one independent from the walkway. We intend to coordinate with you and keep you informed as the walk way takes shape. We both thought it might be a good idea to get ourselves together with you to discuss improving lines of communication and hope you can set aside some time in the two weeks to do so, even if only by a phone call. Please let us know.

Sincerely:

Michael J. Vendetti
Bonnet Shores Fire District
Chairman

Eliot B. Gersten
Bonnet Shores Land Trust
Chairman

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Connecting People with Nature

Audubon Society of Rhode Island

July 20, 2018

Coastal Resources Management Council
Oliver Steadman Government Center
4808 Tower Hill Rd. Suite 116
Wakefield, RI 02897

RE: Sewer Line at Bonnet Point Road, Narragansett, RI

To Whom It May Concern:

The Audubon Society of Rhode Island is the owner of Wesquage Pond and other parcels in the Bonnet Shores area of Narragansett.

As an abutting land owner to the project, we reviewed the engineering plans for the installation of a pressurized sewer pipe down the middle of Bonnet Point Road, to service the Bonnet Shore Beach Club. I have no objections to the project as presented.

Sincerely,

Lawrence J. F. Taft
Executive Director

CC: Steven R. Ucci, Esquire

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

12 Sanderson Road ~ Smithfield, RI 02917-2600 ~ Phone: (401) 949-5454 ~ Fax: (401) 949-5788
www.asri.org
email: Audubon@asri.org

TOWN OF NARRAGANSETT
Town Hall • 25 Fifth Avenue • Narragansett, RI 02882
Tel. (401) 789-1041 TDD (401) 782-0610 Fax (401) 783-9637

ENGINEERING DEPARTMENT
Fax No. (401) 782-0669

February 11, 2016

CDM Smith
260 West Exchange Street
Suite 300
Providence, RI 02903
Attn: Kevin W. Schott, P.E., Project Manager

Re: Proposed Sanitary Sewer – Bonnet Shores Beach Club

Dear Kevin:

With respect to the proposal to install a two (2) inch diameter force main in Bonnet Point Road from the Bonnet Shores Beach Club to the Town's wastewater pump station on Allagash Trail, I would offer the following:

1. After reviewing the project scope of work and preliminary design plans, it does not appear that the proposed 2-inch force main to be installed in Bonnet Point Road (designed and installed in accordance with generally accepted engineering standards and practice) will have a long term negative impact on the integrity of the existing roadway. Obviously, the actual construction of the line itself will impact the road in the short term; depending on the seasonal water table and the water elevation in Wesquage Pond, the installation methodology may include dewatering activities and other techniques that may compromise the road during construction. However, the contractor will be responsible for restoration\reconstruction in order to insure the road is at least brought back to pre-construction condition.
2. The proposed full-width milling and resurfacing of Bonnet Point Road will serve to improve the condition of the existing roadway.
3. The final project design plans are still subject to final review and approval of various Town Departments, including the Department of Public Works and the Engineering Department, along with other regulatory agencies. These approvals will need to be in place prior to beginning construction.

Please advise if further information is needed.

Sincerely,

Jeffry Ceasrine, P.E
Acting Town Manager\Town Engineer

cc: Michael DiCicco, Director of Public Works

JC
705- L-025-16

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

BONNET SHORES BEACH CLUB
NARRAGANSETT, RHODE ISLAND
WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

BOARD OF DIRECTORS

PRESIDENT – KEVIN LYNCH
VICE PRESIDENT – BILL McGOVERN
TREASURER – MARK MESROBIAN
SECRETARY – LOUISE HEALEY
BOARD MEMBER – VICTOR SAMAHA
BOARD MEMBER – JOHN JACOPPI
BOARD MEMBER – ANGELICA IGLIOZZI

MANAGEMENT STAFF

GENERAL MANAGER – MICHAEL RENNELL
ASSISTANT GENERAL MANAGER – MICHAEL KELLEHER
HEAD OF FACILITIES – MICHAEL BOSCIA
BUSINESS MANAGER – JENNIFER CAMPBELL



LOCATION PLAN
NOT TO SCALE

LIST OF DRAWINGS

SHEET	TITLE
G–1	LEGEND AND GENERAL NOTES
C–1	BONNET POINT ROAD I
C–2	BONNET POINT ROAD II & PUMP STATION SITE PLAN
C–3	ONSITE COLLECTION SYSTEM I
C–4	ONSITE COLLECTION SYSTEM II
CSD–1	MISCELLANEOUS DETAILS I
CSD–2	MISCELLANEOUS DETAILS II
M–1	BOYDCO 503A2SVG DRAWING
	PUMP STATION PLANS, ELEVATIONS & DETAILS
E–1	ELECTRICAL ONE LINE DIAGRAM AND DETAILS

JUNE 2018

100% SUBMITTAL
FOR PERMITTING USE ONLY
NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

KEVIN W. SCHOTT
No. 8578
REGISTERED PROFESSIONAL ENGINEER
6/29/18

CDM Smith
PROVIDENCE, RHODE ISLAND

Water *Environment* *Transportation* *Energy* *Facilities*

145244-105188

P61

IMAGE OBTAINED FROM RI GIS 2011

GENERAL NOTES:

1. PLAN, TOPOGRAPHY AND UTILITY SURVEY BY SURVEYING AND MAPPING CONSULTANTS, INC., BRAINTREE, MA IN OCTOBER 2014.
2. ALL ELEVATIONS BASED ON NAVD 1988. ALL HORIZONTAL CONTROL INDICATED OR SPECIFIED REFER TO THE RHODE ISLAND STATE PLAN COORDINATE SYSTEM, REFERENCED TO NORTH AMERICAN DATUM 1983.
3. THE LOCATION OF ALL UTILITIES AND SUB-SURFACE STRUCTURES WERE TAKEN FROM SURVEY AND RECORDS OF TOWN, CORPORATIONS, AND UTILITIES, ETC., AND ARE CONSIDERED APPROXIMATE, BOTH AS TO SIZE AND LOCATIONS AND ARE INDICATED ON THESE DRAWINGS TO GIVE BIDDERS A GENERAL IDEA OF EXISTING CONDITIONS. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACTOR SHALL NOT RELY UPON THESE DRAWINGS FOR SUCH INFORMATION, BUT SHALL MAKE EXAMINATIONS IN THE FIELD BY VARIOUS AVAILABLE METHODS AND SHALL OBTAIN INFORMATION FROM UTILITY CORPORATIONS AND INDIVIDUALS AS TO THE LOCATION OF ALL SUBSURFACE STRUCTURES AND UTILITIES. IT IS NOT WARRANTED THAT ALL PIPES AND UNDERGROUND STRUCTURES ARE SHOWN OR THAT THEY ARE SHOWN IN THE CORRECT LOCATIONS.
4. AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION THE CONTRACTOR SHALL CONTACT DIG SAFE AT 811 OR 1-888-DIG-SAFE (1-888-344-7233).
5. GAS MAINS ARE ASSUMED TO HAVE THREE FEET OF COVER UNLESS SHOWN OTHERWISE. WATER MAINS ARE ASSUMED TO HAVE FIVE FEET OF COVER UNLESS SHOWN OTHERWISE. IT IS NOT WARRANTED THAT ALL UTILITIES ARE SHOWN OR SHOWN AT THE CORRECT ELEVATION.
6. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES AS REQUIRED.
7. UNDERGROUND SERVICES PROPERTIES TO MAY NOT BE SHOWN.
8. BORINGS WERE PERFORMED BY SOIL EXPLORATION CORPORATION IN SEPTEMBER 2014.
9. BORING LOGS ARE APPENDED TO THE SPECIFICATIONS. BORINGS LOCATIONS ARE SHOWN IN PLAN FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT BE SHOWN AT EXACT LOCATIONS ALONG THE PIPE ALIGNMENT. GROUNDWATER ELEVATIONS SHOWN ON THE LOGS ARE THOSE ENCOUNTERED AT THE TIME OF DRILLING AND MAY NOT BE REPRESENTATIVE OF ELEVATIONS ENCOUNTERED DURING CONSTRUCTION DUE TO SEASONAL FLUCTUATIONS AND OTHER FACTORS.
10. NOTES AND INSTRUCTIONS TO CONTRACTOR FOR NEW WORK ARE BOXED. ALL SLOPES AND INVERTS CALLED OUT BY NUMBER REPRESENT THE SLOPES AND INVERTS TO BE CONSTRUCTED UNDER THE CONTRACT.
11. CONTRACTOR SHALL MINIMIZE CLEARING AND GRUBBING AS MUCH AS POSSIBLE. ALL NON-PAVED DISTURBED AREAS SHALL BE LOAMED AND SEEDED OR SODDED TO THE LIMITS DISTURBED BY CONSTRUCTION UNLESS OTHERWISE NOTED.
12. THE WORK SHALL BE LIMITED TO WITHIN THE PROPERTY BOUNDARY OF THE BONNET SHORES BEACH CLUB (MAP N-5, LOTS 831, 832, AND 833), AND WITHIN BONNET POINT ROAD. CONTRACTOR SHALL NOT DISTURB ANY LAND OUTSIDE THE LIMITS OF WORK AND RIGHTS-OF-WAY.
13. NEW SEWER MANHOLE LOCATIONS ARE APPROXIMATE AND MAY BE ALTERED TO MINIMIZE PIPE CUTTING WHEN DIRECTED BY THE ENGINEER.
14. RELOCATION OF WATER MAINS AS REQUIRED SHALL BE INSTALLED WITH 5-FT. MINIMUM DEPTH OF COVER UNLESS OTHERWISE NOTED OR DIRECTED BY ENGINEER IN THE FIELD.
15. ALL NEW FORCE MAIN SHALL HAVE A MINIMUM COVER OF 18 INCHES EXCEPT AT CULVERT CROSSINGS (SEE DRAWINGS) OR AS DIRECTED BY THE ENGINEER, MAINTAIN A MINIMUM CLEARANCE OF AT LEAST 18 INCHES BETWEEN WATER MAIN CROSSINGS AND 12 INCHES AT ALL OTHER CROSSINGS, EXCEPT AT CULVERTS (SEE DRAWINGS), UNLESS OTHERWISE NOTED OR DIRECTED BY THE ENGINEER. FORCE MAIN FITTINGS SHOWN ON THE DRAWINGS ARE FOR PRESENTATION PURPOSES ONLY AND ARE NOT FINAL. FINAL LOCATIONS SHALL BE AS APPROVED AND/OR AS DIRECTED BY THE ENGINEER.
16. WHEN THE HORIZONTAL SEPARATION BETWEEN THE NEW SEWER OR FORCE MAIN AND EXISTING OR RELOCATED WATER MAIN IS LESS THAN 10-FT AND THE VERTICAL SEPARATION IS LESS THAN 18-IN, THE NEW SEWER SHALL BE CONSTRUCTED OF RESTRAINED MECHANICAL JOINT DUCTILE IRON PIPE OR CONCRETE ENCASED PIPE, FOR A MINIMUM OF 10-FT, BEYOND WHERE THE SPACING IS LESS THAN 10-FT HORIZONTAL AND 18-IN. VERTICAL.
17. THE CONTRACTOR SHALL BE AWARE THAT THIS CONTRACT REQUIRES WORKING IN A LIVE SEWER MANHOLE AND SHALL FOLLOW ALL FEDERAL, STATE AND LOCAL REQUIREMENTS FOR SAFETY WHEN IN CONFINED SPACES. THE CONTRACTOR IS ALSO REFERRED TO RECOMMENDATIONS IN THE NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH PUBLICATION NO. 80-106, "WORKING IN CONFINED SPACES".
18. EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE INSTALLED AT START OF WORK PRIOR TO CLEARING OR PERFORMING EXCAVATION IN ANY AREA, MAINTAINED DURING WORK, AND REMOVED WHEN WORK IS COMPLETED. CONTRACTOR SHALL PROTECT AGAINST SILTATION OF WETLANDS AND SHALL COMPLY WITH ALL REQUIREMENTS CONTAINED IN THE PERMIT(S) CONDITIONS APPENDED TO THE SPECIFICATIONS.
19. DURING CONSTRUCTION, ALL CATCH BASINS SUBJECT TO RUNOFF FROM CONSTRUCTION AREAS SHALL BE PROTECTED WITH FILTERS (AS SPECIFIED), MAINTAINED AS REQUIRED DURING CONSTRUCTION AND REMOVED DURING FINAL RESTORATION. ANY SEDIMENT RESULTING FROM CONTRACTOR'S WORK SHALL BE REMOVED AT NO ADDITIONAL COST TO OWNER.
20. EXACT LOCATIONS OF WYE BRANCHES FOR LATERAL CONNECTIONS TO BE DETERMINED IN THE FIELD.
21. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING POTABLE WATER SERVICE. SEWER FLOW AND DRAIN FLOW AT ALL TIMES.
22. THE CONTRACTOR SHALL HAVE ON SITE A SUPPLY OF 1-FT AND 2-FT MANHOLE RISER SECTIONS AND FLAT SLAB TOPS TO ADJUST THE MANHOLE FINISHED GRADES AS REQUIRED TO FIT THE ACTUAL ELEVATION OF THE GROUND OR ROAD SURFACE AT THE TIME OF CONSTRUCTION.
23. TEST PITS SHALL BE EXCAVATED AS SHOWN ON PLANS AND/OR DIRECTED BY THE ENGINEER. CONTRACTOR SHALL OBTAIN THE LOCATION OF THE UTILITY IN QUESTION WITH TIES TO SURROUNDING FEATURES AND ELEVATION OF BOTH THE TOP AND BOTTOM OF THE UTILITY/STRUCTURE.
24. WHERE REQUIRED FOR CONSTRUCTION, EXISTING ASPHALT SHALL BE SAW CUT, REMOVED, AND PROPERLY DISPOSED OF BY THE CONTRACTOR. TEMPORARY TRENCH WIDTH PAVING, FINAL TRENCH WIDTH PAVING, AND FINAL FULL WIDTH PAVING SHALL BE PROVIDED AS SHOWN ON DRAWINGS AND AS SPECIFIED. CONTRACTOR SHALL COLD PLANE BONNET POINT ROAD TO THE LIMITS SHOWN ON THE DRAWINGS AND IN ACCORDANCE WITH THE SPECIFICATIONS. TEMPORARY TRENCH WIDTH PAVING SHALL BE MAINTAINED AND RESTORED AS REQUIRED THROUGHOUT CONSTRUCTION BY THE CONTRACTOR. ALL PAVEMENT MARKINGS DISTURBED AS PART OF THIS PROJECT SHALL BE REPLACED TO MATCH EXISTING STYLES AND LIMITS.
25. CONTRACTOR(S) SHALL THOROUGHLY FAMILIARIZE THEMSELVES WITH ALL CONSTRUCTION DOCUMENTS, SPECIFICATIONS, AND SITE CONDITIONS PRIOR TO BIDDING AND PRIOR TO CONSTRUCTION.
26. A HIGH WATER TABLE IS ANTICIPATED. THE CONTRACTOR SHALL PERFORM ANY AND ALL DEWATERING AND EXCAVATION IN ACCORDANCE WITH THE SPECIFICATIONS. PROPER TRENCH DEWATERING SHALL BE EMPLOYED BY CONTRACTOR AT ALL TIMES DURING CONSTRUCTION.
27. THE EXISTING INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS) AND ALL UNSUITABLE SOILS BENEATH AND AROUND THE EXISTING LEACHING FIELD SHALL BE REMOVED. EXCESS UNSUITABLE SOIL MATERIAL SHALL BE DEWATERED IF NECESSARY, REMOVED FROM THE PROPERTY AND DISPOSED AT A LICENSED SOLID WASTE FACILITY IN ACCORDANCE WITH THE RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (RIDEM) ONSITE WASTEWATER TREATMENT SYSTEMS (OWTS) RULES (JULY 6, 2014 OR LATEST VERSION).
28. ALL EXISTING SEPTIC TANKS AND EXISTING WASTEWATER HOLDING TANKS TO BE ABANDONED ON SITE SHALL BE PUMPED EMPTY AND FILLED WITH CLEAN SAND, OR CRUSHED AND THE AREA BACKFILLED WITH CLEAN SOIL IN ACCORDANCE WITH RULE 52 OF THE RIDEM OWTS RULES.
29. THE EXISTING WASTEWATER HOLDING TANKS SHALL BE ABANDONED ON SITE BY PUMPING TANKS EMPTY AND FILLING WITH CLEAN SAND IN ACCORDANCE WITH RULE 52 OF THE RIDEM OWTS RULES. ALL ASSOCIATED COMPONENTS SHALL BE REMOVED AND DISPOSED OF, INCLUDING ASSOCIATED PIPING, APPURTENANCES, AND MECHANICAL/ELECTRICAL COMPONENTS. ALL NEARBY STRUCTURES SHALL BE PROTECTED AS NECESSARY.
30. THE LIMITS OF WORK SHOWN ON THE PLANS IS WITHIN FEMA FLOOD ZONE VE (ELEV. 15-FT) AS SHOWN ON FEMA MAP 44009C0206J, REVISED OCTOBER 16, 2013.
31. DUNE CRESTS IDENTIFIED BY CDM SMITH BIOLOGIST ON APRIL 25, 2018 AND GPS LOCATED USING TRIMBLE GEOXT GEOEXPLORER 2008 SERIES WITH AN ACCURACY OF APPROXIMATELY 0.5 METERS AFTER POST PROCESSING.
32. TOPOGRAPHY FOR BEACH/DUNE AREAS TAKEN FROM RHODE ISLAND GEOGRAPHIC INFORMATION SYSTEM (RIGIS) DATA DISTRIBUTION SYSTEM, URL: HTTP://WWW.RIGIS.ORG, ENVIRONMENTAL DATA CENTER, UNIVERSITY OF RHODE ISLAND, KINGSTON, RHODE ISLAND. DATA WAS TAKEN THE SUMMER OF 2014 AND PUBLISHED IN DECEMBER OF 2015. ELEVATIONS ARE ON NAVD88 DATUM.

EXISTING

△	SURVEY CONTROL STATION
⊕ DH	DRILL HOLE FOUND
(FND)	FOUND
PK	PARKER KALON
W/	WITH
(R)	RECORD
N.T.S.	NOT TO SCALE
MAG	MAGNETIC NAIL
	STONE WALL
	TREE LINE
	DECIDUOUS TREE
	EVERGREEN TREE
	FENCE
CLF	CHAIN LINK FENCE
WRI	WROUGHT IRON FENCE
STK	STOCKADE FENCE
P&R	POST & RAIL FENCE
RET WALL	RETAINING WALL
	CURBING(TYPE)
BIT CONC	BITUMINOUS CONCRETE
GRAN	GRANITE
PL	PLANTER
TRANS	TRANSFORMER
	SIGN
HH	HANDHOLE
LP	LIGHT POLE
EMH	ELECTRIC MANHOLE
UPP	UTILITY POLE
UP/LP	UTILITY POLE/LIGHT POLE
CB	CATCH BASIN
RIM	RIM
INV	INVERT
CS	CARBON STEEL
CI	CAST IRON PIPE
PVC	POLYVINYL CHLORIDE
CN	CONNECTION UNKNOWN
NPV	NO PIPE VISIBLE
SMH	SEWER MANHOLE
DMH	DRAIN MANHOLE
WMH	WATER MANHOLE
UMH	UNKNOWN MANHOLE
WG	WATER GATE
	HYDRANT
	POST
	BOLLARD
ICV	IRRIGATION CONTROL VALVE
TC	TRASH CAN
PL	PLANTER
TRANS	TRANSFORMER
SLCC	STREET LIGHT CONTROL CABINET
CP	CONCRETE PAD
PR	PEDESTRIAN RAMP
SH	SPRINKLER HEAD
EOP	EDGE OF PAVEMENT
	BOULDER
TOH	TOP OF HOOD
HW	HEADWALL
LSTW	LANDSCAPE TIMBER RETAINING WALL
TOW	TOP OF WATER
W	WATER LINE
S	SEWER LINE
CS	COMBINED SEWER LINE
E	ELECTRIC LINE
D	DRAINAGE LINE
+ 17.4	SPOT ELEVATION
15	INDEX CONTOUR
	INTERMEDIATE CONTOUR
	WETLANDS
WF# 1-1	WETLAND FLAG (TYPICAL)
WF# TOB-1	TOP OF BANK WETLAND FLAG (TYPICAL)
	PROPERTY LINE
N	NORTH ARROW

NEW

	NEW GRAVITY SEWER
	NEW HDPE FORCE MAIN
	NEW SEWER CLEAN OUT
	NEW BACKWATER VALVE/GATE VALVE
	NEW SEWER MANHOLE/SAND TRAP
	NEW Y-BRANCH AND LATERAL SEWER
B-1	BORING
	MATCHLINE
	100-FT BUFFER ZONE
	25-FT NO BUILD ZONE
	EROSION AND SEDIMENTATION CONTROL/LIMIT OF WORK
TP-1	TEST PIT LOCATION

SURVEY NOTES

1. THIS SURVEY HAS BEEN COMPILED FROM MOBILE LIDAR POINT CLOUD DATA AND IMAGERY CAPTURED WITH SMC'S TRIMBLE MX2 LIDAR AND SPATIAL IMAGING SYSTEM.
2. COORDINATES, IN U.S. SURVEY FEET, ARE IN THE RHODE ISLAND STATE PLANE COORDINATE SYSTEM, REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, CORS ADJUSTMENT (NAD 83/CORS), AS DETERMINED BY SMC'S OBSERVATIONS OF THE KEYNET GPS VIRTUAL REFERENCE STATION SYSTEM (VRS), MADE NOVEMBER 23, 2010.
3. ELEVATIONS, IN U.S. SURVEY FEET, ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AS DETERMINED BY SMC'S OBSERVATIONS OF THE KEYNET GPS VIRTUAL REFERENCE STATION SYSTEM (VRS), MADE AUGUST 14, 2014.
4. THE PROPERTY BOUNDARIES REPRESENTED IN THE DRAWINGS WERE COMPILED FROM ACCESSORS INFORMATION. THIS PLAN IS NOT TO BE CONSTRUED AS AN ACCURATE BOUNDARY SURVEY AND IS SUBJECT TO SUCH CHANGES AS AN ACCURATE BOUNDARY SURVEY MAY DISCLOSE.
5. BEFORE DESIGNING FUTURE CONNECTIONS, THE APPROPRIATE UTILITIES MUST BE CONSULTED.

BEFORE CONSTRUCTION, ALL UTILITIES, PUBLIC AND PRIVATE, MUST BE NOTIFIED (SEE RHODE ISLAND GENERAL LAWS, CHAPTER 39 SECTION 1.2). CALL "DIG SAFE" 1-888-DIG-SAFE (888-344-7233).

SURVEY REFERENCES

1. PUMP STATION NO. 9 SITE PLAN AND FORCE MAIN NORTH END SEWER SYSTEM PHASE 4A CONSTRUCTION NARRAGANSETT, R.I.
PREPARED BY: LEE PARE AND ASSOCIATES, INC.
DATED: JUNE, 1979 SCALE: 1"=40' SHEET 7 OF 19
2. BONNET SHORES BEACH CLUB
PROPOSED ALTERATION OF ISDS SYSTEM IN THE TOWN OF NARRAGANSETT, R.I.
PREPARED BY: TYNGSLLA ENGINEERING
DATED: OCTOBER, 2003 SCALE: 1"=40'

KEVIN W. SCHOTT
No. 8578
REGISTERED PROFESSIONAL ENGINEER
STATE OF RHODE ISLAND

DESIGNED BY:	D. MARTIN	
DRAWN BY:	J. CABRERA	
SHEET CHK'D BY:	D. MARTIN	
CADES CHK'D BY:	R. MORTON	
APPROVED BY:	K. SCHOTT	
DATE:	JUNE 2018	

CDM Smith
200 Weed Exchange Street, Suite 201
Providence, RI 02903
Tel: (401) 751-8999

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

LEGEND AND GENERAL NOTES

PROJECT NO. 140244-108168
FILE NAME: GD01LEND.DWG
SHEET NO. G-1

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

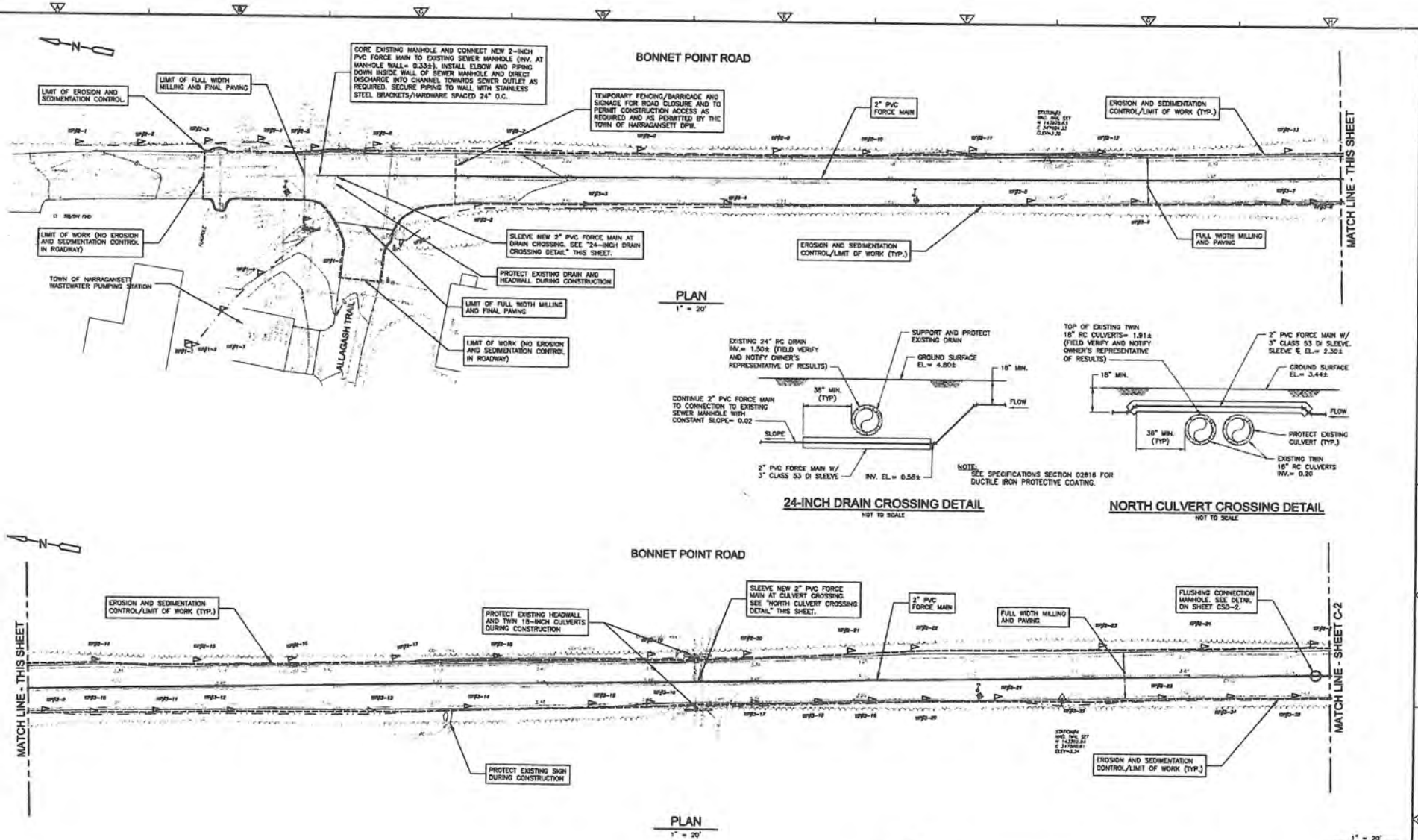
REV. NO.	DATE	DRWN	CHK'D	REMARKS

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

THESE DOCUMENTS AND DESIGNS PROVIDED BY HNTB/SEASONAL SERVICE, INCORPORATED HEREIN, ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.

XREF= [GDBG_XREF] Image: []
Last saved by CDRDALL Time: 5/30/2018 1:48:32 PM
part\\pw-cdmsmith.com-pw_301\140244\108168\04 Design Services Ind_ADS\01 General\10 CADD\GD01LEND.dwg

P62



NOTES:

1. ALL NEW FORCE MAIN SHALL HAVE A MINIMUM COVER OF 18 INCHES EXCEPT AT CULVERT CROSSINGS OR AS DIRECTED BY THE ENGINEER. MAINTAIN A MINIMUM CLEARANCE OF AT LEAST 18 INCHES BETWEEN WATER MAIN CROSSINGS AND 12 INCHES AT ALL OTHER CROSSINGS, EXCEPT AT CULVERTS, UNLESS OTHERWISE NOTED OR DIRECTED BY THE ENGINEER. FORCE MAIN FITTINGS SHOWN ON THE DRAWINGS ARE FOR PRESENTATION PURPOSES ONLY AND ARE NOT FINAL. FINAL LOCATIONS SHALL BE AS APPROVED AND/OR AS DIRECTED BY THE ENGINEER.

1" = 20'
10 0 20

KEVIN W. SCHOTT
No. 8578
REGISTERED PROFESSIONAL ENGINEER
6/12/18

NO.	DATE	REMARKS

DESIGNED BY: D. MARTIN
DRAWN BY: J. CARRERA
SHEET CHK'D BY: D. MARTIN
CROSS CHK'D BY: R. HORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
369 West Exchange Street, Suite 300
Providence, RI 02903
Tel: (401) 751-8360

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

BONNET POINT ROAD I

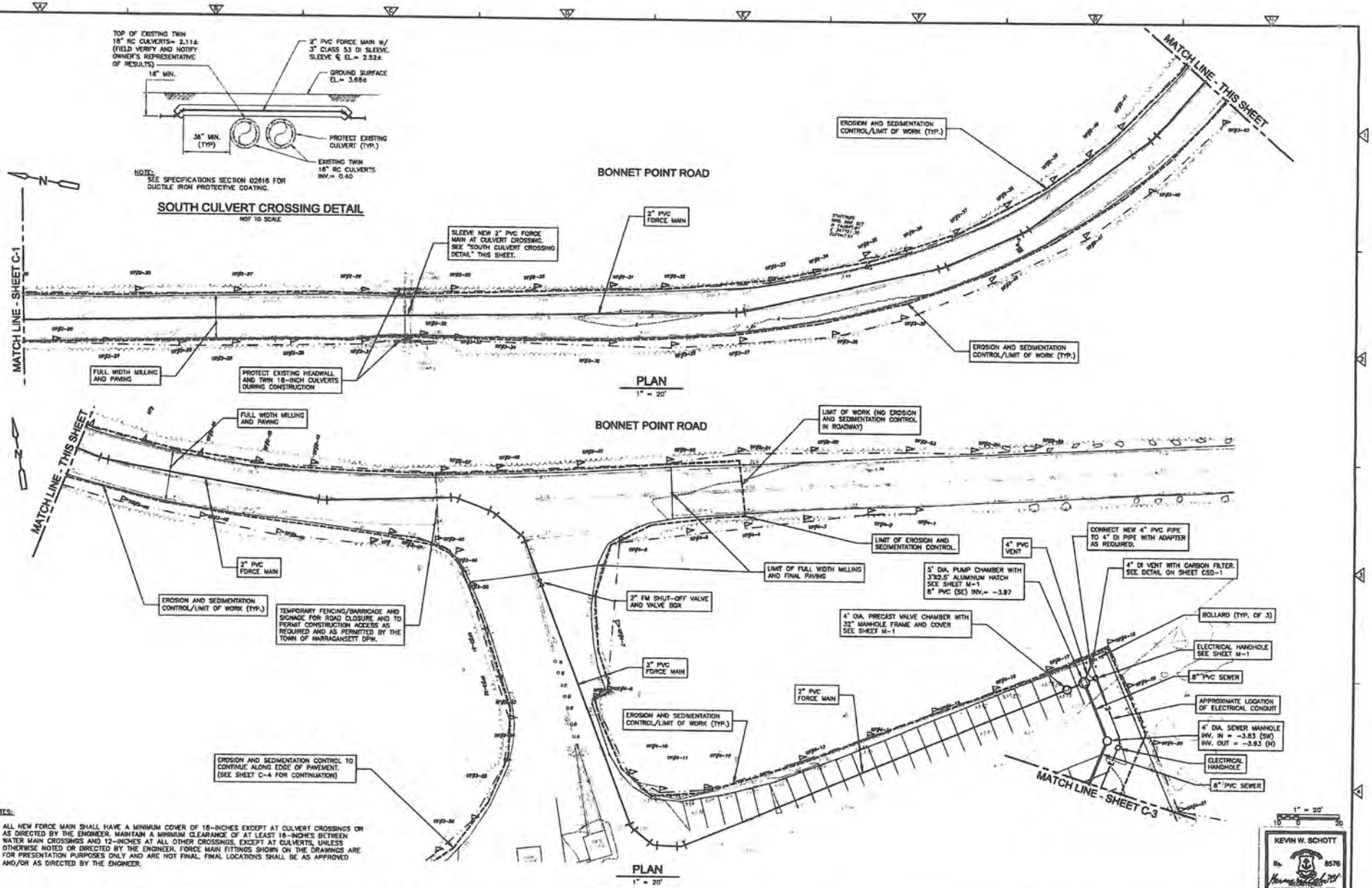
PROJECT NO. 145244-105185
FILE NAME: C001STPL.DWG
SHEET NO. C-1

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P63

THESE DOCUMENTS AND DESIGNS PROVIDED BY PROFESSIONAL SERVICES, INCORPORATED HEREIN, ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH



NOTES:

1. ALL NEW FORCE MAIN SHALL HAVE A MINIMUM COVER OF 18-INCHES EXCEPT AT CULVERT CROSSINGS OR AS DIRECTED BY THE ENGINEER. MAINTAIN A MINIMUM CLEARANCE OF AT LEAST 18-INCHES BETWEEN WATER MAIN CROSSINGS AND 12-INCHES AT ALL OTHER CROSSINGS, EXCEPT AT CULVERTS, UNLESS OTHERWISE NOTED OR DIRECTED BY THE ENGINEER. FORCE MAIN FITTINGS SHOWN ON THE DRAWINGS ARE FOR PRESENTATION PURPOSES ONLY AND ARE NOT FINAL. FINAL LOCATIONS SHALL BE AS APPROVED AND/OR AS DIRECTED BY THE ENGINEER.

KEVIN W. SCHOTT
No. 8576
REGISTERED PROFESSIONAL ENGINEER
6/15/18

REV. NO.	DATE	DRAWN	CHKD	REMARKS

DESIGNED BY: D. MARTIN
DRAWN BY: J. CARREIRA
SHEET CHK'D BY: D. MARTIN
CROSS CHK'D BY: R. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
300 West Exchange Street, Suite 302
Providence, RI 02903
Tel: (401) 751-8260

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND
WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

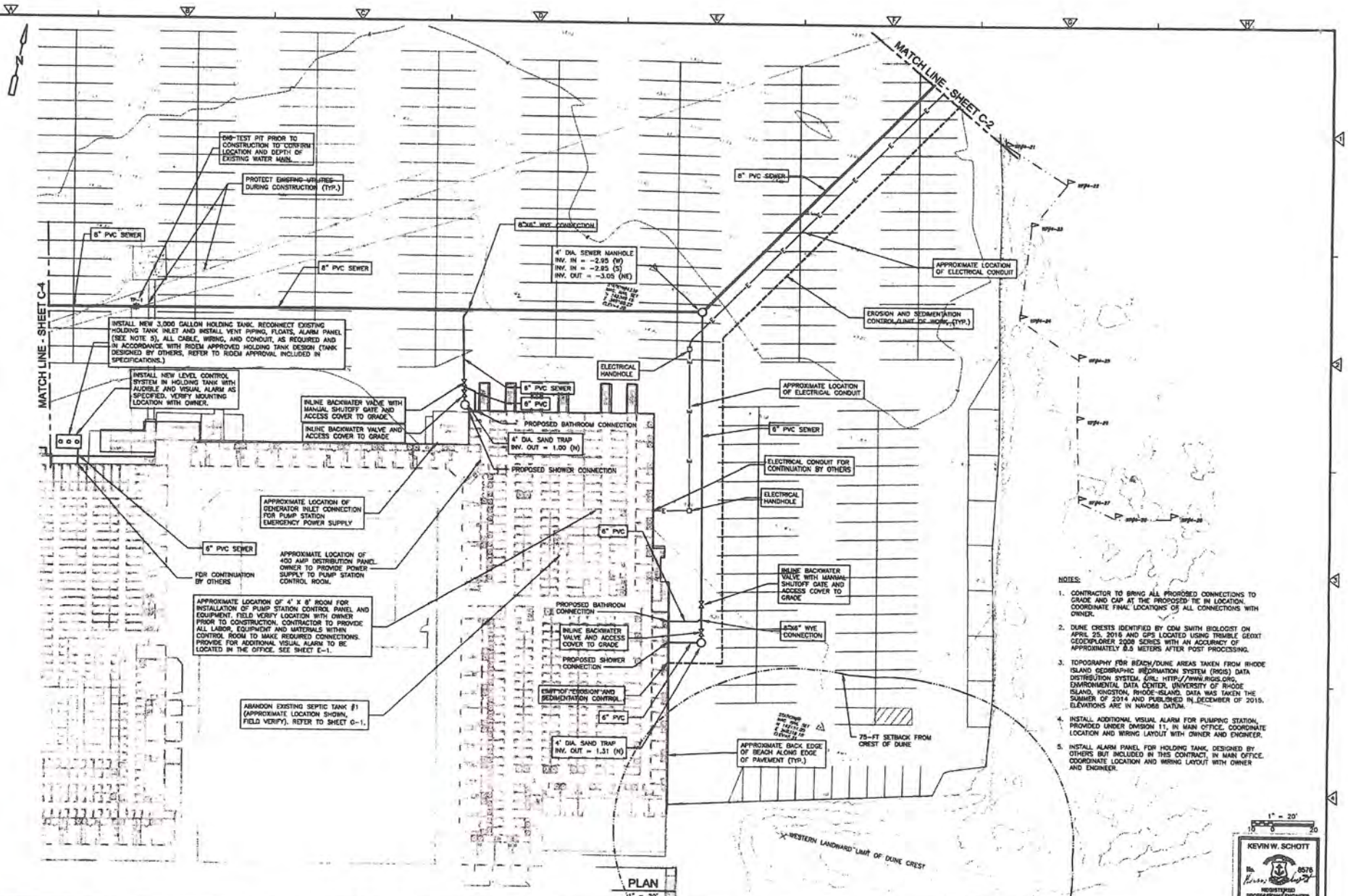
BONNET POINT ROAD II
& PUMP STATION SITE PLAN

PROJECT NO. 145244-105189
FILE NAME: C002STPL.DWG
SHEET NO. C-2

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P64



NOTES:

1. CONTRACTOR TO BRING ALL PROPOSED CONNECTIONS TO GRADE AND CAP AT THE PROPOSED TIE IN LOCATION. COORDINATE FINAL LOCATIONS OF ALL CONNECTIONS WITH OWNER.
2. DUNE CRESTS IDENTIFIED BY CDM SMITH BIOLOGIST ON APRIL 25, 2018 AND GPS LOCATED USING TRIMBLE GEOXT GEOEXPLORER 2008 SERIES WITH AN ACCURACY OF APPROXIMATELY 0.5 METERS AFTER POST PROCESSING.
3. TOPOGRAPHY FOR BEACH/DUNE AREAS TAKEN FROM RHODE ISLAND GEOGRAPHIC INFORMATION SYSTEM (RIGIS) DATA DISTRIBUTION SYSTEM, URL: HTTP://WWW.RIGIS.ORG, ENVIRONMENTAL DATA CENTER, UNIVERSITY OF RHODE ISLAND, KINGSTON, RHODE ISLAND. DATA WAS TAKEN THE SUMMER OF 2014 AND PUBLISHED IN DECEMBER OF 2015. ELEVATIONS ARE IN NAVD88 DATUM.
4. INSTALL ADDITIONAL VISUAL ALARM FOR PUMPING STATION, PROVIDED UNDER DIVISION 11, IN MAIN OFFICE. COORDINATE LOCATION AND WIRING LAYOUT WITH OWNER AND ENGINEER.
5. INSTALL ALARM PANEL FOR HOLDING TANK, DESIGNED BY OTHERS BUT INCLUDED IN THIS CONTRACT, IN MAIN OFFICE. COORDINATE LOCATION AND WIRING LAYOUT WITH OWNER AND ENGINEER.

1" = 20'
0 10 20

KEVIN W. SCHOTT
No. 8576
REGISTERED PROFESSIONAL ENGINEER
STATE OF RHODE ISLAND

REV. NO.	DATE	DRAWN	CHKD	REMARKS

DESIGNED BY: D. MARTIN
DRAWN BY: J. CABRERA
SUBMITTED BY: D. MARTIN
CHKD BY: R. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
200 West Exchange Street, Suite 300
Providence, RI 02903
Tel: (401) 751-5300

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

ONSITE COLLECTION SYSTEM I

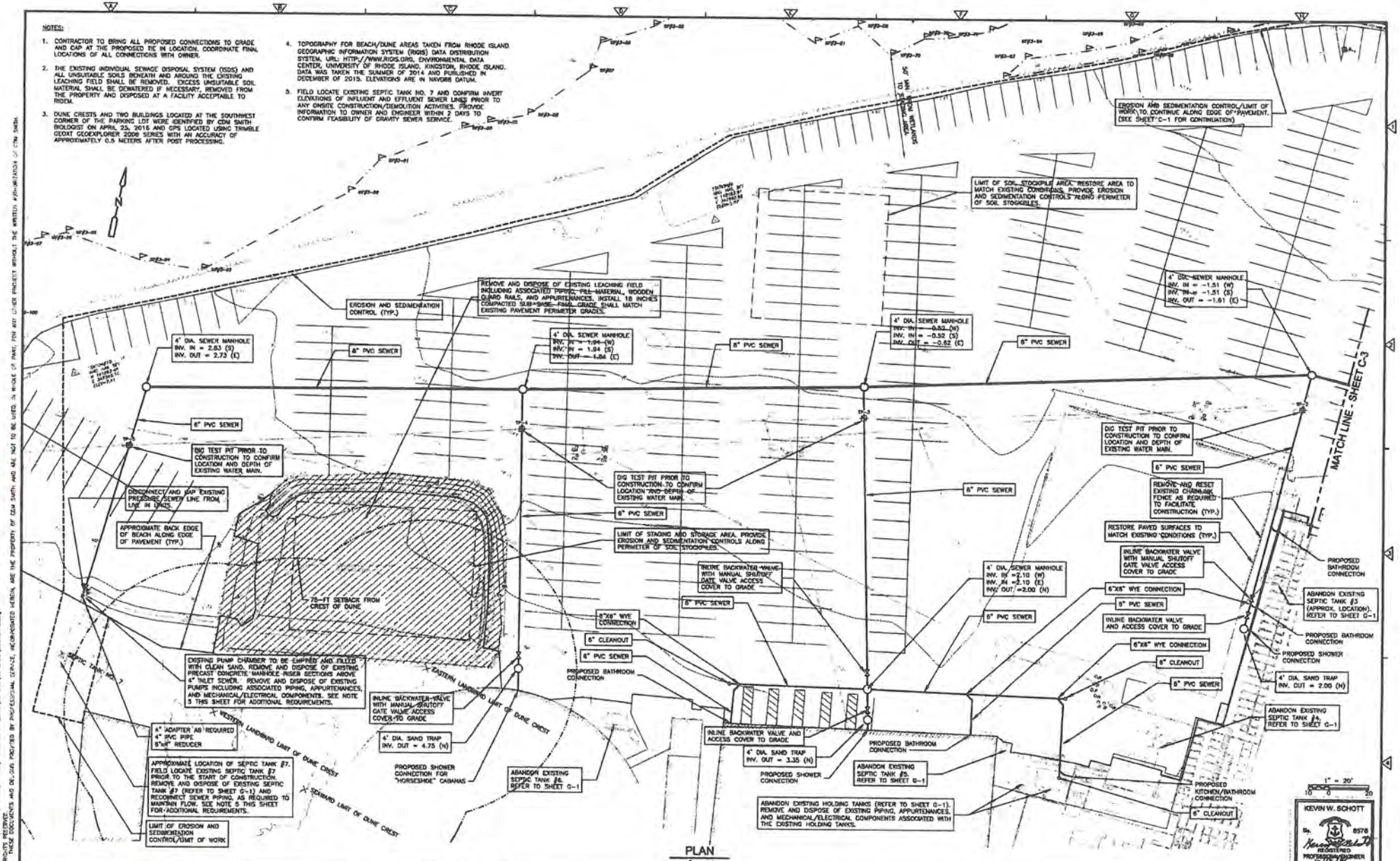
PROJECT NO. 145244-105188
FILE NAME: 0003STPL.DWG
SHEET NO. C-3

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

XREFs: [CDMS_DATA_CONTROL_TYPE]PDMS_CDM_Plumbing Layout_BonnetShores-rev-3-20-09 (4), RIGIS Contours Export] Images: 0
Last saved by: CDMSMITH Time: 5/30/2018 1:55:15 PM
ons:\ne.ad.cdmsmith.com\Pw_Jobs\145244\105188\04 Design Services\04_DGN\02 Civil\10 CAD\0003STPL.dwg
PAGE SETUP: ANSI B (11.00 x 17.00 Inches)
© 2018 CDM SMITH ALL RIGHTS RESERVED
THESE DOCUMENTS AND IDEAS PROVIDED BY PROFESSIONAL STAFF, INCORPORATED HEREIN ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED IN WHOLE OR PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH

P65



REV. NO.	DATE	DRWN	CHKD	REMARKS

DESIGNED BY: D. MARTIN
DRAWN BY: J. CANNON
SHEET CHK'D BY: D. MARTIN
CHECK CHK'D BY: R. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
200 West Exchange Street, Suite 300
Providence, RI 02903
Tel: (401) 751-5555

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

ONSITE COLLECTION SYSTEM II

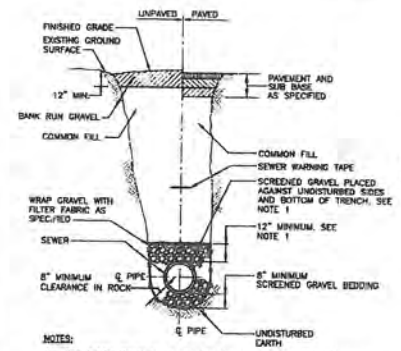
PROJECT NO. 145244-105184
FILE NAME: C004STPL.DWG
SHEET NO. C-4

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P66

XREFs: [C004_2436, C001WP00, Y1606DRS-CON, Plumbing Layout_BonnetShores-rev-8-30-18 (4), RIGIS Contours Layer] Images: [] Last saved by: CDMCALJ Time: 9/20/2018 2:28:11 PM Last plotted by: CDMCALJ Time: 9/20/2018 2:28:11 PM Layout: C-4 User: CDMCALJ Drawing: C:\Users\CDMCALJ\Desktop\Bonnet Shores Beach Club\145244 Design Services Rev_2018\C-00 Civil\18 CADD\C004STPL.dwg
©2018 CDM SMITH ALL RIGHTS RESERVED
REUSE OF DOCUMENTS: THESE DOCUMENTS AND DESIGNS PREPARED BY PROFESSIONAL SERVICE, INCORPORATED HEREIN, ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.

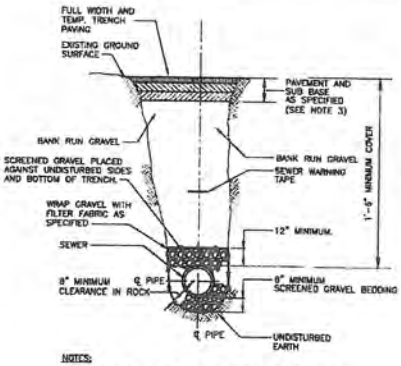


NOTES:

1. FOR PIPES OTHER THAN PVC, SELECT COMMON FILL MAY BE USED FROM MID-DIAMETER OF PIPE TO 12" ABOVE TOP OF PIPE.
2. TRENCHES LOCATED ON THE ROAD SHOULDER SHALL BE THE SAME AS IN STREET EXCEPT FOR PAVING.
3. PROVIDE AT LEAST ONE IMPERVIOUS DAM IN GRAVEL BEDDING BETWEEN EACH MANHOLE OR EVERY 300 FT., WHICHEVER IS LESS.
4. MINIMUM TRENCH WIDTH SHALL BE 24 INCHES.

TYPICAL TRENCH DETAIL FOR GRAVITY SEWER PIPE

NOT TO SCALE

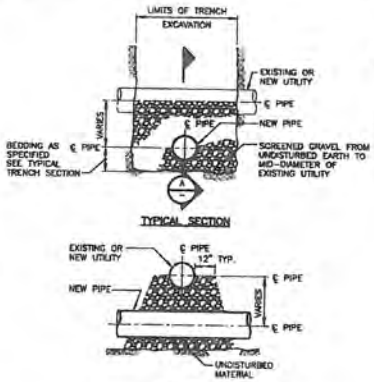


NOTES:

1. TRENCHES LOCATED ON THE ROAD SHOULDER SHALL BE THE SAME AS IN STREET EXCEPT FOR PAVING.
2. MINIMUM TRENCH WIDTH SHALL BE 18 INCHES.
3. PAVEMENT SHALL BE AS SPECIFIED IN SECTION 02578. IN ROADWAYS, INITIAL TRENCH WIDTH PAVEMENT SHALL BE 1.5-INCH THICK BINDER COURSE, AND FINAL TRENCH PAVEMENT SHALL BE 2-INCH THICK BINDER COURSE AND 2-INCH THICK SURFACE COURSE.

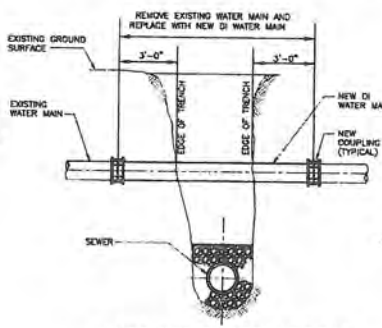
TYPICAL TRENCH DETAIL FOR SEWER FORCE MAIN

NOT TO SCALE



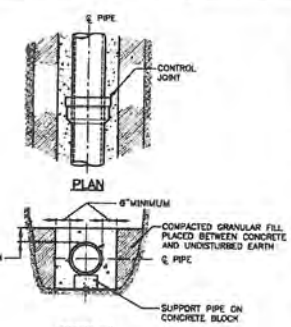
EXISTING UTILITY CROSSING DETAIL

NOT TO SCALE



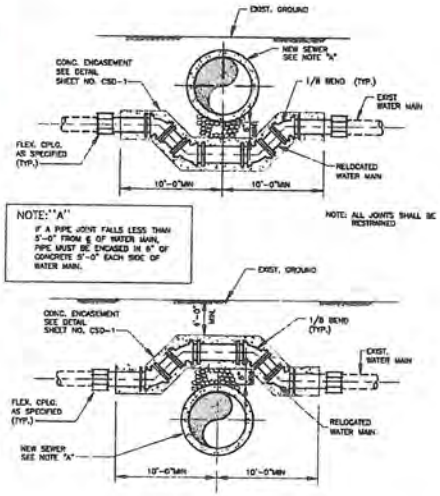
WATER MAIN REPLACEMENT DETAIL

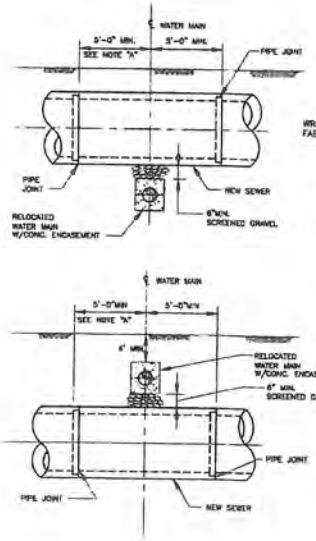
NOT TO SCALE



CONCRETE ENCASEMENT DETAIL

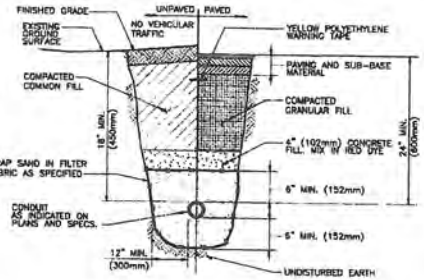
NOT TO SCALE





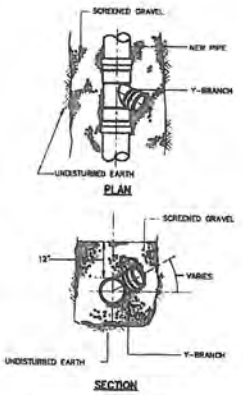
WATER MAIN RELOCATION DETAILS

NOT TO SCALE



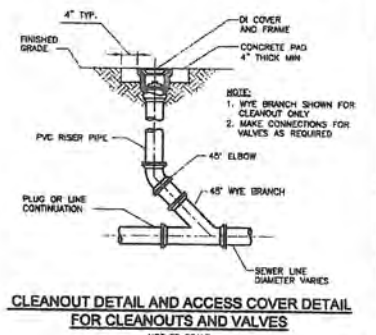
CONDUIT INSTALLATION

NOT TO SCALE



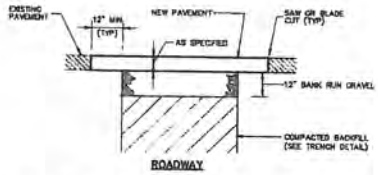
PVC WYE-BRANCH DETAIL

NOT TO SCALE



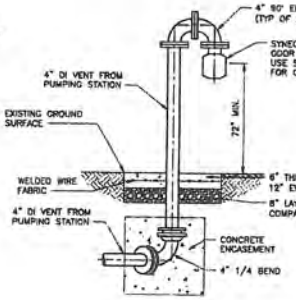
CLEANOUT DETAIL AND ACCESS COVER DETAIL FOR CLEANOUTS AND VALVES

NOT TO SCALE



FINAL TRENCH WIDTH PAVEMENT REPAIR DETAILS

NOT TO SCALE



VENT DETAIL

NOT TO SCALE

KEVIN W. SCHOTT
No. 8578
REGISTERED PROFESSIONAL ENGINEER

REV. NO.	DATE	BY	CHK'D	REMARKS

DESIGNED BY: D. MARTIN
DRAWN BY: J. CABRERA
SHEET CHK'D BY: D. MARTIN
CROSS CHK'D BY: R. HORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
One Beacon Street, Suite 310
Providence, RI 02903
Tel (401) 751-0330

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

MISCELLANEOUS DETAILS I

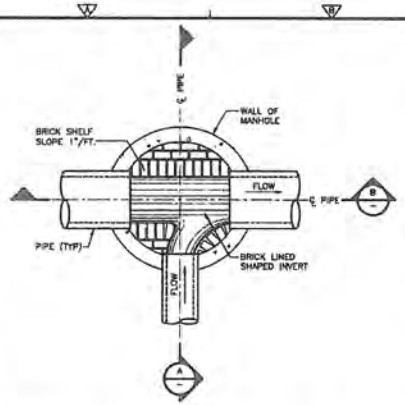
PROJECT NO. 145244-165188
FILE NAME: CG01STDT.DWG
SHEET NO. CSD-1

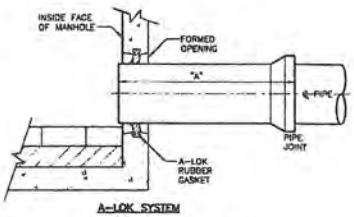
100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

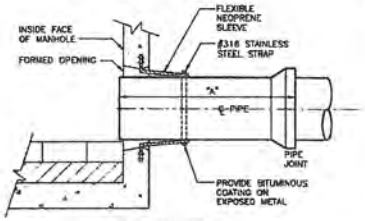
RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

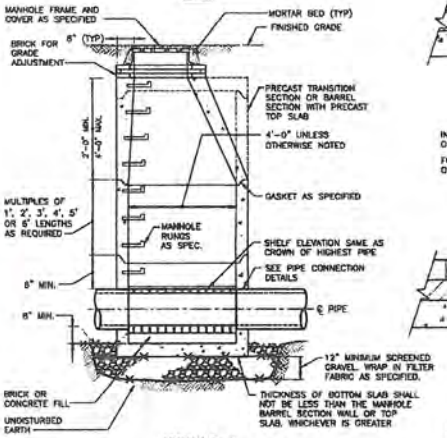
P67

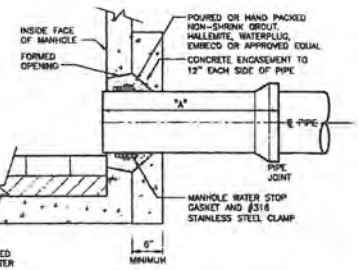
©2018 CDM Smith ALL RIGHTS RESERVED.
USE OF DOCUMENTS THESE DOCUMENTS AND DESIGNS INCORPORATED HEREIN, AS INSTRUMENTS OF SERVICE, ARE THE PROPERTY OF CDM SMITH AND MAY NOT BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH

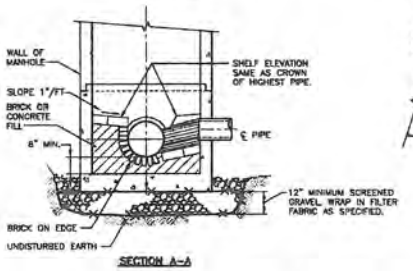




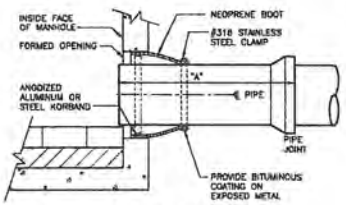






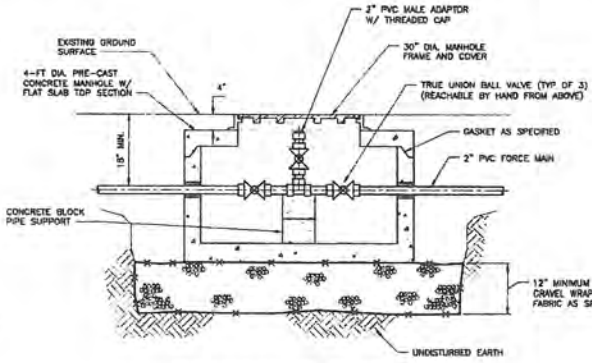


TYPICAL PRECAST SEWER MANHOLE
NOT TO SCALE

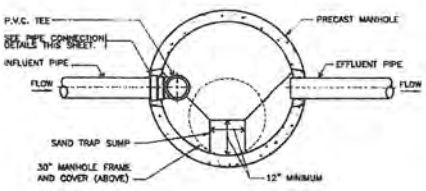


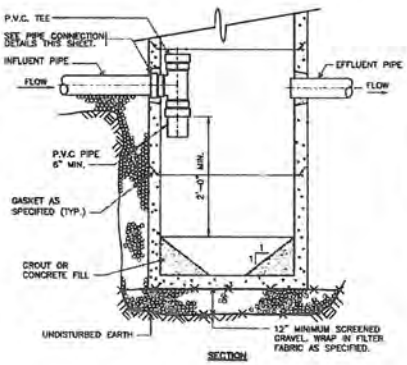
MAXIMUM STUB LENGTH	
PIPE MATERIAL	"A" (MAX.)
RC	4'-0"
PVC	3'-3"
DI	4'-6"

PIPE CONNECTION DETAILS
NOT TO SCALE

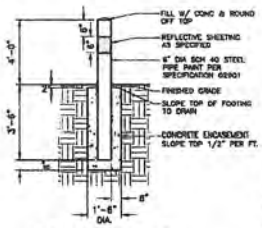


FLUSHING CONNECTION DETAIL
NOT TO SCALE

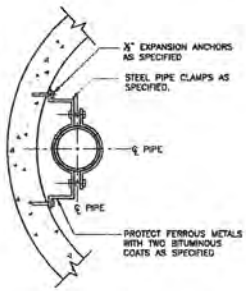




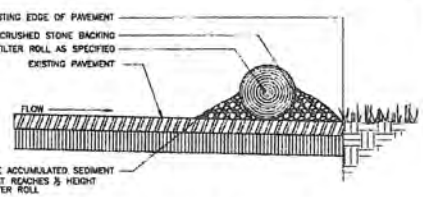
SAND TRAP MANHOLE
NOT TO SCALE

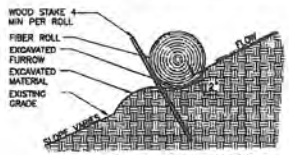


STEEL BOLLARD
NOT TO SCALE

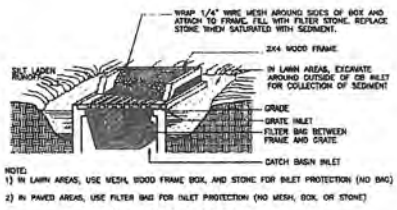


PIPE ANCHOR DETAIL
NOT TO SCALE

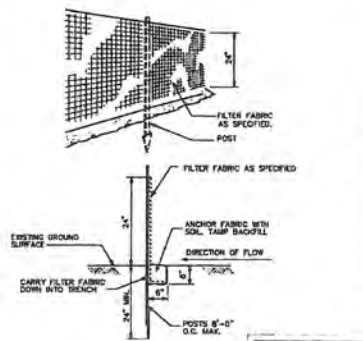




FIBER ROLL DETAIL
NOT TO SCALE



CATCH BASIN FILTER
NOT TO SCALE



SEDIMENT FENCE
NOT TO SCALE

KEVIN W. SCHOTT
No. 6578
REGISTERED PROFESSIONAL ENGINEER

REV. NO.	DATE	DESCRIPTION	CHK'D	REMARKS

DESIGNED BY: D. MARTIN
DRAWN BY: J. CARREIRA
SHEET CHK'D BY: D. MARTIN
CROSS CHK'D BY: R. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
555 Short Exchange Street, Suite 300
Providence, RI 02903
Tel: (401) 751-8360

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND
WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

MISCELLANEOUS DETAILS II

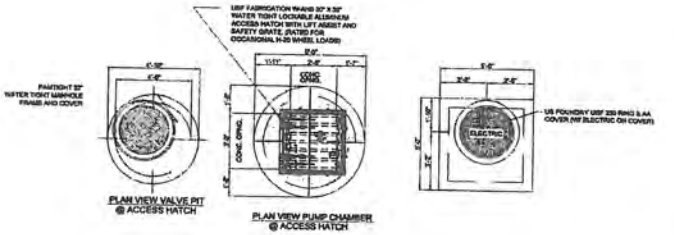
PROJECT NO. 145244-105188
FILE NAME: C02CSTDT.DWG
SHEET NO. CSD-2

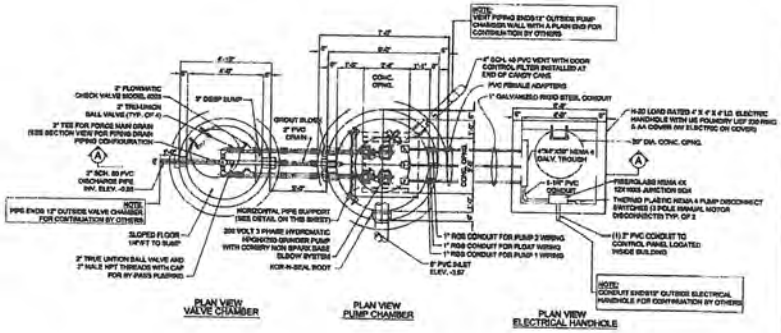
100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

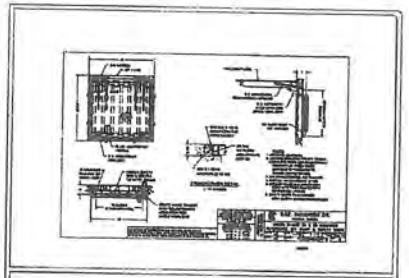
RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

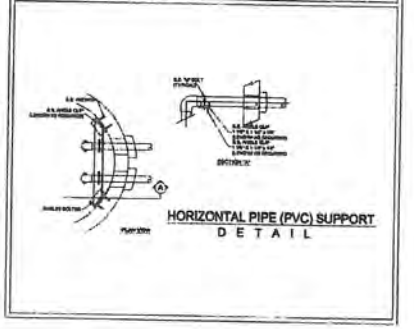
P68

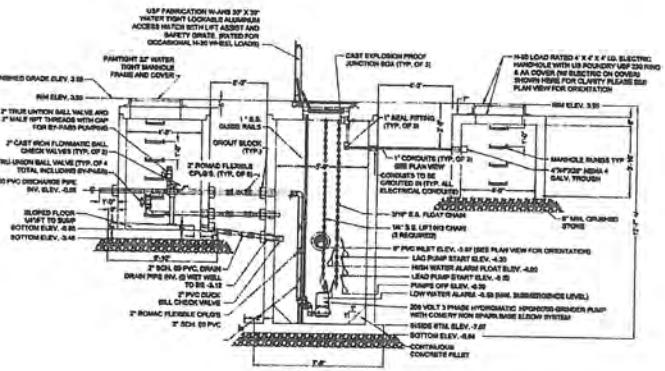
THESE DOCUMENTS ARE AND SHALL REMAIN THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.
RELEASE OF DOCUMENTS PROVIDED BY PROFESSIONAL SERVICE, INCORPORATED HEREIN, ARE ALL RIGHTS RESERVED.

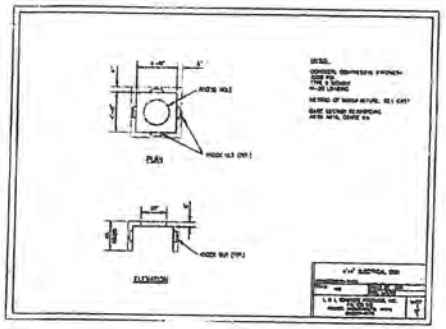












503A2SVG DRAWING
NOT TO SCALE

BOYDCO
503A2SVG
Grinder Pump Station

General

Contractor shall furnish and install one (1) BOYDCO prefabricated reinforced concrete submersible type wet pit sewage pump station. This station shall be of precast reinforced concrete construction. Manufacturer shall guarantee that all joints in pumping chamber will be watertight.

Pumping station with valve vault shall be complete with two (2) grinder sewage pumps, five (5) level float switches, vault, valves, and manifold.

Station will be factory assembled and delivered to the job site with all equipment installed and pre-wired by manufacturer. Manufacturer's own personnel will unload and install station. Four (4) copies of Operation Manuals shall be provided along with start up assistance to insure correct operation of system.

Pump Chamber

Pump chamber shall be constructed of concrete reinforced for compressive strength to a minimum of 4000 PSI. Chamber has inside dimensions of 8' diameter x 8'-0" bottom for 15.69 square foot station. The base shall be 8" thick. The riser shall be 8" thick. The roof slab shall be 12" thick. Manufacturer shall seal all joints and openings to be watertight with the exception of the inlet pipe.

Valve Chamber

Pump chamber shall be constructed of concrete reinforced for compressive strength to a minimum of 4000 PSI. Chamber has inside dimensions of 4' diameter x 8'-0" bottom for 12.60 square foot station. The walls shall be 8" thick. The base shall be 8" thick. The roof slab shall be 8" thick. Manufacturer shall seal all joints and openings to be watertight with the exception of the inlet pipe.

Electric Handhole

Electric handhole shall be constructed of concrete reinforced for compressive strength to a minimum of 3000 PSI. Handhole has inside dimensions of 4' x 4' x 4' with 8" thick walls, 8" thick roof and open bottom. Manufacturer shall seal all joints and openings to be watertight.

Pumps

HAZARDOUS LOCATION SUBMERSIBLE SEWAGE HYDROMATIC HP/XHP GRINDER PUMPS

GENERAL
Contractor shall furnish all labor, materials, equipment and incidentals required to provide 2 (two) submersible electrical pump sewage grinder pump(s) as specified herein. All equipment, including but not limited to, motor, discharge elbow, support stand, and level float switches, shall be rated for use in a Class 1, Division 1 hazardous area.

OPERATION CONDITIONS
Each pump shall be rated 7.5 hp, 230 volts,1 phase, 60 hertz, and 3488 rpm. The unit shall produce 60 U.S. GPM at 120.19 feet TDH.

CONSTRUCTION
Each pump shall be a close coupled submersible type, model HPXHGR3826A2 with 3.5" discharge manufactured by Pioneer Pump/Hydromatic. The pump volute, motor and seal housing shall be high quality gray cast iron, ASTM A-48, Class 30. All external mating parts shall be machined and have Hi Pacific O'Ring installed on a beveled edge. Gaskets shall not be acceptable. All fasteners exposed to the pumped liquids shall be 300 series stainless steel.

ELECTRICAL POWER CORD
Chemical power cord shall be water resistant 600V, 60°C, UL and/or CSA approved and applied dependent on amp draw for size. The power cable entry into the cord cap assembly shall be a waterproof, compression fitting. Each individual lead shall be stripped down to bare wire, all stranded wire ends, and each strand shall be individually tinned. The wires of the cord cap shall then be filled with an epoxy compound potting which will prevent water contamination to gain entry even in the event of wicking or capillary attraction. The power cord leads shall then be connected to the motor leads with stator factory connectors leaving bare leads with a solvated vitrified-to-wire connection.

MOTOR
The stator, rotor and bearings shall be mounted in a sealed submersible type housing. The stator windings shall have Class F insulation (155°C or 311°F) and a dielectric oil-filled water, NEMA B design (three-phase), NEMA L design (single-phase). The pump and motor shall be electrically designed so that they may be operated partially dry or completely submerged in the fluid being pumped. Stators shall be assembly hold in place with a nonshrinking and dry and thermoset adhesive. No sealed leads shall be required for pump and motor disassembly. Pump shall be equipped with heat sensors. The heat sensor(s) (one on single-phase, two on three-phase) shall be a low resistance, bimetal disc that is normally closed. It (they) shall be mounted directly to the stator and shall to open at 130°C or 150°C and automatically reset at 30-35°C differential. The sensor shall be connected to series with the motor starter and so that the starter is tripped if a heat sensor opens. The motor starter shall be equipped with overload heaters on all normal overloads are protected by an external heater block.

BEARINGS AND SHAFT
An upper radial bearing and a lower thrust bearing shall be required. These shall be permanently lubricated by the factory oil and the life, by the rating. The shaft shall be machined from a solid 416 stainless steel and be a design that is of large diameter with minimum overhung to reduce shaft deflection and prolong bearing life.

SEALS AND SENSORS
The rotor and stator in the motor housing shall be separated and protected from the pumped liquids by an oil-filled seal housing incorporating two tyne 21 carbon ceramic mechanical seals mounted in tandem. This will also protect the motor housing shaft from contact with the pumped liquid between the seals, and the sensing of moisture in the seal chamber shall be automatic, continuous, and will ensure the pump be stopped or removed from the wet well.

IMPELLERS
Impeller shall be brass multivane, semi-open, non-overloading design. They can either be factory or field trimmed to most specific performance conditions. Impellers shall be dynamically balanced at the factory and keyed/locked for transmitting of to the pump shaft. Impellers shall be 6.0"

GRINDER CUTTERS
The combination centrifugal pump impeller and grinder unit shall be attached to the common motor and pump shaft made of 416 stainless steel. The grinder unit shall be on the suction side of the pump impeller and discharge directly into the impeller vane, leaving no exposed shaft to permit packing of ground solids. The grinder shall consist of two discs. The cutting edges of the second stage shall be symmetrical to the plane of the first and be faster speed of the particle size. The grinder shall be capable of grinding normal domestic sewage, fecal matter and grinding matters shall be made of 440C stainless steel hardened to Rockwell 55C and ground to close tolerance. The upper (shear) cutter and stationary cutter ring shall be reversible to provide four cutting edges to double life. The stationary cutter ring shall be a slip fit into the suction opening of the volute and held in place by three (3) 300 series stainless steel screws and a retaining ring. The lower (rotary) cutter shall contact the volute against the I.D. of the cutter ring and protrude them through the slots of the cutter ring. The upper (shear) cutter shall and off the suction, so they always have the slots of the cutter ring to eliminate any roping effect that may occur in single stage cutting action. The upper (shear) cutter shall fit over the hub of the impeller and the lower (rotary) cutter shall be into fit and secured by means of ring and hole and rotate simultaneously with the rotation of the shaft and impeller. The grinding mechanism shall be locked to the shaft by a 300 series stainless steel countersunk washer in conjunction with a 300 series stainless steel hex head cap screw threaded into the end of the shaft.

TESTING
Commercial testing shall be required and include the following:
The pump shall be visually inspected to confirm that it is built in accordance with the specification as to HP, voltage, phase and hertz. The motor and seal housing chambers shall be inspected to test for moisture contents and/or insulation defects. Pump shall be allowed to run dry to check for proper rotation. Discharge piping shall be obtained, the pump submerged in water and amp readings shall be taken in each leg to check for an unbalanced stator winding. If there is a significant difference in readings, the stator windings shall be checked with a ohmeter to determine if an unbalanced resistance exists. If so, the stator will be replaced.

PAINT
All interior and exterior surfaces of pumps and of motor enclosure shall be thoroughly cleaned, dry and free of all rust, mill scale, grease, dirt, other foreign matter and supplied with manufacturer's standard epoxy coating.

Pump slide rail system

Pump slide rail system to be Canary MFG. model SSRS-2260 XX. Upper guide rail bracket to be Canary MFG. model UGS-STNLS. Guide rails to be 1" Sch. 40 Type 304 Stainless steel.

Aluminum Hatch and Manhole Cover

Pump Chamber

The heavy-duty watertight (flood/splashlight) single frame floor access door is designed for interior and exterior applications where water and gasoline are required. It is designed for off-road locations that may occasionally receive AASHTO H-20-44 wheel loads.

Hatch to be W-AHS 24" x 30" aluminum watertight(flood/splashlight), single frame, H-20 rated(wheel loading, single door and include the following options: open springs for 90 assist, cane hook (two hook bolt), bituminous paint and spinner hook with 2 stainless keys.

- SPECIFICATIONS: The watertight (flood/splashlight) floor access door shall be bilaid W-AHS as manufactured by U.S.F. Fabrication, Inc. with the sizes being specified on the plans. Door leaf shall be 1 1/4-inch thick aluminum diamond plate reinforced for an AASHTO H-20-44 wheel load (capable of holding up to 20 lb./sq.ft.head of water). Upon request, manufacturer shall provide structural calculations showing that the door design meets the loading requirements of AASHTO H20-44. (The floor access door is designed for off-road locations that may occasionally receive AASHTO H-20 wheel loads.) The bottom of the panel shall have a membrane groove to accurately hold a EPDM-inch diameter EPDM gasket around its perimeter. The door shall have 316 stainless steel lockstripe a vase hasp to its gampress the door as that the door will not lock from opening water. The frame shall be 304-inch thick material with 2-7/8" x 1-1 /2" deep anchors welded around the frame for existing into concrete. The floor access door shall be equipped with a flush flashlight handle that does - not protrude above the cover, and a 316 stainless steel hold open arm with rest stop (pin) that automatically keeps the cover in its upright, open position. The door shall have 316 stainless steel hinges with 3/4" stainless steel flat head bolts. The door shall have stainless steel open horizontal springs to assist in opening the cover and relieving the force during closing.

- Installation shall be in accordance with the manufacturer's attached instructions. The grate frame including the cast on cheek the containing rests shall be supported by casings or other material designed to support the specified load. All parts of the frame in contact with concrete shall have a coating of bituminous paint. An extrusion backed vinyl material that protects the product during shipping and installation shall cover the entire top of the frame and cover. The door shall be manufactured and assembled in the United States. Manufacturer shall guarantee the door against defects in materials and workmanship for a period of ten years.

Valve Vault

Heavy duty rated valve vault manhole frame and cover to be Portsight 32" watertight manhole frame and cover.

Electric Manhole Frame and Cover

Heavy duty rated electric handhole manhole frame and cover to be US Foundry USF 330 Ring and AA Cover with "ELECTRIC" on the cover

Piping

Discharge piping shall be 3" SCH. 80 PVC and 2" Schedule 80 PVC drain piping from valve vault to wet well. Shall all valves to be 2" SCH.80 PVC true union ball valve quarter turn ball valves. Check valves to be Flomatic 2" heavy duty cast iron body, bolt type, with a pressure rating of 125 PSI.

Controls

The NEMA 4X external panel shall be an Another Enterprise and include the following:

Individual breakers for 7.5 HP Grinder pumps, 200 watt 3 Phase
Transformer for 120 volt controls.
Level pump fail out if the pump comes on.
5 float mechanically latching, including high water alarm and low water alarm.
Alarm buzzer and alarm light with on/off test switch for alarm.
Pumps to have hand off auto switches.
Elapsed time with odometer reset.
Pump run lights
Elapsed time meters
Phase monitor
Dry contacts for the following alarms:

- High water alarm
- Low water alarm
- Power failure
- Phase fault
- Dry contacts for remote alarm panel (remote alarm panel located inside building)

Remote alarm panel to be located inside building. Requires a separate 120 volt power feed and wire to be wired back to electrical equipment enclosure located at the remote pumping station.

Level float switches shall activate sewage pumps in station. Float switches shall be form float mechanism type and designed specifically for sewage pumping applications.

FS-1 (normally closed) activates low water alarm both locally and by alerting alarm telecommuting contacts. This will also shut off pumps that are running if 6-7 bits. This is the lowest float in the wet well. FS-2 (normally open) functions as pump off and restarts pumping cycle. FS-3 (normally open) activates pump on cycle. FS-4 (normally open) activates high water alarm both locally and by alerting alarm telecommuting contacts. FS-5 (normally open) high pump on, starts lag pump pumping cycle and turns lead pump off.

The pumping station is not up to only be able to pump no more than 50 GPM in automatic operation, then lead pump will stop when lag pump is on

Telemetering

Phone dialer to be a Stancophone 600 dialer located inside the building to transmit the following alarms.

1. Low water
2. High water
3. Power Failure
4. Phone fails

NOTE:
1. DETAIL PROVIDED BY BOYDCO INC. SEE SPECIFICATION SECTION 11302.

KEVIN W. SCHOTT
No. 8578
REGISTERED PROFESSIONAL ENGINEER
9/20/18

REV. NO.	DATE	DRWN	CHKD

DESIGNED BY: M. PITTA
DRAWN BY: A. WELDON
SHEET CHKD BY: M. PITTA
CROSS CHKD BY: R. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
200 West Exchange Street, Suite 300
Providence, RI 02903
Tel: (401) 751-4300

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

BOYDCO 503A2SVG DRAWING
PUMP STATION PLANS, ELEVATIONS & DETAILS

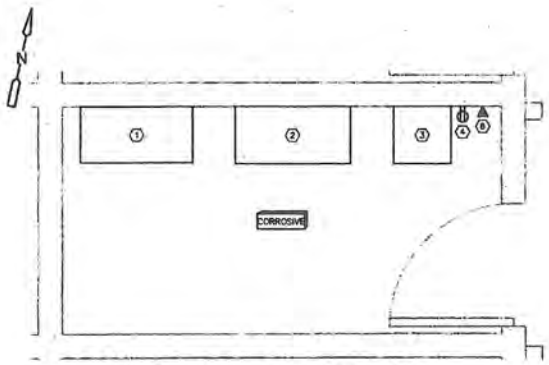
PROJECT NO. 143244-105188
FILE NAME: MC01ST01.DWG
SHEET NO.
M-1

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

69

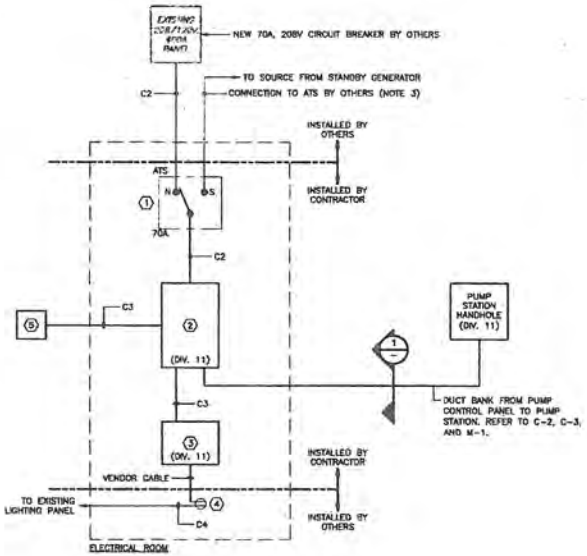
XREFs: [CDMS_24.bit] Images: [] 7/15/2018 2:49:10 PM
Last saved by MCDONALD at C:\Users\mcdonaldmj\Documents\Projects\Bonnet Shores Beach Club\Wastewater\Design Services\MA_Bonnet Shores Beach Club_Design Services_Mod_1\143244-105188\04 Design Services MA_Bonnet Shores Beach Club_Design Services_Mod_1\MC01ST01.dwg
©2018 CDM Smith ALL RIGHTS RESERVED.
PLEASE BE CONSCIOUS THESE DOCUMENTS ARE BEING PROVIDED BY PROFESSIONAL DESIGN, INCORPORATED HEREIN, ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.



ENLARGED ROOM #10 – ELECTRICAL ROOM

PLAN

1" = 1'



ELECTRICAL

ONE LINE DIAGRAM

N.T.S.

NOTES:

1. SEE CIVIL DRAWINGS FOR UNDERGROUND CONDUIT ROUTING.
2. EQUIPMENT PROVIDED BY PUMP STATION MANUFACTURER. INSTALLED BY ELECTRICAL CONTRACTOR.
3. THE STANDBY GENERATOR SHALL BE DESIGNED, INSTALLED, AND TESTED BY OTHERS. THE STANDBY GENERATOR SHALL BE OPERATIONAL PRIOR TO THE WASTEWATER PUMP STATION BEING PLACED ONLINE AND DISCHARGING TO THE TOWN'S WASTEWATER COLLECTION SYSTEM. THE STANDBY GENERATOR SHALL MAINTAIN OPERATION OF THE WASTEWATER PUMP STATION DURING POWER OUTAGES.
4. CONTACT CLOSES ON LOSS OF POWER.

EQUIPMENT LIST

ITEM NO.	DESCRIPTION	MANUFACTURER
1	AUTOMATIC TRANSFER SWITCH, 208V, 70A, 3Φ, 3 POLE, SWITCHED NEUTRAL, NEMA 4X ENCLOSURE	ASCO OR EQUAL
2	PUMP CONTROL PANEL.	SEE DIVISION 11 SPECIFICATION
3	AUTODIALER	SEE DIVISON 11 SPECIFICATION
4	120 VOLT GFCI DUPLEX RECEPTACLE WITH WEATHERPROOF COVER	HUBBELL OR EQUAL
5	REMOTE VISUAL ALARM	SEE DIVISION 11 SPECIFICATION
6	TELEPHONE JACK	SEE DIVISION 16 SPECIFICATION

CONDUIT AND WIRE LEGEND

TAG	DESCRIPTION
C1	2"C., 6#4, 12#14, 1#6G
C2	1-1/2"C., 3#4, 1#4N, 1#8G
C3	3/4"C., 12#14, 1#14G
C4	3/4"C., 2#12, 1#12G
S	2"C., WITH PULL STRING

STANDBY GENERATOR START

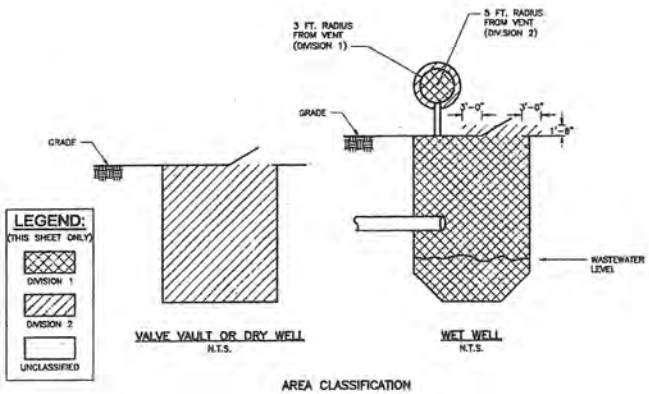
WIRING DIAGRAM

(NOTE 4)

C1 S

SECTION 1

N.T.S.



VALVE VAULT OR DRY WELL

N.T.S.

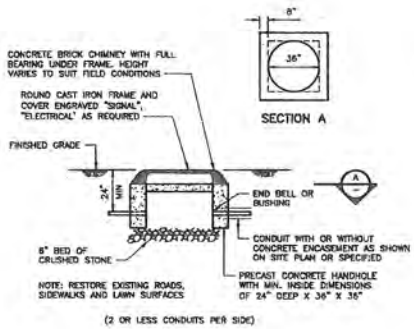
WET WELL

N.T.S.

AREA CLASSIFICATION

DETAIL A

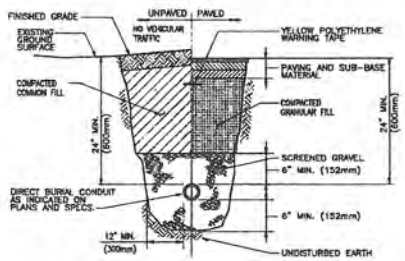
N.T.S.



ELECTRICAL HANDHOLE

DETAIL B

NTS



TYPICAL DIRECT BURIAL CONDUIT INSTALLATION

DETAIL C

N.T.S.

WILLIAM J. RYAN, JR.
No. 11389
REGISTERED PROFESSIONAL ENGINEER
ELECTRONIC

REV. NO.	DATE	DESCRIPTION	REMARKS

DESIGNED BY: B. CHARIS-MOLLING
DRAWN BY: B. CHARIS-MOLLING
SHEET CHK'D BY: W. RYAN
CROSS CHK'D BY: M. PITTA
APPROVED BY: W. RYAN
DATE: JUNE 2018

CDM Smith
200 West Exchange Street, Suite 300
Providence, RI 02903
Tel: (401) 751-5360

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

ELECTRICAL DETAILS

PROJECT NO. 145244-105188
FILE NAME: E001NFDT.DWG
SHEET NO.
E-1
Accession No: 145244-P-XXXX

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

P70

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

X:\Efs (CIVIL_245k, C001NP00, Y100005-CIVIL, Plumbing Layout_SanitaShore-xs-4-30-09 (4)) Images: 0
Last saved by: CHARISB@CDMSMITH, Time: 6/13/2018 4:01:16 PM
pw:\\pwcentral.cdmsmith.com:PWC_Prd\145244\105188\04 Design Service NA_6/5/18 Division\10 CAD\E001NFDT.dwg
Xrefs: ATTACHED: ALL
Reuse of Documents: THESE DOCUMENTS AND DESIGNS PROVIDED BY PROFESSIONAL SERVICE, INCORPORATED HEREIN, ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.

BONNET SHORES BEACH CLUB
NARRAGANSETT, RHODE ISLAND
WASTEWATER COLLECTION SYSTEM IMPROVEMENTS
ESTIMATED AREA OF SOIL DISTURBANCE (APPROX.)

PROJECT COMPONENT	EST. AREA OF SOIL DISTURBANCE (ACRES)
Force Main	0.16
Pumping Station	0.04
Onsite Collection System	0.73
TOTAL EST. AREA OF SOIL DISTURBANCE (ACRES)	**0.93**

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

the Owner may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No part of the time lost due to any such stop orders shall be made the subject of a claim for extension of time or for excess costs or damages by the Contractor unless it is later determined that the Contractor was in compliance.

1.04 IMPLEMENTATION

A. Prior to commencement of the work, meet with the Engineer and Owner to develop mutual understandings relative to compliance with these provisions and administration of the environmental pollution control program.

B. Remove temporary environmental control features, when approved by the Engineer and incorporate permanent control features into the project at the earliest practicable time.

PART 2 PRODUCTS (NOT USED)

PART 3 EXECUTION

3.01 EROSION CONTROL

A. Provide positive means of erosion control such as shallow ditches around construction to carry off surface water. Erosion control measures, such as siltation basins, fiber rolls, silt fences, mulching, jute netting and other equivalent techniques, shall be used as appropriate. Flow of surface water into excavated areas shall be prevented. Ditches around construction area shall also be used to carry away water resulting from dewatering of excavated areas. At the completion of the work, ditches shall be backfilled and the ground surface restored to original condition.

3.02 PROTECTION OF STREAMS AND SURFACE WATERS

A. Take all precautions to prevent, or reduce to a minimum, any damage to any stream or surface water from pollution by debris, sediment or other material, or from the manipulation of equipment and/or materials in or near such streams. Water that has been used for washing or processing, that contains oils or sediments that will reduce the quality of the water in the stream, shall not be directly returned to the stream. Divert such waters through a settling basin or filter before being directed into streams or surface waters.

B. Do not discharge water from dewatering operations directly into any live or intermittent stream, channel, wetlands, surface water or any storm sewer. Water from dewatering operations shall be treated by filtration, settling basins, or other approved method to reduce the amount of sediment contained in the water to allowable levels.

C. Take all preventative measures to avoid spillage of petroleum products and other pollutants. In the event of any spillage, prompt remedial action shall be taken in accordance with a contingency action Drawing and plan approved by the Rhode Island Department of Environmental Management and Rhode Island Coastal Resources Management Council. Maintain a supply of "speedy dry," oil absorbent pads, or an approved equivalent with the construction equipement at all times which will be used to contain any accidental release of oil or other petroleum products during construction. Inspect motorized equipment at the beginning and end of each work day for leaks and defects. Submit two copies of approved contingency Drawings and plans to the Engineer.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

D. Water being flushed from structures or pipelines after disinfection, with a Cl2 residue of 2 mg/l or greater shall be treated with a dechlorination solution, in a method approved by the Engineer, prior to discharge.

3.03 PROTECTION OF LAND RESOURCES

A. Restore land resources within the project boundaries and outside the limits of permanent work to a condition, after completion of construction that will appear to be natural and not detract from the appearance of the project. Confine all construction activities to areas shown on the Drawings.

B. Outside of areas requiring earthwork for the construction of the new facilities, do not deface, injure, or destroy trees or shrubs, nor remove or cut them without prior approval. No ropes, cables, or guys shall be fastened to or attached to any existing nearby trees for anchorage unless specifically authorized by the Engineer. Where such special emergency use is permitted, first wrap the trunk with a sufficient thickness of burlap or rags over which softwood cleats shall be tied before any rope, cable, or wire is placed. The Contractor shall in any event be responsible for any damage resulting from such use.

C. Before beginning operations near them, protect trees that may possibly be defaced, bruised, injured, or otherwise damaged by the construction equipment, dumping or other operations, by placing boards, planks, or poles around them. Monuments and markers shall be protected similarly.

D. Any trees or other landscape features scarred or damaged by the Contractor's equipment or operations shall be restored as nearly as possible to their original condition. The Engineer will decide the method of restoration to be used and whether damaged trees shall be treated and healed or removed and disposed of.

1. All scars made on trees by equipment, construction operations, or by the removal of limbs larger than 1-in in diameter shall be coated as soon as possible with an approved tree wound dressing. All trimming or pruning shall be performed in an approved manner by experienced workmen with saws or pruning shears. Tree trimming with axes will not be permitted.

2. Climbing ropes shall be used where necessary for safety. Trees that are to remain, either within or outside established clearing limits, that are subsequently damaged by the Contractor and are beyond saving in the opinion of the Engineer, shall be immediately removed and replaced.

E. The locations of the Contractor's storage and other construction buildings required temporarily in the performance of the work, shall be cleared portions of the job site or areas to be cleared as shown on the Drawings and approved by the Engineer and shall not be within wetlands or floodplains. The preservation of the landscape shall be an imperative consideration in the selection of all sites and in the construction of buildings. Drawings showing storage facilities shall be submitted for approval of the Engineer.

F. Remove all signs of temporary construction facilities such as haul roads, work areas, structures, foundations of temporary structures, stockpiles of excess of waste materials, or any other vestiges of construction as directed by the Engineer. It is anticipated that excavation, filling and plowing of roadways will be required to restore the area to near natural conditions which will

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

permit the growth of vegetation thereon. The disturbed areas shall be prepared and seeded as described in Section 02901, or as approved by the Engineer.

G. All debris and excess material will be disposed of outside wetland buffers or floodplain areas in an environmentally sound manner.

3.04 PROTECTION OF AIR QUALITY

A. Burning - The use of burning at the project site for the disposal of refuse and debris will not be permitted.

B. Dust Control - Maintain all excavations, embankment, stockpiles, access roads, plant sites, waste areas, borrow areas and all other work areas within or without the project boundaries free from dust which could cause the standards for air pollution to be exceeded and which would cause a hazard or nuisance to others.

C. An approved method of stabilization consisting of sprinkling or other similar methods will be permitted to control dust. The use of petroleum products is prohibited. The use of chlorides may be permitted with approval from the Engineer.

D. Sprinkling, to be approved, must be repeated at such intervals as to keep all parts of the disturbed area at least damp at all times, and the Contractor shall have sufficient competent equipment on the job to accomplish this. Dust control shall be performed as the work proceeds and whenever a dust nuisance or hazard occurs, as determined by the Engineer.

3.05 NOISE CONTROL

A. Make every effort to minimize noises caused by the construction operations. Equipment shall be equipped with silencers or mufflers designed to operate with the least possible noise in compliance with Federal and State regulations.

3.06 MAINTENANCE OF POLLUTION CONTROL FACILITIES DURING CONSTRUCTION

A. Maintain all facilities constructed for pollution control as long as the operations creating the particular pollutant are being carried out or until the material concerned has become stabilized to the extent that pollution is no longer being created.

END OF SECTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

SECTION 02270
EROSION AND SEDIMENTATION CONTROL

PART 1 GENERAL

1.01 SCOPE OF WORK

A. Furnish all labor, materials, equipment and incidentals required and perform all installation, maintenance, removal and area cleanup related to erosion and sedimentation control work as shown on the Drawings and as specified herein. The work shall include, but not necessarily be limited to; installation of temporary access ways and staging areas, silt fences, fiber rolls, stone filter boxes, stone filter berms, sediment removal and disposal, device maintenance, removal of temporary devices, temporary mulching, excelsior matting installation and final cleanup.

1.02 RELATED WORK

A. Environmental Protection procedures are included in Section 01110.

B. Earthwork is included in Section 02200.

C. Granular fill materials are included in Section 02230.

D. Dust control is included in Section 02901.

E. Loaming and Seeding is included in Section 02900.

1.03 SUBMITTALS

A. Submit, in accordance with Section 01300, within 10 days after award of Contract, technical product literature for all commercial products, including straw mulch tackifier, to be used for erosion and sedimentation control.

1.04 QUALITY ASSURANCE

A. Be responsible for the timely installation and maintenance of all sedimentation control devices necessary to prevent the movement of sediment from the construction site to offsite areas or into the stream system via surface runoff or underground drainage systems. Measures in addition to those shown on the Drawings necessary to prevent the movement of sediment off site shall be installed, maintained, removed, and cleaned up at the expense of the Contractor. No additional charges to the Owner will be considered.

B. Sedimentation and erosion control measures shall conform to the requirements outlined in the Rhode Island Coastal Resources Management Council's (CRMC) Assent and Rhode Island Department of Environmental Management (RIDEM) Rhode Island Pollutant Discharge Elimination System (RIPDES), as required, and appended to the Specifications.

PART 2 PRODUCTS

2.01 MATERIALS

A. Sediment Fence

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

1. Sediment fence shall be a prefabricated commercial product made of a woven, polypropylene, ultraviolet resistant material such as "Envirofence" by Mirafi Inc., Charlotte, NC or equal.

B. Siltation Control Device For Catch Basins

1. Where shown on the drawings or directed by the Engineer, a siltation control device shall be used to trap sediment and prevent the drainage system from clogging. Siltation control device(s) shall be installed between the catch basin frame and grate. The Contractor shall clean and maintain the siltation control device(s) on a regular basis and as directed by the Engineer.

2. The siltation control device shall be a woven sack that is sewn with a double needle machine using high strength thread.

3. The siltation control device will be manufactured to fit the opening of the catch basin or drop inlet. The siltation control device will have the following features; two dump straps attached to the bottom of the sack to facilitate the dumping of the trapped sediment. The top of the siltation control device shall have lifting loops as an integral part of the sack to be used to lift the partially fill sack out to empty. The siltation control device shall have a restraining strap approximately halfway up the sack to keep the sides away from the catch basin walls. This yellow strap is a visual means of determining when the sack needs to be emptied. Once the strap is covered with sediment, the siltation control device should be emptied, cleaned and placed back in the catch basin.

4. The geotextile fabric shall be woven fabric with the following properties:

HI FLOW

PROPERTY	TEST METHOD	TEST RESULT
Grab Tensile	ASTM D-4632	265 lbs.
Grab Elongation	ASTM D-4532	20 percent
Puncture	ASTM D-4833	135 lbs.
Mullen Burst	ASTM DI-3786	420 P.S.I.
Trapezoidal Tear	ASTM D-4533	45 lbs.
UV Resistance	ASTM D-4355	90 percent
Apparent Opening Size	ASTM D-4751	20 US Sieve
Flow Rate	ASTM D-4491	200 gal/min/sf
Permittivity	ASTM D-4491	1.5 sec^{-1}
Average Strength	ASTM D-4884	100 lb/in

5. Siltation control devices shall be SILTSACK, manufactured by ACF Environmental, Inc. or approved equal.

RECEIVED
SEP 07 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

C. Fiber Rolls

1. Fiber rolls shall be a flexible, 9 to 12-in diameter by 15 to 20-ft long tubular bundle of lightly packed weed-free coconut fiber, recycled rice straw, or wood fiber. Bundled material shall be contained by a high strength (60 lb.) UV resistant HDPE netting. Fiber rolls shall be commercially manufacture red product specifically made to reduce sediment laden runoff velocity, and control or capture eroded sediment, and projected product life of 2 to 5 years, such as KoriWattle by Nadia Enterprise, Straw Wattles by California Straw Works, BioD-Watl by RoLanka International or Earth Saver Rice Straw Wattles by RH Dyck, or equal. Wood stakes shall be 1-in x 1-in x 2-ft long.

D. Siltation Control Device For Wetlands

1. Where shown on the drawings or directed by the Engineer, a siltation control device during dewatering shall be used to trap sediment and protect wetlands. The Contractor shall clean and maintain the siltation control device(s) on a regular basis and as directed by the Engineer.

2. The siltation control device shall be a woven sack that is sewn with a double needle machine using high strength thread.

3. The geotextile fabric shall be non-woven fabric with the following properties:

HI FLOW

PROPERTY	TEST METHOD	TEST RESULT
Grab Tensile	ASTM D-4632	250 lbs.
Puncture	ASTM D-4833	165 lbs.
Mullen Burst	ASTM Dl-3786	550 P.S.I.
UV Resistance	ASTM D-4355	70 percent
Apparent Opening Size	ASTM D-4751	100 percent
Flow Rate	ASTM D-4491	70 gal/min/sf
Permittivity	ASTM D-4491	1.3 sec^{-1}
Average Strength	ASTM D-4884	100 lb/in

4. Siltation control devices shall be DIRTBAG, manufactured by ACF Environmental, Inc. or approved equal.

E. Straw mulch shall be utilized on all newly graded areas to protect areas against washouts and erosion. Straw mulch shall be comprised of threshed straw of oats, wheat, barley, or rye that is free from noxious weeds, mold or other objectionable material. The straw mulch shall contain at least 50 percent by weight of material to be 10-in or longer. Straw shall be in an air-dry condition and suitable for placement with blower equipment.

F. Latex acrylic copolymer or organic tackifier shall be a commercial product specifically manufactured for use as straw mulch tackifier.

G. An asphalt tackifier shall only be used when temperatures are too low to allow the use of a latex acrylic copolymer and only with prior written approval from the Engineer.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

PART 3 EXECUTION

3.01 INSTALLATION

A. Sediment Fence Installation

1. Sediment fences shall be positioned as indicated on the Drawings and as necessary to prevent off site movement of sediment produced by construction activities as directed by the Engineer.

2. Dig trench approximately 6-in wide and 6-in deep along proposed fence lines.

3. Drive stakes, 8-ft on center (maximum) at back edge of trenches. Stakes shall be driven 2-ft (minimum) into ground.

4. Hang filter fabric on posts carrying to bottom of trench with about 4-in of fabric laid across bottom of trench. Stretch fabric fairly taut along fence length and maintain secure both ways.

5. Backfill trench with excavated material and tamp.

6. Install pre-fabricated silt fence according to manufacturer's instructions.

B. Construct filter boxes as detailed on the Drawings, from 1/4-in woven wire mesh or hardware cloth and wood. Fill with crushed stone and place over all drop inlets and manholes to storm drain system as each inlet is completed. This should be done prior to setting casting, if there is a delay between installation of inlet structures or drain manholes and setting of castings. An alternate method is to ring each inlet with a sediment fence.

C. Fiber Rolls

1. Fiber rolls shall be installed parallel to slope contours. Dig 2-4-in deep trench along the contour. Lay fiber rolls in the trench, fitting it snuggly against the soil, ensuring no gaps exist between the roll and the rear wall of the trench. Use wood stakes to secure the fiber rolls as shown on the Drawings. Make pilot holes in the fiber rolls prior to inserting stakes. Drive stakes through the fiber rolls leaving no more than 1-2 in of the stake exposed. Install a minimum of 4 stakes per fiber roll. Place fiber rolls end so that each end is fit snuggly against the roll next to it. Place compacted trench backfill material against the downhill side of the roll.

2. Once sediment has reached half the height of the roll, remove and dispose of sediment and fiber roll, regrade and stabilize the washed out areas, retrench and install new fiber roll in similar manner as specified herein, as directed by the Engineer.

3.02 MAINTENANCE AND INSPECTIONS

A. Inspections

1. Make a visual inspection of all erosion and sedimentation control devices once per week and promptly after every rainstorm. If such inspection reveals that additional measures are

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

needed to prevent movement of sediment to offsite areas, promptly install additional devices as needed. Sediment controls in need of maintenance shall be repaired promptly.

B. Device Maintenance

1. Sediment Fences
   a. Remove accumulated sediment once it builds up to 1/2 of the height of the fabric.
   b. Replace damaged fabric, or patch with a 2-ft minimum overlap.
   c. Make other repairs as necessary to ensure that the fence is filtering all runoff directed to the fence.

2. Filter Boxes
   a. Replace crushed stone when it becomes saturated with silt.

3. Siltation Control Devices
   a. The Contractor shall clean and maintain the siltation control device(s) on a regular basis and as directed by the Engineer.

3.03 TEMPORARY MULCHING

A. Apply temporary mulch to areas where rough grading has been completed but final grading is not anticipated to begin within 30 days of the completion of rough grading.

B. Straw mulch shall be applied at rate of 100 lbs/1000 sq ft and tackified with latex acrylic copolymer at a rate and diluted in a ratio per manufacturer's instructions.

3.04 REMOVAL AND FINAL CLEANUP

A. Once the site has been fully stabilized against erosion, remove sediment control devices and all accumulated silt. Dispose of silt and waste materials in proper manner. Regrade all areas disturbed during this process and stabilize against erosion with surfacing materials as indicated on the Drawings.

END OF SECTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

SECTION 02140
DEWATERING AND DRAINAGE

PART 1 GENERAL

1.01 SCOPE OF WORK

A. Design, furnish, install, operate, monitor, maintain and remove a temporary dewatering system as required to lower and control water levels at least 2-ft below subgrades of excavations and to permit construction to proceed in-the-dry.

B. Furnish, maintain and remove temporary surface water control measures adequate to drain and remove surface water entering excavations.

C. Retain the services of a professional engineer registered in the State in which the work will occur to prepare dewatering and drainage system designs and submittals described herein.

D. Collect and properly dispose of all discharge water from the dewatering and drainage systems in accordance with the provisions of Section 01170, 02270 and local and State requirements and permits. Under no circumstances shall water from dewatering systems be discharged into the existing or new sanitary sewer systems.

E. Contractor shall filter all dewatering discharge to remove sediment.

F. Obtain and pay for all permits required for dewatering and drainage systems.

G. Repair damage caused by dewatering and drainage system operations.

H. Protect all local wetlands and sensitive areas from siltation and erosion during dewatering and drainage operations.

I. Remove temporary dewatering and drainage systems when no longer needed. Restore all disturbed areas.

1.02 RELATED WORK

A. Submittals are included in Section 01300.

B. Environmental Protection is included in Section 01110.

C. Site Preparation is included in Section 02100.

D. Earthwork is included in Section 02200.

E. Rock and Boulder Excavation are included in Section 02213.

F. Granular Fill Materials are included in Section 02230.

G. Excavation Support and Protection is included in Section 02311.

H. Erosion and Sedimentation Controls are included in Section 02270.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

1.03 SUBMITTALS

A. Dewatering and drainage system designs shall be prepared by a licensed professional engineer in State of Rhode Island retained by the Contractor. The Contractor shall submit an original and three copies of the licensed professional engineer's certification on the PE form specified in Section 01300. The Contractor shall also submit qualifications as required herein.

B. The Contractor shall submit a dewatering and drainage system design plan. The plan shall include a description of the proposed dewatering system and include the proposed installation methods to be used for dewatering and drainage system elements and for observation wells. The plan shall include equipment, drilling methods, holes sizes, filter sand placement techniques, sealing materials, development techniques, the number and location of dewatering points and observations wells, etc. Include the dewatering system design calculations in the plan.

C. Coordinate dewatering and drainage submittals with the excavation and support of excavation submittals. The submittal shall show the areas and depths of excavation to be dewatered.

D. Do not proceed with any excavation or dewatering activities until the dewatering submittals has been reviewed by the Engineer.

1.04 QUALITY ASSURANCE

A. Regulations: Perform all work in accordance with current applicable regulations and codes of all Federal, State and local agencies.

B. The Contractor shall have at least five (5) years of experience with work compatible to the Work shown and specified, employing labor and supervisory personnel who are similarly experienced in this type of Work.

C. The Contractor's design engineer shall be registered in the State of Rhode Island and have a minimum of five (5) years of professional experience in the design and construction of dewatering and drainage systems and shall have completed not less than five (5) successful dewatering and drainage projects of equal type, size, and complexity to that require for the work.

1.05 DESIGN REQUIREMENTS

A. The Contractor is responsible for the proper design and implementation of methods for controlling surface water and groundwater.

B. The primary purpose of the groundwater control system is to preserve the natural undisturbed condition of the subgrade soils in the areas of the proposed excavations. Prior to excavation, the Contractor shall lower the groundwater to at least 2-ft below the lowest excavation subgrade elevation. Additional groundwater lowering may be necessary beyond the 2-ft requirement, depending on construction methods and equipment used and the prevailing groundwater and soil conditions. The Contractor is responsible for lowering the groundwater as necessary to complete construction in accordance with the plans and specifications at no additional cost to the Owner.

C. Design well points, sumps, and all other groundwater control system components to prevent loss of fines from surrounding soils. Sand filters shall be used with all dewatering installations

RECEIVED
SEP 07 2018
COASTAL RESOURCES

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

unless screens are properly sized by the Contractor's design engineer to prevent passage of fines from surrounding soils.

D. The Contractor shall be responsible for damage to properties, buildings or structures, sewers and other utility installations, pavements and work that may result from dewatering or surface water control operations.

E. Design review and field monitoring activities by the Owner or by the Engineer shall not relieve the Contractor of his/her responsibilities for the work.

1.06 DEFINITIONS

A. Where the phrase "in-the-dry" is used in this Section, it shall be defined as an excavation subgrade where the groundwater level has been lowered to at least 2-ft below the lowest level of the excavation, is stable with no ponded water, mud, or muck, is able to support construction equipment without rutting or disturbance and is suitable for the placement and compaction of fill material, pipe or concrete foundations.

PART 2 PRODUCTS

2.01 MATERIALS

A. Pipe for observation wells shall consist of minimum 1-in I.D. or 2-in I.D., Schedule 40 or 80 PVC pipe and machine slotted PVC wellpoints, maximum slot size 0.020-in.

B. Piping, pumping equipment and all other materials required to provide control of surface water and groundwater in excavations shall be suitable for the intended purpose.

C. Standby pumping systems and a source of standby power shall be maintained at all sites.

PART 3 EXECUTION

3.01 GENERAL

A. Control surface water and groundwater such that excavation to final grade is made in-the-dry, the natural undisturbed condition of the subgrade soils are maintained, and softening and/or instability or disturbance due to the presence or seepage of water does not occur. All construction and backfilling shall proceed in-the-dry and flotation of completed portions of work shall be prohibited.

B. Methods of groundwater control may include but are not limited to perimeter trenches and sump pumping, perimeter groundwater cutoff, well points, and combinations thereof.

C. Where groundwater levels are above the proposed bottom of excavation level, a pumped dewatering system will be required for pre-drainage of the soils prior to excavation, and for maintaining the lowered groundwater level until construction has been completed to such an extent that the structure, pipeline or fill will not be floated or otherwise damaged.

D. It is expected that the type of system, spacing of dewatering units and other details of the work will have to be varied depending on soil/water conditions at a particular location.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

E. All work included in this Section shall be done in a manner which will protect adjacent structures and utilities and shall not cause loss of ground or disturbance to the pipe bearing soils or to soils which support overlying or adjacent structures.

F. Install, monitor and report data from observation wells. Evaluate the collected data relative to groundwater control system performance and modify systems as necessary to dewater the site in accordance with the Contract requirements.

G. Locate groundwater control system components where they will not interfere with construction activities adjacent to the work area or interfere with the installation and monitoring of geotechnical instrumentation including observation wells. Excavations for sumps or drainage ditches shall not be made within or below 1H:1V slopes extending downward and out from the edges of existing or proposed foundation elements or from the downward vertical footprint of the pipe.

3.02 SURFACE WATER CONTROL

A. Construct surface water control measures, including dikes, ditches, sumps and other methods to prevent, as necessary, flow of surface water into excavations and to allow construction to proceed without delay.

3.03 EXCAVATION DEWATERING

A. At all times during construction, provide and maintain proper equipment and facilities to promptly remove and properly dispose of all water entering excavations. Excavations shall be maintained in-the-dry. Groundwater levels shall be kept at least 2-ft below the lowest excavation level.

B. Excavation dewatering shall maintain the subgrade in a natural undisturbed condition and until the fill, structure or pipes to be built thereon have been completed to such extent that they will not be floated or otherwise damaged by allowing water levels to return to natural elevations.

C. Pipe, masonry, and concrete shall not be placed in water or be submerged within 24 hours after being installed. Water shall not flow over new masonry or concrete within four days after placement.

D. In no event shall water rise to cause unbalanced pressure on structures until the concrete or mortar has set at least 24 hours. Prevent flotation of the pipe by promptly placing backfill.

E. Dewatering shall at all times be conducted in such a manner as to preserve the natural undisturbed condition of the subgrade soils at the proposed bottom of excavation.

F. If the subgrade of the trench or excavation bottom becomes disturbed due to inadequate dewatering or drainage, excavate below normal grade as directed by the Engineer and refill with structural fill, screened gravel or other material as approved by the Engineer at the Contractor's expense.

G. It is expected that the initial dewatering plan may have to be modified to suit the variable soil/water conditions to be encountered during construction. Dewater and excavate, at all times, in a manner which does not cause loss of ground or disturbance to the pipe bearing soil or soil which supports overlying or adjacent structures.

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

© 2018 CDM Smith
All Rights Reserved

H. If the method of dewatering does not properly dewater the excavation as specified, install groundwater observation wells as directed by the Engineer and do not place any pipe or structure until the readings obtained from the observation wells indicate that the groundwater has been lowered a minimum of 2-ft below the bottom of the final excavation within the excavation limits.

I. Dewatering units used in the work shall be surrounded by suitable filter sand and no fines shall be removed by pumping. Pumping from the dewatering system shall be continuous until pipe or structure is adequately backfilled. Stand-by pumps shall be provided.

J. Water entering the excavation from precipitation or surface runoff shall be collected in shallow ditches around the perimeter of the excavation, drained to a sump and pumped from the excavation to maintain a bottom free from standing water.

K. Drainage shall be disposed of in an approved area. Existing or new sanitary sewers shall not be used to dispose of drainage.

3.04 WELL POINT SYSTEMS

A. Where necessary, install a vacuum wellpoint system around the excavation to dewater the excavation. Each wellpoint and riser pipe shall be surrounded by a sand or gravel filter. Sand shall be of such a gradation that, after initial development of the wellpoints, the quantity and size of soil particles discharged shall be negligible. Wellpoint systems shall be capable of operating continuously under the highest possible vacuum.

B. Installation of well point systems shall be in accordance with the approved submittal in the presence of the Engineer.

3.05 OBSERVATION WELLS

A. Install observation wells as required under this Section or in accordance with the approved submittal to monitor groundwater levels beneath and around the excavated area until adjacent structures and pipelines are completed and backfilled.

B. Observation Well Locations and Depths:

1. A minimum of one observation well shall be installed around the pump station. They shall be located in critical areas with respect to groundwater control to monitor performance of dewatering systems designed by the Contractor's Engineer.

2. Observation wells required shall be installed to a depth of at least 10-ft below the deepest level of excavation, unless otherwise approved by the Engineer, and to whatever depth is necessary to indicate that the groundwater control system designed by the Contractor's Engineer is performing as intended. Additional observation wells may be required by the Engineer if deemed necessary to monitor the performance of the Contractor's groundwater control system.

3. Locations and depths of observation wells are subject to approval by the Engineer.

RECEIVED
SEP 07 2018
COASTAL RESOURCES

© 2018 CDM Smith
All Rights Reserved

100% SUBMITTAL FOR
PERMITTING USE ONLY - NOT
FOR CONSTRUCTION

C. Protect the observation wells at ground surface by providing a lockable box or outer protective casing with lockable top and padlock. Design the surface protection to prevent damage by vandalism or construction operations and to prevent surface water from infiltrating.

1. Provide two copies of keys for each padlock to the Engineer for access to each well.

2. Observation wells shall be developed so as to provide a reliable indication of groundwater levels. Wells shall be re-developed if well clogging is observed, in the event of apparent erroneous readings, or as directed by the Engineer.

3. Submittal observation well installation logs, top of casing elevation, and well locations to the Engineer within 24 hours of completion of well installation.

D. Observation Well Maintenance

1. The Contractor shall maintain each observation well until adjacent structures and pipelines are completed and backfilled. Clean out or replace any observation well which ceases to be operable before adjacent work is completed.

2. It is the Contractor's obligation to maintain observation wells and repair or replace them at no additional cost to the Owner, whether or not the observation wells are damaged by the Contractor's operations or by third parties.

E. Monitoring and Reporting of Observation Well Data

1. The Contractor shall begin daily monitoring of groundwater levels in work areas prior to initial operation of drainage and dewatering system. Daily monitoring in areas where groundwater control is in operation shall continue until the time that adjacent structures and pipelines are completed and backfilled and until the time that groundwater control systems are turned off.

2. The Contractor is responsible for processing and reporting observation well data to the Engineer on a daily basis. Data is to be provided to the Engineer on a form, which shall include the following information: observation well number, depth to groundwater, total depth of well, top of casing elevation, groundwater level elevation and date and time of reading.

F. The groundwater level shall be kept at a minimum of 2-ft below the lowest subgrade level for a given excavation.

3.06 REMOVAL OF SYSTEMS

A. At the completion of the excavation and backfilling work, and when approved by the Engineer, all pipe, wellpoints, pumps, generators, observation wells, other equipment and accessories used for the groundwater and surface water control systems shall be removed from the site. All materials and equipment shall become the property of the Contractor. All areas disturbed by the installation and removal of groundwater control systems and observation wells shall be restored to their original condition.

B. Leave in place any casings for wellpoints or observation wells located within the plan limits of structures or pipelines or within the zone below 1H:1V planes extending downward and out

RECEIVED
SEP 07 2018
COASTAL RESOURCES

© 2018 CDM Smith
All Rights Reserved

from the edges of foundation elements or from the downward vertical footprint of the pipe, or where removal would otherwise result in ground movements causing adverse settlement to adjacent ground surface, utilities or existing structures.

C. Where casings are pulled, holes shall be filled with sand. Where left in place, casings should be filled with cement grout and cut off a minimum of 3-ft below finished ground level or 1-ft below foundation level so as not to interfere with finished structures or pipelines.

D. When directed by the Engineer, observation wells should be left in place for continued monitoring. When so directed, cut casings flush with final ground level and provide protective lockable boxes with locking devices. The protective boxes shall be suitable for the traffic and for any other conditions to which the observation wells will be exposed.

END OF SECTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES

BONNET SHORES BEACH CLUB
NARRAGANSETT, RHODE ISLAND
WASTEWATER COLLECTION SYSTEM IMPROVEMENTS
APPROXIMATE QUANTITIES (FOR PERMITTING ONLY)

Item	Description	Approx. Quantity	Unit
Force Main			
1	F&I 2-inch PVC sewer force main	2295	LF
2	F&I 3-inch DI Class 53 sleeve	30	LF
3	F&I 2-inch 1/8 bend	1	EA
4	F&I 2-inch 1/16 bend	4	EA
5	F&I 2-inch 1/32 bend	7	EA
6	Connect to existing sewer manhole, including coring, all piping, fittings and hardware	1	EA
7	F&I 4-ft diameter flushing connection manhole	1	EA
Pumping Station			
8	F&I precast pump chamber with 3'x2.5' aluminum hatch, including all pumps and appurtenances	1	EA
9	F&I 4-ft diameter precast valve chamber, including all appreturances	1	EA
10	F&I electrical conduit	330	LF
11	F&I electrical handhole	4	EA
12	F&I pumping station control panel and all associated equipment	1	EA
Onsite Collection System			
13	F&I 8-inch PVC gravity sewer	1120	LF
14	F&I 6-inch PVC gravity sewer	1085	LF
15	F&I 4-inch PVC gravity sewer	5	LF
16	F&I 8-in x 6-in wye branch	1	EA
17	F&I 6-in x 6-in wye branch	5	EA
18	F&I 6-in x 4-in reducer	1	EA
19	F&I 4-inch coupling	1	EA
20	F&I 6-inch cleanout	3	EA
21	F&I 6-in inline backwater valve with manual shutoff gate	5	EA
22	F&I 6-in inline backwater valve	4	EA
23	F&I 4-ft diameter precast concrete sewer manhole	45	VF
24	F&I 4-ft diameter sand trap	5	EA
25	F&I 3,000 gallon holding tank	1	EA
26	Abandon existing septic tank	5	EA
27	Remove and abandon exsiting pump chamber	1	EA
28	Abandon existing holding tanks	1	EA
29	Remove and dispose of existing leaching field	1	EA
Paving and Subbase			
30	F&I initial trench width pavement in Town streets (1.5-in thick)	1075	SY
31	F&I permanent trench width pavement in Town streets (4-in thick)	1290	SY
32	F&I final full width paving, including milling, in Town streets	5150	SY
33	F&I initial trench width pavement in parking lot (1.5-in thick)	1940	SY
34	F&I permanent trench width pavement in parking lot (2-in thick)	2250	SY
35	F&I Concrete (4-in thick)	75	SY
36	Bank run gravel for pavement and parking lot subbase	1030	CY
Miscellaneous			
37	F&I bollards	3	EA
38	Remove and reset chain link fence	1	LS
39	Test Pits	25	CY
40	Rock and Boulder Excavation	25	CY
41	Screened gravel	840	CY
42	Miscellaneous concrete	25	CY
43	Traffic Management	1	LS
44	Erosion and Sedimentation Control	1	LS
45	Dewatering and Drainage	1	LS
46	Miscellaneous Work and Cleanup	1	LS

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

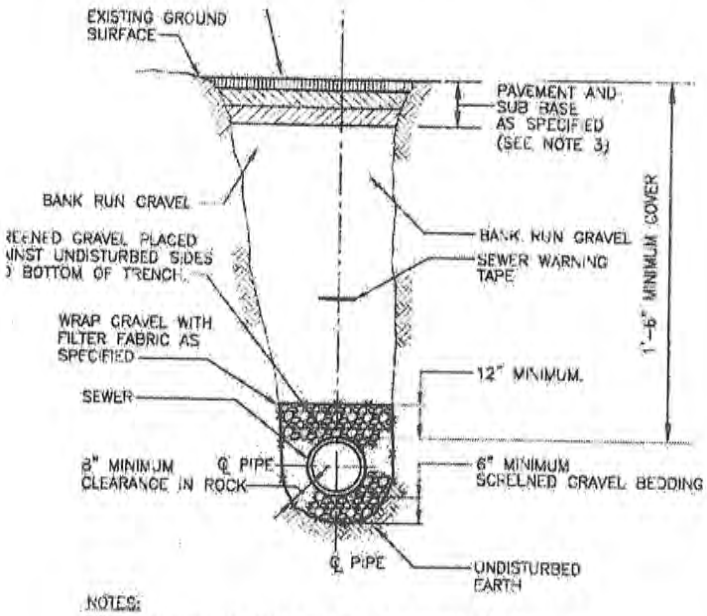
Bonnet Shores Beach Club
Wastewater Collection System Improvements

CRMC Category B Assent Application

Supplemental Information – Groundwater Information

In support of the design and construction of the proposed Bonnet Shores Beach Club force main, a subsurface exploration program was conducted in September 2014 to delineate the soil, rock and groundwater conditions in the vicinity of the proposed construction. The program included test borings along the alignment to support the final design of the project.

The subsurface exploration program was conducted in September 2014. When possible, groundwater levels at the test boring locations were estimated from the condition of the samples obtained and by the observed water levels within the borehole at the time of drilling. Groundwater at the test boring locations was observed at a depth of 1.83 to 6 feet below ground surface at the time of drilling (*see attached Figure showing boring locations and observed water levels*). Note that the force main detail included on the project design plans specifies a minimum 18-inches depth of cover from the road surface to the top of the 2-inch force main. The force main detail, as shown on the project design plans, is also shown below.



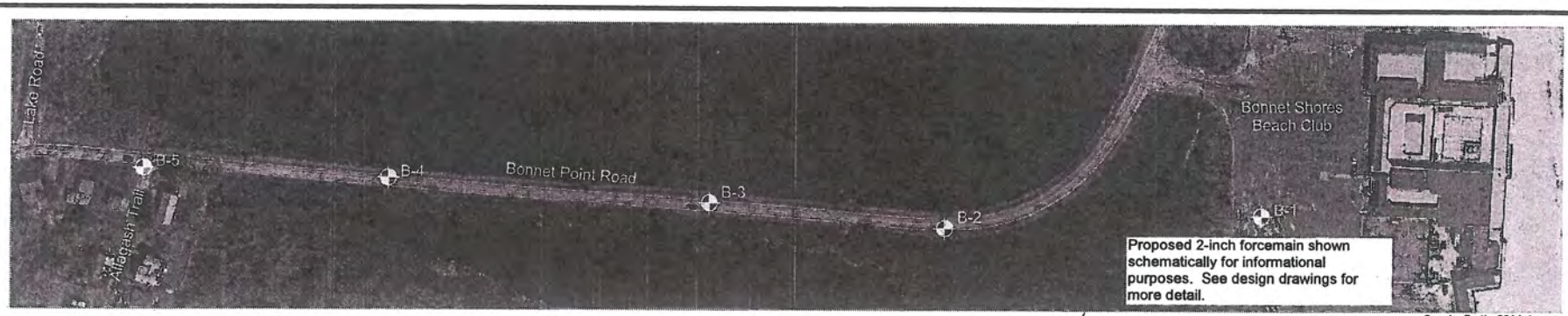
NOTES:

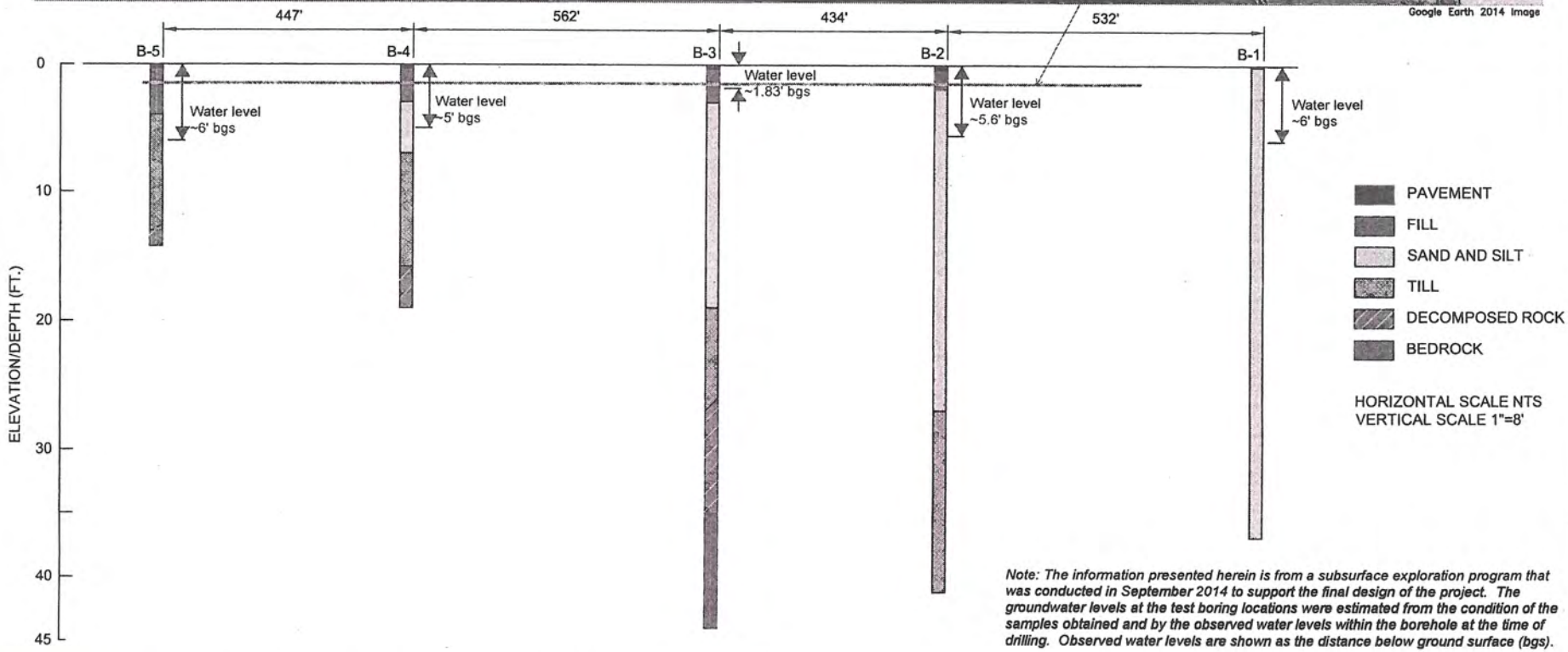
1. TRENCHES LOCATED ON THE ROAD SHOULDER SHALL BE THE SAME AS IN STREET EXCEPT FOR PAVING.
2. MINIMUM TRENCH WIDTH SHALL BE 18 INCHES.
3. PAVEMENT SHALL BE AS SPECIFIED IN SECTION 02576. IN ROADWAYS, INITIAL TRENCH WIDTH PAVEMENT SHALL BE 1.5-INCH THICK BINDER COURSE, AND FINAL TRENCH PAVEMENT SHALL BE 2-INCH THICK BINDER COURSE AND 2-INCH THICK SURFACE COURSE.

TYPICAL TRENCH DETAIL FOR SEWER FORCE MAIN

NOT TO SCALE

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL





Note: The information presented herein is from a subsurface exploration program that was conducted in September 2014 to support the final design of the project. The groundwater levels at the test boring locations were estimated from the condition of the samples obtained and by the observed water levels within the borehole at the time of drilling. Observed water levels are shown as the distance below ground surface (bgs).

CDM Smith

Bonnet Shores Beach Club - Wastewater Collection System Improvements
CRMC Category B Assent Application
Supplemental Information – Observed Groundwater Levels

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P89

INTER OFFICE MEMORANDUM

07-D

To: Jeffry Ceasrine, P.E.
Town Manager

Date April 21, 2009

2018-09-019

From: Diane Johnson, P.E.
Assistant Town Engineer

Subject: Bonnet Shores Beach Club Sewer Connection

The Recent Act 2009 – H 5683 introduced by Representative Donald J. Lally this past week was a bit of a surprise to the Engineering Department. Just recently, as of March 11, 2009, we responded to a sewer availability inquiry for the Bonnet Shores Beach Club, located on 175 Bonnet Point Road (Plat N-S, Lots 631, 632, 632-A, & 633) made by Frisella Engineering on behalf of their client. The inquiry was denied based on the following:

- the property is not within Sewer Area I
- the property does not have sewer frontage on an existing public sanitary sewer
- the property is located such that an extension of a sewer line would be greater than the 350 feet allowable

In the denial letter, it was noted that appeal provisions of the Sewer Policy can be make to the Town Council for referral to the Sewer Policy Committee. Additionally, contact had been made again with Frisella Engineering (previous similar correspondences date back to April and December 1998) and as-built information to the nearest public sewers at Bonnet Point Road/Allagash Trial (approximately 1,900 feet) and Bayberry Road/Richard Smith Roads (approximately 2,650 feet) was provided to them. The Engineering Department also supplied Frisella with all policies, ordinance exerts, fee procedures, infrastructure details and standards that would apply to the extension of the sewer in this area. Frisella had indicated that it was examining the feasibility (considering design and cost estimate) of sewer connections.

Using 1.40 mgd .25

Preliminary calculations based on a peak summer day water metering read of 25,000 gpd would contribute an additional flow to the South Kingstown Regional Wastewater Treatment Plant. Current average flow to that plant for the past four (4) years is 1.262 mgd. The Town of Narragansett's capacity allowed is 1.620 mgd at the plant; we are currently at 78% capacity. The increase in capacity if the Bonnet Shores Beach Club were to connect to our collection system would be approximately 80%. Be advised that this number was arrived at using the peak demand. The actual average and design flows, approximated at 9,000 gpd and 18,000 gpd, respectively will result in less than 80% capacity.

Be. 3%

The preferred route for the proposed sewer appears to be a connection at the Bonnet Shores pumping station located in the vicinity of the intersection of Bonnet Point Road and Allagash Trail. The station is an aboveground lift station receiving sewage flows from a service area of approximately 250 acres. The service area consists of the tributary areas to the Industrial Park and Wolfe Road Pump Stations, as well as the University of Rhode Island Narragansett Bay

$\frac{1.40 + .025}{1.620} = 88\%$

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

INTER OFFICE MEMORANDUM

07-D

To: Jeffry Ceasrine, P.E.
Town Manager

Date April 21, 2009

2018-09-019

From: Diane Johnson, P.E.
Assistant Town Engineer

Subject: Bonnet Shores Beach Club Sewer Connection

The Recent Act 2009 – H 5683 introduced by Representative Donald J. Lally this past week was a bit of a surprise to the Engineering Department. Just recently, as of March 11, 2009, we responded to a sewer availability inquiry for the Bonnet Shores Beach Club, located on 175 Bonnet Point Road (Plat N-S, Lots 631, 632, 632-A, & 633) made by Frisella Engineering on behalf of their client. The inquiry was denied based on the following:

- the property is not within Sewer Area I
- the property does not have sewer frontage on an existing public sanitary sewer
- the property is located such that an extension of a sewer line would be greater than the 350 feet allowable

In the denial letter, it was noted that appeal provisions of the Sewer Policy can be make to the Town Council for referral to the Sewer Policy Committee. Additionally, contact had been made again with Frisella Engineering (previous similar correspondences date back to April and December 1998) and as-built information to the nearest public sewers at Bonnet Point Road/Allagash Trial (approximately 1,900 feet) and Bayberry Road/Richard Smith Roads (approximately 2,650 feet) was provided to them. The Engineering Department also supplied Frisella with all policies, ordinance exerts, fee procedures, infrastructure details and standards that would apply to the extension of the sewer in this area. Frisella had indicated that it was examining the feasibility (considering design and cost estimate) of sewer connections.

Using 1.40 mgd

Preliminary calculations based on a peak summer day water metering read of 25,000 gpd would contribute an additional flow to the South Kingstown Regional Wastewater Treatment Plant. Current average flow to that plant for the past four (4) years is 1.262 mgd. The Town of Narragansett's capacity allowed is 1.620 mgd at the plant; we are currently at 78% capacity. The increase in capacity if the Bonnet Shores Beach Club were to connect to our collection system would be approximately 80%. Be advised that this number was arrived at using the peak demand. The actual average and design flows, approximated at 9,000 gpd and 18,000 gpd, respectively will result in less than 80% capacity.

The preferred route for the proposed sewer appears to be a connection at the Bonnet Shores pumping station located in the vicinity of the intersection of Bonnet Point Road and Allagash Trail. The station is an aboveground lift station receiving sewage flows from a service area of approximately 250 acres. The service area consists of the tributary areas to the Industrial Park and Wolfe Road Pump Stations, as well as the University of Rhode Island Narragansett Bay

$\frac{1.40 + .025}{1.620} = 88\%$

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Campus and 85 acres of residential area incremental to the pump station. The present capacity of the Bonnet Shores Pump Station is 2,102,400 gpd (1,460 gpm). The pump station has two 1,460 gpm centrifugal Krogh pumps. The present average flow entering the pump station is 266,400 gpd (185 gpm) and the peak rate of flow is 799,200 gpd (555 gpm). The pump station is adequate for the present conditions.

To make this connection will require directional drilling of approximately 2000 feet along Bonnet Point Road. Additionally, the installation of approximately 8-12 pumps will be required along the proposed sewer line. More than likely, upgrades to the existing pump station will be necessary, as the CIP currently has funding slated in the Years 2011 and 2012 for the replacement of generators and pumps at that station. The approximate cost is projected be over one million dollars.

There are definite design complications should this project move forward. In addition to existing shallow sewer lines (4 feet deep +/-) and the distance to nearest sewer lines (2,000+/- feet) the causeway in this area is subject to flooding and a road reconstruction/culvert replacement plan will be more than likely. The applicant would also be required to submit all design information relative to average daily flows, peak flow, time of operation, capability of existing system to accommodate new flow, etc. for review and approval by the Engineering Department. This, of course, would occur only after petition to the Town Council, referral and recommendation from the Sewer Policy Committee and ultimate approval from the Town Council for waiver approval. Additionally, permits would be needed from CRMC for this proposed sewer installation.

DJ/csf
705-M-029-09

RECEIVED
SEP 25 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

BETA
ENGINEERING SUCCESS TOGETHER

MEMORANDUM

Date: May 23, 2016 Job No.: 4511-2

To: Michael DeLuca
Narragansett Director of Community Development

Cc:

From: BETA Group, Inc.

Subject: Bonnet Causeway – Reconstruction/Reinforcement Conceptual Plan & Cost Estimate

Project Summary Statement

In the spring of 2016, the Town of Narragansett submitted an application to the Rhode Island Department of Transportation (RIDOT) for Transportation Improvement Program (TIP) funding for the replacement of the Bonnet Shores Causeway, which carries Bonnet Point Road across and between two sections of Wesquage Pond. The initial approach contemplated by the Town was to convert the existing fill-supported causeway and roadway with an elevated bridge causeway between Allagash Trail to the north and the entrance to the Bonnet Shores Beach Club to the south. The initial comprehensive cost estimate for this project (design, permitting and construction) was $15M; the funding request for that amount was rejected.

RIDOT, however, did indicate to the Town that it would be eligible to receive some level of TIP funding to be applied to a less comprehensive shorter-term project involving the roadway over the causeway. To that end, the Office of Community Development requested that the Department of Public Works, in conjunction with BETA, develop a conceptual plan and construction cost estimate for reconstructing and reinforcing the causeway section of Bonnet Shores Road.

Existing Conditions

The Bonnet Shores Causeway was constructed in the early 1920's over dumped/placed fill material across Wesquage Pond. It runs for ≈1,850 feet between the Bonnet Shores Beach Club (BSBC) driveway to the south and Allagash Trail to the north, and carries Bonnet Point Road, an existing ≈21-foot wide bituminous concrete roadway that provides access to the Bonnet Shores Beach Club and the Point section of Bonnet Shores further to the east. Bonnet Point Road is one of only two designated emergency evaluation routes from the Bonnet Shores neighborhood, and is therefore a critical element of the Town's road system.

The pavement structure of the roadway consists of approximately four (4) inches of bituminous concrete pavement over a variable-thickness sandy/gravelly granular base material; the subgrade consists of the original fill material used to construct the causeway. The causeway has two concrete culverts that connect the eastern and western sections of Wesquage Pond; they are intended to equalize the water elevations between both sections of the pond.

Wesquage Pond is a tidal pond, connected to Narragansett Bay by a natural breachway just east of the BSBC. There is an elevation control structure at the outlet from the breachway that is intended in part to maintain the levels of Wesquage Pond below the elevation of the causeway; however, in recent years the pond side of the breachway and the outlet control structure have been filled/buried by a significant volume of sediment, mostly from deposition of sand carried by tidal movement through the breachway. As a result, during even moderate storm events, water levels in the pond rise high enough to overtop and submerge the causeway, resulting in road closures and accelerated deterioration of the roadway structure.

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

TOWN OF NARRAGANSETT
Town Hall • 25 Fifth Avenue • Narragansett, RI 02882
Tel. (401) 789-1044 TDD (401) 782-0610 Fax (401) 783-9637

ENGINEERING DEPARTMENT
Fax No. (401) 782-0669

May 25, 2017

Kevin W. Schott, P.E., Project Manager
CDM Smith
260 West Exchange Street, Suite 300
Providence, RI 02903

Re: Proposed Wastewater Collection System, Bonnet Point Road R.O.W. and 175 Bonnet Point Road (Assessor's Plat N/S, Lot 631), Narragansett, RI

Dear Mr. Schott,

The Town of Narragansett Engineering Department has reviewed materials submitted in support of the above referenced application for conformance to the requirements of the Town of Narragansett Infrastructure Improvements regulations and other engineering concerns. The following application materials were reviewed:

- A plan set (10 sheets) entitled "*Bonnet Shores Beach Club...Wastewater Collection System Improvements...100% Submittal for Permitting Use Only Not for Construction*" by CDM Smith, dated March 2017.

The following review comments must be addressed prior to approval:

1. Sheet # G-1, Note 26, Re: Dewatering: A detailed, engineered dewatering plan is required. The note acknowledges that a high water table is anticipated. The majority of the length of the entire project within the Bonnet Point Road right-of-way is a very low elevation causeway across an environmentally sensitive coastal freshwater pond. As the road surface floods numerous times each year, you can safely assume that the soils in the project area are permanently saturated. The management of groundwater during construction will be a major consideration, with respect to both groundwater quantity and quality. The Town considers this to be a significant engineering element of the project which requires an engineered evaluation and specific methods to be employed during construction. The Town requires an engineered, detailed dewatering plan that addresses, but is not limited to the following: an engineered dewatering evaluation which includes anticipated groundwater volumes to be managed, management of groundwater and treatment prior to discharge, discharges methods and systems which are in conformance with state environmental regulations, specific excavation methods including shoring if necessary.

2. The proposed wastewater piping will be installed at a shallow depth. Provide documentation regarding the capability of the proposed piping to withstand vehicular loading.

3. The sanitary sewer force main as shown on the plans is proposed to be constructed in a shallow subsurface trench. It is the opinion of the Town that other potential alternatives methods may be prefered and feasible for the construction of the proposed sanitary sewer

RECEIVED
SEP 25 2018
COASTAL RESOURCES

Proposed Project

The goal of the prospective reconstruction/reinforcement project is to "harden" the roadway across the causeway to be less susceptible to structural damage when the pond water surface elevations rise to or close to the roadway subgrade/subbase. This will be achieved by reclaiming the existing roadway pavement structure and reconstructing the road with permeable geotextile and polypropylene geogrid base reinforcement over the subgrade, reclaimed granular subbase material, and four inches of hot-mix asphalt (two inches base and two inches surface). The reconstruction shall not increase the footprint (width) of the roadway or causeway, nor shall it increase the elevation of the roadway or causeway.

It is anticipated that a separate comprehensive breachway maintenance project shall also be undertaken to alleviate, or at least moderate, the frequency and severity of Wesquage Pond surcharging and causeway flooding. The combination of the breachway maintenance project and hardening the causeway roadway will enhance the durability and life cycle of the road, which is a critical element of the Town's road system.

BSBC Participation

The BSBC is in the process of designing and permitting the installation of a seasonal sanitary sewer force main in the causeway from its property to the Town's Allagash Trail sanitary sewer pump station; this project was going to include full-width resurfacing of Bonnet Point Road along the sewer service installation area. However, in light of the potential causeway reconstruction project, the BSBC has agreed in principle to assist the Town with its project by providing the funds that would have been allocated for the resurfacing to the Town for use in the reconstruction/reinforcement project.

Budgetary Cost Estimate

A budgetary cost estimate for the proposed reconstruction of the causeway was prepared, based on existing information gathered from various sources. The estimate is attached hereto; the total project cost (including soft costs and construction costs) is approximately $590,000.

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

force main. One such method is to construct the proposed sanitary sewer force main above ground, supported on the walkway structure proposed by others. The Town requires an engineering feasibility study of this potential alternative. Such study shall include an engineer's cost estimate.

4. Provide force main shut-off valve in Bonnet Point Road at the entrance to the Bonnet Shores Beach Club Property.

5. Sewage Pump Station: Provide detailed flow and pump sizing calculations. Design calculations shall consider pumping conditions for both average and peak flow rates.

6. Sewage Pump Station: Provide emergency storage adequate to accommodate the entire duration of a maximum capacity event at the Beach Club. Provide corresponding flow and emergency storage calculations.

7. Emergency By-pass pumping provisions: The operator (through their service provider) will be responsible for emergency by-pass pumping if necessary. The design shall include an adequate number of flushing / by-pass structures to accommodate the anticipated temporary by-pass pumping system to be utilized.

8. As the proposed sewage system will remain in private ownership (the Town will not be assuming ownership of any portion of the sewage system), the operators ability to respond to system failures in a timely and environmentally responsible manner is critical. Provide an emergency response plan that details procedures that will be followed for any foreseeable system failure, both on the premises of 175 Bonnet Point Road and also the collection system within Bonnet Point Road. Provide names and contact information for responsible parties.

9. Provide an Operations and Management Plan in accordance with the Town of Narragansett Code of Ordinances Section 78-251, a copy of which is attached.

Please contact me if you have any questions. Thank you.

USEPA "Partner for Change" 1997
USEPA "Clean Water Partner for the 21st Century" 2003
Environmental Council of RI "Senator John H. Chafee Conservation Award" 2004
Southern Rhode Island Conservation District "Outstanding Conservation Municipality" 2003
Atlantic States Rural Water & Wastewater Association – "Best Tasting Drinking Water Award" 2009
Atlantic States Rural Water & Wastewater Association "Good Government and Good Neighbors = Clean Water" Award 2014
NWPCA Gold Award for Complete Permit Compliance 2015, 2016
RI Office of Energy Resources – "Lead by Example" Honorable Mention Award 2017

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Kevin W. Schott, P.E., Project Manager
CDM Smith
May 25, 2017

Sincerely,

John Lawless, Jr., P.E.
Project Engineer

JL/jl
705L106.17

cc: Mike DiCicco, Director of Public Works

RECEIVED
SEP 25 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

Rather, as discussed in November 2016, the project would need to be designed as "a public destination" with appropriate parking as necessary to attract/serve members of the public from areas beyond the Bonnet Shores neighborhood. In this regard, CRMC Staff recommends that a minimum of six (6) non-resident parking places be provided at the beginning of the boardwalk. As previously discussed, the Town sewage pump station property at Allagash Trail would provide an appropriately located parking area for the boardwalk if this could be worked out with the Town. The BSLT and the Town may also wish to consider working with the Bonnet Shores Beach Club (BSBC) to provide public parking at the beach club parking lot. In a further effort to satisfy the compelling public purpose requirement, providing a parking location for a school bus in combination with efforts to make the boardwalk an environmental education opportunity for children and others may help serve a compelling public purpose. The proposed boardwalk observation platforms along with environmental signage and kiosks would help further this effort. Beyond these initial suggestions, other alternatives may be proposed to help satisfy the special exception criteria.

Finally, provided the compelling public purpose criterion is met, it must further be demonstrated that all reasonable alternatives have been taken to minimize environmental impacts (a higher boardwalk will minimize impacts) and there is no alternative location for serving the public purpose cited. (See discussion of Bonnet Shores Beach Club sewer line below.)

3. **Mitigation:** The Coastal Council will need to determine if the project results in a wetland alteration which requires mitigation in accordance with RICRMP Section 300.12. Due to the lack of plan details (boardwalk height, wetland edge delineation, etc.) CRMC staff is not prepared to address this issue at this time. Please be advised that boardwalk of lower elevation which does not allow for the growth of wetland vegetation beneath the boardwalk is more likely to be considered an alteration as opposed to a higher boardwalk elevation which accommodates wetland growth beneath it. Ramps lengths should be minimized to the handicap accessible slope necessary to achieve the boardwalk height. Paved walks ways located in wetlands will certainly be considered an alteration which requires mitigation.

4. **Bonnet Shores Beach Club Sewer line:** It is very important to consider that during the meeting of November 16, 2016, CRMC Staff offered an opinion that utilizing the proposed boardwalk to provide a means to locate and structurally support the proposed Bonnet Shores Beach Club (BSBC) sewer line may help satisfy the regulatory review criteria for both projects. Specifically, proceeding with a combined project may help provide the necessary rationale to meet the RICRMP special exception criteria. In this regard, CRMC Staff's interpretation of the legislation (2009 – H5683 Substitute A) which authorized the BSBC sewer line effectively deemed the sewer line "public infrastructure" in accordance with RICRMP Section 130, criterion 1. However, CRMC Staff believes the project remains subject to special exception criteria 2 (All reasonable steps shall be taken to minimize environmental impacts and/or use conflicts.) and 3 (There shall be no reasonable alternative means of, or location for, serving the compelling public purpose cited.). On this basis, and as opined by CRMC Staff in November 2016, we believe that locating the sewer line beneath and attached to the boardwalk serves both to minimize environmental impacts (considering burial concerns in an area of high ground water) and a reasonable alternative location for the sewer line (as opposed to burial alongside Bonnet Point Road). We therefore strongly recommend that both projects proceed as a single unified effort. Otherwise, CRMC Staff is likely to have significant difficulty determining consistency with the special criteria.

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Bonnet Shores Beach Club – Sewer Project
Meeting Notes August 31, 2017

Attendance: Kevin Lynch (Club President, Deputy Administrator of PUC), John Coletta (attorney), Bill McGovern, Steve Ucci (attorney), Kevin Schott (CDM) – all representing the BSBC
Mike Vendetti, Janice ??? – representing the Bonnet Shores Fire District (BSFD)
Rep. Carol Hagen-McEntee
Council President Pro Tem Matt Mannix, Town Manager Jim Manni, Jeff Ceasrine

Mannix – Easement agreement between the BSFD (as owners of the road) and BSBC is in place. Noted that there have changes in personnel in BSFD Council and BSBC – concerned about project continuity. Noted that the BSFD also has an application in to RIDEM for funding for dredging, and the proposed walkway by the Bonnet Shores Land Trust (BSLT) is in its "embryonic stages".

Ceasrine – Has been asking for a copy of easement for some time. Noted that the Town will not release a construction permit without acknowledgement of the property owner (BSFD owns the roads) that the project has been approved and that the applicant (BSBC) can use their property for a sewer line. *Follow-up note: copy of easement rec'd. via e-mail 09/01/17.*

Ucci – They are proposing a seasonal system (April – October), with an on-site tank for off-season limited use. Noted the 2009 legislation that allows the project to move forward. Proposing to excavate a trench 18-24 inches in depth, 12 inches wide to install the small diameter sewer main, and then provide a temporary patch, followed by milling (2 inches) and overlay (2 inches). Feels there are 2 outstanding issues – generator requirement and scope of work for road restoration after construction. They don't believe that they should be obligated to reconstruct the road. They also noted that the Town has a TIP application in for this road.

Vendetti – The BSFD supports the project as is. They also generally support the proposed BSLT elevated walkway, but not as part of this project. He reiterated that the BSFD Council is the "voice" of the Fire District (as opposed to the Land Trust).

Ceasrine – We are not convinced that the trench will hold its shape and that the milling project may be ineffective due to poor base material.

Schott\Ucci – The BSBC will agree to excavate out and replace any bad material that is discovered during the sewer main installation. They will post a bond, etc. to insure the work.

McEntee – Noted that the dredging project application (6,000 cy) is tied to the success of the sewer project. Also noted that the current "outlet only" dredging is not really working.

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Ucci – They would offer to place $ in escrow to pave the road when done, in the event that the Town wants to use RIDOT TIP funds for a full reconstruction. He also offered to simply place a 2 inch overlay after the trench has been patched. He noted that we have not required full depth reconstruction or even edge to edge milling and paving in other areas.

Ceasrine – If the timing works, holding the $ in escrow may be an option, but that is a strategic decision that the Town will make outside of this meeting. We will then use the money as a TIP match or use it elsewhere – the responsibility to repave the road after construction remains with the BSBC as the applicant. He advised the BSBC to plan on milling and paving the entire road. He further noted that the Causeway is different from other roads (in Bonnet) as it is basically permanently saturated.

Ceasrine\Manni – Noted that the idea of suspending the sewer line from the proposed BSLT boardwalk makes sense, but we understand that the timing will probably not work. It was noted that we expect CRMC to tie the two (2) projects together. We are not forcing that as an option.

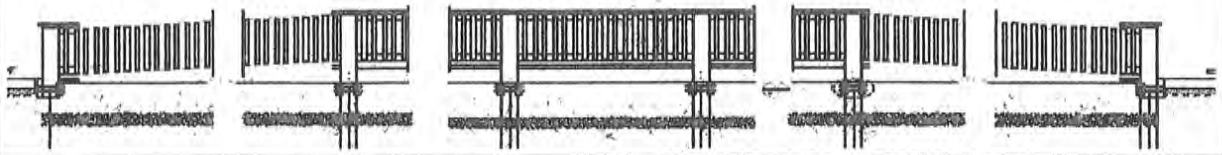
Ceasrine – The generator requirements come from TR-16 which is the State regulation for systems with pump stations.

Schott\Ucci – They will add a note to the plans about having the proper sized generator in place before the project is activated.

Ucci – He will summarize their proposal and forward an e-mail to the Town to review and approve – looking for concurrence so that they can apply to CRMC.

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Bonnet Shores Land Trust
The Walkway Project



The Walkway and Sewer Projects
MUST BE UNITED

The Walkway project is under attack and is in jeopardy of being killed. The Beach Club (BC) seems to have gone to great lengths, with the help of the majority of the Bonnet Shores Fire District Council (FD), to kill or at least delay the walkway project until the BC has completed their sewer project. The BC's sewer project calls for cutting a trench in the middle of the full length of the causeway to connect their high pressure sewer line to the Town sewage pumping station at the corner of Bonnet Point Road and Allagash Trail, a distance of approx. 1,900 feet. Both the Town and CRMC have stated their concerns about cutting up the causeway because of its fragile condition due primarily because the causeway bed is made up of unknown, unconsolidated fill dumped into the pond circa 1920. If these concerns have merit, the causeway, which is labeled on the Federal highway road system as part of the emergency escape route for the Bonnet community, could fail and leave the Bonnet Community with one means of ingress/egress. This would place all Bonnet residents at risk especially during emergency conditions.

The proposed walkway would provide a safe and more economical alternative to cutting up the causeway as the sewer pipe could be safely suspended from the walkway's supporting structure. This solution has been referenced by the Town Engineering (in a letter to the BC's engineering firm) and by CRMC as stated within their "Summary of Findings" in answer to the Land Trust's Preliminary Determination (PD) application. That section of the CRMC findings reads:

"Bonnet Shores Beach Club Sewer Line: It is very important to consider that during the meeting of November 16, 2016, CRMC Staff offered an opinion that utilizing the proposed boardwalk to provide a means to locate and structurally support the proposed Bonnet Shores Beach Club (BSBC) sewer line may help satisfy the regulatory review criteria for a both projects. Specifically, proceeding with a combined project may help provide the necessary rationale to meet the RICRMP special exception criteria. In this regard, CRMC Staff's interpretation of the legislation (2009-H5683 Substitute A) which authorized the BSBC sewer line effectively deemed the sewer line "public infrastructure" in accordance with RICRMP Section 130, criterion 1. However, CRMC Staff believes the project remains subject to special exception criteria 2 (all reasonable alternatives means of, or location for, serving the compelling public purpose cited.). On this basis, and as opined by CRMC Staff in November 2016, we believe that locating the sewer line beneath and attached to the boardwalk serves both to minimize environmental impacts (considering burial concerns in an area of high ground water). We therefore strongly recommend that both projects proceed as a single unified effort. Otherwise, CRMC Staff is likely to have significant difficulty determining consistency with the special criteria."

Also, a letter from the Town of Narragansett Engineering Department to the Beach Club's Engineering firm, states that **"The sanitary sewer force main as shown on the plans is proposed to be constructed in a shallow subsurface trench. It is the opinion of the Town that other potential alternatives methods may be preferred and feasible for the construction of the proposed sanitary sewer force main. One such method is to construct the proposed sanitary sewer force main above ground, supported on the walkway structure proposed by others. The Town requires an engineering feasibility study of this potential alternative. Such study shall include an engineer's cost estimate."**

RECEIVED
SEP 25 2018
COASTAL RESOURCES

This clearly implies that CRMC and the Town Engineering dept. have serious concerns with the sewer project as presented by the Beac Club (BC) and combining the sewer project with the Walkway project would satisfy CRMC's "for serving the compelling public purpose" as stated previously.

The following is a list of events leading up to the situation we have today, which may lead to the demise of the walkway project and allow the dangerous public safety of the causeway to continue:

1. The FD Council voted last year 7 to 0 to continue the walkway project to its conclusion. That vote has not been changed.
2. The FD Council voted 5 to 1 at the annual public budget meeting in favor of putting $60,000 in the capital budget for 'seed money' to have the walkway engineering completed. The decision of the Council was bolstered enthusiastically by the (one count was 80) public attendees in favor of the minor, one time, tax increase (about $35 per household). Line items in the capital budget do not require a further vote by the general public at the annual meeting.
3. The FD Council Chairman and the LT Chairman both signed a letter to the BC stating that the 2 projects, sewer and walkway would not be united. That letter has no validity and does not reflect the views of the community, it only plays into the narrativ of the BC of subverting the walkway project.
4. The FD Council has, however connected the Pond Dredging project with the BC sewer project for the purposes of participating in the a DEM grant which requires community offsetting funds toward the grant. Can you mix municipal funds with private (commercial) funds when the 2 projects have no relevance?
5. Certain FD Council members moved the $60k from the Capital budget to the operating expense budget (which does require a vote by the general public at the annual meeting). This was done without any vote by the council and was listed erroneously o the annual meeting agenda as an item to vote on.
6. The Council maneuvered the Annual meeting to be held at the BC where BC members, many who are not residents, were aske by a few nay-sayers to vote against the 60k.
7. At the same annual meeting those same BC members nominated from the floor to elect 2 anti-walkway persons with a 3rd later voted to fill a vacant LT position. The placement of these 3 members on the 5 member Land Trust (LT) makes a majority of that council vote down every vote in favor of the Bonnet community.
8. At this month's meeting the FD Council suggested, not voted, that the walkway project be postponed and included in a panel t discuss all roads within Bonnet as a delay tactic to postpone the project indefinitely or at least until the BC sewer line is installed in the roadway.

Actions by the Beach Club and the FD Council lead one to believe that they and/or their agents are attempting to circumvent the CRMC and Town statements in the before mentioned quotes that "(all reasonable alternatives means of, or location for, serving the compelling public purpose cited.)". It seems clear that if they can discredit the Walkway project as not going forward, they may be able to negate their obligation to seek other alternatives (such as the Walkway) for running the 'pipe' as suggested by CRMC and the Town. Let me assure you that the Walkway has the full support of the community and as stated above, the FD Council has voted to pursue the walkwa to its conclusion. **As a results of the above actions, the BC envisions to be able to approach the CRMC board and plead that there is no other option to run the sewer pipe on the causeway road because the walkway project has been subverted.**

It was also stated at the last BC monthly meeting that, regarding a lawsuit that the BC has filed against the Town with regard to how the Town taxes the BC as Commercial rather than residential, the BC has promised the Town that it will drop the law suit if the Town will relax the requirements for the sewer line. This would mean that the Town would allow the sewer line to be installed to sub-standards rather than the Town Engineering standards. The implications here are concerning.

It is becoming abundantly clear that the BC has enormous influence on the FD Council (many of who are also condo owners) in the running of this community rather than the residents of Bonnet. There is the looming possibility that the BC could control the running of this community and we need to understand that they could gain the power, through sympathetic FD council members and LT members, and have the ability to gather the necessary votes to make all of the Bonnet residents pay for their sewer project. It's possible and could happen, be aware!

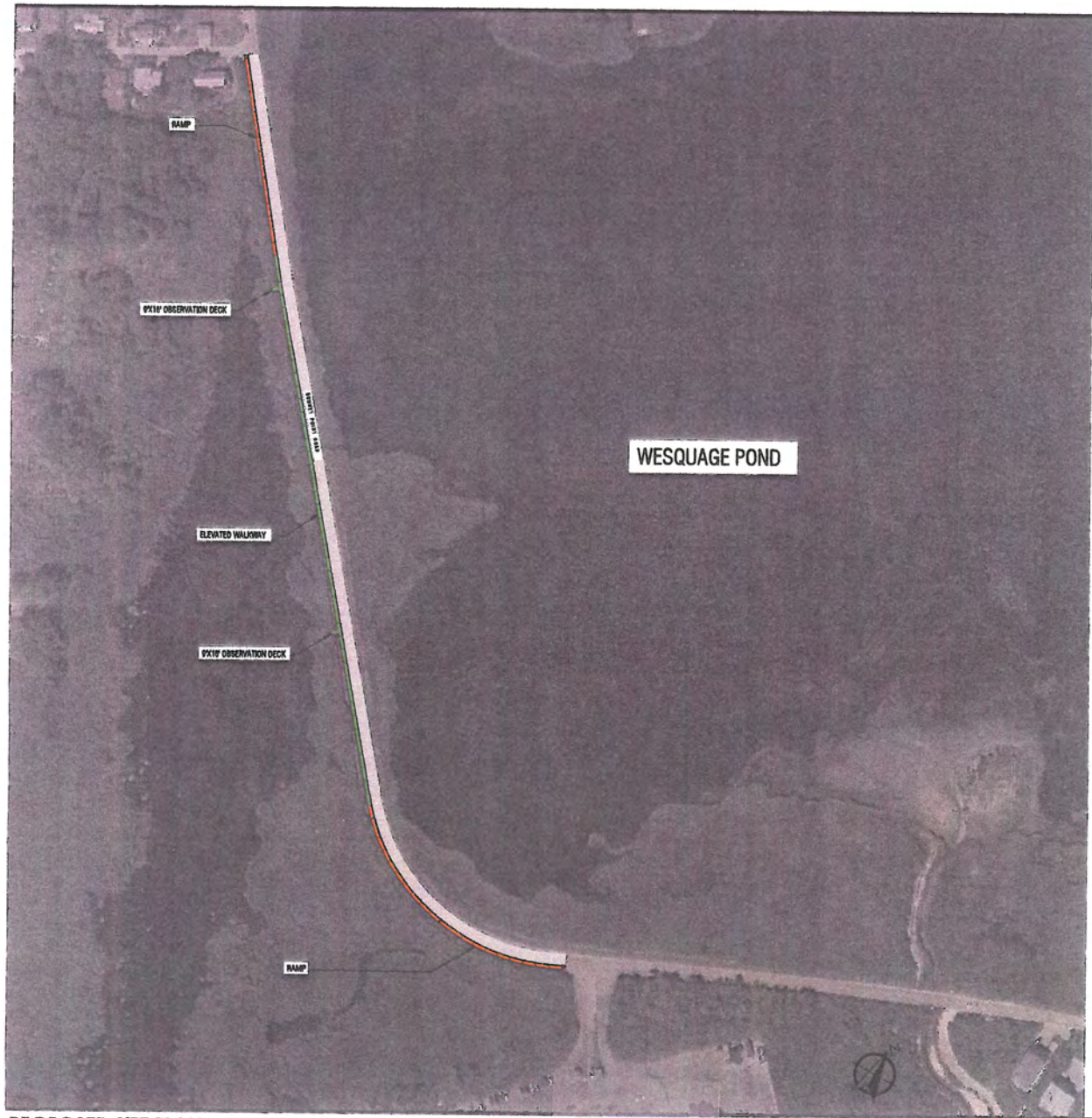
We, the Bonnet Residents, must engage legal help to sort out several issues including the legality of the Annual meeting, the seed money (60k) moved from Capital to Expense without a vote and the legality of the BC condo owners having more voting power as non-residents that the Bonnet residents.

We have 2 choices, get actively involved and correct these absurdities or stay complacent and allow our constitutional rights to continue to be violated.

Respectfully,

Concerned Residents of Bonnet

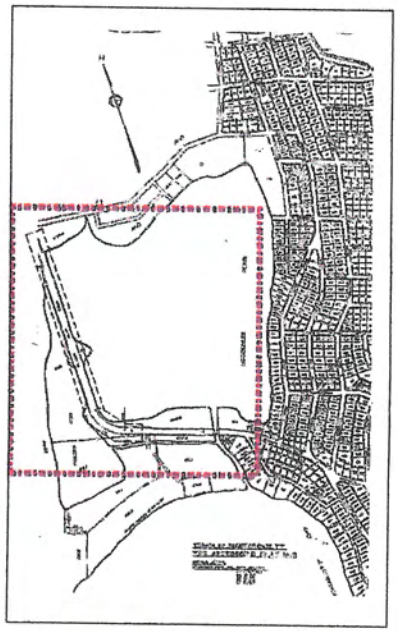
RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL



PROPOSED SITE PLAN

BONNET POINT ROAD CAUSEWAY NARRAGANSETT, RI	
DESCRIPTION	OUTPUT
ELEVATED WALKWAY LENGTH	± 12960 '
NORTH RAMP LENGHT	± 450 ' @ < 5%
SOUTH RAMP LENGHT	± 620 ' @ < 5%
ESTIMATED TOTAL LENGHT	± 2330'
WOOD WALKWAY HEIGHT	4'-0" TO UNDERSIDE OF POLE CAPS
DESCRIPTION OF MATERIAL	
ELEVATED WALKWAY	SOUTH YELLOW PINE
RAMPS	SOUTH YELLOW PINE
5'X5' LANDINGS	CONCRETE PAD

NOTE: SITE DIMENSIONS ARE APPROXIMATES, ACTUAL MAY VARY.



RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

DIPAOLO + ASSOCIATES, INC.
ARCHITECTURE
INTERIOR ARCHITECTURE
SPACE PLANNING
FACILITIES MANAGEMENT
PROJECT MANAGEMENT

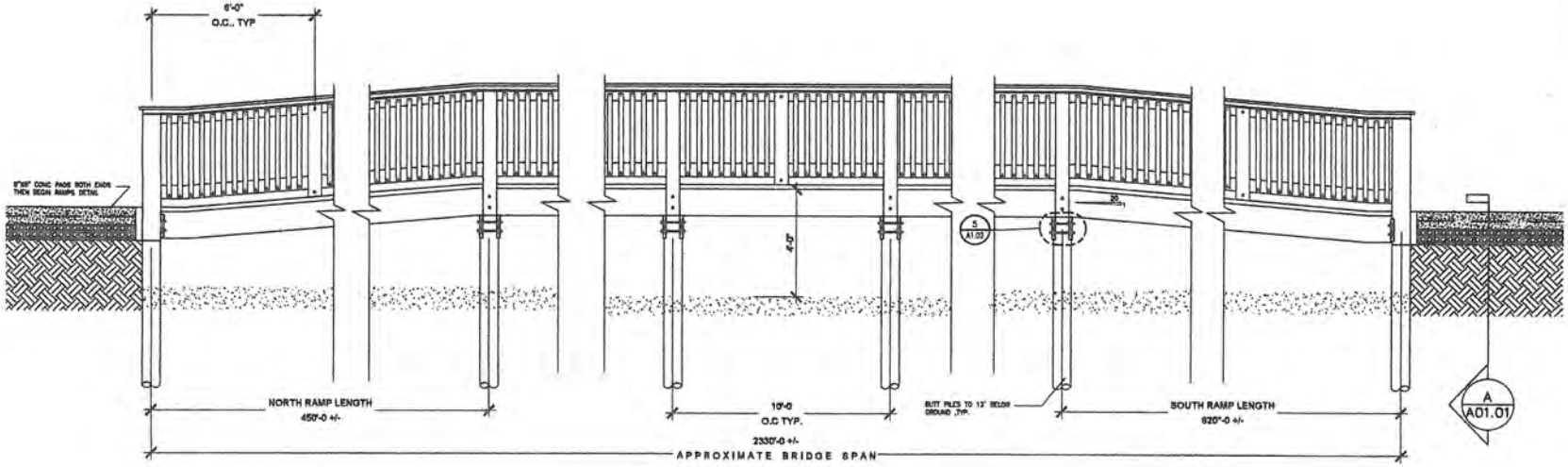
BONNET SHORES LAND TRUST.
CAUSEWAY PEDESTRIAN WALKWAY
BONNET POINT ROAD
NARRAGANSETT, RI

PROPOSED SITE PLAN

ISSUE TYPE:
ISSUE DATE:
DRAWN BY: BB RD
REVISED:
SCALE: 1" = 100'-0"
PROJECT NO:

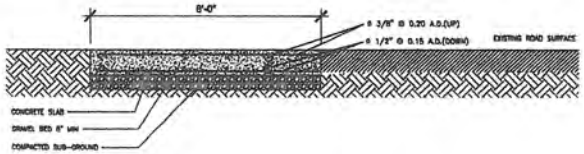
A01.00

P103

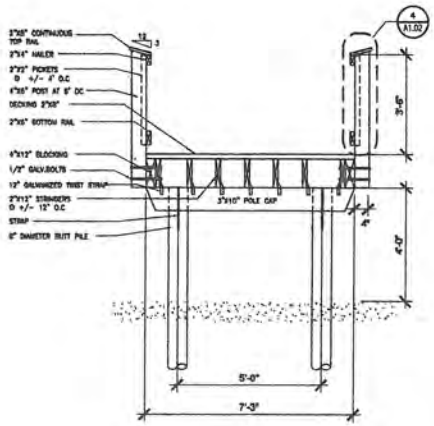


ELEVATION@ RAMP **1**
SCALE: 1/2" = 1'-0"

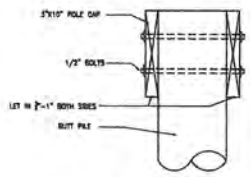
ELEVATION AT WALKWAY **2**
SCALE: 1/2" = 1'-0"



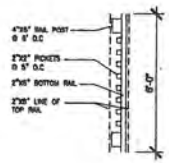
A SECTION @ PRE RAISED WALKWAY
SCALE: 1/2" = 1'-0"



SECTION @ WALKWAY **3**
SCALE: 1/2" = 1'-0"



DETAIL @ TOP BUTT PILE **5**
SCALE: 1/2" = 1'-0"



RAILING - PLAN VIEW **4**
SCALE: 1/2" = 1'-0"

NOTES:

TIMBER PEDESTRIAN WALKWAY :

- 85 PSF LIVE LOAD (L/500 DEFLECTION)
- ALL FASTENERS - GALVANIZED (SIZE-12")
- SCREW FASTENERS FOR DECKING Ø 12 FLAT HEAD GALVANIZED SCREWS BY 3"
- SHOW BOLLARDS AT EITHER END OF WALKWAY TO PREVENT MOTORIZED VEHICLES FROM ENTERING WALKWAY.
- ALL DEBRIS MUST BE REMOVED FROM SITE. NO DEBRIS OF ANY KIND SHALL BE LEFT IN WETLAND AREAS.
- REMOVE AND DISPOSE OF FILL REMOVED FOR GRAVEL WALKWAY
- PROTECT EXISTING ROAD SURFACE FROM DAMAGE AND REPAIR ANY DAMAGED AREAS RESULTING FROM CONSTRUCTION
- ALL LUMBER TO BE PRESSURE TREATED WITH THE EXCEPTION OF DECKING AND RAILING SYSTEMS.
- OWNER TO FURNISH ALL PERMITS
- PIER DEPTH SHOULD NOTE 12' MINIMUM.

(ALTERNATES):

1. GUARD RAIL SYSTEM
2. TRAFFIC CONTROL (POLICE DUTY)

TIMBER PEDESTRIAN WALKWAY

ALL PRESSURE TREATED MATERIAL

DESIGN LOADS:

LIVE LOAD = 100 PSF
DEAD LOAD = 20 PSF

* ALL WORK TO BE ACCOMPLISHED IN A WORKMANSHIP MANNER AND IN ACCORDANCE WITH ALL STATE AND LOCAL CODES.

* CONTRACTOR TO VERIFY ALL SITE CONDITIONS AND MEASUREMENTS. NOTIFY OWNER OF ANY AND ALL DISCREPANCIES FOR CORRECTIONS/CLARIFICATIONS PRIOR TO SUBMITTING BIDS.

* CONTRACTOR TO PROVIDE EVIDENCE OF REQUIRED INSURANCES APPLICABLE AND AS REQUIRED.

* ADD TO "ALTERNATES" TO PROVIDE COSTS OF PERFORMANCE BOND.

* EXCEPT WALK SURFACE, & RAIL SYSTEM.

ARCHITECTURE
INTERIOR ARCHITECTURE
SPACE PLANNING
FACILITIES MANAGEMENT
PROJECT MANAGEMENT
BERGER & ASSOCIATES, INC.

BONNET SHORES
LAND TRUST.
CAUSEWAY PEDESTRIAN WALKWAY
BONNET POINT ROAD
NARRAGANSETT, RI

SECTION/ELEVATIONS

ISSUE TYPE: BID SET	REVISED:
ISSUE DATE: 05.24.2017	
DRAWN BY: BS RD	
	SCALE: AS NOTED
	PROJECT NO:
	A01.01

P104

RECEIVED
SEP 25 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

BONNET SHOREs FIRE DISTRICT

BSFD Community Center
130 Bonnet Shores Rd
Narragansett, RI 02882

Meeting Minutes

October 18, 2017

Call to Order: Chair Michael Vendetti called the meeting to order at 7:30 PM. Council Members in attendance included: Janice McClanaghan, John Pariseault, Chris Mannix, Anita Langer, Natalie McDonald, and Dan Johnson. Treasurer Mary McGinn, Tax Collector Richard Mercier, District Manager Lisa DiBello, Harbormaster Mike Tortolani, and Clerk Carole Duffy were also in attendance.

Pledge of Allegiance: The Assembly recited the Pledge and observed a moment of silence for the men and women in the Armed Forces and a remembrance for Steve McCooey's mother who had passed.

Urgent Business: Luba bldg. plans at 98 Col. John Gardner Rd were approved by a **motion** by N. McDonald; 2nd C. Mannix that the new house will be built on the current footprint 2800-3000 sq. ft. assuming all the necessary permits are granted by the Town. **Motion** passed 6-0

Ratification of Minutes: J. McClanaghan **moved** to accept the May. 16, 2017 minutes; 2nd N. McDonald. **Discussion**: none.
Motion passed 4-0 by those who were in attendance in May. (Janice, John, Natalie, Mike). J. McClanaghan **moved** to accept the May 20, 2017 budget minutes; 2nd N. McDonald **motion** passed 3-0 (Janice, Mike, Natalie). C.Mannix **moved** to accept the Sept. 20, 2017 minutes; 2nd J. McClanaghan. **Motion** passed 6-0; N. McDonald was absent.

Period of Public Comment

- Mr. Fraoli owner of the property at the corner of Bonnet Neck Rd and Bonnet Shores Rd spoke to the Council from a prepared statement. He wanted to apprise the Council as to the background details concerning his purchase of the building and his intentions as a realtor in the neighborhood. He also mentioned the District's lawsuit with Narragansett about the zoning change for his building.

Committee Reports:

a) **Sanitation**: C. Mannix is continuing to try to arrange a meeting with Patriot to clarify ongoing issues
b) **Traffic:** no report
c) **Harbor:** see report… N. McDonald spoke about the upcoming dredging at Little Beach: one of the unanswered questions at this point is where the dredged sand will be deposited as there are many restrictions inherent to this process

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

(sand to sand, residential, commercial, and buried). Furthermore, CRMC has digitalized all the moorings and the current harbor five-year management plan needs to be updated by Oct. 2018. J. McClanaghan added that the removal of the jetty across from Bonnet Shores Rd has been approved by all the involved agencies and waiting for letter from Army Corps. The rocks will be deposited On Col. J. Gardner Rd, adjacent to the beach

d) **Beach & Security:** J. McClanaghan reported: BSBC will be reimbursing the District for their portion of the beach security and bus charge; officials at St. Verónica's were notified about overnight student parking on the church property; a car accident at the corner of Boston Neck Rd and Joy Lane which damaged BSFD property was reported to the police and insurance company

e) **By Laws, Ordinances, & Development:** A. Langer reported that the Committee met on Oct.10 and the members were encouraged to read the Charter. She is the Chair for now and the next meeting will be on 11/7/2017 at 7 @ the CC.

f) **Pond:** no report

g) **Historical:** no report

h) **Social:** no report

Treasurer's Report: see attached report and M. McGinn added that 95%-96% of taxes have been received. C. Mannix inquired if there was enough money in the budget to pay bills until next spring and M. McGinn responded in the affirmative. C. Mannix added that he thought he noticed a surplus in the financial spreadsheet but unfortunately the data appeared that way because two major bills are still outstanding.

Tax Collector's Report: see attached report. R. Mercier said that $311,000 of $325,000 has come in and there is an outstanding balance of $3,000 for unpaid taxes from previous years and the information can be viewed on the bulletin board. Regarding tax sales, Mercier stated that one can only go back 3 yrs. for delinquent properties. He and M. McGinn are continuing to research online tax systems

Land Trust: Nancy Cordy spoke for the absent Eliot Gersten. At the LT meeting on 10/11/2017, the members reviewed the results of the e-blast which had been circulated seeking support for the proposed walkway. Of 218 respondents, 217 were in support. George Monaghan, a Trustee, researched accidents on the District's roads for the last 5 years… for a total of 82 (60 occurred from June – Sept & during the summer months 32 occurred on BT PT Rd). Next meeting will be on 11/8/2017 at 6pm @ the CC. Chair Vendetti thanked the LT for their transparency.

District Manager's Report: no report but L. DiBello said tractor bids are private and one contractor has responded for bids to replace roof gables.

Old Business:

- Zoning lawsuit (Exec. Session)
- Jetty assents (see Harbor report)
- DEM grant of $311,000 for pond dredging is still "alive"

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

- Land Trust request for new vote on walkway
  - N. McDonald asked why an additional vote by the Council was needed. Dave Stenmark explained that the vote in May was an approval for the LT to seek a preliminary determination from CRMC for the walkway. Chair Vendetti inquired about lots N-S 630 and N-S 634 and Dave showed the group the lots on the wall map. Stenmark continued to explain the next steps as the original bldg. permit was denied by the Town which was expected. A Special Use Permit will now be sought from the Town which will then be forwarded to CRMC at which time a hearing will be conducted. Abutters will be notified of this hearing. A. Langer expressed that she was in favor of granting the LT request as the causeway is a very dangerous road. Chair Vendetti urged the LT to give the Council a "heads up" for all budgetary considerations. C.Mannix asked at what point is the bldg. permit issued. Stenmark responded that is the last step in the sequence following assent from CRMC.
  N. McDonald moved for the BSFD Council to approve and authorize the LT to proceed to its conclusion the walkway project. The project consists of building a pedestrian walkway adjacent to the Causeway portion of Bonnet Point Rd. This approval would also include the use of Land Trust property (Lots N-S 630 & N-S 634) and/or the Bonnet Shores Fire District property (the causeway road bed); 2nd A. Langer. Motion passed 7-0
- DiPrete Report and exhibits
  - J. McClanaghan will distribute the Nov. 2016 DiPrete report on the BSBC sewer project review

New Business:

- A. Langer **moved** to allow RI Fire Wardens' Assoc. to conduct meetings once or twice a year at the CC; 2nd J. McClanaghan. **Motion** passed 7-0
- BSBC Nominating Committee
  - C.Mannix **moved** to allow the BSBC Nominating Committee meetings, not to be confused with the Brd. of Director's meetings to use the CC not more than 6 times from Oct.-June; 2nd J McClanaghan.**Motion** passed 7-0
- Sale of old tractor
  - L.Dibello contacted J. Deere for price
  - Local landscaper interested
  - C.Mannix **moved** to direct the District Manager to put on the Surplus Municipal Property website a request for proposals for the purchase of the tractor before the Nov. Council meeting;2nd A. Langer. **Motion** passed 7-0
- Prioritizing of expenditures for CC infrastructure:
  - J. McClanaghan listed: HVAC, rotted gable peaks, interior ceiling tiles Nothing is pressing and there is no leakage at roof peaks, but if an emergency occurred it would be addressed. The consensus of the Council is to delay spending on the bldg. until after the dredging and hopefully everything in the CC will hold on until spring.

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

- Microphones:
  - A. Langer has researched FM wireless systems and has deferred to Tom Hynes suggestions @ $500 for 8 wireless microphones. C.Mannix **moved** to have the District Manager investigate the cost of said microphones not to exceed $600.00 to be used at Council meetings; 2nd J. McClanaghan. Discussion: N. McDonald suggested that the cost could come out of office supplies. **Motion** passed7-0.
- Beach passes
  - N. McDonald **moved** to continue beach pass use for one more year:2nd C. Mannix. Discussion: 850 households, very few passes lost and even at that there are other forms of ID that can be used. **Motion** passed 7-0
- January- February meetings: table to November

- C. Mannix **moved** to end regular Council meeting to go into Executive Session "to discuss the rezoning of real property "pertaining to collective bargaining or litigation or work session pertaining to collective bargaining or "litigation" pursuant to Rhode Island General Laws Section 42-46-5(a)(2) and appoint Janice McClanaghan as Clerk ProTem";2nd A. Langer. **Motion** passed 7-0 @ 9:10 PM
- C. Mannix **moved** to reopen regular Council meeting: 2nd J. McClanaghan. **Motion** passed 7-0 at 9:40 PM
- A. Langer **moved** to seal the minutes taken during Executive Session; 2nd C. Mannix. **Motion** passed 7-0

Adjournment: There being neither District business, the Chair called for an adjournment motion. N. McDonald **moved** to adjourn the meeting; 2nd J.McClanaghan. All were in favor and the meeting ended at 9:45 PM

Council meeting's ratified minutes are available on the BSFD website

Respectfully submitted, Carole Duffy

Carole Duffy, Clerk Minutes ratified by the Council on 11/15/17.

RECEIVED
SEP 25 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

ADLER POLLOCK & SHEEHAN P.C.

One Citizens Plaza, 8th floor
Providence, RI 02903-1345
Telephone 401-274-7200
Fax 401-751-0604 / 351-4607

175 Federal Street
Boston, MA 02110-2210
Telephone 617-482-0600
Fax 617-482-0604

www.apslaw.com

January 3, 2019

Mr. Grover J. Fugate
Executive Director
Coastal Resources Management Council
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879

Re: Application #2018 09-019 Bonnet Shores Beach Club Condominium Association/ Bonnet Shores Fire Department

Dear Mr. Fugate:

The Applicant is pleased to respond to the additional questions posed by the CRMC staff as well as concerns raised during the comment period. The following Exhibits are attached to address the specific concerns:

1. Special Exception Issue;
2. Applicant's authority to proceed with the project;
3. Rhode Island Department of Environmental Management Notice of Intent to Enforce; and
4. Settlement Agreement between the Applicant and the Town of Narragansett

A consistent theme in the comments was the combination of the project with the so-called "walk way". We addressed that in our original application and, to date, there are no new facts that would change our position. Several comments were also raised about the integrity of Bonnet Point Road. As stated in the original application, the Town of Narragansett has already stated that the project will not negatively impact the integrity of Bonnet Point Road (application Tab 10).

As always, I am available to address any other concerns you may have. I appreciate the time and attention afforded to this application by your staff.

Best regards,

STEPHEN R. UCCI

SRU/nehb

Enclosures

935084.v1

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

EXHIBIT 1

Special Exception Rationale

In 2009, the Rhode General Assembly enacted Public Law 09-LA077. This Public Law "authorized {the applicant} to construct use operate and maintain a sanitary sewer line (and necessary pumping or lift station equipment) connecting the Bonnet Shores Beach Club Condominium ... to the Town of Narragansett wastewater collection and treatment system in lieu of the existing on-site wastewater treatment and disposal." This Public Law permitted an otherwise prohibited use under the CRMC regulations. It is the applicant's continued assertion that a 1.1.8 Special Exception is not required because the Public Law makes the project presented by the applicant a permitted use.

The staff at CRMC has opined that the Public Law 09-LA077 merely satisfies the first of the three Special Exception criteria (the proposed activity serves a compelling public purpose) and the applicant must still satisfy the remaining two criteria (2. All reasonable steps have been taken to minimize environmental impacts and or use conflicts and 3. There is no reasonable alternative means of or location for, serving the compelling public interest cited.) While it is the applicant's positon that a Special Exception is not needed, the applicant addressed these issues during the planning for of the project.

All reasonable steps have been taken to minimize environmental impacts and or use conflicts

Of the "reasonable alternatives" available to the applicant, the proposed plan is the least impactful to the environment in the following ways:

- Has the least amount of disturbance to the site and adjacent roadway
  - The trench for the forcemain is shallow (18-24 inches) and located in the center of the roadway (as opposed to the soft shoulder).
  - The proposed route is the shortest and most direct route to the Narragansett sewer system.
  - The existing on-site septic tanks and wastewater holding tanks will be abandoned in accordance with Rule 62 of the RIDEM Onsite Wastewater Treatment System (OWTS) rules. The existing holding tanks will be replaced with a new, single tank for seasonal employee use when the pumping system is offline.
  - The existing leaching field will be removed.
- Has the capacity to withstand a major storm event
  - All material (piping, pumps, structures) are designed to withstand occasional submerged conditions. The pumping system controls will be installed in the main building above the 100-year flood elevation.
  - The system can be completely evacuated ahead of a major storm event to prevent any potential wastewater discharge to the environment.
- Does not increase development in protected areas. The system only operates seasonally for the exclusive use by the applicant. The applicant has also agreed to no further expansion of the facility.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

- Eliminates the discharge of nutrients (i.e., nitrogen and phosphorous) into the soil/groundwater from an OWTS by conveying all wastewater to the Town of Narragansett's Wastewater Treatment Facility.

The following requirements have been included in the Contract Documents to minimize potential impact to the environment during construction:

- Erosion and sedimentation controls will be installed within the project limit of work, as shown on the project Drawings, and maintained throughout the duration of the project. The soil and erosion controls generally include compost socks installed along the edge of the limit of work and soil stockpile areas, and catch basin filters at each existing catch basin within the project limits. The soil and erosion controls are to be in compliance with the *Rhode Island Soil and Erosion Control Handbook.*
- The Contractor is required to provide a stamped dewatering and drainage system design for the installation, operation, monitoring, maintenance and removal of a temporary dewatering and drainage system during construction. This system shall meet the requirements shown on Sheet No. G-1 of the project Drawings, specified in the Contract Documents, and contained in the permit conditions. The temporary dewatering and drainage system requirements generally stipulate the following:

  - Erosion and sedimentation control facilities shall be installed at the start of work prior to performing excavation in any area, maintained during the work, and removed when work is completed.
  - Water from dewatering operations shall be treated by filtration (i.e., filter bags) to reduce the amount of sediment contained in the water to allowable levels prior to discharge into Wesquage Pond.
  - The length of the excavated trench shall be limited such that the dewatering equipment and sedimentation and erosion controls can effectively manage the rate of dewatering necessary to allow installation to proceed in-the-dry.
  - Adequate personnel and standby equipment/supplies shall be available at all times to ensure continuous dewatering operations during construction activities.
  - Visual inspection of all erosion and sedimentation control devices shall be performed daily and promptly after rain events.
  - All sediment resulting from the Contractor's work shall be collected and properly disposed of.

<u>There is no reasonable alternative means of or location for, serving the compelling public interest cited</u>

BSBC Wastewater Collection and Conveyance System Design
Summary of Alternatives developed during Conceptual Design

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

Prior to preparing final design documents, CDM Smith evaluated various alternatives for onsite wastewater collection, conveyance, and disposal for the Bonnet Shores Beach Club (BSBC), including site layout and sizing of new facilities, with consideration of the constructability issues for each alternative. Various issues and challenges were considered during this conceptual design phase, including potential for flooding, hurricane damage, accumulation of sand within the collection system, seasonal construction restrictions, construction within the existing causeway and other locations, and permitting coordination and approvals. A summary of the alternatives evaluation, prepared during the conceptual design process, is summarized below. It should be noted that some of the conceptual design items were modified during final design, as shown on the project Drawings.

On-Site Collection and Conveyance System Alternatives

CDM Smith investigated two alternatives for onsite wastewater collection and conveyance systems that would allow the existing individual sewage disposal systems to be abandoned. A "*no-action*" alternative was not considered because of demonstrated problems with the existing onsite systems and because the BSBC was previously cited by the RIDEM for failing onsite systems.

Alternative No. 1 – Onsite Gravity Collection

Alternative No. 1 includes constructing a gravity collection system comprised of sewer manholes and gravity sewer piping to collect wastewater from the BSBC facilities and convey it to a proposed onsite wastewater pumping station.

The BSBC requested that all the existing shower facilities be connected to the proposed onsite sewer collection system, in addition to the existing bathroom facilities. This will require provisions to be included to handle sand and grit that will be carried in the flow from the showers. Wastewater containing sand and grit can cause abrasion and abnormal wear to pumps, thereby increasing the frequency and cost of pump operation and maintenance. In addition, the Town of Narragansett requested that pre-treatment, to partially remove sand and other abrasive solids so that it does not impact mechanical equipment at their pump stations and wastewater treatment facility, be included in the design.

In order to control the potential maintenance issues related to excess sand in the wastewater, the design will include a sand catchment manhole (as described below) at each location where a common shower drain exits from the beach club facility and into the gravity sewer system. The inlet and outlet pipes within the sand catchment manhole will be elevated in the manhole, such that the sand contained in the shower waste will settle out in the manhole sump, and the liquid effluent will discharge through the manhole outlet pipe into the gravity collection system. A cleanout and a backwater valve with a manual shutoff will be installed upstream of the sand catchment manhole. The manual shutoff will allow for the facilities to be shut off from the gravity collection system in the case of maintenance or emergencies, while the cleanout will allow for flushing of the sewer lines, as necessary. Each sand catchment manhole will be located below grade to conserve valuable parking space, and will be provided with watertight access covers for flood protection while allowing access for periodic maintenance.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

All bathrooms in each facility will drain to a common discharge main under the building and then connect into the gravity collection system. Prior to the connection into the gravity collection system a cleanout and a backwater valve with a manual shutoff will be installed. The manual shutoff will allow for the facilities to be shut off from the gravity collection system in the case of maintenance or emergencies.

The BSBC indicated that the existing "live-in" units at the west end of the property should be connected to the new onsite collection system. Currently, the "live-in" units discharge wastewater into a small submersible pump station just outside of the units. CDM Smith is working with BSBC to document the existing layout of the system. If a gravity line from the "live-in" units to the new onsite gravity collection system is possible, this will be included in the final project design. If flow by gravity is not an option, the existing submersible pumps within the "live-in" pump station will be replaced with new submersible pumps with a small force main connecting into the new onsite gravity collection system.

The advantages of a gravity system are that they are simpler to design, relatively easy to construct, reliable to operate, and relatively low cost to operate and maintain. Some disadvantages of gravity systems are that they have a fixed capacity and could be subject to infiltration over time.

Alternative No. 2 – Onsite Pressure Sewer Systems

Alternative No. 2 consists of construction of individual pressure sewer systems for each facility. Individual grinder pumps connected to a low-pressure sewer system can be an effective means to provide collection for an area under certain conditions (low-lying, flat, or rolling hills, etc.) that do not lend themselves to gravity collection. Each system would collect flow from the respective facility and then pump the sewage into a common low pressure sewer force main that would run via Bonnet Point Road to the influent side of the Town of Narragansett's pumping station at the corner of Allagash Trail.

Low-pressure sewers are generally 6 inches in diameter or less (typically only 2 inches). The slope of the sewer is not important since the system is pressurized, which allows the pipes to follow the natural topography of the land, thereby minimizing depth of bury.

The advantages of individual pressure sewer systems generally include:

- Material and trenching costs are significantly lower because pipe size and depth requirements are reduced when compared to gravity lines.
- Low-cost clean outs and valve assemblies are used rather than manholes and may be spaced further apart than manholes in a conventional gravity system.
- Infiltration is reduced, resulting in lower pumping costs at the downstream pumping station.

The disadvantages of individual pressure sewer systems generally include:

- Multiple electrical connections would be needed to be run for each grinder pump unit.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

- The operation and maintenance (O&M) cost for a pressure system is often higher than a conventional gravity system due to the number of pumps in use.
- Power outages can result in overflows if standby generators are not available.
- Life cycle replacement costs are expected to be higher because pressure sewers have a lower life expectancy than conventional systems.
- Odors and corrosion are potential problems because the wastewater in the collection sumps is usually septic and will be located close to each facility.

Alternative No. 3 – Renovate existing Septic Systems

In 2004, the BSBC procured the services of a private consulting firm to provide engineering plans to redesign the failing onsite ISDS systems; however, installation of this design was never implemented. Instead, the BSBC secured approval from the State Legislature to extend sewers from the Town of Narragansett's wastewater collection system to the BSBC, which would allow them to discontinue use of the existing ISDS system. During the pre-proposal meeting, BSBC indicated that they wanted to replace the existing ISDS system with an onsite collection and conveyance system that connects into the Town's wastewater collection system. As a result, CDM Smith did not evaluate renovating the existing septic systems as an alternative for this project.

Pumping Station Alternatives

CDM Smith evaluated several potential locations to site the pumping station for the gravity collection system and three alternatives for the construction of the force main from the pumping station to the discharge point at the intersection of Bonnet Point Road and Allagash Trail. These alternatives must meet the present and future needs of the BSBC facilities, take into consideration the constructability issues and be easy to maintain and operate.

The proposed onsite submersible, below grade precast concrete vault pump station is to be located near the northeast corner of the BSBC parking lot to offer easy access for maintenance purposes while not obstructing a major portion of the parking lot, keeps the station away from the main BSBC facilities, in an area of the parking lot that is less susceptible to standing water. The pump control and electrical panel will be combined into one NEMA 4x enclosure to protect against the elements, and will be mounted within the BSBC building so the bottom of the enclosure is above the 100-year flood elevation to minimize the potential damage during storm events and provide for easy access. The pump system will include both visual and audible alarm notifications, including an auto-dialer feature to notify maintenance personnel of any alarm conditions. Provisions for backup power (i.e., generator) for the pump station are to be provided separately.

The no-action alternative was not looked at because of demonstrated problems with existing on-site systems and since the BSBC is under agreement with the Rhode Island Department of Environmental Management (RIDEM).

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

Force Main Alternatives

The BSBC has indicated that the proposed pressure sewer force main conveying wastewater from the BSBC facility should be located in Bonnet Point Road heading north across the causeway crossing Wesquage Pond, and connect to the influent side of the Town of Narragansett's pumping station at the corner of Allagash Trail. A pressure sewer force main is required due the relatively flat terrain and the distance (approximately 2,000 feet) between the BSBC and the connection to the Town of Narragansett wastewater collection system, which would make a gravity connection impossible. In support of the design and construction of the proposed Bonnet Shores Beach Club force main, a subsurface exploration program was conducted to delineate the soil, rock and groundwater conditions in the vicinity of the proposed construction. The program included test borings along the alignment to support the final design of the project.

CDM Smith evaluated several alternatives for installation of the pressure sewer/force main as discussed below.

Trenchless – Horizontal Directional Drilling (HDD)

Horizontal directional drilling (HDD) is a trenchless construction method utilizing equipment and techniques from horizontal oil well technology to install petroleum pipelines, fiber optic and electric cables, and water and wastewater pipelines. The HDD method is a viable option where conventional open trench construction is not feasible or will cause disturbances to environmental features, land use or physical obstacles.

To evaluate the potential for hydraulic fracturing of the bore, the cavity expansion method was used. In this method the maximum anticipated slurry pressure was applied to the wall of the bore hole. For these analyses the diameter of the bore hole was assumed to be 12-inch. The maximum slurry pressure applied to the bore hole wall is the summation of static and dynamic slurry pressure. The results of these analyses indicated that for both conditions the soil will yield around the crown of the bore hole which is an indication of hydraulic fracturing (frac-out) occurring. Therefore, it was concluded that the HDD bore path should be lowered deeper into the competent rock. To confirm the exact depth of the competent rock it would be necessary to drill two more deep borings. However, we believe that the deepest section of HDD bore path would have to be at least 30-ft bgs to reach competent rock. The other issue with HDD in competent rock is the cost which could be in the range of $350 to $450 per linear foot. Installation of the pipe at such depth would also create problems for accessing the pipe for repair and maintenance.

Open-Cut Installation

The most traditional method for pipeline construction is open-cut installation. This method includes excavating a narrow trench wide and deep enough to allow installation of the proposed pipeline. Once installed, the pipeline is backfilled and compacted with select granular materials. For the proposed route along Bonnet Point Road, open-cut installation would require saw-cutting and removing pavement prior to excavation, and replacement of temporary trench width pavement after pipe installation and backfill. It is also likely that full-width paving of Bonnet Point Road

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

will be likely required by the Town/Bonnet Shores Fire District (BSFD). In addition, the following items will need to be considered:

- Type of material to be removed;
- Depth and width of excavation;
- Space requirements for necessary construction equipment;
- Crossing existing utilities;
- Placement and storage of excavated material;
- Trench dewatering; and
- Construction in environmentally sensitive areas.

Other Alternatives

During the course of the conceptual design phase, two additional alternative force main alternatives were identified by the BSBC Board of Directors and the Town. First, the BSBC proposed an option of installing the force main within Bonnet Point Road by evaluating the potential for raising the existing causeway, which is subject to flooding during certain high tides and at certain times of the year. The second suggested alternative included a potential force main route from the BSBC continuing west through an easement, and tying into the Town's wastewater collection system in Bonnet View Drive.

In a joint meeting with the Town of Narragansett's Engineering Department, BSBC Board members, legal counsel, and CDM Smith on July 22, 2014, it was agreed to by all parties that raising Bonnet Point Road is not a feasible option and a recommendation was made that this alternative not be pursued. In that same meeting, the Town Engineering Department indicated that there is potential for tying into the Town's gravity collection system in Bonnet View Drive, and could be considered as an alternative to the proposed route in Bonnet Point Road. After some discussion (including potential for additional construction impacts/disturbance within residential neighborhoods including working within narrow roads and likelihood of encountering ledge based on visible ledge outcrops in area, an approximate 500-ft increase in required length of force main, an approximate 90-ft difference in elevation from the proposed pump station to Bonnet View Road, potential utility conflicts, potential downstream sewer capacity limitations within the Town's existing gravity sewer system in this area, potential for additional development in this area upon providing new sewer, necessity for providing a year-round active sewer line/pump station vs. the proposed seasonal sewer line/pump station, etc.), the parties agreed that this alternative route would only be evaluated if crossing the causeway was not feasible.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

Recommended Alternative

CDM Smith recommended the following configuration be carried forward into the final design phase, which were chosen after careful consideration of constructability issues and overall construction cost.

- Onsite Gravity Collection System
- Onsite seasonal pumping station with the following options:
  - Northeast corner of the BSBC parking lot.
  - Submersible Grinder Pumps.
- Force Main with Open Cut Installation

The recommended plan will include the construction of an onsite gravity collection system that includes sand traps for the shower connections, gravity sewer piping, and sewer manholes to collect wastewater from the BSBC facilities and convey it to the onsite wastewater pumping station. The pumping station will be a 4-ft inside diameter round submersible grinder pumping station located in the northeast corner of the BSBC parking lot. To facilitate safe maintenance access the pumps will be installed on guide rails for easy removal and all valves will be installed in an adjacent valve vault for easy access. A 2-inch force main from the pumping station to the connection with the Town of Narragansett's sewer system will be installed along Bonnet Point Road utilizing traditional open cut methods. Due to the high groundwater table, the pipe will be installed at a properly engineered shallow depth.

The pros of the proposed pump station and force main option include:

- All wastewater from the facility will be collected and conveyed offsite to the Town's wastewater treatment facility.
- The system will be used seasonally (spring thru late summer), at which time the system will be winterized (pumped down, flushed, etc.) The owner will also have the flexibility to drain the system prior to any pending severe storm events during the operating season.
- All critical infrastructure (i.e., instrumentation and controls) will be located within the main building above the flood elevation.
- All other sewer infrastructure (piping, manholes, pump station wetwell and valve vault) will be buried to limit damage from flooding. Even if flooded, the forcemain will be buried and should remain intact and water-tight.

An onsite ISDS system to replace the existing system was **not** considered as a feasible alternative to a pump station and forcemain option, mostly for the following reasons:

- Based upon a 2003 onsite ISDS system design, the magnitude of an onsite system would be significant and require multiple onsite pump stations, four (4) 10,000 gallon buried septic tanks, one (1) 22,000 gallon recirculation tank, six (6) 3,300 gallon treatment tanks, and miscellaneous piping, controls, etc. The design includes raising existing grades to

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

accommodate the new tankage and leaving some of the tankage exposed above proposed finished grade. The design also indicates that concrete ballast for the tankage is not intended to prevent flotation during severe flooding during hurricanes.

- The groundwater at the facility is relatively high, which would make installation and preventing damage from buoyant forces (groundwater fluctuations, storm events, etc.) difficult.
- The onsite system will provide some level of treatment; however, it will discharge directly into ground near the beach.
- Onsite system will likely require large initial capital costs for installation, potential for specialized training, ongoing operation and maintenance costs for a specialized system, and potential for large repair/replacement costs due to damage from severe storm events.
- It is unknown if this system, as designed, would meet current design and treatment standards.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

Exhibit 2

CRMC received an anonymous concern regarding the applicant's authority and or ability to complete the project. The applicant has both the authority and the means to undertake the project proposed in the application.

Pursuant to the Rhode Island Condominium Act and the Bonnet Shores Beach Club Condominium Association's (BSBCCA) Declaration and By-Laws, it is the BSBCCA's responsibility to maintain, repair, and replace the common area and facilities. The BSBCCA Board has the power, under the Act and the Declaration, to enter into contracts and make expenditures to maintain the common areas.

Rhode Island General Laws §34-36.1-3.02 allows for the unit owner's association to:

(2) Adopt and amend budgets for revenues, expenditures and reserves, and collect assessment for common expenses from unit owners;

(5) Make contracts and incur liabilities;

(6) Regulate the use maintenance, repair, replacement and modification of common elements;

(7) Cause additional improvements to be made as part of the common elements; and

(14) Borrow funds, including the right to assign and /or pledge its right to future income and including the right to receive common expense assessments.

Rhode Island General Laws §34-36.1-3.07 addresses BSBCCA's responsibility for the maintenance repair and replacement of common elements. Rhode Island General Laws §34-36.1-3.15 requires assessments at least annually, and allows for a lien on the unit if an assessment is unpaid.

The BSBCCA By-Laws, Section 4, empowers the Board of Directors to: "a) operate and maintain the Common elements; b) determine the expense required for the operation of the Condominium Association; and c) Collecting the Assessments, Special Assessments and Fees for common expense…"

In 2004, due to the mandate to fix the OWTS and the associated expenses that would be incurred, the Board passed a Special Assessment and created a separate budget for the design and installation of the Sewer Line. On July 12, 2004, after notice to the unit owners, the budget for the replacement of the waste water removal system was passed per the By-Laws at a meeting for that purpose. The separate budget passed resulting in an assessment of $978,000, which has since been used to fund the project. This is managed out of a separate account. The remaining balance of funding required to complete the project will be assessed against the owners to complete the project.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

The Board of Director's decided to give owners the individual option to either pay in a lump sum, or finance the assessment over a period of years. (Because the financing will be guaranteed by BSBCCA revenue, the financing option requires the approval of 67% of the owners which is now being sought.) If the financing is not approved, then each owner will be liable for their assessment, just as they are currently, for operating expenses and will not affect the ability of BSBCCA to undertake the sewer line project.

The Board of Directors has the authority and the responsibility to ensure that the waste disposal issue is rectified. The manner and means by which the applicant is proceeding is consistent with both Rhode Island law and the BSBCCA By-Laws.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

Exhibit 3

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767 TDD 401-831-5508

CERTIFIED MAIL

October 3, 2001

Joseph Mignano, President
Bonnet Shore Beach Club Association
175 Bonnet Point Road
Narragansett, RI 02882

NOTICE OF INTENT TO ENFORCE: CI92-60
LOCATION: 175 Bonnet Point Road, Narragansett, RI
Plat: N-5 Lot: 631,632,632A, and 633

Dear Mr. Mignano:

The DEM has completed its investigation of the Bonnet Shores Beach Club. This investigation was initiated to follow up on complaints that failed septic systems and/or improper wastewater discharges at the Bonnet Shores Beach Club were responsible for the high bacteria levels in the water along the beach.

The DEM's investigation involved site inspections on August 21 and August 22, 2001 of the septic systems on the property and discussions with representatives of the Beach Club and your engineer, Joseph Frisella.

The investigation revealed that the Bonnet Shores Beach Club Association is in violation of DEM's ISDS Regulations. Specifically, the DEM identified the following violations at the property:

- The inlet pipe for the septic system located under the building on the southeast side of the property (identified by Mr. Frisella as ISDS #2) was submerged, which indicates a failure of that system.
- The septic system located south of the tennis court and north of the kitchen area (identified by Mr. Frisella as ISDS #4) has failed. The information provided to the DEM inspector by Mr. Frisella is that this system must be pumped every Friday, Saturday, and Sunday, the two grease traps have rotted away, and the leachfield is likely clogged with grease.
- Sink and floor drain pipes that discharge wastewater directly to the surface of the ground were observed in the kitchen and bar areas of the building.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

30% post-consumer fiber

Provided that you comply with the following requirements, the DEM will not take any further enforcement action on these violations. **If you do not comply, the DEM will issue a Notice of Violation ordering the correction of the violations and assessing an appropriate monetary penalty, which can be up to $1000.00 per day for each violation.**

REQUIRED ACTION

1. Immediately take steps to reduce the discharge of sewage to the disposal systems, such as through the use of water conservation devices, and arrange to have the systems pumped as frequently as it is necessary to prevent the systems from overflowing until the systems can be permanently repaired.

2. Immediately cease all discharges that are in violation of ISDS regulations (per above) from all sinks and floor drains in the kitchen and bar areas. This action shall be taken until a permanent solution to the violation has been approved and is implemented.

3. Submit to the DEM within fifteen (15) days of your receipt of this letter a plan for the permanent solution to the violations which must include an inspection of the disposal systems by an appropriate licensed designer to determine the cause of the system's failure. The evaluation must include what action will be taken to correct the unauthorized discharges from the kitchen and bar areas. A copy of the evaluation must be sent to the Office of Compliance and Inspection (Room 220) at the address listed on our letterhead.

4. If the evaluation in required action 3 above shows that a repair is necessary, submit the enclosed repair application to the Office of Water Resources-ISDS Permitting at the above address, room 260, within twenty (20) days of the receipt of this letter. The approved repair must be installed within one hundred twenty (120) days of receiving approval from the DEM.

Other Potential Violations

The following additional potential violations or concerns are under review. DEM hereby wishes to inform you of these additional items and seeks your cooperation in their timely resolution:

- It is our understanding that the Association pumps the five other septic systems on the property on a weekly basis. Although the DEM does not have any direct evidence at this time that these systems have failed, such frequent pumping is an indication of system failure. For this reason DEM recommends that the Association have each of these systems evaluated by a licensed designer and that a copy of the evaluation be provided to DEM.

- DEM is investigating other complaints that wastewater is being discharged directly to the surface of the ground from sinks, toilets, and/or hot water showers associated with the individual cabana units. This investigation is still ongoing. If the Association is aware of any discharges from sinks, toilets, and/or hot water showers from the cabanas, the DEM is advising you to immediately cease these discharges. The DEM is also advising the Association to have each cabana unit inspected by a licensed designer to evaluate whether any of these units have unauthorized sink, toilet, and/or hot water discharges and provide a copy of the evaluation to DEM.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

- The DEM has received complaints that the Association has made renovations to the buildings that are different than that proposed under the "change of use" application for the beach club deemed acceptable by DEM in 1988. If work has occurred or is now proposed that is different than that approved under the original "change of use" application, a new determination by DEM (now called System Suitability Determination or SSD) may be required. This would include any additional hot water tie-ins to the cabana units above the number specified in the 1988 approval.

A list of licensed designer's can be obtained from the DEM's web page at www.state.ri.us/dem/programs/benviron/water/licenses/isds/deslist.htm or by contacting the Office of Technical and Customer Assistance at 222-6822. Mr. Frisella is a DEM licensed designer.

I believe that a meeting between the Association and DEM would be helpful in resolving these issues. If you agree, please call me at 222-4700 extension 7257.

Sincerely,

David E. Chopy, P.E.
Supervising Sanitary Engineer

cc: Dean Albro, Chief, DEM Office of Compliance & Inspection
Russell Chateauneuf, Chief, DEM Office of Water Resources – Permitting
Robert Schmidt, DEM
David Burnett, DOH
Building Official

Enclosure

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

Exhibit 4

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

AGREEMENT

This Agreement ("Agreement") is made and entered into as of the 2nd day of April, 2013 by and between The Town of Narragansett, a municipal corporation duly organized and existing under the laws of the State of Rhode Island ("Town"), and The Bonnet Shores Beach Club Condominium Association, a Rhode Island non-profit corporation duly organized and existing under the laws of the State of Rhode Island (the "Association").

WITNESSETH:

WHEREAS, the Bonnet Shore Beach Club Condominium ("Condominium") is located at 175 Bonnet Point Road in the Town;

WHEREAS, the owners of the units in the Condominium are members of the Association;

WHEREAS, the Town and said members have been engaged in various disputes since 2004 regarding the real property tax classification by the Town of the units in the Condominium;

WHEREAS, on behalf of its members, the Association has in each tax year since 2004 filed a petition in Washington County Superior Court relating to an alleged erroneous assessment by the Town of real property taxes on said units, and all petitions filed to date are set forth in Exhibit A attached hereto and are presently pending;

WHEREAS, on behalf of its members, the Association has filed an administrative appeal regarding the Town's assessment of real property taxes on said units for tax year 2011, which appeal is presently pending with the Town Tax Assessor;

WHEREAS, the Town has contested all such petitions and appeal and asserts that the real property tax assessments imposed on such units are lawful and correct;

WHEREAS, the Association at the present time has a need to construct a new sanitary wastewater disposal system for the Condominium, and the Association believes that it would be most environmentally beneficial to have the Condominium served by the Town's municipal sewer system ("System");

WHEREAS, the right to connect to the System is governed by the applicable Ordinances, rules and regulations adopted by the Town as well as applicable state law and regulations;

RECEIVED
JAN - 7 2019

WHEREAS, the Association has requested permission from the Town to allow the Condominium to be connected to the System;

WHEREAS, the Town has indicated that it may be amenable to allowing the Condominium to be connected to the System so long as certain terms, conditions and requirements of the Town are met; and

WHEREAS, the parties hereto have agreed upon those terms, conditions and requirements set forth herein.

NOW, THEREFORE, for good and sufficient consideration given, the receipt of which is hereby acknowledged, and in further consideration of the covenants and agreements set forth herein, the parties hereto agree as follows:

1. Subject to (a) receipt by the Town of design and engineering plans, drawings and specifications for the connection of the Condominium to the System, as further described below, satisfactory to the Town and (b) issuance to the Association of all required permits and approvals by applicable state agencies and Town departments for the connection of the Condominium to the System, the Town through the Town Council shall permit the Condominium to connect to the System and shall approve and grant all necessary and required approvals and waivers from the Town's Sewer Policy to authorize such connection.

2. The Association and the Town's Engineering Department shall cooperate and work together to determine mutually agreeable locations for the routing and physical connection of the Condominium to the System, including without limitation any upgrades or modifications to Town pumping stations or other sewer infrastructure necessary to accommodate such connection. The final design shall be subject to approval by the Town. All costs and expenses for the design, engineering, permitting, licensing, construction and installation of the connection to the System, including any upgrades or modifications to Town pumping stations or other infrastructure necessary and required to accommodate such connection and any other studies or analyses necessary and required in order to review and approve the design and engineering plans, drawings and specifications, shall be paid by the Association. Once the final design has been approved by the Town, the Town shall cooperate with and support the Association with regard to the application by the Association for all required permits and approvals for the connection of the Condominium to the System. The Association further agrees that it shall be solely responsible for and pay for the reconstruction, and not just patching, of any portion of any Town

RECEIVED
JAN – 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

road or street that is excavated in connection with the construction and installation of the connection of the Condominium to the System.

3. The Association shall be required to pay to the Town the appropriate one-time Inflow/Infiltration removal fee that is calculated under the Town's Sewer Policy. This fee is currently estimated to be approximately $107,000; however, the exact amount shall be calculated by the Town's Engineering Department in accordance with applicable Town rules, regulations and policy, and shall be paid in full by the Association upon submission of the application to the Town for a sewer extension permit.

4. The Association shall be required to pay to the Town a one-time sewer lot development fee ("SLDF") relating to the connection of the Condominium to the System. The SLDF shall be calculated using the commercial rate set forth in the Town Ordinances. The SLDF is currently estimated to be approximately $35,000; however, the actual amount will be calculated by the Town's Engineering Department based upon an on-site inspection and pursuant to said Ordinances and shall be paid by the Association in accordance with Section 78-402 of the Code of Ordinances.

5. Upon the final completion of construction of the connection of the Condominium to the System and upon the reasonable determination by the Association that such connection is fully licensed, operational and functioning as designed, (a) the Association and the Town shall thereafter promptly take all required actions to cause all pending petitions and appeals including those referred to in the Recitals to this Agreement to be dismissed with prejudice and (b) the real property tax classification by the Town of the units in the Condominium shall thereafter be considered to be commercial in nature and taxed by the Town accordingly. In the interim the parties shall use their best efforts to have the Washington County Superior Court issue a stay of all pending petitions until the time that the pending petitions are eligible to be dismissed in accordance with the foregoing. The Town acknowledges that the Association intends to file appropriate administrative appeals and/or court petitions challenging the real property tax assessments of the units each year until the time that all pending petitions and appeals are eligible to be dismissed in accordance with this paragraph.

6. Upon the final completion of construction of the connection of the Condominium to the System, (a) any infrastructure that services and/or supports solely the Condominium whether located on its property or not shall remain under the ownership of the Condominium and

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

the Association shall be responsible for the operation and maintenance of the same and (b) any infrastructure designed and installed that will ultimately serve other property in addition to the Condominium will be dedicated to the Town and shall be operated and maintained by the Town upon completion of the work and acceptance by the Town.

7. The Association shall not undertake to introduce or otherwise support any legislation which would result in a change of the real property tax classification of the units in the Condominium. If the real property tax classification of the units in the Condominium is subsequently changed by legislation introduced or supported by the Association from commercial to residential, the Town shall have the right to recalculate the SLDF relating to the connection of the Condominium to the System.

8. Each party represents to the other that the execution, delivery and performance of this Agreement by such party has been duly authorized by all necessary municipal or corporate action, as the case may be, and the person executing this Agreement on behalf of such party has been duly authorized and empowered to execute and deliver this Agreement on behalf of such party.

9. This Agreement constitutes the entire agreement and understanding of the parties hereto with respect to the subject matter hereof and supersedes all prior agreements and understanding, both written and oral, between the parties hereto with respect to the subject matter hereto. This Agreement constitutes the valid and binding obligation of the parties hereto, enforceable in accordance with its terms, and shall be binding upon and inure to the benefit of the parties hereto, their respective successors and assigns, This Agreement shall be governed by and construed under the laws of the State of Rhode Island. This Agreement shall not be altered or amended except in writing signed by the parties hereto. This Agreement may be signed in one or more counterparts, all of which together shall constitute the Agreement.

RECEIVED
JAN - 7 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

IN WITNESS WHEREOF, the parties hereto by their respective duly authorized officials have executed this Agreement all as of the day and year first above written.

THE TOWN OF NARRAGANSETT

By: _____
President of the Town Council

BONNET SHORES BEACH CLUB
CONDOMINIUM ASSOCIATION

By: John K. Colucci, President
President

RECEIVED
JAN - 7 2019
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 3
Wakefield, RI 02879-1900

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

PUBLIC NOTICE

File Number: 2018-09-019 Date: October 11, 2018

This office has under consideration the application of:

Bonnet Shores Beach Club
175 Bonnet Point Road
Narragansett, RI 02882

Bonnet Shores Fire District
130 Bonnet Shores Road
Narragansett, RI 02882

for a State of Rhode Island Assent to construct and maintain:

Construct and maintain an on-site gravity based sewage collection system to include an on-site sewage pumping station to service the Bonnet Shores Beach Club and construct and maintain a seasonal sanitary sewer force main line to be constructed through Bonnet Point Road between the Bonnet Shores Beach Club and the Town of Narragansett Waste Water Pumping Station at the corner of Bonnet Point Road and Allagash Road.

Project Location:	Bonnet Shores Beach Club and Bonnet Point Road/Allagash Trail
City/Town:	Narragansett
Plat/Lot:	N-S 631, 632, 633
Waterway:	Wesquage Pond

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 November 11, 2018.

/lat

BONNET SHORES BEACH CLUB
NARRAGANSETT, RHODE ISLAND

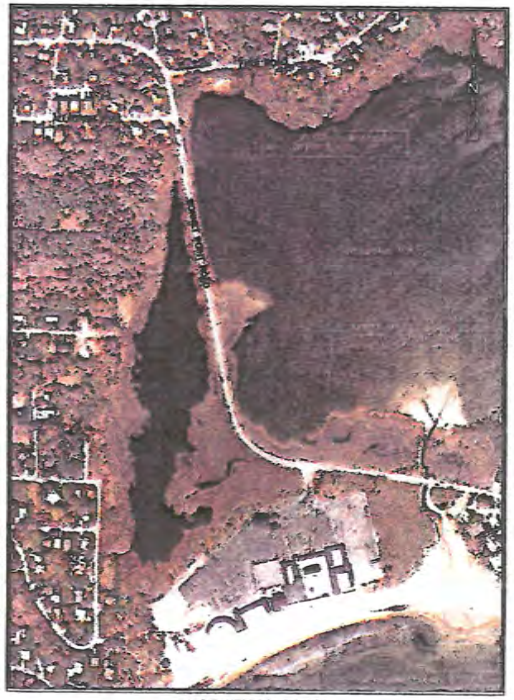
WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

BOARD OF DIRECTORS

PRESIDENT – KEVIN LYNCH
VICE PRESIDENT – BILL McGOVERN
TREASURER – MARK MESROBIAN
SECRETARY – LOUISE HEALEY
BOARD MEMBER – VICTOR SAMAHA
BOARD MEMBER – JOHN JACOPPI
BOARD MEMBER – ANGELICA IGLIOZZI

MANAGEMENT STAFF

GENERAL MANAGER – MICHAEL RENNELL
ASSISTANT GENERAL MANAGER – MICHAEL KELLEHER
HEAD OF FACILITIES – MICHAEL BOSCIA
BUSINESS MANAGER – JENNIFER CAMPBELL



LOCATION PLAN
NOT TO SCALE

LIST OF DRAWINGS

SHEET	TITLE
G–1	LEGEND AND GENERAL NOTES
C–1	BONNET POINT ROAD I
C–2	BONNET POINT ROAD II & PUMP STATION SITE PLAN
C–3	ONSITE COLLECTION SYSTEM I
C–4	ONSITE COLLECTION SYSTEM II
CSD–1	MISCELLANEOUS DETAILS I
CSD–2	MISCELLANEOUS DETAILS II
M–1	BOYDCO 503A2SVG DRAWING PUMP STATION PLANS, ELEVATIONS & DETAILS
E–1	ELECTRICAL ONE LINE DIAGRAM AND DETAILS

JUNE 2018

100% SUBMITTAL
FOR PERMITTING USE ONLY
NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

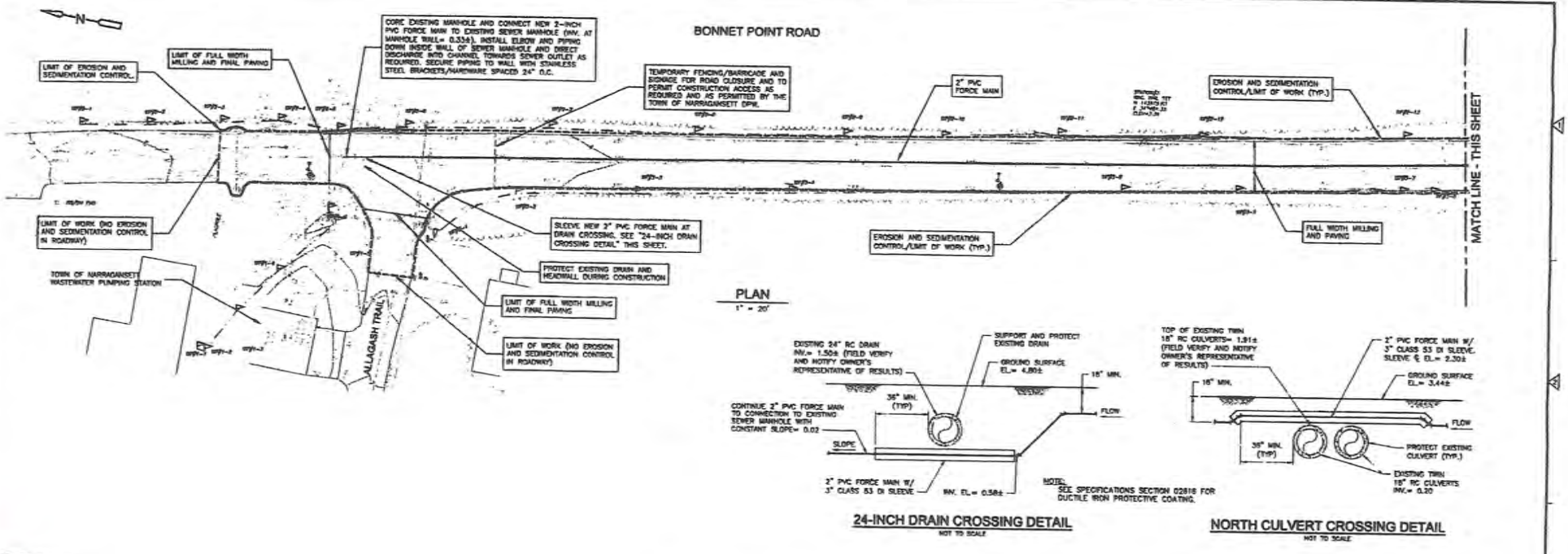
KEVIN W. SCHOTT
No. 8578
Narragansett
6/18/18

CDM Smith
PROVIDENCE, RHODE ISLAND

Water *Environment* *Transportation* *Energy* *Facilities*

P132

145344-105188



NOTES:

1. ALL NEW FORCE MAIN SHALL HAVE A MINIMUM COVER OF 18 INCHES EXCEPT AT CULVERT CROSSINGS OR AS DIRECTED BY THE ENGINEER. MAINTAIN A MINIMUM CLEARANCE OF AT LEAST 18 INCHES BETWEEN WATER MAIN CROSSINGS AND 12 INCHES AT ALL OTHER CROSSINGS, EXCEPT AT CULVERTS, UNLESS OTHERWISE NOTED OR DIRECTED BY THE ENGINEER. FORCE MAIN FITTINGS SHOWN ON THE DRAWINGS ARE FOR PRESENTATION PURPOSES ONLY AND ARE NOT FINAL. FINAL LOCATIONS SHALL BE AS APPROVED AND/OR AS DIRECTED BY THE ENGINEER.

1" = 20'
10 0 20

KEVIN W. SCHOTT
REGISTERED PROFESSIONAL ENGINEER
6/19/18

REV. NO.	DATE	DRWN	CHKD	REMARKS

DESIGNED BY: B. SMITH
DRWN BY: J. CARRERA
SHEET CHK'D BY: B. SMITH
CROSS CHK'D BY: B. HORTON
APPROVED BY: K. SCHOTT
DATE: JUNE, 2018

CDM Smith
2200 West Exchange Street, Suite 200
Providence, RI 02903
Tel: (401) 751-4200

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

BONNET POINT ROAD I

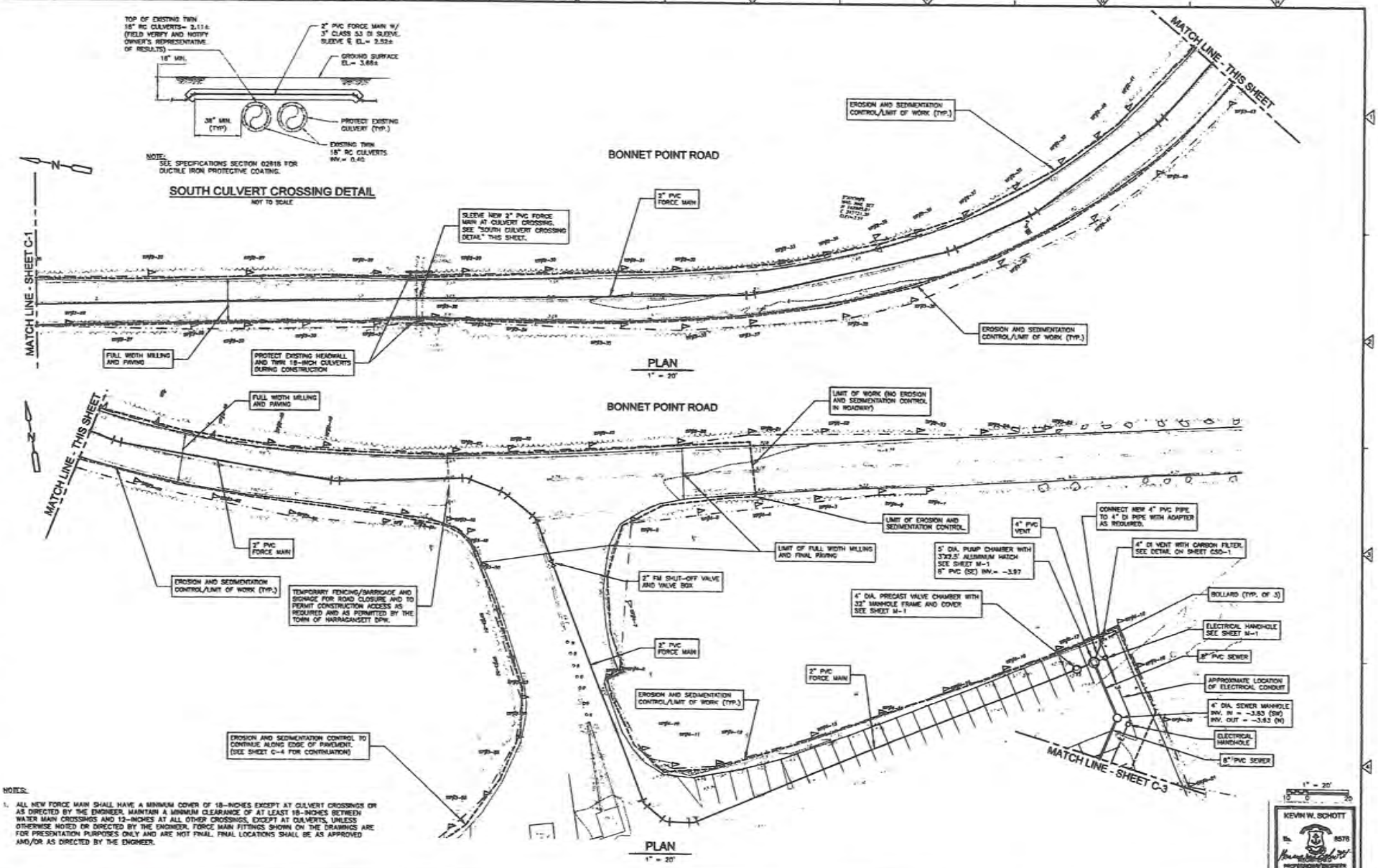
PROJECT NO. 145244-106166
FILE NAME: C001STPL.DWG
SHEET NO. C-1

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P133

THESE DOCUMENTS AND DETAILS PROVIDED BY PROFESSIONAL SERVICE, INCORPORATED HEREIN, ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH
©2018 CDM SMITH ALL RIGHTS RESERVED.



NOTES:

1. ALL NEW FORCE MAIN SHALL HAVE A MINIMUM COVER OF 18-INCHES EXCEPT AT CULVERT CROSSINGS OR AS DIRECTED BY THE ENGINEER. MAINTAIN A MINIMUM CLEARANCE OF AT LEAST 18-INCHES BETWEEN WATER MAIN CROSSINGS AND 12-INCHES AT ALL OTHER CROSSINGS, EXCEPT AT CULVERTS, UNLESS OTHERWISE NOTED OR DIRECTED BY THE ENGINEER. FORCE MAIN FITTINGS SHOWN ON THE DRAWINGS ARE FOR PRESENTATION PURPOSES ONLY AND ARE NOT FINAL. FINAL LOCATIONS SHALL BE AS APPROVED AND/OR AS DIRECTED BY THE ENGINEER.

REV. NO.	DATE	DESCRIPTION	BY
		RECEIVED SEP 07 2018 COASTAL RESOURCES MANAGEMENT COUNCIL	

DESIGNED BY: D. MARTIN
DRAWN BY: J. CARDENAS
SHEET CHK'D BY: D. MARTIN
CROSS CHK'D BY: R. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
359 Gilbert Street, Suite 201
Providence, RI 02906
Tel (401) 751-8100

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND
WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

BONNET POINT ROAD II
& PUMP STATION SITE PLAN

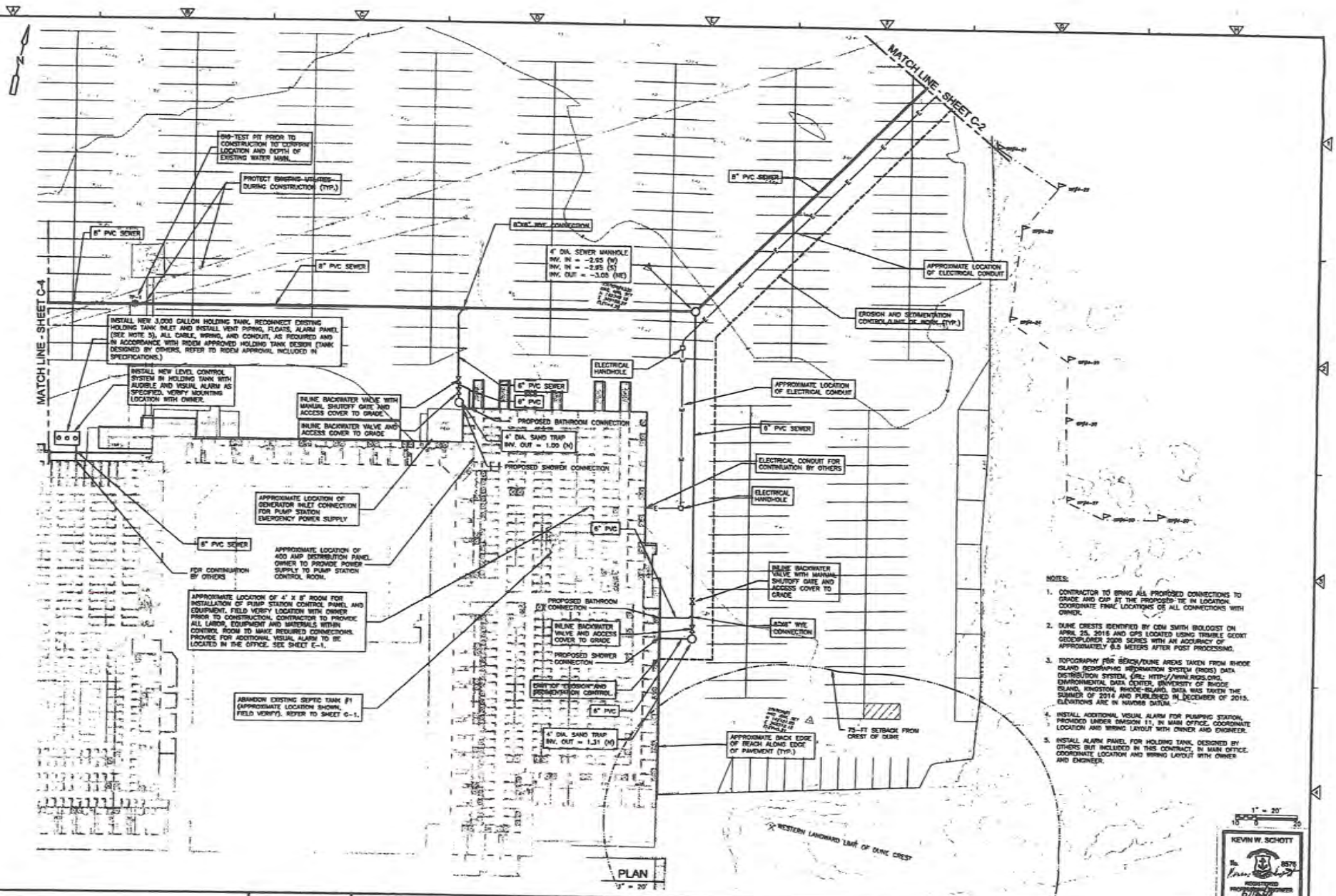
KEVIN W. SCHOTT
No. 8578
REGISTERED PROFESSIONAL ENGINEER
6/18/18

PROJECT NO. 145246-165186
FILE NAME: C0025TPL.DWG
SHEET NO.
C-2

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

P134

XREFs: [CDMS_2435, C001VP00, Y10900P8-C004, Planting Layout_BonnetShoresBeach-4-30-09 (1), RIDE Contours Export] Images: [] Last saved by: CORDAU Time: 9/30/2019 1:31:33 PM
P:\Projects\Providence_Off\145246\165186\04 Design Services (NE_SERVICE)\01 CAD\C002STPL.dwg
THE USE OF ASSIGNMENTS, THESE DOCUMENTS AND DESIGNS FURNISHED BY CDM SMITH AND ARE NOT TO BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.



NOTES:

1. CONTRACTOR TO BRING ALL PROPOSED CONNECTIONS TO GRADE AND CAP AT THE PROPOSED TIE IN LOCATION. COORDINATE FINAL LOCATIONS OF ALL CONNECTIONS WITH OWNER.
2. DUNE CREST IDENTIFIED BY CDM SMITH BIOLOGIST ON APRIL 25, 2018 AND GPS LOCATED USING TRIMBLE GEOXT GEOEXPLORER 2000 SERIES WITH AN ACCURACY OF APPROXIMATELY 0.5 METERS AFTER POST PROCESSING.
3. TOPOGRAPHY FOR BEACH/DUNE AREAS TAKEN FROM RHODE ISLAND GEOGRAPHIC INFORMATION SYSTEM (RIGIS) DATA DISTRIBUTION SYSTEM, URL: HTTP://WWW.RIGIS.ORG, ENVIRONMENTAL DATA CENTER, UNIVERSITY OF RHODE ISLAND, KINGSTON, RHODE ISLAND. DATA WAS TAKEN THE SUMMER OF 2014 AND PUBLISHED IN DECEMBER OF 2015. ELEVATIONS ARE IN NAVD88 DATUM.
4. INSTALL ADDITIONAL VISUAL ALARM FOR PUMPING STATION, PROVIDED UNDER DIVISION 11, IN MAIN OFFICE. COORDINATE LOCATION AND WIRING LAYOUT WITH OWNER AND ENGINEER.
5. INSTALL ALARM PANEL FOR HOLDING TANK, DESIGNED BY OTHERS BUT INCLUDED IN THIS CONTRACT, IN MAIN OFFICE. COORDINATE LOCATION AND WIRING LAYOUT WITH OWNER AND ENGINEER.

KEVIN W. SCHOTT
No. 8575
REGISTERED PROFESSIONAL ENGINEER
6/18/18

NO.	DATE	BY	CHKD	REMARKS

DESIGNED BY: S. MARTIN
DESIGN BY: J. DARNELL
DETAIL CHK'D BY: D. MARTIN
CROSS CHK'D BY: K. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
280 West Exchange Street, Suite 300
Providence, RI 02903
Tel (401) 751-8100

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

ONSITE COLLECTION SYSTEM I

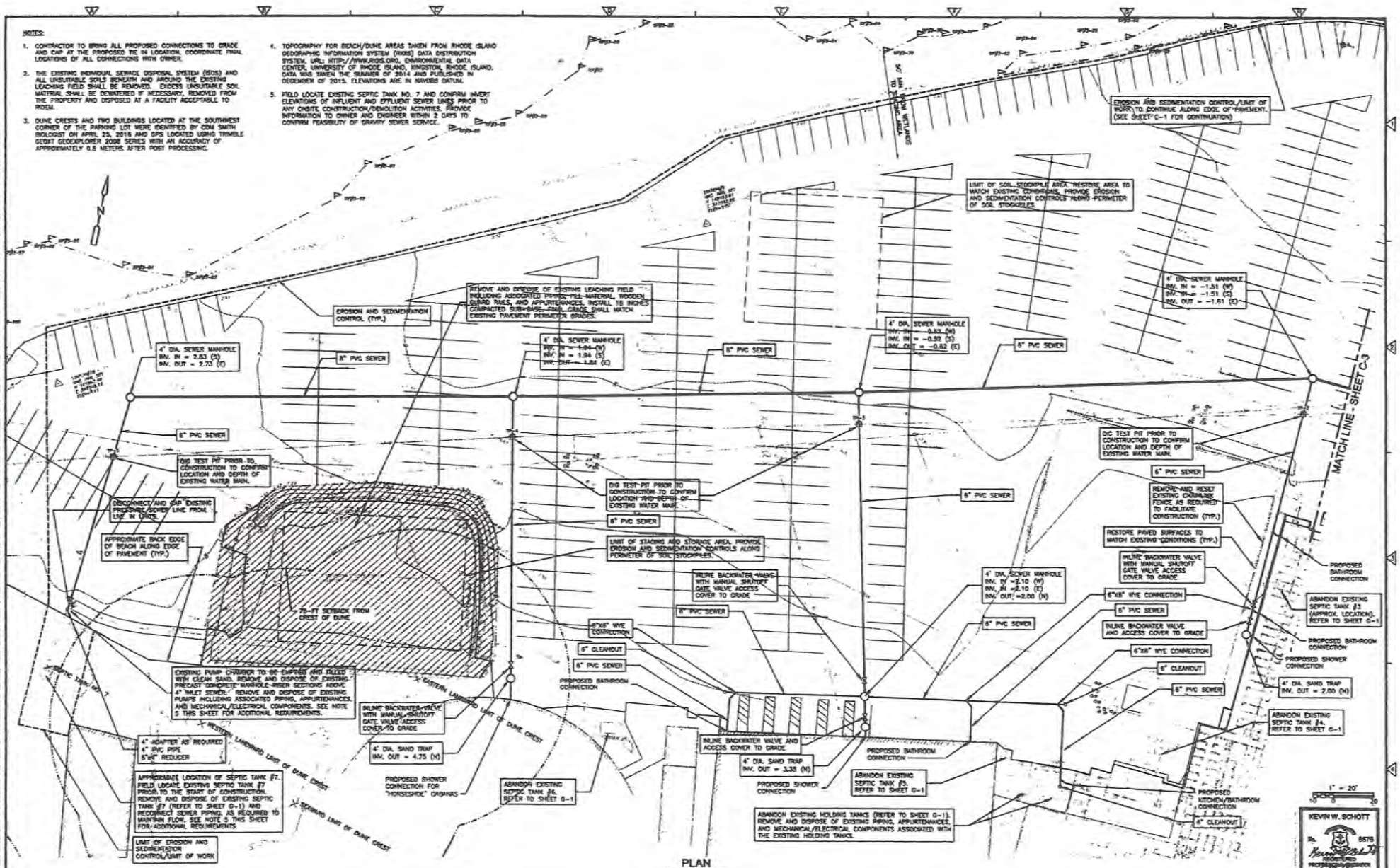
PROJECT NO. 145244-105189
FILE NAME: C0035TPLOWG
SHEET NO. C-3

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P135

...THESE DRAWINGS AND DESIGNS ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.



DESIGNED BY: D. MARTIN
DRAWN BY: J. CARRIERI
SHEET CHK'D BY: D. MARTIN
CROSS CHK'D BY: R. NORTON
APPROVED BY: K. SCHOTT
DATE: JUNE 2018

CDM Smith
One Beacon Street, Suite 300, Boston, MA 02108
Tel (617) 761-2000

BONNET SHORES BEACH CLUB
NARRAGANSETT RHODE ISLAND

WASTEWATER COLLECTION SYSTEM IMPROVEMENTS

ONSITE COLLECTION SYSTEM II

PROJECT NO. 145244-1081RR
FILE NAME: C004STPL.DWG
SHEET NO. C-4

100% SUBMITTAL - FOR PERMITTING USE ONLY - NOT FOR CONSTRUCTION

REV. NO.	DATE	DRWN	CHK'D	REMARKS

RECEIVED
SEP 07 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

P136

THESE [CDMS_245, 0001RPOS, Y100DWG--CDM, Plumbing Layout_BonnetShores-v-c-1-20-09 (4), ISDS Contours Export] images [] last saved by CDM0AJ Time: 9/20/2018 2:28:11 PM
pw:\\ce.cdmsmith.com:PW_ARI1\145244\1081RR\04 Design Services rev_docs\02 Civil\18 SHEETS\C004STPL.dwg
© 2018 CDM SMITH ALL RIGHTS RESERVED
THESE DRAWINGS AND SPECIFICATIONS AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.

BONNET SHORES TERRACE ASSOCIATION
P.O. Box 642
Saunderstown, RI 02874

May 1, 2019

Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: CRMC File No. 2018-09-019
Bonnet Shores Beach Club Condominium Association (BSBC)

The Bonnet Shores Terrace Association (BSTA) is a private Homeowners' Association in Narragansett, RI consisting of 52 properties. We own a part of the Bonnet Shores Beach and our property abuts that of the BSBC. We are familiar with the BSBC petition to construct and maintain an on-site gravity based sewage collection system, an on-site sewage pumping station and a seasonal sanitary sewer force main line in Narragansett. We wish to be recorded as favoring the granting of the Special Exception which is to be heard on May 14, 2019. We believe this system will improve sanitary conditions for the surrounding Bonnet Shores Community including our member properties and will help all properties in this area accomplish a greater level of pollution control.

We urge and encourage the CRMC to grant the Special Exception as requested by the BSBC.

Very truly yours,

Robert W. Lovegreen

Bonnet Shores Terrace Association
Robert W. Lovegreen, President

RECEIVED
MAY 06 2019
COASTAL RESOURCES MANAGEMENT COUNCIL

Bonnet Shores Beach Club 2018-09-019

Email List

Theodore Di Stefano – tfdistefano@gmail.com

Terence Beaty – tpbeaty@mac.com

Sergio DeSimone- sdesim3808@aol.com

Debra DeSimone- ddesimone203@gmail.com

Stephen Ryder- stever47@verizon.net

Daniel Ritacco – ddritacco@gmail.com

Jill Ritacco- danjillritacco@gmail.com

Stephen Pokoly- Stephen.pokoly@gmail.com

Peter & Karen Aiello – Karen.aiello@gmail.com

~~Maureen O'Brien – reunion204@gmail.com~~

Kim & Michael Corsi – kdcorsi@gmail.com

Robert Patterson – mbsec@verizon.net

Carol S. – cjsten@gmail.com

Mary O'Brien- bonnetpoint@gmail.com

Christine Germe – cagerme@sbcglobal.net

Cynthia – Cynthiag1205@aol.com

David Stenmark – dhsten@gmail.com

Michael Linehan – mlinehan@abinitio.com

Brittany Spurlock

From: reunion204@gmail.com
Sent: Wednesday, April 24, 2019 4:59 PM
To: Brittany Spurlock
Subject: Re: CRMC Notice of Public Hearing for BSBC

please remove REUNION204@GMAIL.COM

(i receive notices on another email, which you already have, this one is a duplicate)

THANK YOU,

Mary O'Brien-Parrella
reunion204@gmail.com
401-378-2000

On Apr 24, 2019, at 3:15 PM, Brittany Spurlock <bspurlock@crmc.ri.gov> wrote:

To whom It may concern-
Please see attachments regarding the Coastal Resources Management Council Notice of Public Hearing for Bonnet Shores Beach Club Condo. Assoc. file. File # 2018-09-019

Brittany Spurlock
Data Entry
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879
(401)783-3370

<Bonnet Shores Beach Club Condo Assoc.pdf>

cstaff1@crmc.ri.gov

From: Theodore di Stefano <tfdistefano@gmail.com>
Sent: Thursday, November 08, 2018 8:56 AM
To: cstaff1@crmc.ri.gov
Subject: Underground sewer pipe in Bonnet.

Dear sir or madame: I am opposed to an underground sewer pipe beneath the causeway. A much safer and less expensive alternative is to install an above ground sewer line attached beneath the proposed elevated Walkway Project, which has been assigned to a special Walkway Committee by the Bonnet Shores Fire District Council.

Sincerely, Ted di Stefano, resident of Bonnet Shores=

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Tuesday, November 13, 2018 7:56 AM
To: Brittany Spurlock
Subject: FW: Sewer Line should be suspended under walkway

From: TERENCE P BEATY [mailto:tpbeaty@mac.com]
Sent: Saturday, November 10, 2018 10:33 PM
To: cstaff1@crmc.ri.gov
Subject: Sewer Line should be suspended under walkway

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to **object to the request, as presented,** by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Terence Beaty
203.913.3535

Virus-free. www.avg.com

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Tuesday, November 13, 2018 7:48 AM
To: Brittany Spurlock
Subject: FW: File# 2018-09-019 Bonnet Shores Beach Club Condo

-----Original Message-----
From: SERGIO DESIMONE [mailto:sdesim3808@aol.com]
Sent: Saturday, November 10, 2018 1:28 PM
To: cstaff1@crmc.ri.gov
Cc: info@concernedcitizensofbonnet.org
Subject: File# 2018-09-019 Bonnet Shores Beach Club Condo

I am a resident/taxpayer of Bonnet Shores fire district and also a beach club members, and I am writing to object to the request, as presented by the bonnet Shores Beach club to install a sewer line in the bonnet Shores causeway. A much better solution would be to suspend the sewer line from the proposed bonnet Shores walkway. To bury a sewer line under the causeway could be catastrophic to the environment. As a URI graduate in civil and environmental engineering class of 1974 I find it hard to perceive that such a request to bury this forced Main into the Causeway would be approved.

Sent from my iPad

This email has been checked for viruses by AVG.
https://www.avg.com

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Tuesday, November 13, 2018 7:47 AM
To: Brittany Spurlock
Subject: FW: Bonnet Shores Beach Club Sewer Application #2018-09-019

-----Original Message-----
From: ddesimone203@gmail.com [mailto:ddesimone203@gmail.com]
Sent: Saturday, November 10, 2018 1:28 PM
To: cstaff1@crmc.ri.gov
Subject: Bonnet Shores Beach Club Sewer Application #2018-09-019

I am a resident/taxpayer of Bonnet Shores fired district and I am writing to object to the request as presented by the bonnet Shores Beach club, of which I am also a member, to install a sewer line under the bonnet Shores causeway. A much better and also more cost effective way would be to suspend the line under the proposed walkway support structures. The beach club way could be catastrophic to the fragile causeway and the environment. Thank you Debra De Simone

Sent from my iPad=

This email has been checked for viruses by AVG.
https://www.avg.com

cstaff1@crmc.ri.gov

From: Steve Ryder <stever47@verizon.net>
Sent: Thursday, November 08, 2018 4:48 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to **object** to the request, **as presented**, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Stephen M. Ryder
Narragansett, RI

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Thursday, November 08, 2018 8:21 AM
To: Brittany Spurlock
Subject: FW: Bonnet Shores Beach Club Sewer application # 2018-09-019

Lisa A. Turner
Office Manager
Coastal Resources Management Council
O S Government Center
4808 Tower Hill Road, Rm 116
Wakefield, RI 02879
(401)783-3370

This email is sent on 100% Unused Paper
Help promote Green Business practices by not printing this email

From: Dan Ritacco [mailto:ddritacco@gmail.com]
Sent: Wednesday, November 07, 2018 7:00 PM
To: cstaff1@crmc.ri.gov
Subject: Bonnet Shores Beach Club Sewer application # 2018-09-019

Hello,
I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club
(BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed
elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire
community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we hope that vote to deny the BC's application as presented and instruct them to join with the
Walkway project as the solution that is in the Public's best interest.

Thank you for taking this comment under consideration.
~ Daniel Ritacco

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Thursday, November 08, 2018 8:20 AM
To: Brittany Spurlock
Subject: FW: 2018-09-019

Received.

Lisa A. Turner
Office Manager
Coastal Resources Management Council
O S Government Center
4808 Tower Hill Road, Rm 116
Wakefield, RI 02879
(401)783-3370

This email is sent on 100% Unused Paper
Help promote Green Business practices by not printing this email

From: danjillritacco@gmail.com [mailto:danjillritacco@gmail.com]
Sent: Wednesday, November 07, 2018 6:53 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we strongly urge you to vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Kindly,
Jill Ritacco
Sent from my iPhone


Virus-free. www.avg.com

cstaff1

From: Stephen Pokoly <stephen.pokoly@gmail.com>
Sent: Wednesday, November 07, 2018 2:04 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

Good day,

My family is a resident and tax payer of Bonnet Shores Fire District and I am writing to **object** to the request, **as presented**, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

As a young boy I spent summers fishing in Wesquage Pond and I continue to enjoy the natural beauty of the nature reserve even today. I do not want the natural beauty and natural balance destroyed by constructing an underground sewage line.

There is a viable alternative that exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Best,
Stephen Pokoly

Sent from my iPhone

Virus-free. www.avg.com



From: Karen Aiello <karen.aiello2@gmail.com>
Sent: Wednesday, November 07, 2018 10:40 AM
To: cstaff1@crmc.ri.gov
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

My husband and I are residents and taxpayers of Bonnet Shores Fire District. We own three homes on the last street before the causeway. We are writing to express our strong view; we object to the request to install a sewer line under the Bonnet Shores causeway.
We are in agreement and support for the installation of the sewer from the proposed Walkways support structure. We are very concerned that approving the BC Application is a total liability and grave mistake. (As a side note ,we also feel that not having the walkways is a grave liability and reckless to the community.)

We strongly feel that the sewer project and Walkway project should proceed as a single unified effort . It is in the best interest of the whole community for safety, liability, preservation of natural resource and cost.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Thank you in advance for your support for all the people,

Peter and Karen Aiello
401 524-2951
Karen.aiello2@gmail.com

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Mary OBrien <reunion204@gmail.com>
Sent: Wednesday, November 07, 2018 8:15 AM
To: cstaff1@crmc.ri.gov
Subject: File # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to **object** to the request, **as presented,** by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Maureen O'Brien
401-378-2000

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

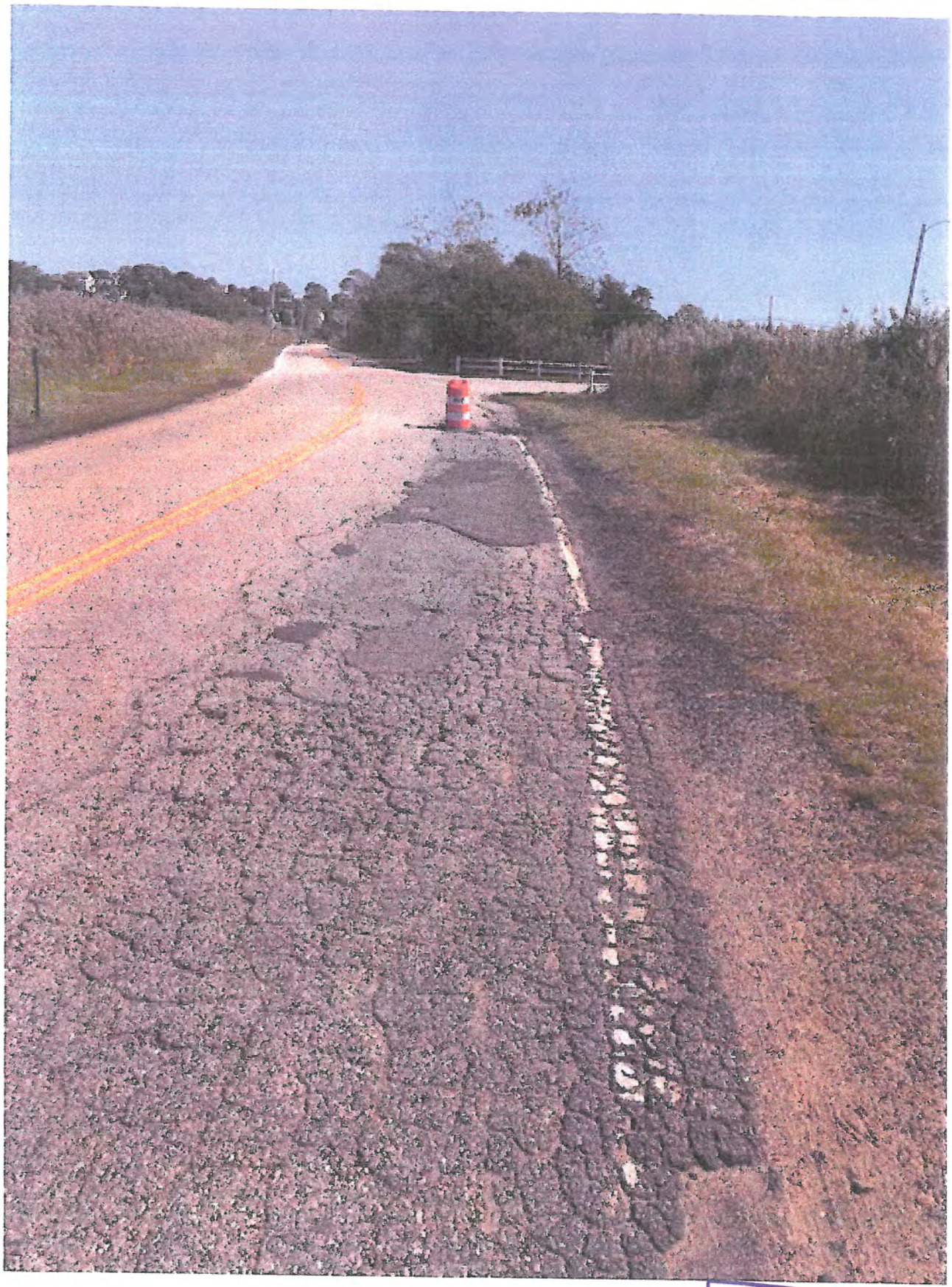
From:	Home Email <mbsec@verizon.net>
Sent:	Wednesday, October 17, 2018 7:54 PM
To:	cstaff1@crmc.ri.gov
Cc:	savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject:	File #2018-09-019; Bonnet Shores Beach Club Condo
Attachments:	image1.jpeg; Untitled attachment 00016.txt

>
> I am a resident of Bonnet Shores and am writing to object to the request of the Bonnet Shores Beach Club ("BSBC") to install a sewer line in the Bonnet Shores Causeway.
>
> As I'm sure you know, the Causeway bisects Wesquage Pond. The Causeway itself is crumbling in several sections, especially near the BSBC where this sewer pipe would emanate. A recent photo of the area is attached. In recent years the pond has frequently overrun its borders and in effect the two sides separated by the Causeway merge into a single body of water. The result is such that the Causeway is routinely closed during the year. It is inconceivable to me and many of my neighbors that CRMC would even entertain the concept of permitting a sewer line to be run through the subsurface of a crumbling roadway directly through an ecologically fragile pond. My personal experience with CRMC is quite to the contrary, and that it zealously enforces rules intended to protect the pond from even remote threats - let alone those as immediate as this.
>
> What is equally frustrating is the fact that an alternative exists that will serve to both enable installation of the sewer line in a responsible manner and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the Walkway is built the sewer line can easily be suspended beneath it, thereby avoiding any need to bury the line under the Causeway (and the pond when it floods). Unfortunately this common sense solution has been thwarted by the selfish interests of members of the boards of the BSBC as well as the Bonnet Shores Council, which recently have become packed with advocates for the BSBC. Given that BSBC cabana owners (currently) are afforded the same voting rights as full time residents of Bonnet Shores, they use that voting power to advance their parochial interests rather than the safety and well being of the community at large.
>
> We don't often have reason to ask for your help but do in this case. CRMC is charged with protecting the vital natural resources of our entire community. It should resist any pressure from the interests of a private beach club to ignore its obligations. The proposal to bury a sewer line under the Bonnet Shores Causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by tying the project to installation of the Walkway. Thank you for considering these views.

> Robert Patterson

RECEIVED
OCT 18 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

This email has been checked for viruses by AVG.
https://www.avg.com



RECEIVED
OCT 18 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Wednesday, November 21, 2018 11:06 AM
To: Brittany Spurlock
Subject: FW: 2018-09-019 Bonnet Shores Beach Club

For the file

Lisa A. Turner
Office Manager
Coastal Resources Management Council
O S Government Center
4808 Tower Hill Road, Rm 116
Wakefield, RI 02879
(401)783-3370

This email is sent on 100% Unused Paper
Help promote Green Business practices by not printing this email

From: Home Email [mailto:mbsec@verizon.net]
Sent: Wednesday, November 21, 2018 10:20 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; maryburkepatterson@gmail.com
Subject: Re: 2018-09-019 Bonnet Shores Beach Club

FYI - the Causeway is closed for the second time this month due to flooding caused by a water main break and rain. If a water main can break so can a line carrying raw sewage. The Bonnet Shores Beach Club application to bury a sewer line a few inches under the Causeway must be denied. The taxpayers are watching.

Sent from my iPhone

On Nov 6, 2018, at 3:46 PM, Home Email <mbsec@verizon.net> wrote:

> I previously sent my objection to you regarding the application of the Bonnet Shores Beach Club to bury a sewer line under the Bonnet Shores Causeway. There is no clearer example of the risks and potentially devastating consequences of this proposal than the message below . As occurs several times a year, and with increasing frequency, the Causeway is currently submerged and the two sides of Wesquage Pond it bisects have merged. Permitting a sewer line to be buried a few inches below the surface of the pond for the purpose of transmitting raw sewage would be reckless and a breach of CRMC's duty to protect that vital and fragile natural resource. CRMC relies on the good faith cooperation of residents to work collaboratively to accept the restrictions it places on development in and around the pond. If this request from a private beach club is approved I believe all residents will have good reason to question

whether those restrictions are applied uniformly. Approval of this proposal would be seen as unfair and "playing favorites" and would likely invite residents to view CRMC with cynicism and to ignore its restrictions going forward.

Sent from my iPhone

Begin forwarded message:

From: "Information BSFD" <Information@bonnetshores.org>
Date: November 2, 2018 at 9:09:26 AM EDT
To: <mbsec@verizon.net>
Subject: BSFD CAUSEWAY CLOSED
Reply-To: <District.Manager@bonnetshores.org>

ATTENTION ALL BONNET SHORES RESIDENTS:

CAUSEWAY CLOSED

Please be advised that due to recent heavy rains the causeway is flooded and has now been **CLOSED** by the Town of Narragansett (*effective Thursday 12pm*). No vehicles or pedestrian traffic will be permitted. This closure is for the safety of pedestrians and vehicles as well as preventing further damage to the road surface and subsurface. The road will remain closed until water levels have lowered and Town Officials feel it is safe to re-open the roadway. Please use the alternate route (via Bonnet Shores Road) during closure. Thank you for your understanding and cooperation.

(11/01/2018)

BSFD Resident Contact Program
- Please direct all district related questions to district.manager@bonnetshores.org or call 789-4540.
- Send changes to email addresses or other resident contact information to information@bonnetshores.org
- BSFD Website: www.bonnetshores.org

Virus-free. www.avg.com

cstaff1 Robert Patterson

From: Home Email <mbsec@verizon.net>
Sent: Tuesday, November 06, 2018 3:46 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; maryburkepatterson@gmail.com
Subject: 2018-09-019 Bonnet Shores Beach Club

I previously sent my objection to you regarding the application of the Bonnet Shores Beach Club to bury a sewer line under the Bonnet Shores Causeway. There is no clearer example of the risks and potentially devastating consequences of this proposal than the message below . As occurs several times a year, and with increasing frequency, the Causeway is currently submerged and the two sides of Wesquage Pond it bisects have merged. Permitting a sewer line to be buried a few inches below the surface of the pond for the purpose of transmitting raw sewage would be reckless and a breach of CRMC's duty to protect that vital and fragile natural resource. CRMC relies on the good faith cooperation of residents to work collaboratively to accept the restrictions it places on development in and around the pond. If this request from a private beach club is approved I believe all residents will have good reason to question whether those restrictions are applied uniformly. Approval of this proposal would be seen as unfair and "playing favorites" and would likely invite residents to view CRMC with cynicism and to ignore its restrictions going forward.

Sent from my iPhone

Begin forwarded message:

From: "Information BSFD" <Information@bonnetshores.org>
Date: November 2, 2018 at 9:09:26 AM EDT
To: <mbsec@verizon.net>
Subject: BSFD CAUSEWAY CLOSED
Reply-To: <District.Manager@bonnetshores.org>

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

ATTENTION ALL BONNET SHORES RESIDENTS:

CAUSEWAY CLOSED

Please be advised that due to recent heavy rains the causeway is flooded and has now been **CLOSED** by the Town of Narragansett (*effective Thursday 12pm*). No vehicles or pedestrian traffic will be permitted. This closure is for the safety of pedestrians and vehicles as well as preventing further damage to the road surface and subsurface. The road will remain closed until water levels have lowered and Town Officials feel it is safe to re-open the roadway. Please use the alternate route (via Bonnet Shores Road) during closure. Thank you for your understanding and cooperation.

(11/01/2018)

cstaff1

From: Kim Corsi <kdcorsi@gmail.com>
Sent: Wednesday, November 07, 2018 9:24 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo"

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Kim & Michael Corsi

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Carol S <cjsten@gmail.com>
Sent: Wednesday, October 17, 2018 10:30 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who

actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.



Virus-free. www.avg.com

cstaff1

From: Mary OBrien <bonnetpoint@gmail.com>
Sent: Wednesday, October 17, 2018 3:12 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: FILE # 2018-09-019 BONNET SHORES BEACH CLUB CONDO

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

First let me start by saying "if the BSBC stuck with the amount of people it was designed for... we may not be discussing sewers and bridges...but since they have oversold (added more units and allow extra guest passes) and unlimited amount of cars.... then they need more shitters ..."

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores.

When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Mary O'Brien
401-378-2000

Virus-free. www.avg.com

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Christine Germe <cagerme@sbcglobal.net>
Sent: Wednesday, October 17, 2018 11:27 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; Concernedcitizensofbonnet Info
Subject: "file #2018-09-09 Bonnet Shores Beach Club Condo"

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Copyright © 2018 CONCERNED CITIZENS OF BONNET SHORES, All rights reserved.

Our mailing address is:

Christine Germe

Virus-free. www.avg.com

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Cynthiag1205 <cynthiag1205@aol.com>
Sent: Tuesday, October 16, 2018 5:59 PM
To: cstaff1@crmc.ri.gov
Subject: # 2018-09-019

OCT 17 2018

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its

potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Copyright © 2018 CONCERNED CITIZENS OF BONNET SHORES, All rights reserved.

Our mailing address is:
info@concernedcitizensofbonnet.org

Our website address is:
www.concernedcitizensofbonnet.org

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

mailchimp

Virus-free. www.avg.com

cstaff1

From: David Stenmark <dhsten@gmail.com>
Sent: Tuesday, October 16, 2018 6:18 PM
To: CRMC
Cc: Save The Bay; info@concernedcitizensofbonnet.org
Subject: Bonnet shores Beach Club sewer application # 2018-09-019

OCT 17 2018

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the

Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.



cstaff1

From: Michael Linehan <mlinehan@ABINITIO.COM>

Sent: Thursday, October 18, 2018 2:44 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; info
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

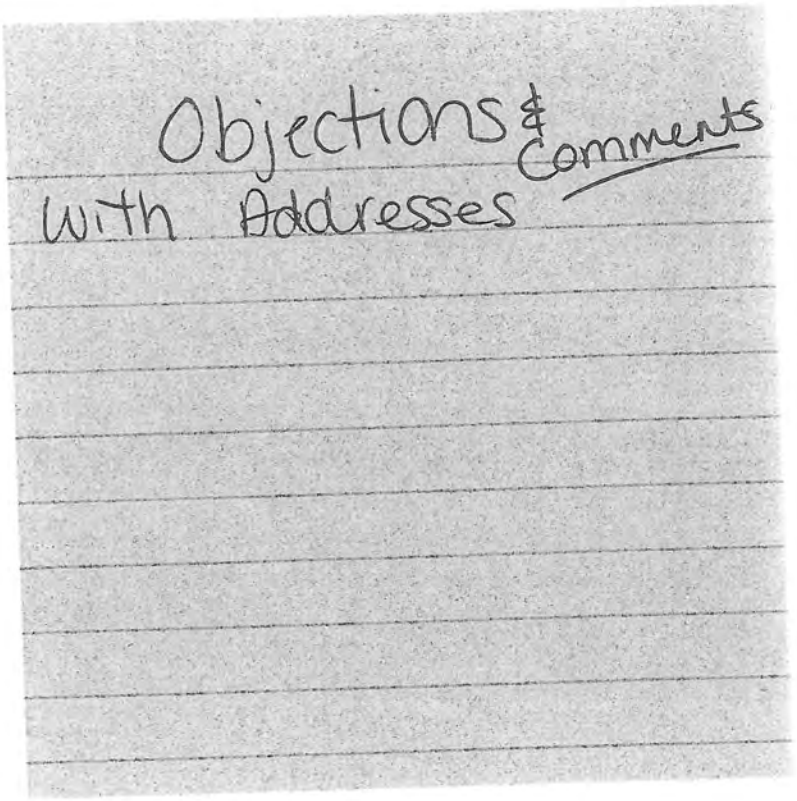
Best Regard,
Michael Linehan
1-617-590-5462

Michael Linehan

Ab Initio Software LLC
201 Spring St.
Lexington, Massachusetts 02421
USA
Phone: 617-590-5462
Fax: 781-301-2001
E-mail: mlinehan@abinitio.com

NOTICE *from Ab Initio: This email (including any attachments) may contain information that is subject to confidentiality obligations or is legally privileged, and sender does not waive confidentiality or privilege. If received in error, please notify the sender, delete this email, and make no further use, disclosure, or distribution.*


Virus-free. www.avg.com


Objections & Comments
with Addresses

cstaff1

From: Stephen Nugent <snuge48@hotmail.com>
Sent: Tuesday, November 06, 2018 4:40 PM
To: cstaff1@crmc.ri.gov
Subject: Bonnet shores narragansett sewer pipe

As a longtime resident of over 60 years i am opposed to a sewer pipe under the very fragile causeway and pond. There is a safe alternative of putting pipe attached under the proposed walkway. Please reject proposal to putsewer pipe under causeway. It would be an environmental time bomb. Stephen Nugent, 158 Treasure Rd., Bonnet Shores, narragansett, RI

Sent from my iPhone

This email has been checked for viruses by AVG.
https://www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Nancy Carroll <wonderful1x1@hotmail.com>
Sent: Tuesday, November 06, 2018 4:37 PM
To: cstaff1@crmc.ri.gov
Subject: Bonnet Shores sewer line.

To Whom It May Concern:

We are not in favor of either the walkway near the causeway or the sewer line to Bonnet Shores Beach Club. We believe that both will be destroyed by storms or rendered useless by rising waters before either is fully paid for. Can you guarantee that both will survive without maintenance for the next thirty years?

With Bonnet Shore's residents and their pocketbooks in mind, please choose wisely on these proposals.

Ray and Nancy Carroll
49 Allagash Trail

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Rich Ollari <rjollari@gmail.com>
Sent: Tuesday, November 06, 2018 4:34 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; Rob Ollari
Subject: ile # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Sincerely,
Richard Ollari
55 Webster Avenue
Narragansett (Bonnet Shores), RI

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Rick Stauffer <rickwstauffer@gmail.com>
Sent: Tuesday, November 06, 2018 4:59 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway. My address is 70 Camden Road, Narragansett, RI 02882

The proposal to bury a sewer line in the Bonnet Shores causeway has potentially disastrous consequences for the Bonnet Shores community. This causeway is a very fragile roadway that was not originally constructed with proper building materials or certainly not to the roadway standards that we have today. This has been proven by taking soil tests. Every year the roadway is flooded as it is currently and winter freezing continues to deteriorate it. Digging it up to bury a sewer line will just further exacerbate problem.

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

It is important to remember that this route is just one of two emergency routes to exit Bonnet Shores. The other exit route is also prone to flooding.

Alternative measures are on the table rather than burying the line. Please to not grant the causeway digging application.

Richard Stauffer

rick@stauffers.us

570 971 3372

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Karen Beauchesne <karbeau@cox.net>
Sent: Tuesday, November 06, 2018 7:03 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District for over 20 years and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

I have seen a huge increase in the number of people using the Beach Club as well as a degration of the causeway. It often floods (high tides and heavy rains) and is not a safe road for walkers, runners or bicycles. The sewer line should be above ground as part of the proposed walkway not installed under the roadway.

The above ground alternative will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. There is a difference for those of us who live here year round vs the transient summer visitors at the Beach Club. While they pay some taxes and own cabanas - Bonnet Shores is not their home. Beach Club owners

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

appear to want to enhance their property at the potential permanent detriment of the pond and year round residents.

The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to strongly consider these views and we encourage you to vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Thank you for your consideration

Karen Beauchesne

70 Lake Road

Narragansett

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Stephen Puerini <sjpdmd@gmail.com>
Sent: Tuesday, November 06, 2018 8:07 PM
To: cstaff1@crmc.ri.gov
Subject: File #2018-09-019 Bonnet Shores Beach Club Condo

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of the Bonnet Shores Fire District and I am writing to object to the request to install a sewer line under the Bonnet Shores causeway, as presented by the Bonnet Shores Beach Club (BC) . I stress the words "as presented", since I am in favor of the placement of a sewer line. As the Beach Club has grown, it is generally accepted that the present septic system has proven to be inadequate. I recall this summer when the only beach that was closed due to bacterial contamination was Bonnet and can't help by wonder if the underlying cause was the inadequacy of the current system.

An alternative exists that will serve to both enable installation of the sewer line as well as protect the pond and the fragile roadway. I am referring to the proposed Elevated Walkway Project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. Its installation will vastly enhance the safety of pedestrian traffic on the causeway as well as provide a viewing platform for those wishing to enjoy the natural resource that is Wesquage Pond. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure. It will be protected by the structure itself as well as by the proposed guardrail positioned approximately 6 feet away. In this location it will not be subject to the shifting and unstable substrate below the road and will be readily available for inspection and repair.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and unnecessary. It has potentially disastrous consequences that are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'. This is not only eminently practical but may even prove to be more cost effective.

We ask you to consider these concerns and ask that you vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Thank you for your consideration,

Stephen and Jane Puerini
229 Bonnet Point Road

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES
MANAGEMENT COUNCIL

From: Sarah Puerini <spuerini@gmail.com>
Sent: Tuesday, November 06, 2018 8:56 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

I am a resident/taxpayer of the Bonnet Shores Fire District and I am writing to object to the request to install a sewer line under the Bonnet Shores causeway, as presented by the Bonnet Shores Beach Club (BC) . I stress the words "as presented", since I am in favor of the placement of a sewer line. As the Beach Club has grown, it is generally accepted that the present septic system has proven to be inadequate. I recall this summer when the only beach that was closed due to bacterial contamination was Bonnet and can't help by wonder if the underlying cause was the inadequacy of the current system.

An alternative exists that will serve to both enable installation of the sewer line as well as protect the pond and the fragile roadway. I am referring to the proposed Elevated Walkway Project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. Its installation will vastly enhance the safety of pedestrian traffic on the causeway as well as provide a viewing platform for those wishing to enjoy the natural resource that is Wesquage Pond. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure. It will be protected by the structure itself as well as by the proposed guardrail positioned approximately 6 feet away. In this location it will not be subject to the shifting and unstable substrate below the road and will be readily available for inspection and repair.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and unnecessary. It has potentially disastrous consequences that are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'. This is not only eminently practical but may even prove to be more cost effective.

We ask you to consider these concerns and ask that you vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Thank you for your consideration,

Sarah Puerini & Thomas Bailey
10 Tom Walsh Lane

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Tony Lupino <sadswan25@gmail.com>
Sent: Wednesday, November 07, 2018 6:00 AM
To: cstaff1@crmc.ri.gov
Cc: Maureen Fogarty; info@concernedcitizensofbonnet.org
Subject: Bonnet Shores File # 2018-09-019

My wife and I reside year-round just outside of the 200' abutters zone. My property abuts Wesquage Pond and the Audubon property.

Please see the below alert from the Town of Narragansett. This is a usual and common occurrence when we experience heavy rainfall (more than 1" in 8 hours and even less when we are under winter conditions with frozen ground).

Please include us in notifications, as concerned citizens, when you hold hearings on the above matter.

ATTENTION ALL BONNET SHORES RESIDENTS:

CAUSEWAY CLOSED

Please be advised that due to recent heavy rains the causeway is flooded and has now been **CLOSED** by the Town of Narragansett (*effective Thursday 12pm*). No vehicles or pedestrian traffic will be permitted. This closure is for the safety of pedestrians and vehicles as well as preventing further damage to the road surface and subsurface. The road will remain closed until water levels have lowered and Town Officials feel it is safe to re-open the roadway. Please use the alternate route (via Bonnet Shores Road) during closure. Thank you for your understanding and cooperation.

(11/01/2018)

Thank You,

Tony Lupino

"There are two ways to live:
*You can live as if **nothing** is a miracle, or*
*you can live as if **everything** is a miracle." - Albert Einstein*

"Grow old with me; the best is yet to be..." -Marie Lupino

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Tony Lupino (via Google Docs) <sadswan25@gmail.com>
Sent: Wednesday, October 17, 2018 7:50 AM
To: cstaff1@crmc.ri.gov
Subject: Bonnet Shores Beach Club Sewer application # 2018-09-019
Attachments: Letter to CRMC re_ Walkway.pdf

Tony Lupino has attached the following document:

Letter to CRMC re: Walkway

 Please take into consideration the attached letter of concern

Google Docs: Create and edit documents online.
Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because someone shared a document with you from Google Docs.

Google

Virus-free. www.avg.com



October 17, 2018

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

If this assent is approved please be certain to take into consideration noise pollution emanating from the pumps, and I insist that controls be included in your decision to set timing of the pumps and measures to "soundproof" the pumps in an enclosed area. I would assume this would require a separate application.

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Anthony J. Lupino, 25 Lake Road, Narragansett, RI 02882

RECEIVED
OCT 17 2018
COASTAL RESOURCES

cstaff1

From: gertrude pokoly <gmpokoly@cox.net>
Sent: Tuesday, November 06, 2018 5:08 PM
To: cstaff1@crmc.ri.gov
Cc: info@concernedcitizensofbonnet.org
Subject: CAUSEWAY flooding

ATTENTION ALL BONNET SHORES RESIDENTS:

CAUSEWAY CLOSED

Please be advised that due to recent heavy rains the causeway is flooded and has now been **CLOSED** by the Town of Narragansett (*effective Thursday 12pm*). No vehicles or pedestrian traffic will be permitted. This closure is for the safety of pedestrians and vehicles as well as preventing further damage to the road surface and subsurface. The road will remain closed until water levels have lowered and Town Officials feel it is safe to re-open the roadway. Please use the alternate route (via Bonnet Shores Road) during closure. Thank you for your understanding and cooperation.

(11/01/2018)

The above notice shows that the Causeway is very fragile and is subject to this flooding issue frequently and allayer long

Gertrude Pokoly
119 Allagash trail
bonnet shores

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Monday, October 22, 2018 3:16 PM
To: Brittany Spurlock
Subject: FW: File # 2018-09-019 Bonnet Shores Beach Club Condo

From: gertrude pokoly [mailto:gmpokoly@cox.net]
Sent: Monday, October 22, 2018 2:58 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Concerned citizen:
Gertrude Pokoly
119 Allagash Trail
Bonnet Shores

 Virus-free. www.avg.com

cstaff1@crmc.ri.gov

From: David H Stenmark <dhsten@gmail.com>
Sent: Tuesday, November 13, 2018 8:58 PM
To: cstaff1@crmc.ri.gov; savebay@savebay.org
Subject: please add to file 2018-09-019 as question of application validation
Attachments: Town's motion for Sum Judg re Fraioli Lot.pdf

To CRMC re: Application # 2018-09-019 Bonnet Shore Beach Club Sewer Application.

Please add the attached copy of The Town of Narraganset's "Objection to Plaintiff's Motion for Summary Judgment and Defendant's Cross-Motion for Summary Judgment".

In the documents accompanying this motion, the Town of Narragansett implies that it owns the streets and roads as Public roadways in Bonnet Shores. If this case verifies that claim, the application from the Bonnet Shores Beach Club (BC) for an assent to install a sewer pipe under the Causeway may be deficient in that the Town, as stated owner of the roads, must be a co-applicant in the application. It follows that CRMC must validate this information before proceeding with any discussion with the applicant.

Respectfully submitted,

David Stenmark, Bonnet Shores resident
51 Pawnee Trl

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

NOTICE OF HEARING: This matter is currently scheduled on the Dispositive Motion Calendar on November 19, 2018.

STATE OF RHODE ISLAND

WASHINGTON COUNTY SUPERIOR COURT

THE BONNET SHORES FIRE DISTRICT
Plaintiff

V. WC-2017-0219

SUSAN CICILLINE-BUONANNO, MATTHEW MANNIX, JILL LAWLER, MICHAEL MORETTI, PATRICK MURPHY, *in their capacities as Members Of the Town Council of the* TOWN OF NARRAGANSETT, And VINCENT FRAIOLI.
Defendants

OBJECTION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT

NOW COME the Defendants, and pursuant to Superior Court Rules of Civil Procedure 56 do hereby object to the Plaintiff's Motion For Summary Judgment. In addition, Defendants move for summary judgment against the Plaintiff for its claims alleging procedural deficiencies – Specifically "Causes of Action" (a) and (b).

The grounds for this objection and motion are set forth in the accompanying memorandum of law.

[SIGNATURES ON FOLLOWING PAGE]

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

NOTICE OF HEARING: This matter is currently scheduled on the Dispositive Motion Calendar on November 19, 2018.

STATE OF RHODE ISLAND

WASHINGTON COUNTY SUPERIOR COURT

THE BONNET SHORES FIRE DISTRICT
Plaintiff

V. WC-2017-0219

SUSAN CICILLINE-BUONANNO, MATTHEW MANNIX, JILL LAWLER, MICHAEL MORETTI, PATRICK MURPHY, *in their capacities as Members Of the Town Council of the* TOWN OF NARRAGANSETT, And VINCENT FRAIOLI.
Defendants

MEMORANDUM OF LAW IN SUPPORT OF OBJECTION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT

Introduction

Plaintiff, Bonnet Shores Fire District ("BSFD") has filed a Plaintiff's Motion For Summary Judgment challenging an official act by the Defendants[1] which amended a property's designation to allow a former residence to be used for commercial purposes. The Town has filed a cross-motion seeking summary judgment against the BSFD as it relates to its causes of action alleging procedural deficiencies.

Essentially, this lawsuit is the BSFD's disingenuous attempt to undo the result of a long deliberative process by the Town, ultimately approving amendment of its zoning maps based on a vote by the Town Council. The BSFD was fully aware of, and participated in the process. However, dissatisfied with the result, it is now seeking this Court's intervention to nullify the

[1] The Town of Narragansett, and its Town Council (in their official capacities) are named as defendants. Defendant Vincent Fraioli is named because he is the owner of the property at issue. The Defendants collectively will be referred to as the "Town" herein.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

legitimate action by the Town by alleging it was not properly notified by mail of the Town Council proceedings during which the zoning change was considered ("the Town Council Hearing").

However, as will be fully discussed below, the BSFD's claims fail for the following reasons: 1) It was not entitled to notice by mail of the Town Council Hearing because the BSFD is not a "landowner" as defined by statute; 2) The BSFD's agents were actually provided notice by mail of the Town Council Hearing; and 3) Representatives of the BSFD actually attended and participated in the Town Council Hearing, thus waiving any alleged notice defects.

Furthermore, the BSFD's claim that the zoning decision at issue is invalid because it was not supported by a finding of fact is belied by the record.

Relevant Facts

At all relevant times, Defendant Vincent Fraioli owned the property at issue located at 1007 Boston Neck Road in the Town of Narragansett (the "Subject Property"). At the time of its purchase by Mr. Fraioli, the Subject Property was in a residential zoning area, immediately adjacent to a commercial zoning district. Plaintiff's Complaint at ¶¶4, 10; Affidavit of Michael DeLuca ("DeLuca Aff.) ¶3 (*Exhibit 1*). In 2017, Mr. Fraioli sought to have the zoning of the Subject Property changed from residential to commercial to allow him to convert the Subject Property from a residence to a real estate office ("the Zoning Request"). Narragansett Town Council Meeting of April 3, 2017 Minutes ("Town Council Meeting Minutes"), pp. 11-22.[2] After a full hearing, including a period of public comment, the Zoning Request was approved by a 4-1 vote of the Town Council ("the Zoning Approval"). *Id.* Subsequently, and in accordance

[2] The Town Council Meeting Minutes have been bates stamped and appended as *Exhibit 2*.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

with the Zoning Approval, Mr. Fraioli converted the Subject Property to a real estate office. DeLuca Aff. ¶4 (*Exhibit 1*).

Argument

I. THE BSFD'S CLAIM THAT IT DID NOT RECEIVE NOTICE IS SPURIOUS.

The main thrust of the BSFD's motion for summary judgment is its claim that it was not properly notified. However, although not actually entitled to direct notification, the BSFD, in fact, did receive notice, and fully participated in the Zoning Request Hearing.

A. The BSFD Is Not A Landowner That Is Entitled To Direct Written Notice And Deeming It Such Would Lead To An Absurd Result.

At the time at issue here,[3] the statute in question read in relevant part as follows:

> (c) Where a proposed amendment to an existing ordinance includes a specific change in a zoning district map, but does not affect districts generally, public notice shall be given as required by subsection (a) of this section, with the additional requirements that:
>
> (1) Notice shall include a map showing the existing and proposed boundaries, zoning district boundaries, existing streets and roads and their names, and city and town boundaries where appropriate; and
>
> (2) Written notice of the date, time, and place of the public hearing and the nature and purpose of the hearing **shall be sent to all owners of real property** whose property is located in or within not less than two hundred feet (200') of the perimeter of the area proposed for change, whether within the city or town or within an adjacent city or town. Notice shall also be sent to any individual or entity holding a recorded conservation or preservation restriction on the property that is the subject of the amendment. **The notice shall be sent by registered, certified, or first-class mail to the last known address of the owners, as shown on the current real estate tax assessment records of the city or town in which the property is located[.]**

R.I.G.L. § 45-24-53(c) [Emphasis added] ("the Zoning Amendment Statute").

[3] In July of 2018, the General Assembly amended the statute in question, R.I.G.L. § 45-24-53(c), limiting the requirement for direct written notice to instances were a zoning amendment to a specific property relates to dimensional requirements. Under the amended statute, the Zoning Request would not have triggered a direct written notice requirement.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

As emphasized above, the Zoning Amendment Statute dictates individual written notice - as opposed to notice by newspaper publication - is only required to "owners of real property" within 200 feet of the affected area. The BSFD, seizing on this requirement, claims that it should have received written notice of the Zoning Request since it was "entitled to notice as an owner of property within two hundred feet" of the Subject Property. Plaintiff's Memorandum In Support Of Motion For Summary Judgment at 9. The BSFD argues it is a landowner under the Zoning Amendment Statute because it owns the **roads** in Bonnet Shores, including streets located within 200 feet of the Subject Property. To support its argument, the BSFD cites the Public Law creating the BSFD in 1932, which transferred private land identified in a deed to the BSFD. *Id.* at 9-10, *citing* P.L. 1932, S. 126, §1-4.

However, in making its case, the BSFD overlooks the fact that in 1976, the General Assembly passed legislation amending the 1932 law cited by the BSFD. These amendments included a declaration that, "All streets and roads within the [BSFD] are hereby declared to be **public highways** . . . [the Town of Narragansett] may declare the aforesaid streets and roads to be within the accepted highway system of said town pursuant to the provisions of chapter 2, title 24 of the general laws of Rhode Island[.]"[4] P.L. 1976, S 1976 (Approved May 14, 1976) [Emphasis added] (Appended hereto as *Exhibit 3*). In point of fact, the Town has since been fully responsible for the maintenance of the roads in Bonnet Shores, including repairs, plowing, and the enforcement of traffic laws. DeLuca Aff. at ¶7 (*Exhibit 1*).

The fact that the BSFD is not a landowner is further evidenced by the fact that it is not listed as a taxpayer on the property it purports to own. Affidavit of David Dolce (Appended

[4] R.I.G.L. § 24-2-1 et. seq. addresses the creation of public highways by cities and towns.

hereto as *Exhibit 4*). Under the Zoning Amendment Statute, "The notice shall be sent by registered, certified, or first-class mail to the last known address of the owners, **as shown on the current real estate tax assessment records** of the city or town in which the property is located[.]" R.I.G.L. § 45-24-53(c)(2). Clearly, the General Assembly intended the Zoning Amendment Statute to be limited to private property owners – not public and quasi-public entities that are not subject to taxation.

However, despite the clear declarations of the General Assembly, the BSFD, while not objecting to the Town's oversight of the roads of Bonnet Shores, nevertheless is asking this Court to deem it a "landowner" under the statute at issue because it "owns" the roads. However, the Supreme Court, in interpreting the same statute at issue here, and acknowledging the tenets of strict statutory construction, held it will not "construe a statute to reach an absurd result." *Generation Realty, LLC v. Catanzaro*, 21 A.3d 253,259 (R.I. 2009) *citing Kaya v. Partington*, 681 A.2d 256, 261 (R.I. 1996). Here, adopting the reasoning of the BSFD would require direct notice to be mailed to any government entity that maintains a public roadway near an area at issue. For example, if a property was near an interstate highway, the BSFD's reasoning would require notice to the federal government. Zoning changes affecting property near a state highway would necessitate notice to the State. The irrational nature of this interpretation is evidenced by the fact that statutory notice is never deemed necessary by virtue of the fact that a property is near a public way. Adopting the BSFD's reasoning here certainly would lead to the absurd results cautioned against by the Supreme Court in *Generation Realty*.

For these reasons, it is clear that the BSFD was not entitled to receive direct written notice of the Zoning Request at issue here.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

B. The BSFD Actually Did Receive Written Notice of the Zoning Request.

Despite the fact that the BSFD was not entitled to direct written notice under the Zoning Amendment Statute, it actually did receive such notification. As required by statute, prior to the Town Council meeting to consider the Zoning Request, written notice was sent to all landowners within 200 feet of the Subject Property. DeLuca Aff., ¶5 (*Exhibit 1*). A list of the recipients is appended to the DeLuca Aff. as Exhibit A. Included on the list of recipients is the Bonnet Shores Land Trust ("the BSLT"). *Id.* at 2. In fact, the "District Manager" of the BSFD acknowledged signing for the letter containing the notice of the Zoning Request that was mailed to the BSLT. Minutes of Bonnet Shores Fire District Special Meeting, dated April 27, 2017 ("BSFD Special Meeting Minutes") (Appended hereto as *Exhibit 5*)

According to the BSLT's own website, "Legislation approved by the R.I. General Assembly in the January Session of 1991, created the Bonnet Shores Land Trust as an agent or arm of Bonnet Shores Fire District community government and as such is part of the quasi municipal government." *Http://www.bonnetshoreslandtrust.org/* [Emphasis added] (Appended as *Exhibit 6*). In point of fact, the officers of the BSLT are appointed by the BSFD, and fully report and participate at its meetings. *See e.g.* Minutes of Bonnet Shores Fire District 2016 Annual Meeting, dated June 30, 2016 ("BSFD 2016 Minutes") (Appended hereto as *Exhibit 7*). Furthermore, when Terrance Duffy, Chairman and Trustee of the BSLT, addressed the Town Council in opposition of the Zoning Request, he represented, "The Bonnet Shores Land Trust is an agency of the Bonnet Shores Fire District Council." Transcript of Town Council Meeting ("TCM Tr.") at 17-18 [Emphasis added] (Appended hereto as *Exhibit 8*). In light of the intertwined nature of the two groups, and the fact that BSLT publically declares itself an agent of

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

the BSFD, the BSFD should not now be allowed to claim lack of notice when the BSLT actually received the notice.

This conclusion is further bolstered by the fact that BSFD Council Member, William Delgizzo, as the trustee of a property owned by the William Delgizzo Revocable Trust, was also provided notice of the Zoning Request. DeLuca Aff., Exhibit A (*Exhibit 1*). Mr. Delgizzo was also present, in his official capacity, at the "Special Meeting" during which the BSFD Council voted to file the instant lawsuit.[5] BSFD Special Meeting Minutes (*Exhibit 5*). It further stretches credulity to suggest that Mr. Delgizzo did not inform the BSFD of the impending Town Council meeting to consider the Zoning Request when he received the written notice.

In light of the fact that both the BSLT and Mr. Delgizzo received direct notice of the Zoning Request, it is disingenuous for the BSFD to suggest any defects in this regard.

C. The BSFD Has Waived Any Claims Of Defective Notice By Attending the Zoning Request Hearing.

Assuming arguendo that there was a defect in the notice, it is a matter of record that officers and/or employees of BSFD and BSLT attended the Town Council meeting during which the Zoning Request was considered and approved. "[The Supreme Court] has held on numerous occasions that actual appearance before a tribunal constitutes a waiver of the right of such person to object to a real or perceived defect in the notice of the meeting." *Graziano v. R.I. State Lottery Comm'n*, 810 A.2d 215, 221 (R.I. 2002) citing *Ryan v. Zoning Board of Review of New Shoreham*, 656 A.2d 612, 616 (R.I. 1995); *Estate of Konigunda v. Town of Coventry*, 605 A.2d 834, 835 (R.I. 1992); *Zeilstra v. Barrington Zoning Board of Review*, 417 A.2d 303, 307 (R.I.

[5] The Special Meeting Minutes refer to Bill Delgizzo as opposed to William Delgizzo – Bill being a common nickname for persons named William.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

1980); *Champagne v. Zoning Board of Review of Smithfield*, 99 R.I. 283, 288, 207 A.2d 50, 53 (R.I. 1965).

In the instant case, the minutes and transcript of the Town Council meeting indicate that representatives of the BSFD not only appeared, but participated in the debate on the Zoning Request. In this regard, following the calling of a public comment period on the Zoning Request, the following persons were "sworn in and testif[ied]." Town Council Meeting Minutes at 14 (*Exhibit 2*).

- Anita Langer - Ms. Langer was nominated in 2016, and appointed to the BSLT Council. BSFD 2016 Minutes at 1, 3 (*Exhibit 7*). Ms. Langer spoke out against the Zoning Request. TCM Tr. at 9-11 (*Exhibit 8*).

- Anthony Lupino - Mr. Lupino was nominated in 2016, and presumably serves on the BSLT Council. BSFD 2016 Minutes at 1 (*Exhibit* 7). Mr. Lupino actually spoke in favor of the Zoning Request, although qualifying his endorsement as personal rather than on behalf of the BSFD. TCM Tr. 15-17 (*Exhibit 8*).

- Patricia "Pat" Mannix - Ms. Mannix was nominated in 2016, and presumably serves as the BSFD "Fire Warden." *See* BSFD 2016 Minutes at 1 (*Exhibit* 7). Ms. Mannix spoke against the Zoning Request. TCM Tr. 21-22 (*Exhibit 8*).

- Terrance Duffy - As previously noted, Mr. Duffy is the "Chair" of the BSLT. BSFD Special Meeting Minutes (*Exhibit 5*), TCM Tr. 17 (*Exhibit 8*). Mr. Duffy spoke against the Zoning Request. *Id.* at 17-20. After the Zoning Request passed, Mr. Duffy participated at the Special Meeting during which the instant lawsuit was authorized.[6] *Id.*

[6] Upon good information and belief, Mr. Duffy is married to Carole Duffy. *See* Narragansett Tax Records (Appended hereto as *Exhibit 9*). Ms. Duffy is the Clerk for the BSFD. She also attended the meeting approving the instant lawsuit, signing the Minutes in her official capacity. BSFD Special Meeting Minutes (*Exhibit 5*).

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

As reflected in the Town Council Minutes, the BSFD, through its BSLT arm, was well-represented at the Town Council meeting at issue.[7] Accordingly, as directed by the *Graziano* Court, the BSFD's presence at the Town Council meeting serves as a waiver of its claims of insufficient notice. In sum, the BSFD not only knew about the Meeting - it participated. It should not now be allowed to nullify a legitimate Town action based on false claims of lack of notice.

II. THE TOWN HAS NOT "FAILED TO RENDER A DECISION" OR "FAILED TO MAKE FINDINGS OF FACT."

The BSFD briefly argues that the Town failed to abide by its ordinances by "fully setting forth the grounds for its decision." Plaintiff's Memorandum In Support Of Motion For Summary Judgment at 12, *citing* Town of Narragansett Code of Ordinances, Appendix A, §22.1 ("§22.1"). The BSFD also complains that the Town did not perform the ministerial act of amending its ordinances to reflect the approved amendments.

By title and substance, §22.1 sets forth the public hearing requirements of making amendments to zoning maps in the Town. The portion of §22.1 at issue is to ensure the Town Council puts its findings on the record. In the instant case, a reading of the Town Council Meeting Minutes confirms the Town Council complied with this requirement. To this end, after presentations by the applicant, debate, and public comment, the Town Council voted to adopt the detailed findings of the Town's Planning Board, which are quoted in the minutes. Town Council Meeting Minutes at 17-18 (*Exhibit 2*). Immediately thereafter, the Town Council approved the

[7] The Town was only able to identify these listed persons because their appearances are documented in the Town Council Meeting Minutes by virtue of the fact they participated in the public comment portion of the hearing. The Town expects that should this case proceed, discovery would reveal more members of the BSFD were present at the meeting, but did not officially comment.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

amendment to the Zoning Map. *Id.* at 22 (*Exhibit 2*). Clearly, in adopting the detailed reasoning and conclusions of the Planning Board, the Town Council fulfilled its obligation to "set[] forth the grounds for its decision."

As it pertains to the ministerial act of amending the ordinances to reflect the approval of the amendment, the Town is currently in the process of doing so. DeLuca Aff., ¶6 (*Exhibit 1*). In any event, in light of the Town Council's approval of the application in open session, any alleged delay in the ministerial act of officially codifying the action is of no legal significance. *See e.g. New England Development, LLC v. Berg*,[8] 913 A.2d, 363, 372-73 (R.I. 2007).

Conclusion

For the foregoing reasons, and others that may be presented in further filings and the hearing of this matter, the Town respectfully requests this honorable Court deny the BSFD's Motion For Summary Judgment, and grant the Town's cross-motion for summary judgment on the causes of action related to procedural deficiencies.

[SIGNATURES ON FOLLOWING PAGE]

[8] No relation.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

Respectfully submitted,

SUSAN CICILLINE-BUONANNO, MATTHEW MANNIX, JILL LAWLER, MICHAEL MORETTI, PATRICK MURPHY, *in their capacities as Members Of the Town Council of the* TOWN OF NARRAGANSETT, and VINCENT FRAIOLI.

By their Attorney,

/s/ ANDREW BERG
Andrew Berg, Esq. #4754
Asst. Town Solicitor, Town of Narragansett
2639 South County Trail
East Greenwich, RI 02818
Tel. (401) 274-0113
Fax (401) 398-8334
BERG@SBLLP.NET

CERTIFICATION OF SERVICE

I hereby certify that on this 29th day of October 2018, I did electronically file and serve the within Motion.

/s/ ANDREW BERG

CRMC File# 2018-09-019

Submitted by David Stenmark
51 Pawnee Tr, Narr.

From: **Information BSFD** <Information@bonnetshores.org>
Date: Fri, Nov 2, 2018 at 9:20 AM
Subject: BSFD CAUSEWAY CLOSED
To: Bonnet Residents

RECEIVED
NOV 08 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

ATTENTION ALL BONNET SHORES RESIDENTS:
CAUSEWAY CLOSED

Please be advised that due to recent heavy rains the causeway is flooded and has now been **CLOSED** by the Town of Narragansett (*effective Thursday 12pm*). No vehicles or pedestrian traffic will be permitted. **This closure is for the safety of pedestrians and vehicles as well as preventing further damage to the road surface and subsurface.** The road will remain closed until water levels have lowered and Town Officials feel it is safe to re-open the roadway. Please use the alternate route (via Bonnet Shores Road) during closure. Thank you for your understanding and cooperation.
(11/01/2018)

BSFD Resident Contact Program
- Please direct all district related questions to district.manager@bonnetshores.org or call 789-4540.
- Send changes to email addresses or other resident contact information to information@bonnetshores.org
- BSFD Website: www.bonnetshores.org

2018-09-019

Dave Reis

From: David Stenmark <dhsten@gmail.com>
Sent: Friday, November 30, 2018 3:22 PM
To: CRMC
Subject: Ownership of roads in Bonnet Shores as it relates to application 2018-09-019
Attachments: Town's motion for Sum Judg re rezoning.pdf; Untitled attachment 00058.txt

David, the attached Motion relates to an ongoing case against the Town regarding a zoning change. In the attached motion, the Town of Narragansett alleges that it owns the roads in Bonnet. If that holds true, how does that affect the above application for an assent in the Bonnet Shores Beach Club? Wouldn't the Town have to be a co-applicant?

David

This email has been checked for viruses by AVG.
https://www.avg.com

Dave Reis

From: Jeff Ceasrine <jceasrine@narragansettri.gov>
Sent: Wednesday, December 05, 2018 2:53 PM
To: Dave Reis
Cc: Michael Deluca; 'Anthony DeSisto, Esq.'; Ross Singer; Schott, Kevin
Subject: RE: Ownership of roads in Bonnet Shores as it relates to application 2018-09-019
Attachments: Bonnet Shores Road Resolution 1995.pdf

Dave (and others) - there is a long history to the subject of road ownership in Bonnet Shores, but the short answer is that the roads remain under the ownership of the Bonnet Shores Fire District (not the Town). We maintain them by virtue of a Town Council Resolution (see attached).
A brief history follows:

The Bonnet Shores Fire District still owns the roads in Bonnet Shores. Prior to 1992, the Town Council would typically appropriate $15,000 to give to the Fire District for road maintenance, and the District could spend it as they wished. Other than plowing and emergency repairs, the Town did not do much in terms of road maintenance in Bonnet. Around 1992, the Fire District approached the Town Council and asked if the Town would take over ownership and full responsibility for the roads. The Town Council then opted to spend the $15,000 earmarked for the Fire District on a survey of the roads and rights-of-way, as it was believed there were a number of encroachments that would make a transfer of title difficult.

The Town then issued a Request for Proposals and subsequently hired Garofalo & Associates to complete a right-of-way and road survey of the roads in Bonnet. As expected, they identified a number of encroachments, from actual paving being on private property to a couple of building corners being within the platted rights-of-way. There were also a few instances where no true ownership title was determined. Garofalo's work was completed in 1992.

The Town Council advised the Fire District that they (the District) would have to resolve all of the ownership and encroachment issues before they would consider a formal acceptance of the roads. The late Attorney Archie Kenyon did some work on this for the District, but it was never completed. While the BSFD voted in August 1992 to transfer ownership to the Town, the Town never took affirmative action to acknowledge that vote and accept the roads...

In 1995, the Town Council adopted a Resolution (attached) that included the roads into the Town's roadway maintenance program, but left the ownership issue to the Fire District. The Town then halted the annual stipend and began a more integrated approach to road repairs in Bonnet. That Resolution still holds today, which is why roads in Bonnet have been included in the ongoing Pavement Management Plan. The roads remain in the ownership of the Fire District.

That's the brief history of the road ownership issue since 1992.

.
As to the issue raised in the Motion for Summary Judgment, while not an attorney, I would offer the opinion that the "notice" provision referenced and required to abutters has never been implied to mean owners of roads. There has been a distinction (at least here in Narragansett) that the property owner entitled to notice is an owner of real estate that is defined by a Tax Assessor's Plat and Lot number. Just as the Town has historically not received any formal notice as the owners of the "town roads" from persons requiring a zoning amendment, nor has the BSFD (to my knowledge) been similarly noticed in the past. There are no Tax Assessor's Plat and Lot numbers assigned to the rights-of-way that comprise the roads in Bonnet, and the BSFD does not pay property tax on them. Again, historically, that would have left them off of a "notice" list.

I hope this helps. Bottom line - BSFD owns the roads and the Town maintains them in the same fashion as other public roads.
Let me know if you need anything else.

Jeff

Jeffry Ceasrine, P.E.
Town Engineer
Town of Narragansett
25 Fifth Avenue
Narragansett, RI 02882
(p) 401-782-0637
(f) 401-782-0669
jceasrine@narragansettri.gov

-----Original Message-----
From: Dave Reis [mailto:dreis@crmc.ri.gov]
Sent: Wednesday, December 5, 2018 1:27 PM
To: Jeff Ceasrine <jceasrine@narragansettri.gov>
Cc: Michael Deluca <mdeluca@narragansettri.gov>; 'Anthony DeSisto, Esq.' <adlawllc@gmail.com>; Ross Singer <rsinger@crmc.ri.gov>; Schott, Kevin <SchottKW@cdmsmith.com>
Subject: FW: Ownership of roads in Bonnet Shores as it relates to application 2018-09-019

Hello Jeff,

We have an objector to the Bonnet Shores Beach Club sewer line application forwarding the CRMC legal motions (the Town's attached above) indicating that if the Town is in fact the owner of Bonnet Point Road (amongst others in Bonnet), wouldn't they need to be a co-applicant for the sewer line to be installed in Bonnet Point Road? Can you help with this question?

Thanks,
Dave

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Phone: 401 783-3370
Web: www.crmc.ri.gov

Virus-free. www.avg.com

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

NOTICE OF HEARING: This matter is currently scheduled on the Dispositive Motion Calendar on November 19, 2018.

STATE OF RHODE ISLAND

WASHINGTON COUNTY SUPERIOR COURT

THE BONNET SHORES FIRE DISTRICT
Plaintiff

V. WC-2017-0219

SUSAN CICILLINE-BUONANNO, MATTHEW MANNIX, JILL LAWLER, MICHAEL MORETTI, PATRICK MURPHY, *in their capacities as Members Of the Town Council of the* TOWN OF NARRAGANSETT, And VINCENT FRAIOLI.
Defendants

OBJECTION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT

NOW COME the Defendants, and pursuant to Superior Court Rules of Civil Procedure 56 do hereby object to the Plaintiff's Motion For Summary Judgment. In addition, Defendants move for summary judgment against the Plaintiff for its claims alleging procedural deficiencies – Specifically "Causes of Action" (a) and (b).

The grounds for this objection and motion are set forth in the accompanying memorandum of law.

[SIGNATURES ON FOLLOWING PAGE]

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

Respectfully submitted,

SUSAN CICILLINE-BUONANNO, MATTHEW MANNIX, JILL LAWLER, MICHAEL MORETTI, PATRICK MURPHY, *in their capacities as Members Of the Town Council of the* TOWN OF NARRAGANSETT, and VINCENT FRAIOLI.

By their Attorney,

/s/ ANDREW BERG
Andrew Berg, Esq. #4754
Asst. Town Solicitor, Town of Narragansett
2639 South County Trail
East Greenwich, RI 02818
Tel. (401) 274-0113
Fax (401) 398-8334
BERG@SBLLP.NET

CERTIFICATION OF SERVICE

I hereby certify that on this 29th day of October 2018, I did electronically file and serve the within Motion.

/s/ ANDREW BERG

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

NOTICE OF HEARING: This matter is currently scheduled on the Dispositive Motion Calendar on November 19, 2018.

STATE OF RHODE ISLAND

WASHINGTON COUNTY SUPERIOR COURT

THE BONNET SHORES FIRE DISTRICT
Plaintiff

V. WC-2017-0219

SUSAN CICILLINE-BUONANNO, MATTHEW MANNIX, JILL LAWLER, MICHAEL MORETTI, PATRICK MURPHY, *in their capacities as Members Of the Town Council of the* TOWN OF NARRAGANSETT, And VINCENT FRAIOLI.
Defendants

MEMORANDUM OF LAW IN SUPPORT OF OBJECTION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT

Introduction

Plaintiff, Bonnet Shores Fire District ("BSFD") has filed a Plaintiff's Motion For Summary Judgment challenging an official act by the Defendants[1] which amended a property's designation to allow a former residence to be used for commercial purposes. The Town has filed a cross-motion seeking summary judgment against the BSFD as it relates to its causes of action alleging procedural deficiencies.

Essentially, this lawsuit is the BSFD's disingenuous attempt to undo the result of a long deliberative process by the Town, ultimately approving amendment of its zoning maps based on a vote by the Town Council. The BSFD was fully aware of, and participated in the process. However, dissatisfied with the result, it is now seeking this Court's intervention to nullify the

[1] The Town of Narragansett, and its Town Council (in their official capacities) are named as defendants. Defendant Vincent Fraioli is named because he is the owner of the property at issue. The Defendants collectively will be referred to as the "Town" herein.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

legitimate action by the Town by alleging it was not properly notified by mail of the Town Council proceedings during which the zoning change was considered ("the Town Council Hearing").

However, as will be fully discussed below, the BSFD's claims fail for the following reasons: 1) It was not entitled to notice by mail of the Town Council Hearing because the BSFD is not a "landowner" as defined by statute; 2) The BSFD's agents were actually provided notice by mail of the Town Council Hearing; and 3) Representatives of the BSFD actually attended and participated in the Town Council Hearing, thus waiving any alleged notice defects.

Furthermore, the BSFD's claim that the zoning decision at issue is invalid because it was not supported by a finding of fact is belied by the record.

Relevant Facts

At all relevant times, Defendant Vincent Fraioli owned the property at issue located at 1007 Boston Neck Road in the Town of Narragansett (the "Subject Property"). At the time of its purchase by Mr. Fraioli, the Subject Property was in a residential zoning area, immediately adjacent to a commercial zoning district. Plaintiff's Complaint at ¶¶4, 10; Affidavit of Michael DeLuca ("DeLuca Aff.) ¶3 (*Exhibit 1*). In 2017, Mr. Fraioli sought to have the zoning of the Subject Property changed from residential to commercial to allow him to convert the Subject Property from a residence to a real estate office ("the Zoning Request"). Narragansett Town Council Meeting of April 3, 2017 Minutes ("Town Council Meeting Minutes"), pp. 11-22.[2] After a full hearing, including a period of public comment, the Zoning Request was approved by a 4-1 vote of the Town Council ("the Zoning Approval"). *Id.* Subsequently, and in accordance

[2] The Town Council Meeting Minutes have been bates stamped and appended as *Exhibit 2*.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

with the Zoning Approval, Mr. Fraioli converted the Subject Property to a real estate office. DeLuca Aff. ¶4 (*Exhibit 1*).

Argument

I. THE BSFD'S CLAIM THAT IT DID NOT RECEIVE NOTICE IS SPURIOUS.

The main thrust of the BSFD's motion for summary judgment is its claim that it was not properly notified. However, although not actually entitled to direct notification, the BSFD, in fact, did receive notice, and fully participated in the Zoning Request Hearing.

A. The BSFD Is Not A Landowner That Is Entitled To Direct Written Notice And Deeming It Such Would Lead To An Absurd Result.

At the time at issue here,[3] the statute in question read in relevant part as follows:

> (c) Where a proposed amendment to an existing ordinance includes a specific change in a zoning district map, but does not affect districts generally, public notice shall be given as required by subsection (a) of this section, with the additional requirements that:
>
> (1) Notice shall include a map showing the existing and proposed boundaries, zoning district boundaries, existing streets and roads and their names, and city and town boundaries where appropriate; and
>
> (2) Written notice of the date, time, and place of the public hearing and the nature and purpose of the hearing **shall be sent to all owners of real property** whose property is located in or within not less than two hundred feet (200') of the perimeter of the area proposed for change, whether within the city or town or within an adjacent city or town. Notice shall also be sent to any individual or entity holding a recorded conservation or preservation restriction on the property that is the subject of the amendment. **The notice shall be sent by registered, certified, or first-class mail to the last known address of the owners, as shown on the current real estate tax assessment records of the city or town in which the property is located[.]**

R.I.G.L. § 45-24-53(c) [Emphasis added] ("the Zoning Amendment Statute").

[3] In July of 2018, the General Assembly amended the statute in question, R.I.G.L. § 45-24-53(c), limiting the requirement for direct written notice to instances were a zoning amendment to a specific property relates to dimensional requirements. Under the amended statute, the Zoning Request would not have triggered a direct written notice requirement.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

As emphasized above, the Zoning Amendment Statute dictates individual written notice - as opposed to notice by newspaper publication - is only required to "owners of real property" within 200 feet of the affected area. The BSFD, seizing on this requirement, claims that it should have received written notice of the Zoning Request since it was "entitled to notice as an owner of property within two hundred feet" of the Subject Property. Plaintiff's Memorandum In Support Of Motion For Summary Judgment at 9. The BSFD argues it is a landowner under the Zoning Amendment Statute because it owns the **roads** in Bonnet Shores, including streets located within 200 feet of the Subject Property. To support its argument, the BSFD cites the Public Law creating the BSFD in 1932, which transferred private land identified in a deed to the BSFD. *Id.* at 9-10, *citing* P.L. 1932, S. 126, §1-4.

However, in making its case, the BSFD overlooks the fact that in 1976, the General Assembly passed legislation amending the 1932 law cited by the BSFD. These amendments included a declaration that, "All streets and roads within the [BSFD] are hereby declared to be **public highways** . . . [the Town of Narragansett] may declare the aforesaid streets and roads to be within the accepted highway system of said town pursuant to the provisions of chapter 2, title 24 of the general laws of Rhode Island[.]"[4] P.L. 1976, S 1976 (Approved May 14, 1976) [Emphasis added] (Appended hereto as *Exhibit 3*). In point of fact, the Town has since been fully responsible for the maintenance of the roads in Bonnet Shores, including repairs, plowing, and the enforcement of traffic laws. DeLuca Aff. at ¶7 (*Exhibit 1*).

The fact that the BSFD is not a landowner is further evidenced by the fact that it is not listed as a taxpayer on the property it purports to own. Affidavit of David Dolce (Appended

[4] R.I.G.L. § 24-2-1 et. seq. addresses the creation of public highways by cities and towns.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

hereto as *Exhibit 4*). Under the Zoning Amendment Statute, "The notice shall be sent by registered, certified, or first-class mail to the last known address of the owners, **as shown on the current real estate tax assessment records** of the city or town in which the property is located[.]" R.I.G.L. § 45-24-53(c)(2). Clearly, the General Assembly intended the Zoning Amendment Statute to be limited to private property owners – not public and quasi-public entities that are not subject to taxation.

However, despite the clear declarations of the General Assembly, the BSFD, while not objecting to the Town's oversight of the roads of Bonnet Shores, nevertheless is asking this Court to deem it a "landowner" under the statute at issue because it "owns" the roads. However, the Supreme Court, in interpreting the same statute at issue here, and acknowledging the tenets of strict statutory construction, held it will not "construe a statute to reach an absurd result." *Generation Realty, LLC v. Catanzaro*, 21 A.3d 253,259 (R.I. 2009) *citing Kaya v. Partington*, 681 A.2d 256, 261 (R.I. 1996). Here, adopting the reasoning of the BSFD would require direct notice to be mailed to any government entity that maintains a public roadway near an area at issue. For example, if a property was near an interstate highway, the BSFD's reasoning would require notice to the federal government. Zoning changes affecting property near a state highway would necessitate notice to the State. The irrational nature of this interpretation is evidenced by the fact that statutory notice is never deemed necessary by virtue of the fact that a property is near a public way. Adopting the BSFD's reasoning here certainly would lead to the absurd results cautioned against by the Supreme Court in *Generation Realty*.

For these reasons, it is clear that the BSFD was not entitled to receive direct written notice of the Zoning Request at issue here.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

B. The BSFD Actually Did Receive Written Notice of the Zoning Request.

Despite the fact that the BSFD was not entitled to direct written notice under the Zoning Amendment Statute, it actually did receive such notification. As required by statute, prior to the Town Council meeting to consider the Zoning Request, written notice was sent to all landowners within 200 feet of the Subject Property. DeLuca Aff., ¶5 (*Exhibit 1*). A list of the recipients is appended to the DeLuca Aff. as Exhibit A. Included on the list of recipients is the Bonnet Shores Land Trust ("the BSLT"). *Id.* at 2. In fact, the "District Manager" of the BSFD acknowledged signing for the letter containing the notice of the Zoning Request that was mailed to the BSLT. Minutes of Bonnet Shores Fire District Special Meeting, dated April 27, 2017 ("BSFD Special Meeting Minutes") (Appended hereto as *Exhibit 5*)

According to the BSLT's own website, "Legislation approved by the R.I. General Assembly in the January Session of 1991, created the Bonnet Shores Land Trust as an agent or arm of Bonnet Shores Fire District community government and as such is part of the quasi municipal government." *Http://www.bonnetshoreslandtrust.org/* [Emphasis added] (Appended as *Exhibit 6*). In point of fact, the officers of the BSLT are appointed by the BSFD, and fully report and participate at its meetings. *See e.g.* Minutes of Bonnet Shores Fire District 2016 Annual Meeting, dated June 30, 2016 ("BSFD 2016 Minutes") (Appended hereto as *Exhibit 7*). Furthermore, when Terrance Duffy, Chairman and Trustee of the BSLT, addressed the Town Council in opposition of the Zoning Request, he represented, "The Bonnet Shores Land Trust is an agency of the Bonnet Shores Fire District Council." Transcript of Town Council Meeting ("TCM Tr.") at 17-18 [Emphasis added] (Appended hereto as *Exhibit 8*). In light of the intertwined nature of the two groups, and the fact that BSLT publically declares itself an agent of

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

the BSFD, the BSFD should not now be allowed to claim lack of notice when the BSLT actually received the notice.

This conclusion is further bolstered by the fact that BSFD Council Member, William Delgizzo, as the trustee of a property owned by the William Delgizzo Revocable Trust, was also provided notice of the Zoning Request. DeLuca Aff., Exhibit A (*Exhibit 1*). Mr. Delgizzo was also present, in his official capacity, at the "Special Meeting" during which the BSFD Council voted to file the instant lawsuit.[5] BSFD Special Meeting Minutes (*Exhibit 5*). It further stretches credulity to suggest that Mr. Delgizzo did not inform the BSFD of the impending Town Council meeting to consider the Zoning Request when he received the written notice.

In light of the fact that both the BSLT and Mr. Delgizzo received direct notice of the Zoning Request, it is disingenuous for the BSFD to suggest any defects in this regard.

C. The BSFD Has Waived Any Claims Of Defective Notice By Attending the Zoning Request Hearing.

Assuming arguendo that there was a defect in the notice, it is a matter of record that officers and/or employees of BSFD and BSLT attended the Town Council meeting during which the Zoning Request was considered and approved. "[The Supreme Court] has held on numerous occasions that actual appearance before a tribunal constitutes a waiver of the right of such person to object to a real or perceived defect in the notice of the meeting." *Graziano v. R.I. State Lottery Comm'n*, 810 A.2d 215, 221 (R.I. 2002) citing *Ryan v. Zoning Board of Review of New Shoreham*, 656 A.2d 612, 616 (R.I. 1995); *Estate of Konigunda v. Town of Coventry*, 605 A.2d 834, 835 (R.I. 1992); *Zeilstra v. Barrington Zoning Board of Review*, 417 A.2d 303, 307 (R.I.

[5] The Special Meeting Minutes refer to Bill Delgizzo as opposed to William Delgizzo – Bill being a common nickname for persons named William.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

1980); *Champagne v. Zoning Board of Review of Smithfield*, 99 R.I. 283, 288, 207 A.2d 50, 53 (R.I. 1965).

In the instant case, the minutes and transcript of the Town Council meeting indicate that representatives of the BSFD not only appeared, but participated in the debate on the Zoning Request. In this regard, following the calling of a public comment period on the Zoning Request, the following persons were "sworn in and testif[ied]." Town Council Meeting Minutes at 14 (*Exhibit 2*).

- Anita Langer - Ms. Langer was nominated in 2016, and appointed to the BSLT Council. BSFD 2016 Minutes at 1, 3 (*Exhibit 7*). Ms. Langer spoke out against the Zoning Request. TCM Tr. at 9-11 (*Exhibit 8*).

- Anthony Lupino - Mr. Lupino was nominated in 2016, and presumably serves on the BSLT Council. BSFD 2016 Minutes at 1 (*Exhibit* 7). Mr. Lupino actually spoke in favor of the Zoning Request, although qualifying his endorsement as personal rather than on behalf of the BSFD. TCM Tr. 15-17 (*Exhibit 8*).

- Patricia "Pat" Mannix - Ms. Mannix was nominated in 2016, and presumably serves as the BSFD "Fire Warden." *See* BSFD 2016 Minutes at 1 (*Exhibit* 7). Ms. Mannix spoke against the Zoning Request. TCM Tr. 21-22 (*Exhibit 8*).

- Terrance Duffy - As previously noted, Mr. Duffy is the "Chair" of the BSLT. BSFD Special Meeting Minutes (*Exhibit 5*), TCM Tr. 17 (*Exhibit 8*). Mr. Duffy spoke against the Zoning Request. *Id.* at 17-20. After the Zoning Request passed, Mr. Duffy participated at the Special Meeting during which the instant lawsuit was authorized.[6] *Id.*

[6] Upon good information and belief, Mr. Duffy is married to Carole Duffy. *See* Narragansett Tax Records (Appended hereto as *Exhibit 9*). Ms. Duffy is the Clerk for the BSFD. She also attended the meeting approving the instant lawsuit, signing the Minutes in her official capacity. BSFD Special Meeting Minutes (*Exhibit 5*).

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

As reflected in the Town Council Minutes, the BSFD, through its BSLT arm, was well-represented at the Town Council meeting at issue.[7] Accordingly, as directed by the *Graziano* Court, the BSFD's presence at the Town Council meeting serves as a waiver of its claims of insufficient notice. In sum, the BSFD not only knew about the Meeting - it participated. It should not now be allowed to nullify a legitimate Town action based on false claims of lack of notice.

II. THE TOWN HAS NOT "FAILED TO RENDER A DECISION" OR "FAILED TO MAKE FINDINGS OF FACT."

The BSFD briefly argues that the Town failed to abide by its ordinances by "fully setting forth the grounds for its decision." Plaintiff's Memorandum In Support Of Motion For Summary Judgment at 12, *citing* Town of Narragansett Code of Ordinances, Appendix A, §22.1 ("§22.1"). The BSFD also complains that the Town did not perform the ministerial act of amending its ordinances to reflect the approved amendments.

By title and substance, §22.1 sets forth the public hearing requirements of making amendments to zoning maps in the Town. The portion of §22.1 at issue is to ensure the Town Council puts its findings on the record. In the instant case, a reading of the Town Council Meeting Minutes confirms the Town Council complied with this requirement. To this end, after presentations by the applicant, debate, and public comment, the Town Council voted to adopt the detailed findings of the Town's Planning Board, which are quoted in the minutes. Town Council Meeting Minutes at 17-18 (*Exhibit 2*). Immediately thereafter, the Town Council approved the

[7] The Town was only able to identify these listed persons because their appearances are documented in the Town Council Meeting Minutes by virtue of the fact they participated in the public comment portion of the hearing. The Town expects that should this case proceed, discovery would reveal more members of the BSFD were present at the meeting, but did not officially comment.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

amendment to the Zoning Map. *Id.* at 22 (*Exhibit 2*). Clearly, in adopting the detailed reasoning and conclusions of the Planning Board, the Town Council fulfilled its obligation to "set[] forth the grounds for its decision."

As it pertains to the ministerial act of amending the ordinances to reflect the approval of the amendment, the Town is currently in the process of doing so. DeLuca Aff., ¶6 (*Exhibit 1*). In any event, in light of the Town Council's approval of the application in open session, any alleged delay in the ministerial act of officially codifying the action is of no legal significance. *See e.g. New England Development, LLC v. Berg*,[8] 913 A.2d, 363, 372-73 (R.I. 2007).

Conclusion

For the foregoing reasons, and others that may be presented in further filings and the hearing of this matter, the Town respectfully requests this honorable Court deny the BSFD's Motion For Summary Judgment, and grant the Town's cross-motion for summary judgment on the causes of action related to procedural deficiencies.

[SIGNATURES ON FOLLOWING PAGE]

[8] No relation.

Case Number: WC-2017-0219
Filed in Washington County Superior Court
Submitted: 10/29/2018 11:06 AM
Envelope: 1776242
Reviewer: Danielle K.

Respectfully submitted,

SUSAN CICILLINE-BUONANNO, MATTHEW MANNIX, JILL LAWLER, MICHAEL MORETTI, PATRICK MURPHY, *in their capacities as Members Of the Town Council of the* TOWN OF NARRAGANSETT, and VINCENT FRAIOLI.

By their Attorney,

/s/ ANDREW BERG
Andrew Berg, Esq. #4754
Asst. Town Solicitor, Town of Narragansett
2639 South County Trail
East Greenwich, RI 02818
Tel. (401) 274-0113
Fax (401) 398-8334
BERG@SBLLP.NET

CERTIFICATION OF SERVICE

I hereby certify that on this 29th day of October 2018, I did electronically file and serve the within Motion.

/s/ ANDREW BERG

Town of Narragansett

Rhode Island

Resolution No. 95-31

RESOLUTION DIRECTING THE STAFF TO INCLUDE THE ROADS WITHIN THE BONNET SHORES FIRE DISTRICT IN THE TOWN'S OVERALL PAVEMENT MANAGEMENT PROGRAM

WHEREAS, in 1992, the Bonnet Shores Fire District voted to transfer the ownership of the roads within the Bonnet Shores Fire District to the Town, and

WHEREAS, a comprehensive survey of said roads was performed, resulting in drawings that delineates the rights-of-way, the actual travelled-way edges, and major physical features within the rights-of-way, and

WHEREAS, the basic roadway condition information has already been entered into the Town's computerized Pavement Management Program, and

WHEREAS, while the ownership issues relative to the roads within the Bonnet Shores Fire District remain unresolved, the actual physical condition of said roads continues to deteriorate, and

WHEREAS, the Town Council is desirous of improving the condition of the roads within the Bonnet Shores Fire District,

NOW, THEREFORE BE IT RESOLVED that the roads within the Bonnet Shores Fire District designated on the comprehensive survey dated February 29, 1992 by Garofalo & Associates shall, for the purposes of maintenance and/or scheduled, prioritized, and systematic upgrading, be included within the Town's pavement management efforts.

ADOPTED this 20th day of November A.D. 1995.

Timothy P. Haxton, Council President

Carol Robbins

Carol Robbins, Deputy Town Clerk

cstaff1@crmc.ri.gov

From: Mary Mason <maryt5388@gmail.com>
Sent: Thursday, November 08, 2018 9:48 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: Fwd: BS Walkway

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to **object to the request, as presented**, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Respectfully,
Mary Mason
54 Gardenia Lane
Narragansett, RI 02882

cstaff1

From: Mary Mason <maryt5388@gmail.com>
Sent: Thursday, November 08, 2018 9:48 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: Fwd: BS Walkway

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to **object** to the request, **as presented**, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Respectfully,
Mary Mason
54 Gardenia Lane
Narragansett, RI 02882

Virus-free. www.avg.com

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Tuesday, November 13, 2018 7:48 AM
To: Brittany Spurlock
Subject: FW: 2018-09-019

From: N [mailto:n.riccitelli@hotmail.com]
Sent: Saturday, November 10, 2018 1:39 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebat.org
Subject: 2018-09-019

Sent from my iPad

Begin forwarded

View this email in your browser

Dear CRMC Staff,

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable

installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest!

Nancy Riccitelli

7 Cross Rd

Narragansett,RI 02882

Copyright © 2018 Concerned Citizens of Bonnet Shores, All rights reserved.
You are receiving this email because you expressed an interest.

Our Website Is: https://www.concernedcitizensofbonnet.org

Please add info@concernedcitizensofbonnet.org to your Contacts to better receive our emails.

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

Virus-free. www.avg.com

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Thursday, November 08, 2018 8:42 AM
To: Brittany Spurlock
Subject: FW: "File # 2018-09-019 Bonnet Shores Beach Club Condo"

Lisa A. Turner
Office Manager
Coastal Resources Management Council
O S Government Center
4808 Tower Hill Road, Rm 116
Wakefield, RI 02879
(401)783-3370

This email is sent on 100% Unused Paper
Help promote Green Business practices by not printing this email

From: Michael Linehan [mailto:mlinehan@ABINITIO.COM]
Sent: Thursday, November 08, 2018 7:34 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: "File # 2018-09-019 Bonnet Shores Beach Club Condo"

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District (address: 15 Parkman Rd.) and I am writing to **objectto** the request, **as presented**, by the Bonnet Shores Beach Club (BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure, rather than spending more time and money to dig up a fragile environment.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

We ask you to consider these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Sincerely,

Michael Linehan

Michael Linehan
Ab Initio Software LLC
201 Spring St.
Lexington, Massachusetts 02421
USA
Phone: 617-590-5462
Fax: 781-301-2001
E-mail: mlinehan@abinitio.com

NOTICE *from Ab Initio: This email (including any attachments) may contain information that is subject to confidentiality obligations or is legally privileged, and sender does not waive confidentiality or privilege. If received in error, please notify the sender, delete this email, and make no further use, disclosure, or distribution.*


Virus-free. www.avg.com

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Thursday, November 08, 2018 8:42 AM
To: Brittany Spurlock
Subject: FW: File#20189-09-019

Lisa A. Turner
Office Manager
Coastal Resources Management Council
O S Government Center
4808 Tower Hill Road, Rm 116
Wakefield, RI 02879
(401)783-3370

This email is sent on 100% Unused Paper
Help promote Green Business practices by not printing this email

From: J Tonkinson [mailto:jjtonks25@gmail.com]
Sent: Thursday, November 08, 2018 8:19 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: File#20189-09-019

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club
(BC) to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed elevated Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. The proposed Beach Club's sewer line can easily and safely be suspended from the proposed Walkway's support structure.

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Janice and John Tonkinson
Condo Owners, 1029 Boston Neck Road, #11
Narragansett, RI 02882

Mailing address: 190 Hightower Road, Southington, CT 06489

SAVE THE BAY
NARRAGANSETT BAY

THE BAY CENTER
100 Save The Bay Drive
Providence, RI 02905
phone: 401-272-3540
fax: 401-273-7153
savebay@savebay.org
www.savebay.org

EXPLORATION CENTER
Easton's Beach
P.O. Box 851
Newport, RI 02840
phone: 401-324-6020
fax: 401-324-6022

SOUTH COAST CENTER
Riverside Building
8 Broad Street
Westerly, RI 02891
*phone/fax:*401.315.02891

Via electronic mail

November 9, 2018

Jennifer Cervenka, Chair
Rhode Island Coastal Resources Management Council
Stedman Government Center - Suite 3
4808 Tower Hill Road
Wakefield, RI 02879

Re: Bonnet Shores Beach Club and Bonnet Shores Fire District
File No. 2018-09-019

Dear Chair Cervenka,

Save The Bay, on behalf of its members and supporters, objects to the above-referenced on-site sewage pumping station and the construction of a sanitary sewer force main through Bonnet Point Road/Allagash Trail. Our objection is based on the lack of information in the application and failure to provide notice of the standards applicable to the proposed alteration of a protected barrier beach and construction of a sewer line in a causeway that is routinely submerged by the overtopping of Wesquage Pond.

As a preliminary matter, the 2009 "Act Relating to Authorization for Sanitary Sewer Line from Bonnet Shores Beach Club Condominium to Town of Narragansett Wastewater Treatment System" (the Act) creates a dangerous precedent and violates the Coastal Resources Management Program (CRMP) approved by National Oceanic and Atmospheric Administration (NOAA). The congressional declaration of policy of the Coastal Zone Management Program, 16 U.S.C. § 1452, states that the national policy is to protect and preserve our coastal zone resources, noting the responsibility to "...protect wetlands, floodplains, estuaries, beaches, dunes, barrier islands, coral reefs, and fish and wildlife and their habitat, within the coastal zone..." with particular attention paid to those resources that are vulnerable to sea level rise, storm surge saltwater intrusion, and the destruction of barrier islands and other protective features.

Violation of the NOAA approved CRMP puts future funding and authority of Rhode Island coastal programs at risk. We will urge NOAA to closely scrutinize the state's failure to abide by the CRMP and protect coastal resources by attempting to circumvent the Rhode Island approved program and change the rules for a particular applicant.

Please consider our preliminary comments on the above referenced application. We are unable to provide meaningful comment without a full understanding of the alternatives considered, the applicable standards, and whether the dewatering activities required during construction are feasible and have received all necessary permits.

1. The burden that must be met by the applicants is unclear as the notice does not provide the standards by which the application will be evaluated. The Act provides that the applicant must obtain all required state and local approvals. The CRMP prohibits construction on a barrier, permanent alteration to a coastal wetland, notably a wildlife refuge, and alteration of the beach/dune setback. Given the complexity of evaluating this proposal in such a vulnerable and important area, Save The Bay submits that the public has a right to be clearly informed that the applicants must meet the criteria for a special exception with respect to altering these protected coastal features and be given an opportunity to review the information that the applicants submit to address the criteria. In the September 7, 2018 application (the application) it appears that the applicants are also unsure of the applicable standards but list variance criteria.

2. The application is incomplete and it does not contain detailed information concerning the alternatives that were considered and the reasons other alternatives were not carried forward into the process. The cursory statements and unsupported conclusions contained in the application make it impossible to determine whether the proposal chosen has the least impact on coastal resources, the steps, if any, taken to minimize impacts, and the long- and short-term adverse environmental impacts and cumulative effects from the proposed project. This includes questions about the integrity of the Bonnet Point Road causeway, road elevations, and Wesquage Pond control structures raised in the May 23, 2016 memo to Michael DeLuca, from BETA Group, Inc. Further, it is unclear whether the applicant is claiming that the project serves a public purpose and has applied storm tools to the proposal.

3. The proposal should include a full evaluation of climate risks associated with the project, including but not limited to sea level rise (SLR), storm surge and storm damage. Much has changed in our understanding of Rhode Island's coastal vulnerability since the Beach Club was issued a Notice of Violation for its onsite wastewater treatment system in 2001 and the enabling Act was passed in 2009. The Council's recently-adopted Shoreline Change Special Area Management Plan (SAMP) provides detailed information and tools for applicants and municipalities to assess vulnerability and prepare for changing coastal conditions. It is unclear if the applicant has considered the SAMP's guidance and adaptation strategies or applied STORMTOOLS to the proposal. Today, Bonnet Point Road is frequently flooded during high tides and after storms. With one foot of sea level rise, much of the road is inundated. With two feet of sea level rise, the entire causeway is underwater, as is a portion of the Beach Club parking lot. CRMC has adopted the NOAA high curve for SLR predictions. Based on this curve, we could expect to see two feet of sea level rise between 2030 and 2040. No proposal that includes running the sewer line under or along the Bonnet Point Road causeway should be considered based upon the very short lifespan for this project, unless all other alternatives have been explored and found unfeasible. We cannot and should not allow construction of infrastructure in vulnerable areas.

Thank you for considering our comments.

Sincerely,



Michael Jarbeau
Narragansett Baykeeper

Lisa Turner

From: Grover Fugate <gfugate@crmc.ri.gov>
Sent: Tuesday, November 13, 2018 10:40 AM
To: 'Jeff Willis'; 'Lisa Turner'; 'Dave Reis'; "Rich Lucia"
Subject: FW: Bonnet Shores Beach Club and Bonnet Shores Fire District
Attachments: CRMC letter Bonnet Shores.mj.doc

Grover Fugate
Executive Director
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, Rhode Island 02879
(401)783-3370

From: Kendra Beaver [mailto:kbeaver@savebay.org]
Sent: Friday, November 09, 2018 6:52 AM
To: jennifer cervenka; Grover Fugate
Cc: Mike Jarbeau
Subject: Bonnet Shores Beach Club and Bonnet Shores Fire District

NOTICE: This e-mail is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail form your computer and do not copy or disclose it to anyone else. If you properly received this e-mail as an employee of Save the Bay, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

Kendra L. Beaver
Staff Attorney
Save the Bay
100 Save The Bay Drive
Providence, RI 02905
kbeaver@savebay.org
(401) 272-3540



NOTICE: This e-mail is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail form your computer and do not copy or disclose it to anyone else. If you properly received this e-mail as an employee of Save the Bay, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

Kendra L. Beaver

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Thursday, November 08, 2018 8:23 AM
To: Brittany Spurlock
Subject: FW: BSBC sewer application 2018-09-019

Lisa A. Turner
Office Manager
Coastal Resources Management Council
O S Government Center
4808 Tower Hill Road, Rm 116
Wakefield, RI 02879
(401)783-3370

This email is sent on 100% Unused Paper
Help promote Green Business practices by not printing this email

From: Kathleen Kafarski [mailto:kdk731@gmail.com]
Sent: Wednesday, November 07, 2018 10:08 PM
To: cstaff1@crmc.ri.gov; savebay@save.org
Subject: BSBC sewer application 2018-09-019

I have been a resident/taxpayer of BSFD for the past 28 years & am writing to object to the request to the BSBC to install a sewer line under the Bonnet Shores causeway.

A viable alternative exists to satisfy the safety of those walking, running on the causeway for beach access & exercise and the need for a reliable sewer for the beach club during their months of operation. That is the proposed elevated walkway project that is desperately needed & supported by a large number of residents who live in Bonnet. The proposed BC sewer line can easily & safely be suspended from the proposed walkway,s support structure. As I see it, the walkway is crucial for the safety of all who use the causeway on a daily basis. The beach club needs sewer access as much as we do to maintain the beauty & health of our pristine beach-------combining the two projects is a win-win for all of us, both residents & beach club owners who love & appreciate our beloved Bonnet Shores.

We ask & implore you to consider these views, which would protect our natural resources (our beautiful salt pond) & satisfy a solution for the safety of the causeway & need for a sewer for the BSBC. Please, deny the BC application as presented & instruct them to join with the walkway project as the solution that is in the public,s best interest!

Thank you for your consideration to this important proposal that will affect all of us residents who live & value the natural resources of our beloved Bonnet !!!!!

With appreciation for your consideration,
Kathleen & Robert Kafarski
52 Ottawa Trail

cstaff1

From: Frank Baker <effelbee@gmail.com>
Sent: Wednesday, November 07, 2018 11:02 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: Application # 2019-09-019 Bonnet Shores Beach Club Sewer line

TO THE COASTAL RESOURCES MANAGEMENT COUNCIL

We are residents and taxpayers who live in the Bonnet Shores community in Narragansett. The referenced application proposes to install a sewer line underneath the often-flooded causeway leading to the seasonal Beach Club applicant, many of whose members do not live in Bonnet Shores. As you know, this causeway crosses the Westquague salt marsh preserve, an important natural resource in Rhode Island.
There is already engineering under way on behalf of the Bonnet Shores Community Association to construct an elevated walkway adjacent to the causeway for public safety reasons. Since the sewer line will support seasonal use of the applicant's members, including its planning in collaboration with our Bonnet Shores Owners Association for the elevated (thus the line can be easily inspected with no frost proofing) walkway makes excellent sense. Most Bonnet Shores Owners and Beach Club members no doubt share the concerns for protecting this wonderful Wesquague preserve.
Please consider referring the Applicant to the Bonnet Shores Community Association for developing a joint coordinated solution to both the safety and sanitary issues in this area of your responsibility. There is no reason to duplicate separate disruptive solutions.
Thank you.
Frank Baker and Eileen Baker, 50 Burbank Avenue, Narragansett RI.

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Nancy <npcordy@verizon.net>
Sent: Wednesday, October 17, 2018 8:41 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire

community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Nancy Cordy
240 Bonnet Point Rd. (and Unit F-4 at BS Beach Club)

Virus-free. www.avg.com

cstaff1

From: Michelle Caraccia <mlcaraccia@gmail.com>
Sent: Wednesday, October 17, 2018 10:36 AM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

Our property at 20 Lake Road in Bonnet Shores is directly affected by the environmental and structural health of Wesquage Pond and the Causeway across the pond.

As year-round residents and taxpayers of Bonnet Shores Fire District we are writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. We are referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Stephen and Michelle Caraccia
20 Lake Road
Narragansett, RI 02882

--
Stephen and Michelle Caraccia
Bonnet Shores
Narragansett, RI 02882
mlcaraccia@gmail.com
www.michellelcaraccia.com

Virus-free. www.avg.com



cstaff1

From: Pat Davis <patd63@verizon.net>

Sent: Wednesday, October 17, 2018 12:57 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject: "File # 2018-09-019 Bonnet Shores Beach Club Condo"

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community.

The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Extremely concerned for our wetlands, Patricia E Davis
54 Gardenia Lane Narragansett RI 02882

Virus-free. www.avg.com



cstaff1

From: Jim Sheridan <lawsome2@msn.com>
Sent: Wednesday, October 17, 2018 3:08 PM
To: cstaff1@crmc.ri.gov
Subject: File No. 2018-09-019 Bonnet Shores Beach Club Condo

Please see my email below which I mistakenly sent to an improper email address for CRMC. Thank you.
Jim Sheridan

James L. Sheridan, Esq.
28 Caswell Street, Narragansett, RI 02882
(401)789-1900 (phone and fax)

From: Jim Sheridan <lawsome2@msn.com>
Sent: Wednesday, October 17, 2018 2:58 PM
To: cstaff@crmc.ri.gov
Cc: savebay@savebay.org; Concerned Citizens of Bonnet Shores
Subject: File No. 2018-09-019 Bonnet Shores Beach Club Condo

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am an owner of a condominium at the Bonnet Shores Beach Club and a home owner/resident/taxpayer of Bonnet Shores Fire District. I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

James L. Sheridan, Esq.
28 Caswell Street, Narragansett, RI 02882
(401)789-1900 (phone and fax)

Virus-free. www.avg.com

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From:	Rosemary Pariseault <rosemarypariseault@gmail.com>
Sent:	Friday, October 19, 2018 5:21 AM
To:	cstaff1@crmc.ri.gov
Cc:	savebay@savebay.org
Subject:	File#2018-09-019

We are writing to object to the request from the Bonnet Shores Beach Club to install a sewer line under the Bonnet Causeway.It makes more sense to install the sewer pipes under the proposed Walkway considering the environmental concerns a buried line potentially could cause.What might the impact of repairing or replacing a buried sewer line be to the residence?

We support the Proposed Walkway Project because of its environmental and safety factors.Protecting our fragile natural resources and our community members who daily use the causeway .

Thank you for reviewing our concerns,

Raymond and Rosemary Pariseault
5 Dunes Road
Narragansett RI 02882

Sent from my iPad

This email has been checked for viruses by AVG.
https://www.avg.com

cstaff1

From: Joseph Mello <shmegle007@aol.com>
Sent: Sunday, November 04, 2018 6:25 PM
To: cstaff1@crmc.ri.gov
Subject: File#2018-09-019 bonnet shores beach club condo

I am a bonnet shores taxpayer and I am writing to protest the Bonnet Shores beach club's proposal to install a sewer line under the Bonnet Shores causeway. The proposal to bury a sewer line under the causeway is reckless. An elevated causeway would be a good solution. I hope that you will deny the beach club's application as presented. Regards Ray Mello 59 King Philip Rd.

Sent from my Verizon Wireless 4G LTE Droid

Virus-free. www.avg.com

cstaff1

From: Flint Family <pattyannflint@verizon.net>
Sent: Tuesday, October 30, 2018 5:18 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council

Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

We are writing to formally file an objection to the request by the Bonnet Shares Beach Club (BSBC) to connect to the Town Sewer system by burying a high-pressure sewer line beneath the fragile Bonnet Shores Causeway. As a resident/taxpayer of Bonnet Shores Fire District and a member of the Bonnet Shores Beach Club Condominium, we find this request by the BSBC to be irresponsible, short-sighted and not at all sensitive to the potential environmental disaster they could be helping to facilitate.

The Bonnet Shores Causeway was built in the 1920s by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. This is not the 1920s when construction standards emphasized access and cost savings with little importance accorded to environmental protection. Let's face it – the Causeway would have never been constructed if they cared about the impact on the Pond! It did not matter that the causeway might considerable environmental damage. In those days, the impacts of such construction projects was not a denominator in decision to build them.

Although none of these impacts was given much thought when the Causeway was built back in the 1920s, they now loom very large. We are more knowledgeable and conscious of the impacts we have on our local ecosystems. Permission for construction projects such as burying high-pressure sewer lines in a fragile Causeway should now consider alternative options for providing the sewer linkage for the BSBC. We should not repeat the mistakes of past generations by ignoring the consequences of our decisions.

Even more importantly, the decades of seasonal flooding and the traffic across has not been kind to the Causeway.The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It's in such terrible shape now that it is quite literally crumbling in several sections, especially near where the BSBC proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

No one objects to the fact that the BSBC should be connected to the sewer lines. The BSBC needs to connect to the Town of Narragansett sewer system. There have been times during the summer when the beach has been closed due to septic failure or overflow. But there are options!

I am writing to the CRMC to ask that you insist that the sewage linkage project being presented by the BSBC be redesigned for minimal environmental disruption. There are alternatives. For example, a plan is being proposed by residents of the Bonnet Shores Fire District that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built, the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to disrupt the Causeway roadbed and bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores Causeway is reckless and its potentially disastrous environmental consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'. There is no economic benefit to the BSBC or the State of Rhode Island to burying the sewer line in the Causeway. Therefore, the preservation and restoration of ecological systems such as Wesquage Pond should be the primary guiding principal upon which CRMC measures, judges and regulates the project being presented by the BSBC.

Thank you for considering my views on the proposed Sewer Application # 2018-09-019 submitted by the Bonnet Shores Beach Club Condominium. we encourage you to please consider the potential environmental (and economic in the event of a break) ramifications of the BSBC proposal. Please vote to deny the BSBC's application, as presented, and instruct them to partner with the Walkway project as this seems to be a strong alternative option that will both provide the BSBC with a much needed sewer linkage, as well as both minimize and address specific serious potential environmental impacts on this fragile ecosystem.

Sincerely,

Patricia & John Flint
36 Camden Road
Bonnet Shores

cstaff1

From:	elayne111@verizon.net
Sent:	Friday, October 26, 2018 10:43 AM
To:	cstaff1@crmc.ri.gov
Cc:	savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject:	File # 2018-09-019 Bonnet Shores Beach Club Condo

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole agrees, and I in particular strongly concur that the BC needs to FINALLY connect to the Town Sewer system, but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Regards,
Bernie Casey
37 Lake Road

Virus-free. www.avg.com

cstaff1

From: Denise Sellon <kenike1978@gmail.com>
Sent: Tuesday, November 06, 2018 11:57 AM
To: cstaff1@crmc.ri.gov
Subject: Fragile Bonnet Shores Causeway

FYI

On Friday, November 2, 2018, Information BSFD <Information@bonnetshores.org> wrote:

ATTENTION ALL BONNET SHORES RESIDENTS:

CAUSEWAY CLOSED

Please be advised that due to recent heavy rains the causeway is flooded and has now been **CLOSED** by the Town of Narragansett (*effective Thursday 12pm*). No vehicles or pedestrian traffic will be permitted. This closure is for the safety of pedestrians and vehicles as well as preventing further damage to the road surface and subsurface. The road will remain closed until water levels have lowered and Town Officials feel it is safe to re-open the roadway. Please use the alternate route (via Bonnet Shores Road) during closure. Thank you for your understanding and cooperation.

(11/01/2018)

BSFD Resident Contact Program

- Please direct all district related questions to district.manager@bonnetshores.org or call 789-4540.

- Send changes to email addresses or other resident contact information to information@bonnetshores.org

- BSFD Website: www.bonnetshores.org

Virus-free. www.avg.com

RECEIVED
NOV - 7 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Denise Sellon <kenike1978@gmail.com>
Sent: Thursday, October 25, 2018 2:58 PM
To: cstaff1@crmc.ri.gov
Subject: Bonnet Shores Beach Club

I am a resident of Bonnet Shores and am writing to object to the request of the Bonnet Shores Beach Club ("BSBC") to install a sewer line in the Bonnet Shores causeway.

As I'm sure you know, the Causeway bisects Wesquage Pond. The Causeway itself is crumbling in several sections, especially near the BSBC where this sewer pipe would emanate. In recent years the pond has frequently overrun its borders and in effect the two sides separated by the Causeway merge into a single body of water. The result is such that the Causeway is routinely closed during the year. It is inconceivable to me and many of my neighbors that CRMC would even entertain the concept of permitting a sewer line to be run through the subsurface of an ecologically fragile pond. My personal experience with CRMC is quite the contrary, and that it zealously enforces rules intended to protect the pond from any threat.

What is equally frustrating is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the walkway is built the sewer line can easily be suspended beneath it **and serviced**, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).
In the event of a leak in this 2" pipe, how will they find the leak without having to tear up the causeway once again and also causing major traffic disruptions? This will also cause beach club sewerage discharge shut down!

Unfortunately this common sense solution has been thwarted by the selfish interests of members of the boards of the BSBC as well as the Bonnet Shores Council, which have packed both boards with advocates for the BSBC. Given that BSBC cabana owners (currently) are afforded the same voting rights as full time residents of Bonnet Shores, they use that voting power to advance their parochial interests rather than the safety and well being of the community at large.

CRMC is charged with protecting the vital natural resources of our entire community. It should resist any pressure from the BSBC to ignore its obligations. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by tying the project to installation of the Walkway.

Thank you for considering these views.

Denise Sellon
236 Bonnet Point Road
Narragansett, R.I.

Virus-free. www.avg.com

Brittany Spurlock

From: cstaff1@crmc.ri.gov
Sent: Tuesday, October 23, 2018 11:25 AM
To: Brittany Spurlock
Subject: FW: File # 2018-09-019 Bonnet Shores Beach Club Condo"

From: Carolyn DiLeo [mailto:carolyn.dileo@gmail.com]
Sent: Tuesday, October 23, 2018 9:57 AM
To: cstaff1@crmc.ri.gov
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo"

To the CRMC Council:
Re: Bonnet Shores Beach Club application # 2018-09-019

I am a resident of Bonnet Shores and an owner of two bathhouses at Bonnet Shores Beach Club. I am in support of a sewer line by the Beach Club but I am writing to object to the request of the Bonnet Shores Beach Club ("BC") to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Septic system but not by burying a high pressure sewer line beneath the fragile Causeway roadway.

As I'm sure you know, the Causeway bisects Wesquage Pond. The Causeway was loosely formed in the early 1920's according to the little information available. It was constructed by forming a pathway across the pond with 'unconsolidated' fill which, over the years, was asphalted over becoming a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. In recent years the pond has frequently overflowed its borders and in effect the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated. The result is such that the Causeway is routinely closed during the year. It is inconceivable to me and many of my neighbors that CRMC would even entertain the concept of permitting a sewer line, especially a high-pressure line, to be run through the subsurface of an ecologically fragile pond. My personal experience with CRMC is quite the contrary, and that it zealously enforces rules intended to protect the pond from any threat.

What is equally frustrating is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods). Unfortunately this common sense solution has been thwarted by the members of the board of the BC as well as the Bonnet Shores Fire District Council, which have packed both boards with advocates for the BSBC. Given that BC cabana owners (currently) are afforded the same voting rights as full time residents of Bonnet Shores, they use that voting power to advance their parochial interests rather than the safety and wellbeing of the community at large.

CRMC is charged with protecting the vital natural resources of our entire community. It should resist any pressure from the BC to ignore its obligations. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the better Public interest.

Carolyn Di Leo
201 Colonel John Gardner Road
Narragansett, RI

--
Carolyn DiLeo

cstaff1

From: elayne111@verizon.net
Sent: Saturday, October 20, 2018 4:18 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: File # 2018-09-019 Bonnet Shores Beach Club Condo

I am a resident of Bonnet Shores and I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway.

I live on the lake side of Lake Road (37) and I believe that to run a sewer line down the middle of an already very fragile road would be disastrous and environmentally unsound.

Thank you,

Elayne Casey
37 Lake Road

Virus-free. www.avg.com

RECEIVED
OCT 22 2018
COASTAL RESOURCES MANAGEMENT COUNCIL

cstaff1

From: Dr. William DelGizzo <wdelgizzo@cox.net>
Sent: Saturday, October 20, 2018 7:58 AM
To: cstaff1@crmc.ri.gov
Cc: info@concernedcitizensofbonnet.org; savebay@savebay.org
Subject: Bonnet Shores Beach Club Sewer Project

I am a resident/taxpayer of the Bonnet Shores Fire District (BSFD) and I am writing to OBJECT to the request, as presented by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The BC has an alternative that would serve to enable installation of the sewer line, protect the environment, increase access to the shore line and be cost effective to the BC condo owners That alternative would be to combine the sewer line into the planed walkway project along the BSFD causeway I would hope you would recommend that the sewer line project and the walkway be a joint project William DelGizzo 182 Colonel John Gardner

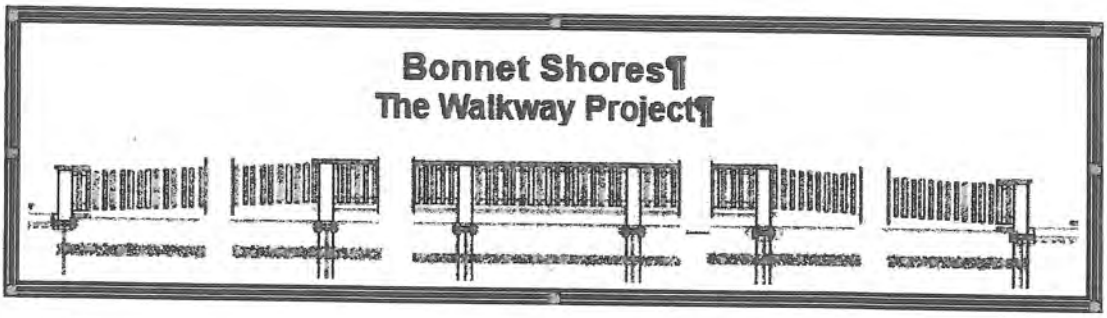
Virus-free. www.avg.com



cstaff1

From: Ann Short <captoby@aol.com>
Sent: Tuesday, October 16, 2018 7:43 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org
Subject: Walkway Project

OCT 17 2018



October,16th 2018

To: CRMC Council
Re: Bonnet Shores Beach Club Sewer application # 2018-09-019

I am a resident/taxpayer of Bonnet Shores Fire District. My name is Ann Short and I live at 137 Treasure Rd, Narragansett RI, 02882.

I am writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the

Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we pray that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Ann Short





OCT 17 2018





OCT 17 2018

This email was sent to
captoby@aol.com

why did I get this?

unsubscribe from this list

update subscription preferences

Concerned Citizens of Bonnet Shores · 51 Pawnee Trl · Narragansett, RI 02882-1411 · USA



Sent from my iPhone

Virus-free. www.avg.com

cstaff1

From: Linda Kaufman <LAKaufman@outlook.com>

Sent: Tuesday, October 16, 2018 4:55 PM
To: cstaff1@crmc.ri.gov
Cc: savebay@savebay.org; info@concernedcitizensofbonnet.org
Subject: RE: File # 2018-09-019 Bonnet Shores Beach Club Condo

OCT 17 2018

Attention CRMC Council:

We are residents/taxpayers of Bonnet Shores Fire District and we are writing to object to the request, as presented, by the Bonnet Shores Beach Club (BC) to install a sewer line in the Bonnet Shores causeway. The community, as a whole, agrees that the BC needs to connect to the Town Sewer system but not by burying a high-pressure sewer line beneath the fragile Causeway roadway.

The Causeway is one of the only 2 means of ingress/egress serving the Bonnet Community. It was constructed in the 1920's by forming a pathway across Wesquage Pond using 'unconsolidated' fill which, over the years was paved making it a roadway. The Causeway itself is crumbling in several sections, especially near the BC where the proposed sewer pipe would emanate. The pond frequently overflows the Causeway and, in effect, the two sides separated by the Causeway merge into a single body of water punctuating the fact that the Causeway bed is continuously saturated.

What is of major concern is the fact that an alternative exists that will serve to both enable installation of the sewer line and protect the pond. I am referring to the proposed Walkway project that has the enthusiastic support of large numbers of those who actually reside in Bonnet Shores. When the elevated Walkway is built the sewer line can easily and safely be suspended from its supporting structure, thereby avoiding any need to bury the line under the causeway (and the pond when it floods).

We rely on CRMC for protecting the vital natural resources of our entire community. The proposal to bury a sewer line under the Bonnet Shores causeway is reckless and its potentially disastrous consequences are both clearly foreseeable and easily avoided by forcing the Sewer project and the Walkway project to proceed as a 'single unified effort'.

Thank you for considering these views and we encourage that you will vote to deny the BC's application as presented and instruct them to join with the Walkway project as the solution that is in the Public's best interest.

Best Regards,
Linda & Dave Kaufman
259 Bonnet Point Road
Bonnet Shores
Narragansett, RI 02882

Linda Kaufman

cstaff1

From:	Paula Childs <paulaschilds@gmail.com>
Sent:	Tuesday, October 16, 2018 5:02 PM
To:	cstaff1@crmc.ri.gov
Cc:	savebay@savebay.org
Subject:	Bonnet Beach Club Sewer Line

Hello- We are 10 year Bonnet Shores residents who frequently use the causeway to access Kelly Beach. We urge you not to approve the Bonnet Shores Beach club application to install a sewer line below this fragile road surface.

We believe that the sewer line should be installed beneath the proposed elevated Bonnet Walkway project. This will both save money and protect the Wesquage wildlife refuge from a toxic sewage spill from a hidden underground sewer pipeline.

We are among hundreds of Bonnet residents who believe that this is the logical and cost effective way to solve a public safety problem as well as the sewer line dilemma.

Please do not approve the BSBC application.

Thank you.
Paula Childs
Dr. Mark Rose
55 Lake Road

Sent from my iPhone

This email has been checked for viruses by AVG.
https://www.avg.com

OCT 17 2018

cstaff1

From: Paula Childs <paulaschilds@gmail.com>
Sent: Tuesday, November 06, 2018 3:50 PM
To: cstaff1@crmc.ri.gov
Subject: Bonnet Causeway closes again

Our fragile roadway is once again impassible due to heavy rain and flooding. This once again raises serious questions about the viability of the proposed Bonnet Shores Beach Club sewer line which you are being asked to approve.
Please do the only sensible thing for our community and advise the beach club to join its sewer line project with the proposed elevated walkway down the causeway.
We are ten year residents of Bonnet and we feel Very strongly about this.
Thank you.

Dr. Mark Rose
Paula Childs
55 Lake Road
Bonnet Shores

Sent from my iPhone

This email has been checked for viruses by AVG.
https://www.avg.com



letters of
Support
w/address

cstaff1

From: Paul Farley <pf3500@gmail.com>
Sent: Wednesday, October 17, 2018 2:21 PM
To: cstaff1@crmc.ri.gov
Cc: michael.vendetti@bonnetshores.org; janice.mcclaghan@bonnetshores.org; natalie.macdonald@bonnetshores.org; chris.anniz@bonnetshores.org; Len Mercier
Subject: Bonnet Shores Beach Club Condo File # 2018-09-019

To CRMC Council,

As a life long member of the Bonnet Shores community and a resident/taxpayer I am writing to SUPPORT the request, as submitted by the Bonnet Shores Beach Club, to install a sewer line.
The easement for this plan was vetted by the Bonnet Shores Fire District (BSFD) for over two years before being approved. I served on the BSFD council during this process and I am intimately familiar with the details of the plan and the work that was done to insure that the project would be safe and effective for the community. We also reviewed other options but the benefit of a 2.5 inch gravity line placed a few short feet below the surface of the causeway , operational April to October, far outweighed the option of a large septic system being built in the BC parking lot a few hundred feet from the ocean.

I am also aware that there is a small group opposing this plan by suggesting the sewer line can be installed under a walkway to be built along side the causeway. The simple fact is that there is NO plan by the BSFD to build a walkway. In fact at the annual meeting of the BSFD taxpayers in June of this year the residents overwhelming voted down any funding for a walkway. The BSFD Land Trust, that holds the rights to the property, does not support the walkway and there aren't any permits from the Town , DEM, CRMC or another agency for a walkway.

Protecting the environment of Bonnet Shores and the natural resources of the area are paramount to the BSFD Council and the Land Trust and they believe that the sewer line plan proposed by BC is the best option.

Thank You

Paul Farley
52 Onondega Rd.
Narragansett RI 02882
40102843949

Virus-free. www.avg.com



cstaff1

From: Lisa Zompa <lzompa@kitchenviews.com>
Sent: Wednesday, October 17, 2018 3:57 PM
To: cstaff1@crmc.ri.gov
Subject: File #2018-09-019 Bonnet Shores Beach Club File

Who whom it may concern,

I am a tax payer of Bonnet Shores. I am writing to encourage for the approval of the BSBC Sewer project. I feel the sewer line/pipe needs to be installed under the roadway, and any other suggestion of installation under an above ground walkway would be faulty. Not only will it be exposed to the elements, it will also be vulnerable to someone tampering with it, or a car crashing into it. The pipe needs to be in a place where it can't be accessible to the common traffic, just like power lines for the same reason.
I know you are getting e-mails to encourage the pipe installed under the walk way, however those are unfortunately sent to you with an alternative motive to pass on expenses, rather than the good for the community.

I encourage you to approve BSBC application for the sew project as presented.

Thank You,

Lisa Zompa KV Outside Sales
Kitchen Views 3356 Post Rd Warwick RI 02886
P 401-921-0400 ext: 1308 C 401-261-5329 F 401-921-5150
The National Lumber Family of Companies
National Lumber, Oxford Lumber, Reliable Truss, Kitchen Views, National Millwork, Pro Insulators, Babel's

This electronic communication may contain information that is privileged, CONFIDENTIAL and exempt from disclosure under applicable law. If you are not the intended recipient, please notify me immediately, as the use of this information is strictly prohibited.

Virus-free. www.avg.com

RECEIVED
OCT 17 2018
COASTAL RESOURCES MANAGEMENT COUNCIL