

**COASTAL RESOURCES
MANAGEMENT COUNCIL**

**SEMI-MONTHLY
MEETING**

TUESDAY, JANUARY 28, 2020

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, January 28, 2020; 6:00 p.m.
Administration Building; Conference Room A
One Capitol Hill, Providence, RI 02908

Approval of the minutes of the previous meeting -- November 26, 2019; January 14, 2020
Subcommittee Reports
Staff Reports

Coastal Education Series: Matt Behan, OSAA – Aquaculture/

FRESHWATER WETLAND IN THE VICINITY OF THE COAST APPLICATION BEFORE THE FULL COUNCIL FOR DECISION:

2019-06-089 QUONNIE PARTNERS LLC -- Construct new commercial structure with associated parking and OWTS; establish Buffer Zone; remove and relocate greenhouses; construct new greenhouses; two new driveways, new parking area; establish planting beds/agricultural fields; install public well. Located at plat 4, lot 68; 16 West Beach Road, Charlestown, RI.

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

2019-01-063 THERMAN RICHARD & JUSTIN PINHEIRO -- Establish a two acre oyster farm using floating gear and to grow kelp on suspended longlines. Located in the West Passage of Narragansett Bay, North Kingstown, RI.

2019-07-003 JENNIFER SCAPPATURA – Establish a bottom plant oyster farm adding 4.4 acres to the existing one acre cage culture oyster farm in Quonochontaug Pond. The new 4.4 acres will be for bottom planted oysters (no gear). Located in Quonochontaug Pond, Charlestown, RI.

CRMC DECISION WORKSHEET

2019-06-089

Quonnie Partners LLC

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
2019-06-089	Charlestown	16 West Beach Road		A	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Plat 4	Lot 68			
		Owner Name and Address				
Date Accepted	7/02/2019	Quonnie Partners LLC		Work at or Below MHW		<input type="checkbox"/>
Date Completed	01/15/2020	c/o Steve Peet 57 Surfside Avenue Charlestown, RI 02813		Lease Required		<input type="checkbox"/>

PROJECT DESCRIPTION

Increase farming activity consisting of: Construct new commercial structure with associated parking and OWTS; establish Buffer Zone; remove and relocate greenhouses; construct new greenhouses; two new driveways, new parking area; establish planting beds/agricultural fields; install public well.

KEY PROGRAMMATIC ISSUES

Coastal Feature: Coastal Wetland **Freshwater Feature:** Swamp, stream (tributary wetland)

Water Type: Type 2, Low Intensity Use

CRMP: 650RICR-20-00-01.1.4(D)

SAMP: Salt Pond SAMP

Variances and/or Special Exception Details: Relief from Freshwater Wetlands 50' Buffer

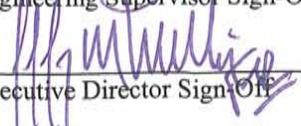
Additional Comments and/or Council Requirements:

Specific Staff Stipulations (beyond Standard stipulations):
See staff report

STAFF RECOMMENDATION(S)

Engineer _____	Recommendation: _____
Biologist <u>ALS</u>	Recommendation: <u>No Objections</u>
Other Staff _____	Recommendation: _____

 1/15/20
Engineering Supervisor Sign-Off date

 16 Jan 2020
Executive Director Sign-Off date

 1/15/20
Supervising Biologist Sign-off date

 1/21/2020
Staff Sign off on Hearing Packet (Eng/Bio) date



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COASTAL RESOURCES MANAGEMENT COUNCIL

BIOLOGIST SIGN-OFF

TO: Grover J. Fugate
DEPT: Executive Director, CRMC
FROM: Amy Silva
DEPT: CRMC PERMITTING SECTION
SUBJECT: Category W Application

PAGE: 1
DATE: August 22, 2019
December 2, 2019
January 15, 2020

CRMC File Number: 2019-06-089

Name: Quonnie Partners LLC

Location: 16 West Beach Road, Charlestown

AP: 4 Lot(s): 68

Water Type/Name: Type 2, Low Intensity Use

Coastal Feature: Coastal Wetland (off site)

Wetland Feature: Wooded Swamp(Tributary Wetland), Intermittent Stream

Project Description: Increase farming activity consisting of: Construct new commercial structure with associated parking and OWTS; establish Buffer Zone; remove and relocate greenhouses; construct new greenhouses; two new driveways, new parking area; establish planting beds/agricultural fields; install public well.

Plans Reviewed:

2003-04-029: Preliminary Determination; 2 lot subdivision

2009-03-031: Edge Verification

2018-07-067: Edge Verification

APPLICATION COMMENTS & HISTORY:

This large property essentially consists of two “portions” – two areas of upland that are bisected by wetland (see Figure 1.1 -1.3). The “**Northern Portion**” of the property is currently developed with a dwelling, a commercial farm stand, parking, growing fields and greenhouses. The “**Southern Portion**” was undisturbed until the winter of 2018-2019. Both portions of this farm lot have proposed activities that are included in this Assent request, however the Southern Portion proves more challenging.

Discussion about increasing the farming activity on this lot by clearing vegetation in the **Southern Portion** began in the Spring of 2018, when the applicant contacted both CRMC staff and DEM Division of Agriculture staff. In the summer of 2018, a Wetland Edge Verification application was submitted (CRMC File 2018-07-067). The Edge Verification was completed in early September 2018, classifying the wetland as tributary, applying the Freshwater Wetlands in the Vicinity of the Coast 50 foot Buffer, and noting that alteration of the wetland is prohibited.

Discussion continued through the fall, focused on clearing the area of upland in the **Southern Portion** of the property for increased farming activities. As the discussion involved agricultural use, under the Division of Agriculture authority, the Buffer was reduced to 25’ and the applicant was given permission to clear vegetation on the southern portion of the lot to 25’ without a permit.

In the winter/spring of 2019, the property was cleared. At that time it was discovered by CRMC that the 25’ Buffer was not established, a portion of the 25’ Buffer was cleared and graded, and a greenhouse had been erected within the required Buffer area.

This application is the combined result of CRMC Enforcement Action as well as clarification of the scope of the project. While the applicant had been working with both DEM Agriculture staff as well as CRMC staff to increase the agricultural development of the property- staff of both agencies were not informed of the full scope of the project during the discussions of 2018. Upon discovering the violation (clearing and grading into the 25' Buffer) it was determined that the filling/grading done to support the greenhouse(s) associated with the full scope of the project were outside the purview of the Division of Agriculture and a CRMC Permit was required.

The full scope of the project includes the construction of greenhouses, shed, well and driveway in the **Southern Portion**, as well as a new commercial structure, OWTS and parking/driveway in the **Northern Portion** of the property.

A Freshwater Wetlands application was submitted in late June 2019. An OWTS approval was not submitted, but the application was accepted expecting the OWTS to be submitted prior to Assent issuance. It also became apparent that the project was still under review by the Town of Charlestown. CRMC review proceeded essentially concurrently with the Town review.

In August of 2019, CRMC staff was contacted by Jane Weidman, Charlestown Planning Commission. The Town of Charlestown had combined the Master Plan approval and Preliminary Plan approval process into one step – explaining why a CRMC Preliminary Determination was not done for the proposal – and she had questions regarding CRMC process/permitting. At that time a SAMP Buffer “oversight” (see below) was explained, as was standard and anticipated Assent stipulations.

In late August, the applicant was reminded that the OWTS approval was required before any Assent could be issued, and was further notified about the SAMP Buffer oversight. It was agreed that there would be stipulations added to the Assent stating that there would be no further development within the 200' area, and the SAMP Buffer be reinstated upon cessation of farming activity.

In early September CRMC received two objections to the proposal.

In late September, staff contacted DEM/OWTS for an update on the OWTS approval. At that time, it was discovered that there was no application submitted for an OWTS for the property. Since October when the application was submitted to DEM (nearly two months after staff notified the applicant that an OWTS approval was necessary), the application has been deemed “unacceptable” by DEM/OWTS on at least two occasions (DEM/OWTS permit website). On November 21, CRMC received the approved OWTS plans.

CRMC JURISDICTION

All proposed activity in the **Northern Portion** is outside the 200'. Only a small portion falls within the 50' Freshwater Wetlands jurisdiction.

There was some confusion regarding the application of the Salt Pond Region SAMP. At the time of the Wetlands Edge Verification in the summer of 2018, the wetland was identified as Tributary Wetlands, but the SAMP Buffer was not applied. All guidance leading up to the submission of the application was based on an agricultural use under RIDEM Division of Agriculture rules relating to farmers. In this regard, a 50 foot Freshwater Wetlands Buffer was considered for the southern portion of the project. However, during review of the application it was determined that the 150' SAMP Buffer should have been applied, as the **Southern Portion** of the project falls within 200' of a Coastal Feature (coastal wetland across West Beach Rd).

Section 650RICR200.3.4.3(A)(1)(f) requires a 150' Buffer Zone in the **Southern Portion** of the lot as it is within 200' of a Coastal Feature. A special Exception is required from this Buffer unless "*...the lands were subdivided prior to November 27, 1984 and cannot accommodate the requirement*". CRMC Legal Counsel has confirmed that the parcel predates 1984. Implementation of the 150' Buffer Zone from the identified wetland edges on the **Southern Portion** of the property leaves a small area immediately adjacent to West Beach Rd (Figure 2). It is staff's opinion that this area is of minimal size and that the lot cannot accommodate the required Buffer. Accordingly, a Variance to the Buffer may be granted in accordance with Section 650-RICR-20-00-1.1.7 Variance Criteria.

It should be noted that if the **Southern Portion** of the property were to be utilized strictly as agricultural fields, with no structures, no CRMC permit would be required, as the entire project would fall within the purview of the Division of Agriculture, which had, during the summer of 2018 applied a 25 foot Buffer.

REVIEW COMMENTS:

During the nearly 18 months of pre-application discussion with the applicant, the full scope of the project was not made clear. RIDEM Division of Agriculture rules for farming activities do not apply to filling/grading within wetland areas – filling and grading were done as part of the construction of the greenhouse. Had the applicant made clear the full intent and scope of the project, it is possible that the Division of Agriculture would have turned the project over to the CRMC earlier in the process. It is equally as likely that the project could have been designed such that the project remained entirely under the purview of the Division of Agriculture.

As proposed, the project seeks authorization of the clearing and grading done in the fall/winter of 2018-2019 as well as new activities consisting of an "as-built" greenhouse and driveway, establishment of new agricultural fields, additional greenhouses, a well and a shed in the southern portion of the lot. In the northern portion of the lot, a new commercial 3,000ft² structure ("barn") will be constructed, as will a new OWTS, driveway and parking.

All work in the **Northern Portion** of the property falls outside the 200' CRMC jurisdiction, except for the proposed "barn" which falls within 50' of the identified Freshwater/Tributary Wetland. The location of the proposed "barn" is an existing cleared area, currently used for three greenhouses. One greenhouse will remain, one will be relocated to the southern portion of the lot, one will be removed, and a portion of the cleared area behind the proposed "barn" will be restored to Buffer Zone vegetation. A new well will be installed near the wetland edge within the buffer – a small path will be allowed for maintenance access to the well. All other activities in the northern portion of the lot (parking & OWTS) are in existing cleared areas that are outside both the CRMC's 200' Coastal jurisdiction as well as the 50' Freshwater jurisdiction. Accordingly, there are no significant regulatory issues or staff concerns for this work.

In the **Southern Portion**, the Buffer will vary in width from 50 feet to 12 feet. The greenhouse and fill/retaining wall that was erected in the winter of 2018-2019 fall within the 25' negotiated Buffer. Staff discussed relocating this greenhouse, but the applicant has chosen to increase the remaining area of Buffer, citing the difficulty of relocating the greenhouse and regrading. The applicant has submitted two application narratives/impact avoidance statements (one with the June submission and a revised one in July). There is no explanation in either as to why the greenhouse is not being relocated to allow for additional buffer in this area. However, to compensate for the reduced buffer by the "as-built" greenhouse a Buffer of 50 feet has been proposed along the remaining wetland edge in this area, instead of the 25' that was required by the Division of Agriculture.

COMMENTS ON VARIANCE:

As noted above, the Salt Pond SAMP requires a 150' Buffer as the activity completed/proposed falls within 200' of a Coastal Feature. This Buffer was not applied during the initial project discussions or the Edge Verification. Also as noted above, relief in the form of a Variance can be sought from this requirement.

The applicant did not submit a 650-RICR-20-00-1.1.7 written Variance Request because at the time of the application submission, only the Freshwater Wetlands regulations were being applied. The applicant has submitted a written Impact & Avoidance Minimization statement, which can be applied to the Section 1.1.7 Variance Criteria.

Staff offers the following comments on the Impact Avoidance & Minimization as applied to the Variance requirements:

The narrative submitted focuses primarily on the **Northern Portion** of the lot, as the **Southern Portion** of the lot was initially subject to the Division of Agriculture authority and 25' Buffer Zone for the vegetation clearing. The narrative notes that the greenhouse currently erected on the **Southern Portion** of the lot does not meet the agreed upon 25' Buffer Zone and that to compensate for this, the Buffer along the remaining wetland edge has been increased to 50 feet as has been previously noted. Although this is not considered to be significant compensation considering the larger SAMP Buffer of 150', the increase in Buffer was based on and is consistent with Freshwater Wetland requirements which was the direction given throughout the planning of this project.

Section 1.1.7 Criteria 1 & 2: The applicant has agreed that there will be no further development of the Southern Portion of the property – this includes no additional structures of any kind - and that upon cessation of farming activity, the entire 150' SAMP Buffer will be restored. This includes removal of all structures.

Section 1.1.7 Criteria 3: As illustrated by Figure 2, implementation of the required SAMP buffer leaves only a small area of available space beyond the limits of the 150' Buffer Zone. Accordingly, it is staff's opinion that the lot cannot accommodate the requirement.

Section 1.1.7 Criteria 4: The applicant has indicated that the design proposed is the minimum necessary to accommodate the increased farming activity – the design in the **Southern Portion** includes two agricultural fields nearest the wetlands, with three greenhouses, a shed, a well and a driveway/parking area located between them – the areas of anticipated regular disturbance have been placed as far from the wetland as practicable. Two greenhouses currently in use in the Northern Portion of the property will be relocated to this area and that area utilized for the new commercial structure. The new driveway area in the Southern Portion is necessary to access this portion of the property, which is entirely separated from the actively farmed Northern Portion by the Tributary Wetland. Installation of a path or road through the wetland for access is prohibited.

Section 1.1.7 Criteria 5: The Variance requested, for the variable width Buffer, is based on guidance that was given to the applicant over the 18 month period prior to the submission of the application. The project was initially undertaken under the authority of the Division of Agriculture for the enhancement and increase of farming practices.

Section 1.1.7 Criteria 6: The purpose of the project is to increase farming activity - the inability to increase growing on the lot will likely adversely affect both the existing farmstand and the proposed larger commercial farmstand "barn" structure.

Staff supports the Variance given the stipulations the applicant has agreed to, including a variable width buffer along most of the relevant area, increased buffer in the existing farmland area, no further development within the Southern Portion of the lot, and the fact that this project will be promoting agriculture.

COMMENTS ON OBJECTIONS:

During the course of review two objections were received – one of which raised many concerns, one of which focused primarily on the Buffer Zone. Staff offers the following comments:

Lack of appropriate Buffer Zones: The objector is concerned that the project is not implementing the 150 foot SAMP Buffer Zone. As discussed above, a Variance is being sought.

Commercial Use/Residential Zone: The question of the use of the property is one for the Town of Charlestown Zoning Commission.

OWTS/Commercial Use: DEM Division of Water Resources has reviewed the proposed OWTS and approved both its siting and design. The proposed OWTS is a de-nitrifying system as required in the SAMP area. The utilization as a private or commercial use is most likely a Town of Charlestown concern.

Runoff/Fertilizer: Concerns over pollutants finding their way into the Pond were raised. There is a small stream located on the subject property that flows into the pond – this is a valid concern. This stream is located closest to the portion of the property already utilized as agricultural fields. CRMC cannot govern the use of fertilizers on this, or any agricultural lot. The Buffer Zones required by this permit shall be required to remain in a permanently undisturbed condition, and will act as a measure of nutrient uptake and protection. In addition, staff would encourage Mr. Peet to utilize best farming practices and minimize the use of fertilizers/pesticides etc., especially when increased rain is predicted.

Permit for clearing the Southern Portion of Lot: No permit for the vegetation removal in the Southern Part of the lot was required as the clearing was done under the auspices of the Division of Agriculture's authority for farming activity. Prior to the vegetation removal, both CRMC and the Division of Agriculture were contacted to discuss the removal for the purposes of increasing farmland. Both CRMC and DEM were aware that the clearing would occur and a Buffer Zone had been discussed and agreed upon.

Buffer Discrepancy from FWW Regulations: The northern portion of the lot has been developed for many years and does not meet the required 50 foot Freshwater Wetlands Buffer along its entirety. However, the applicant was asked to increase the Buffer Zone in the North area as much as possible. The Buffer will be increased in width along the entire wetland edge in the Northern Portion, and will be permanently demarcated as undisturbed. The Buffer in the Southern Portion of the lot varies and has been discussed above.

Conservation Plan: CRMC does not require a conservation plan. It is possible that this is a Town requirement mistakenly attributed to CRMC Regulations.

September 4th Letter/CRMC Permits/Federal Permits: It appears that the objector is referring to language that was contained within the Wetland Edge Verification that was issued in September of 2018. That letter states that the document is not a permit to perform any work, and there is standard language stating that the

wetlands on site may be subject to the Federal Clean Water Act regulations. The activities proposed under this Assent do not trigger any Federal review, and as discussed above, the clearing of vegetation was done under the authority of the Division of Agriculture.

FFOS/Farm Requirements: Any questions regarding the proper/improper classification of this property as a farm are concerns for the Division of Agriculture. CRMC Staff worked closely with the Division of Agriculture in 2018 as the discussions for vegetation removal were underway. It is staff's understanding that this site is qualified as a farm by the Division of Agriculture. The site improvements proposed within this permit request however exceed the authority of the Division of Agriculture as "normal farming activity" and are now being considered under the RICRMP.

Easement for Well: An easement for the proposed well is not a prerequisite for CRMC Approval.

OWTS Permit: CRMC notified the applicant that an OWTS approval was required in late August. The OWTS was approved and CRMC received a copy of the approved plans on November 21.

CONCLUSIONS AND RECOMMENDATIONS:

The increase of farming activity on this property has been under discussion/review since early 2018. It was not until early 2019 that the full scope of the project became known to staff, and summer/fall of 2019 that all required prerequisite approvals (town/OWTS) were obtained. The applicant was given guidance regarding clearing the southern portion of the property and implementation of a Buffer Zone based only on the Freshwater Wetlands regulations and the Division of Agriculture authority. Had the applicant been more forthcoming with the full project plan intent/scope, much of the delay and confusion regarding regulatory requirements and authorities could likely have been avoided.

To accommodate the proposed increase in farming activity, the entire Buffer on the **North Portion** of the property will be increased from what is presently in place. Variance relief from the SAMP 150' Buffer Zone on the **Southern Portion** of the property has been sought.

Many of the objections submitted are not RICRMP regulatory issues. The concerns regarding the Buffer Zone and permits for vegetative clearing have been addressed in this report.

There are no biological objections to Council Approval of this project. Staff recommends the following stipulations in addition to standard Assent stipulations:

- B1 Prior to commencement of site alterations, you shall post the CRMC assent card. This assent card must be maintained at the site in a conspicuous location until such time that the project is complete.
- B2 Based on an agreement with the applicant, as a condition of this Assent, **there shall be no future alteration within 200' of the Coastal Feature and should farming activity cease, the property would be restored to its pre-disturbance state.** This will require the removal of any structures, parking/driveway and abandonment of all agricultural fields. All future use of the property shall be subject to all applicable CRMC, FWW and SAMP requirements.

Signed



Staff Biologist

FIGURE 1.1

Town of Charlestown Plat Map (aerial Photo 2016)

http://charlestown.mapxpress.net/ags_map/default.htm?GIS_LINK=04-156



Figure 1.2

DEM Maps Aerial Photo April 2018

<http://ridemgis.maps.arcgis.com/apps/webappviewer/index.html?id=87e104c8adb449eb9f905e5f18020de5>



✱ Appx Wetland

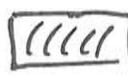
Appx Lot line

Figure 1.3

DEM Maps Aerial Photo Summer 2019

<http://ridemgis.maps.arcgis.com/apps/webappviewer/index.html?id=a2960d1a022e4dccaab14aa4a58f5d45>

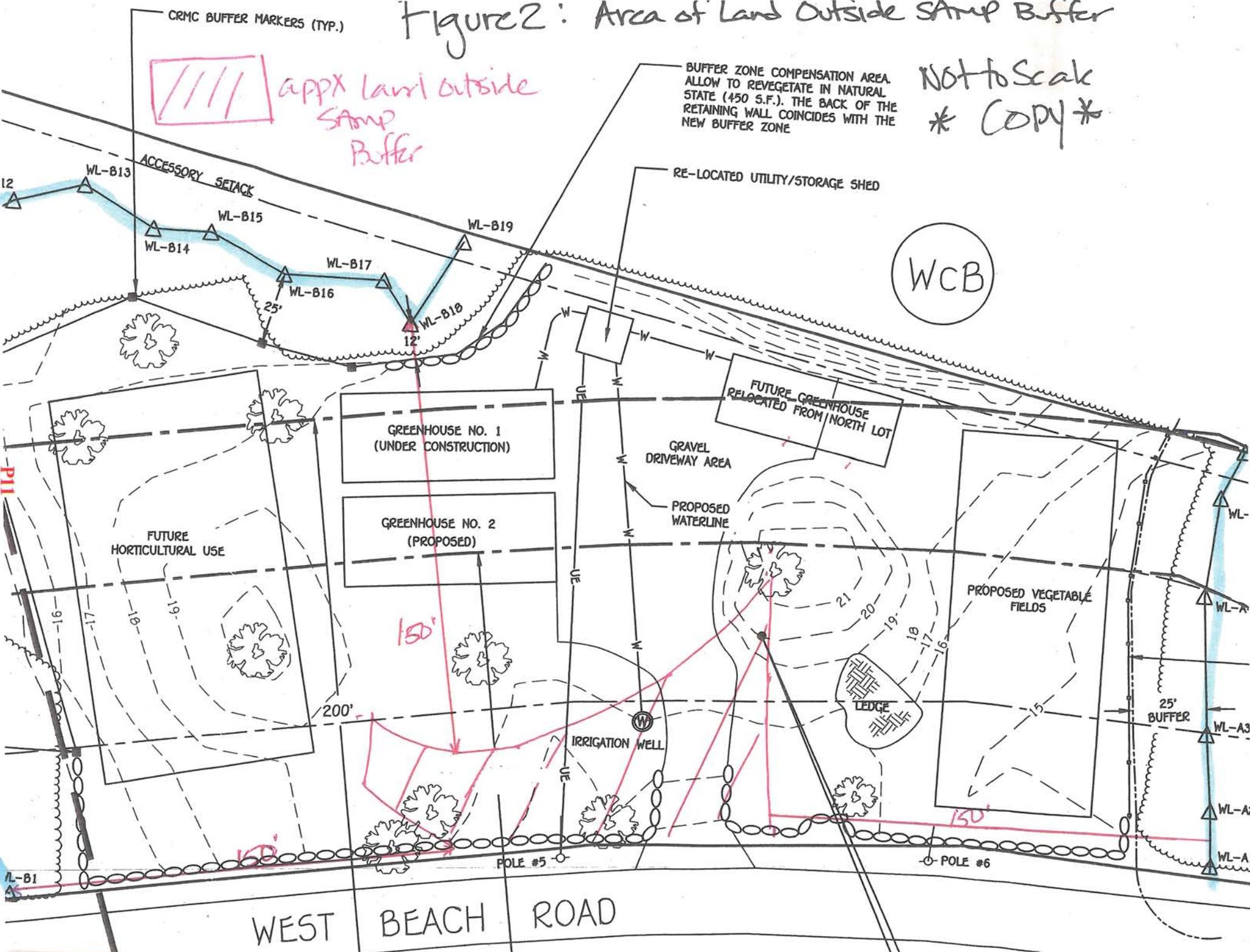


 Agricultural Field approx

* Greenhouses : two relocated; one removed for new "barn"

Figure 2: Area of Land Outside SAMP Buffer

NOT TO SCALE
* COPY *



MASTER/PRELIMINARY PLAN SUBMISSION

QUONNIE FARMS SITE IMPROVEMENTS

16 WEST BEACH ROAD
CHARLESTOWN, RHODE ISLAND

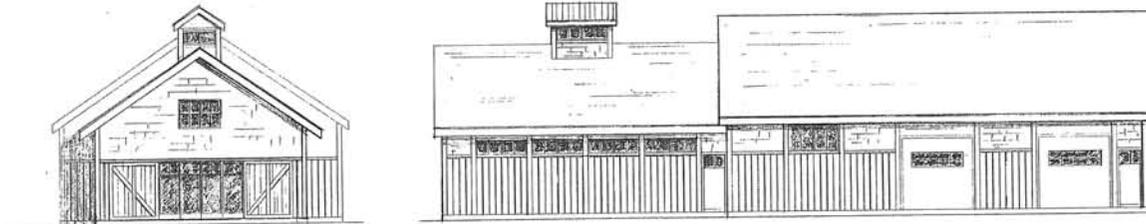
MAP 4, LOT 68

JULY 29, 2019

OWNER/APPLICANT: QUONNIE PROPERTIES, LLC C/O STEVE PEET
16 WEST BEACH ROAD, CHARLESTOWN RHODE ISLAND 02813



LOCATION MAP
SCALE: 1"=400'



PROJECT ARCHITECT:
OYSTER WORKS
313 RAM ISLAND ROAD
CHARLESTOWN, RHODE ISLAND 02813
401-213-6722

PROJECT CIVIL ENGINEER:
ON-SITE ENGINEERING, INC.
ANTHONY NENNA, P.E.
85 BEACH STREET, BLDG. B
WESTERLY, RI 02891
401-348-6831



LEGEND/ABBREVIATIONS

62.5 +	EXISTING SPOT ELEVATION	RE	REINFORCED CONCRETE
---	EXISTING CONTOUR	CB	CATCH BASIN
-----	STONE WALL	BM	BENCHMARK
-----	TREE LINE	LD	LISTS OF DISTURBANCE
-----	FENCE	PH	PANHANDLE
-----	PROPERTY LINE	UE	UNDERGROUND ELECTRICAL
-----	BUILDING SETBACK	A.P./LOT	ASSESSORS PLAN AND LOT NO.
TH-1	TOTF HOLE	HL/F	HOW OR FORMERLY
⊙	DRAINAGE MANHOLE	ESDT	SURVEY MARKERS PLACED AT THE TIME OF SURVEY
⊙	CATCH BASIN	SET	SURVEY MARKERS PLACED AS A RESULT OF THIS SA
⊙	WELL	REF. I.E. VOL. - PG.	LAND EVIDENCE VOLUME AND PAGE REFERENCE
⊙	EXISTING WATER MAIN	LD	LISTS OF DISTURBANCE
---	PROPOSED WATER SERVICE	SE	SEWERAGE
---	PROPOSED UNDERGROUND ELEC. SERVICE	ST	ROOT STANDARD DETAIL NO.
---	PROPOSED CENTERLINE	⊙	SOL. TYPE ID
+ 63.3	PROPOSED SPOT ELEVATION		

SHEET INDEX

BOUNDARY/EXISTING CONDITIONS PLAN	1
PROPOSED SITE IMPROVEMENTS, GRADING/DRAINAGE PLAN (NORTH PORTION)	2
PROPOSED SITE IMPROVEMENTS, GRADING/DRAINAGE PLAN (SOUTH PORTION)	3
EROSION AND SEDIMENT CONTROL PLAN	4
DETAILS	5
ARCHITECTURAL PLANS	6-7

GENERAL NOTES

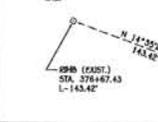
1. THE SUBJECT PROPERTY IS LOCATED IN THE R3A ZONING DISTRICT.
2. THE PROPOSED BARN/FARM STORE IS LOCATED IN ZONE X, 0.2% ANNUAL CHANCE FLOOD HAZARD. THE WETLAND AREA WITHIN THE SUBJECT PROPERTY IS LOCATED IN ZONE AC, CLAY, 1% FIRM FLOOD, 100-YEAR RETURN PERIOD, 1480000000, TOWN OF CHARLESTOWN, RHODE ISLAND, DATED OCTOBER 18, 2013.
3. THERE ARE FRESHWATER WETLANDS LOCATED ON THE SUBJECT PROPERTY. THE WETLANDS WERE FLAGGED BY NATURAL RESOURCE SERVICES, INC. AND FIELD LOCATED BY ALFRED BORDO, PLS, INC. THE WETLAND EDGE WAS VERIFIED BY CRMC. REFERENCE IS MADE TO CRMC APPLICATION NO. 2018-07067.
4. THE UTILITIES SHOWN HEREON ARE APPROXIMATE ONLY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ONE-SAFE AT LEAST 72 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITY.
5. THE SUBJECT PROPERTY IS LOCATED WITHIN THE GROUNDWATER PROTECTION OVERLAY DISTRICT (GPO).

P12

GENERAL NOTES

1. THE SUBJECT PROPERTY IS SUBSTANTIALLY DEPICTED ON THE TOWN OF CHARLESTOWN TAX ASSESSOR'S MAP AS PLAT 4, LOT 68.
2. THE SUBJECT PROPERTY IS ZONED R3A, USE OF AND/OR RELIANCE UPON THIS ZONING ORDINANCE SHALL BE AT THE USER'S SOLE RISK AND IS SUBJECT TO VERIFICATION OF CURRENT ZONING STATUS BY THE TOWN OF CHARLESTOWN, RHODE ISLAND.
3. STONE WALLS. THE LINE OF ANY STONE WALL(S) DEPICTED HEREON MAY VARY SLIGHTLY FROM THE GEOMETRIC CENTERLINE REPRESENTED HEREON. WHILE REASONABLE EFFORTS HAVE BEEN MADE TO MONUMENT AND/OR DELINEATE THE CENTERLINE OF SAID WALL(S), THESE MINOR VARIATIONS ARE TYPICAL OF WALL CONSTRUCTION IN THE LOCALITY.
4. ASSOCIATED LOCATIONS. THE GEOMETRIC POINTS AND/OR MONUMENTATION ASSOCIATED WITH THE BOUNDARY(S) OF THE SUBJECT SITE REPRESENTED HEREON ARE CONSISTENT WITH THE CLASS OF SURVEY SPECIFIED IN THE SURVEYOR'S STATEMENT. THE LOCATION OF ALL OTHER ASSOCIATED SITE FEATURES AS MAY BE DEPICTED HEREON, ARE CONSISTENT WITH EITHER A CLASS III OR CLASS IV STANDARD OF SURVEY, UNLESS EXPRESSLY STATED TO THE CONTRARY.
5. WATER BOUNDARIES. AS MAY BE APPLICABLE, THE SUBJECT SITE MAY CONTAIN NATURAL OR MAN-MADE WATER BOUNDARIES WHICH ARE SUBJECT TO CHANGE DUE TO NATURAL OR ARTIFICIAL CAUSES AND MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE LIMITS OF TITLE.
6. BUILDING LOCATIONS. AS MAY BE APPLICABLE, BUILDINGS DEPICTED HEREON HAVE BEEN LOCATED AT THE FOUNDATION CORNERS OR STRUCTURE FACE, UNLESS EXPRESSLY STATED TO THE CONTRARY. BUILDING OVERHANGS AND/OR PROJECTIONS AT ELEVATIONS ABOVE THE FOUNDATION ARE NOT NECESSARILY DEPICTED.
7. UTILITY LOCATIONS. UTILITY LINES AND LOCATIONS THAT ARE VISIBLE AND APPARENT HAVE BEEN DEPICTED HEREON. THE EXISTENCE OF ANY UNDISCOVERED UTILITIES, AND THE LOCATION OF THOSE UTILITIES, HAVE BEEN ESTIMATED FROM ASSOCIATED SURFACE FEATURES AND/OR RECOLLECTIONS OF KNOWLEDGEABLE PARTIES, UNLESS EXPRESSLY STATED HEREON. THE USE OF AND RELIANCE UPON THESE UTILITY LOCATIONS SHALL BE AT THE USER'S SOLE RISK AND SHALL BE SUBJECT TO VERIFICATION OF THE ACTUAL LOCATION BY THE APPROPRIATE REGULATORY AGENCY. SAID VERIFICATION TO BE AT THE DIRECTION AND EXPENSE OF THE END USER OF THIS DATA.
8. REFERENCE DOCUMENTS.
 - A. RHODE ISLAND DEPARTMENT OF TRANSPORTATION, PLAT NO. 682 POST ROAD AND ROUTE 1 WESTERLY AND CHARLESTOWN RHODE ISLAND, SCALE 1"=40'.
 - B. PROPERTY SURVEY FOR FAITH HARRIS POST & WEST BEACH ROAD, CHARLESTOWN RHODE ISLAND APRIL 8, 1997, SCALE 1"=50' PREPARED BY A.S.J. ENGINEERING, INC., 221 NORTH STREET P.O. BOX 907 ASHWAY RI.
9. REGULATED COASTAL AND/OR FRESHWATER WETLAND FEATURES. UNLESS EXPRESSLY STATED TO THE CONTRARY, THERE ARE REGULATED COASTAL AND/OR FRESHWATER WETLAND FEATURES ON OR IN PROXIMITY TO THE SUBJECT SITE. THE END USER OF THIS MAPPING PRODUCT SHALL BE RESPONSIBLE FOR THE IDENTIFICATION, LOCATION AND PROTECTION OF THESE FEATURES, TOGETHER WITH PROCURING ANY AND ALL NECESSARY PERMITS AND APPROVALS THAT MAY BE REQUIRED.
10. PROFESSIONAL SERVICES AGREEMENT. REFERENCE IS HEREBY MADE TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE SERVICES IDENTIFIED HEREON, TOGETHER WITH ALL SPECIFICATIONS, LIMITATIONS AND CONDITIONS CONTAINED THEREIN.
11. BASIS FOR HEAVINGS AND ELEVATIONS. WHERE DEPICTED, THESE VALUES ARE BASED UPON THE RHODE ISLAND STATE PLANE COORDINATE SYSTEM (CURRENTLY NAD83) AND NAVD83 RESPECTIVELY AS DETERMINED BY DATA TRANSMITTED FROM CONTINENTAL REFERENCE STATIONS USING THE GRANITE STATE SURVEY NETWORK VIA LEICA G214 GPS RECEIVER, TOGETHER WITH SITE OBSERVATIONS MADE ON THE DATES) CITED HEREON.
12. FLOOD ZONE DATA. BASED SOLELY UPON GRAPHIC ANALYSIS, A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE AE, CLASS 13 FLOOD FIELDS, MAP COMPILED PANEL NO. 4409C0277A, TOWN OF CHARLESTOWN RHODE ISLAND, DATED OCTOBER 16, 2015. THE REMAINING PORTION IS LOCATED IN AN AREA OF LESS ANNUAL CHANCE OF FLOOD HAZARD, AS DERIVED FROM ONLINE SOURCES AS OF JUNE 23, 2019.
13. FRESHWATER WETLAND DELINEATION BY NATURAL RESOURCE SERVICE, INC. LOCATIONS BY ALFRED W. DORNO, RLS, INC.

- LEGEND**
- 65.5 ± EXISTING SPOT ELEVATION
 - EXISTING CONTOUR
 - STONE WALL
 - TREE LINE
 - PROPERTY LINE
 - BUILDING SETBACK
 - TH-1 TEST HOLE
 - M-A1 WETLAND FLAG
 - U UTILITY POLE
 - W WELL
 - RI RHODE ISLAND HIGHWAY BOUNDARY
 - EXIST EXISTING SURVEY MONUMENT
 - A.P./LOT ASSESSOR'S PLAT AND LOT NO.
 - N/F NOW OR FORMERLY
 - (189°-50'-25") (300.40')
 - EXISTING TREE SPECIES



ALFRED W. DORNO
No. 1782
REGISTERED
LAND SURVEYOR

ALFRED DORNO, P.E., CPESC (RI REG #1782)
PRINCIPAL SURVEYOR AND PRESIDENT, ALFRED W. DORNO, RLS, INC.
61 CERTIFICATE OF AUTHORIZATION NO. A37

PREPARED BY
ON-SITE ENGINEERING, INC.
89 BEACH STREET, BLDG. B
WESTERLY, RHODE ISLAND 02891

RECEIVED
NOV 25 2019
COASTAL RESOURCES

SCALE: AS SHOWN JULY 29, 2019 JOB I.D. NO. 17-054

PLAT 4, LOT 68

AREA=8.3 ACRES±
(BY OTHERS)

AP. 4 LOT 68

N/F KEARNEY REALTY, LLC

N/F V.L.J. REALTY, LLC

N/F AUDUBON SOCIETY OF RHODE ISLAND

N/F AP. 4 LOT 70-1

N/F AP. 4 LOT 69-5

N/F AP. 4 LOT 102

N/F BOULDER COTTAGES, LLC

N/F OCEAN FARMS THREE, LLC

N/F DAVID E. & CAROLYN S. NICHOLS

N/F WEST BEACH FARM, LLC

N/F AP. 4 LOT 69-1

N/F AP. 4 LOT 69-5

N/F AP. 4 LOT 102

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PARKING REQUIREMENTS PER ZONING REGULATIONS

PROPOSED USE: RETAIL
 PARKING REQUIREMENT FOR ARTICLE X, SECTION 210-57(B):
 PROVIDE ONE SPACE FOR EVERY 300 SQUARE FEET OF FLOOR AREA DEVOTED TO SALES AND PROVIDE ONE SPACE FOR EACH EMPLOYEE.
 1 SPACE PER 300 SF OF FLOOR AREA x 1,200 SQ. FT. = 4 SPACES
 3 EMPLOYEES = 3 SPACES
 MINIMUM PARKING SPACES REQUIRED: 7 SPACES
 MAXIMUM PARKING SPACES ALLOWED: 15 SPACES
 TOTAL PARKING SPACES PROVIDED: 15 SPACES

SITE AREA CALCULATIONS

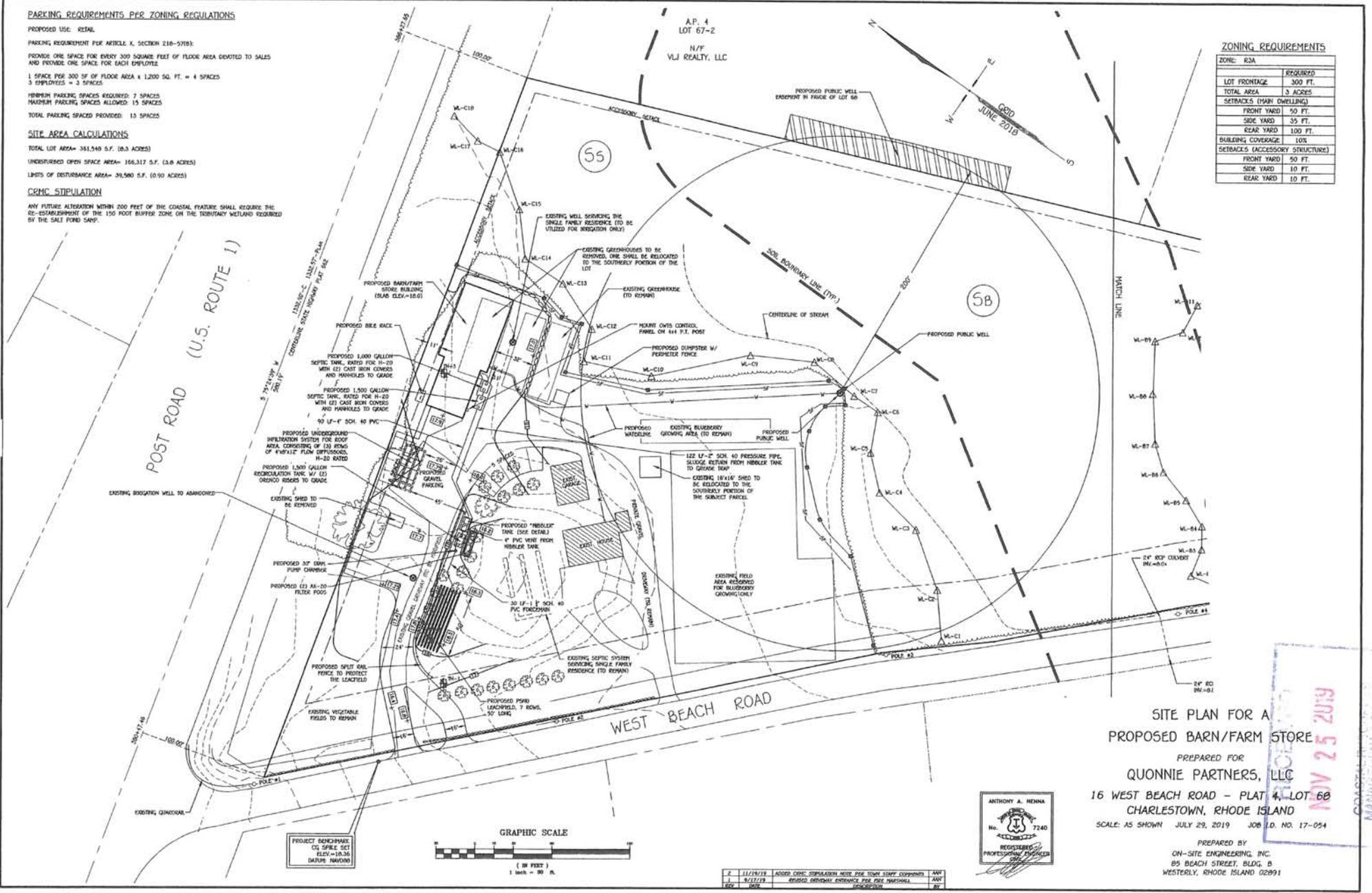
TOTAL LOT AREA= 351,540 S.F. (8.0 ACRES)
 UNDISTURBED OPEN SPACE AREA= 166,317 S.F. (3.8 ACRES)
 LIMITS OF DISTURBANCE AREA= 39,590 S.F. (0.90 ACRES)

CRMC STIPULATION

ANY FUTURE ALTERATION WITHIN 200 FEET OF THE COASTAL FEATURE SHALL REQUIRE THE RE-ESTABLISHMENT OF THE 150 FOOT BUFFER ZONE ON THE TRIBUTARY WETLAND REGISTERED BY THE STATE FISH AND WILDLIFE DIVISION.

ZONING REQUIREMENTS

ZONE: R3A	
REQUIRED	REQUIRED
LOT FRONTAGE	300 FT.
TOTAL AREA	3 ACRES
SETBACKS (MAIN DWELLING)	
FRONT YARD	50 FT.
SIDE YARD	35 FT.
REAR YARD	100 FT.
BUILDING COVERAGE	
SETBACKS (ACCESSORY STRUCTURE)	
FRONT YARD	50 FT.
SIDE YARD	10 FT.
REAR YARD	10 FT.



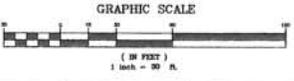
P14

RECEIVED
 NOV 25 2019
 PLANNING DEPARTMENT

SITE PLAN FOR A
 PROPOSED BARN/FARM STORE
 PREPARED FOR
 QUONNIE PARTNERS, LLC
 16 WEST BEACH ROAD - PLAT 4, LOT 60
 CHARLESTOWN, RHODE ISLAND
 SCALE: AS SHOWN JULY 29, 2019 JOB I.D. NO. 17-054



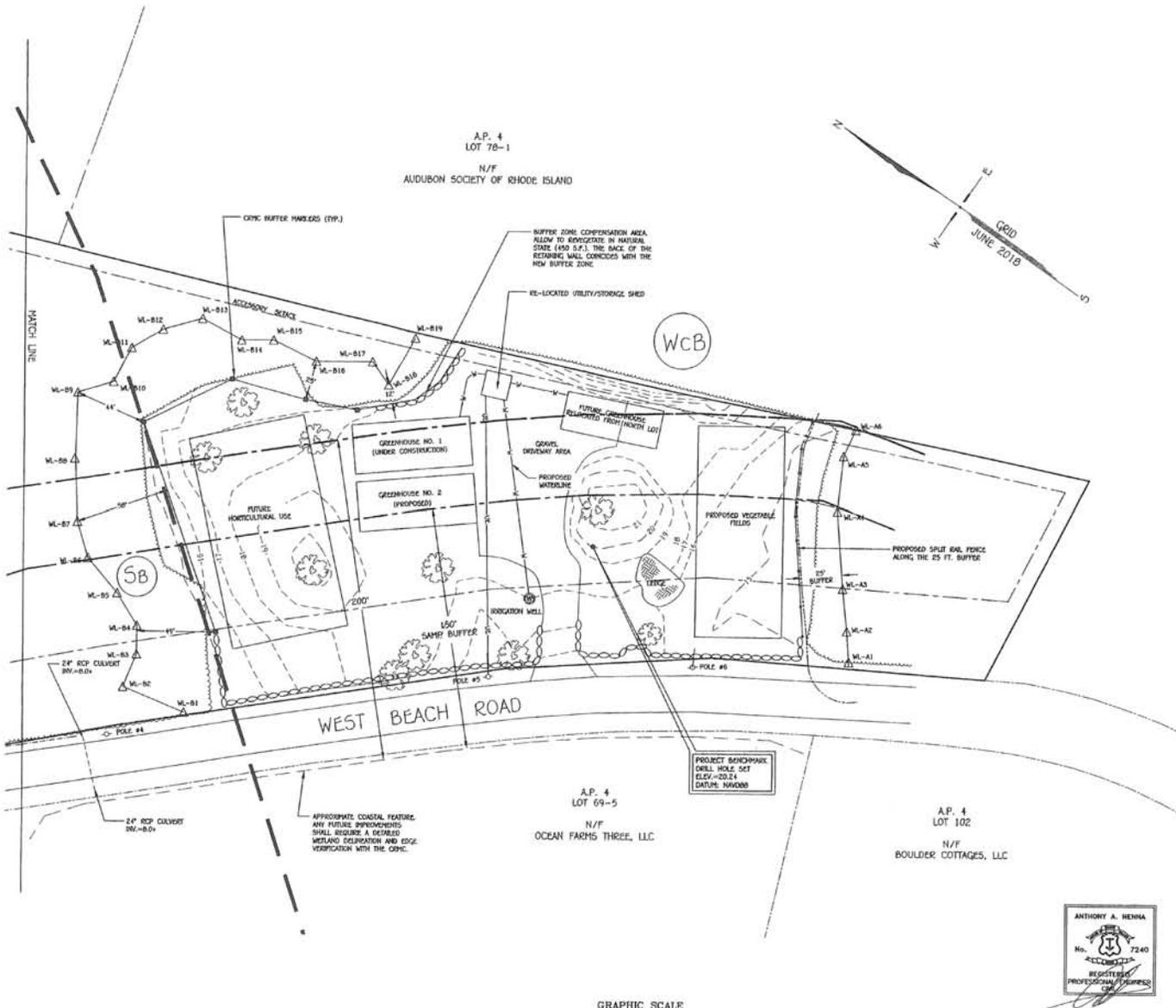
PREPARED BY
 ON-SITE ENGINEERING, INC.
 85 BEACH STREET, BLDG. B
 WESTERLY, RHODE ISLAND 02891



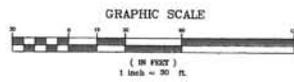
1	11/19/19	ADDED CRMC STIPULATION NOTE PER TOWN STAFF COMMENTS	AWT
2	11/21/19	REVISED SETBACKS, ENTRANCE FOR PAVEMENT	AWT
REV			

CRMC STIPULATION

ANY FUTURE ALTERATION WITHIN 200 FEET OF THE COASTAL FEATURE SHALL REQUIRE THE RE-ESTABLISHMENT OF THE 150 FOOT BUFFER ZONE ON THE TRIBUTARY WETLAND REQUIRED BY THE SALT POND SAMP.



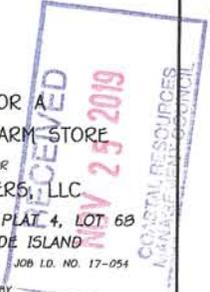
PROJECT BENCHMARK
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SITE PLAN FOR A
PROPOSED BARN/FARM STORE
PREPARED FOR
QUONNIE PARTNERS, LLC
16 WEST BEACH ROAD - PLAT 4, LOT 68
CHARLESTOWN, RHODE ISLAND
SCALE: AS SHOWN JULY 29, 2019 JOB I.D. NO. 17-054

PREPARED BY
ON-SITE ENGINEERING, INC.
85 BEACH STREET, BLOC. B
WESTERLY, RHODE ISLAND 02891

2	11/12/13	ADDED CRMC STIPULATION NOTE FOR TOWN STAFF COMMENTS	AW
1	07/19/19	ADDED WETLAND LINES FROM WELL TO DUNE AND TO GREENHOUSES, ADDED UNDERGROUND ELEC. SERVICE TO SHELL ACCESS FUTURE HORTICULTURAL USE AREA AND REMOVED SET OF FUTURE GREENHOUSE TO 25' BUFFER	AW
173	DATE	DESCRIPTION	BY



P15

INSPECTION AND MAINTENANCE OF STORMWATER DRAINAGE SYSTEMS

INSPECTION

DRAINAGE SWALES/CULVERTS

1. DRAINAGE SWALES AND DRAINAGE PIPE OUTLETS SHALL BE INSPECTED ON AN ANNUAL BASIS TO CHECK FOR DEBRIS AND ANY EROSION OF THE SWALES.
2. AN INSPECTION/MAINTENANCE LOG FOR THE SWALES AND DRAINAGE CULVERTS SHALL BE KEPT ON SITE NOTING THE DATE OF THE INSPECTION, DESCRIPTION AND LOCATION OF THE SWALES/CULVERT, RESULTS OF THE VISUAL INSPECTION NOTING THE STRUCTURAL INTEGRITY, DOCUMENTATION AS TO THE AMOUNT OF SEDIMENT, DEBRIS PRESENT.

INFILTRATION AREAS

1. INSPECT THE UNDERGROUND INFILTRATION SYSTEM AT LEAST ONCE PER YEAR. INSPECT THE SYSTEM THROUGH ACCESS MANHOLES NOTING THE PRESENCE OF SEDIMENT BUILDING UP OR EXCESSIVE WATER PONDING IN THE UNITS.

MAINTENANCE

UNDERGROUND INFILTRATION SYSTEM

1. IF THE INSPECTION REVEALS THAT THE INFILTRATION PRACTICE FAILS TO INFILTRATE AT THE DESIGN INFILTRATION RATE, OR IF THE SYSTEM FAILS TO COMPLETELY COOL WITHIN 48 HOURS, IT SHALL BE REPAIRED AND/OR REPLACED SO AS TO ESTABLISH THE ORIGINAL DESIGN INFILTRATION RATES.
2. CLEAN ROOF GUTTERS BI-ANNUALLY TO PREVENT LEAF MATTER FROM ENTERING UIC.

MAINTENANCE OF BMP'S DURING CONSTRUCTION OPERATIONS

1. THE INFILTRATION AREAS SHALL BE DELINEATED IN THE FIELD TO AVOID COMPACTION BY CONSTRUCTION MACHINERY DURING CONSTRUCTION.
2. THE INFILTRATION AREAS SHALL BE PROTECTED FROM SEDIMENTATION BY ADJACENT CONSTRUCTION ACTIVITIES DURING THE CONSTRUCTION PHASE.

MAINTENANCE PLAN

1. PRIOR TO COMMENCING CLEARING AND GRADING OPERATIONS, SILT FENCE AND HYDRAULS SHALL BE PLACED AS TO PREVENT SEDIMENT FROM ENTERING EXISTING DRAINAGE SYSTEMS, REGULATED WETLANDS AND BUFFERED AND SHOOTING POINTS.
2. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED FOR STABILITY AND OPERATION FOLLOWING EVERY STORM PRODUCING RAINFALL BUT IN NO CASE LESS THAN ONCE EVERY WEEK. ANY NEEDED REPAIRS WILL BE MADE IMMEDIATELY TO MAINTAIN ALL PRACTICES AS DESIGNED.
3. SEDIMENT WILL BE REMOVED FROM BEHIND THE SEDIMENT FENCES WHEN IT BECOMES ABOUT 6-INCHES DEEP AT THE FENCE. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A BARRIER.
4. ADDITIONAL SILT FENCING OR HAY BALES SHALL BE LOCATED AS CONDITIONS WARRANT OR AS DIRECTED BY THE TOWN OF ENGINEER.

CONSTRUCTION SCHEDULE

1. OBTAIN PLAN APPROVAL AND APPLICABLE PERMITS.
2. INSTALL CONSTRUCTION ENTRANCE AND ALL NECESSARY EROSION CONTROL MEASURES.
3. CLEAR AND GRUB BUILDING SITE AND PARKING AREA AND STOCKPILE TOPSOIL. SURROUNDING STOCKPILE AREA WITH SILTFENCE.
4. EXCAVATE BUILDING FOUNDATION.
5. INSTALL DRAINAGE SYSTEM, ROUGH GRADE PARKING AREA AND DRIVEWAY AND INSTALL SEPTIC SYSTEM.
6. FINAL GRADE DRIVEWAY AND PARKING AREA, SPREAD TOPSOIL AND SEED/MULCH DISTURBED AREAS.
7. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE INSPECTED ON A WEEKLY BASIS AND AFTER RAINFALL EVENTS. REPAIRS SHALL BE MADE IMMEDIATELY.
8. ONCE THE SITE IS STABILIZED, REMOVE ALL TEMPORARY MEASURES.

EROSION AND SEDIMENT CONTROL NARRATIVE

PROJECT DESCRIPTION

THE PROJECT AS PROPOSED INVOLVES CONSTRUCTION OF A 3,600 S.F. BARN/FARM STORE TO IMPROVE CURRENT FARMING OPERATIONS. ALSO, THERE WILL BE AN EXPANSION OF VEGETABLE AND FLOWER FIELDS AND ADDITIONAL GREENHOUSES. THE EXISTING GRAVEL DRIVEWAY AND PARKING AREA WILL BE EXPANDED TO ACCOMMODATE 15 VEHICLES. THE SOUTHWEST PORTION OF THE SUBJECT PARCEL WILL CONTAIN GREENHOUSES AND ADDITIONAL GRADING. THE IMPROVED AREA ASSOCIATED WITH THE PROPOSED BUILDING WILL BE COLLECTED AND DISCHARGED TO AN UNDERGROUND INFILTRATION SYSTEM. THE PROPOSED BUILDING WILL BE SUPPORTED BY A PUBLIC WELL AND AN EXISTE WASTE/WATER TREATMENT SYSTEM (LWS). THE SITE IS DIRECTLY ACCESSIBLE BY TWO CURB CUTS OFF OF WEST BEACH ROAD IN CHARLESTOWN SHORE ISLAND.

SITE DESCRIPTION

THE SUBJECT PROPERTY IS DENOTED AS PLOT 4, LOT 60 AND IS LOCATED ON WEST BEACH ROAD IN THE TOWN OF CHARLESTOWN SHORE ISLAND. THE LOT IS 0.3 ACRES AND IS CURRENTLY DEVELOPED WITH BOTH A WOODSIEDE FARM AND A SINGLE FAMILY RESIDENTIAL HOME. THE PROPERTY IS ACCESSIBLE BY TWO CURB CUTS ON WEST BEACH ROAD WITH A GRAVEL DRIVEWAY SERVING BOTH THE RESIDENTIAL DWELLING AND THE FARM OPERATIONS ON THE WESTERN PORTION OF THE SUBJECT PROPERTY. POND ROAD (AKA ROUTE 1) ADJUTS THE PARCEL TO THE NORTH. SWAMP ASSOCIATED WITH THE PROPOSED BUILDING WILL BE COLLECTED AND DISCHARGED TO AN UNDERGROUND INFILTRATION SYSTEM CONSISTING OF 4"x12" HIGH PRECAST CONCRETE FLOW DIFFUSERS. THESE ARE WETLANDS LOCATED APPROXIMATELY AT THE MIDPOINT OF THE SUBJECT PARCEL. THERE IS A STREAM LOCATED WITHIN THE WETLAND AREA THAT TRAVELS FROM EAST TO WEST AND CROSSES WEST BEACH ROAD BY A 24" DCP. THE STREAM CONTINUES OFFSITE TO THE SOUTHWEST. IN JULY 2010, AN APPLICATION TO REVEAL THE WETLAND EDGE WAS SUBMITTED, REVIEWED AND APPROVED BY THE CDPC (CDPC APPLICATION NO. 2010-07-067).

LAND USE IN THE VICINITY OF THE PROJECT AREA IS RESIDENTIAL WITH ASSOCIATED DRIVEWAYS AND ROADWAYS. LAND USES TO THE NORTHEAST OF POND ROAD ARE COMMERCIAL. THE SUBJECT PROPERTY IS CURRENTLY ZONED RESIDENTIAL.

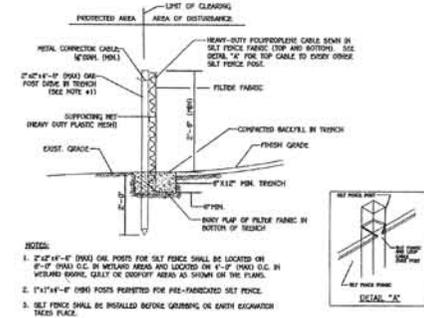
THE SOILS IN THE PROJECT AREA CONSIST OF SODSUDEY SANDY LOAM (Ss) AND MEADOWY VERY STONY SOIL LOAN (MBS) AS THE WETLAND SOILS AND SCARBOURGH MUCKY SANDY LOAM (Sm) SOILS WITHIN THE DELINEATED WETLAND AREA. 50 SOILS ARE MODERATELY WELL DRAINED AND LOCATED WITHIN DEPRESSIONS IN TERRACES AND OUTFLOW PLAINS. THE SURFACE AND SUBSOILS CONSIST OF BARE YELLOWISH BROWN SANDY LOAM WITH THE SUBSTRATION CONSISTING OF YELLOWISH BROWN, BOTTLED GRAVELLY SAND TO A DEPTH OF 60 INCHES AND GREATER. THE PERMEABILITY OF THE SODSUDEY SOILS IS RAMP IN THE SUBSTRATION. 29 SOILS ARE WITHIN THE TYPE B HORIZONAL SOIL GROUP AND HAVE A PERMEABILITY IN THE RANGE OF 6-20 INCHES PER HOUR. 506 EVALUATIONS WERE CONDUCTED WITHIN THE AREA OF THE PROPOSED CWD'S HAVING AN ESTIMATED DEPTH TO THE SEASONAL WATER TABLE OF 48 INCHES.

EROSION AND SEDIMENTATION CONTROL PLAN

1. SILTFENCE OR SPARE HAY BALES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND MAINTAINED ON A REGULAR BASIS AND SHALL BE PLACED TO PREVENT SEDIMENTATION ONTO ADJACENT PROPERTY AND REGULATED WETLAND AREAS.
2. THE NORMAL ACCEPTABLE SEASONAL SEEDING RATES ARE APRIL 1 THROUGH OCTOBER 15.
3. TREES AND OTHER EXISTING VEGETATION SHALL BE RETAINED WHEREVER POSSIBLE.
4. STOCKPILES SHALL NOT HAVE SLOPED STEEPER THAN 2:1 AND SHALL BE SURROUNDED BY SEEDED HAY BALES OR SILT FENCING.
5. THE TOPSOIL FOR SEEDING SHALL HAVE A SANDY LOAM TEXTURE, RELATIVELY FREE OF STONES, ROOTS OR DEBRIS.
6. THE FOLLOWING TEMPORARY SEED MIX SHALL BE USED ON ALL STOCK PILE AREAS THAT WILL EXPOSED FOR PROLONG PERIODS OF TIME

Species	Pounds/1000 sq	Pounds/Acre	Seeding Dates
Annual Ryegrass	1.0	40	MARCH 1 TO JUNE 15
Perennial Ryegrass	1.0	40	MARCH 15 TO JUNE 15
Sorghumgrass	0.7	30	MAY 15 TO AUGUST 15
Pinlet	0.5	20	JUNE 1 TO JULY 15
Winter Rye	3.0	120	APRIL 15 TO OCTOBER 15
Oat	2.0	80	MARCH 1 TO JUNE 15
Wheat Longgrass	0.2	5	JUNE 1 TO JULY 1

- A. APPLY EVENLY AT 2 TONS OF GRAIND LIME/STONE PER ACRE OR ACCORDING TO SOIL TESTS.
- B. APPLY EVENLY 10-15-10 ANALYSIS FERTILIZER OR ACCORDING TO SOIL TESTS.
- C. APPLY MULCH IMMEDIATELY AFTER SEEDING.



- NOTES:**
1. 2"x4"-x8" (MAX) ONE POST FOR SILT FENCE SHALL BE LOCATED ON 6'-0" SPAC O.C. IN WETLAND AREAS AND LOCATED ON 4'-0" (MAX) O.C. IN WETLAND AREAS. SILT OR CROPPY AREAS AS SHOWN ON THE PLAN.
 2. 1"x4"-x8" (MAX) POSTS PERMITTED FOR PRE-PAVED AREAS.
 3. SILT FENCE SHALL BE INSTALLED BEFORE GRADING OR EARTH EXCAVATION BEGINS.

SILT FENCE DETAIL

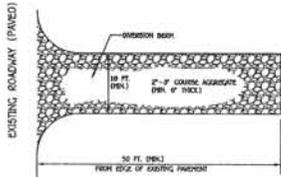
NOT TO SCALE

EROSION AND SEDIMENT CONTROL NOTES

1. ALL EROSION CONTROLS SHALL BE INSTALLED PRIOR TO ANY SITE ACTIVITY.
2. THE EROSION CONTROLS SHALL REMAIN IN PLACE UNTIL VEGETATION HAS BEEN ESTABLISHED.

SILT FENCE MAINTENANCE

1. INSPECTION SHALL BE MADE AFTER EACH STORM EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS REQUIRED.
2. CLEANOUT OF ACCUMULATED SEDIMENT BEHIND THE BALES IS NECESSARY IF 1/2 OF THE ORIGINAL HEIGHT OF THE BALES BECOMES FILLED WITH SEDIMENT.

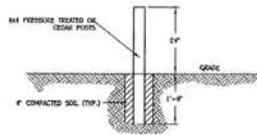


GENERAL NOTES

1. STONE SIZE: 2"-7" COARSE AGGREGATE AND SHALL MEET EXIST SPECIFICATIONS AND MEET CTD 9.6.
2. LENGTH SHALL NOT BE LESS THAN 50 FEET.
3. THE THICKNESS SHALL NOT BE LESS THAN 6-INCHES.
4. THE WIDTH SHALL BE A MINIMUM OF 18 FEET AT POINTS WHERE DEBRIS/SEDIMENT OCCURS.
5. A FILTER FABRIC SHALL BE PLACED OVER THE ENTIRE AREA PRIOR TO THE PLACEMENT OF STONE AGGREGATE.
6. MAINTENANCE: THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKS OR PLACING OF SEDIMENT ONTO PUBLIC ROADS-IF-ANY. ALL SEDIMENT SPILLS, CROPPED, WASHES OR TRACKS ONTO PUBLIC ROADS-IF-ANY SHALL BE REMOVED IMMEDIATELY.
7. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTERING ONTO PUBLIC ROADS-IF-ANY.

CONSTRUCTION ENTRANCE

SCALE: NONE

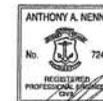


BUFFER POST DETAIL (TYP.)

NOT TO SCALE

EROSION AND SEDIMENT CONTROL PLAN PROPOSED BARN/FARM STORE

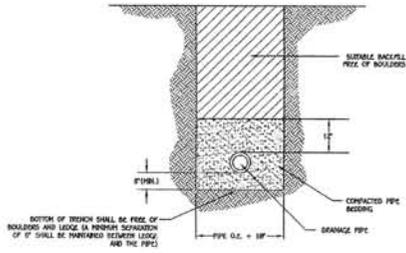
PREPARED FOR
QUONNIE PARTNERS, LLC
16 WEST BEACH ROAD - PLAT 4, LOT 60
CHARLESTOWN, RHODE ISLAND
SCALE: AS SHOWN JULY 29, 2019 JOB ID. NO. 17-094



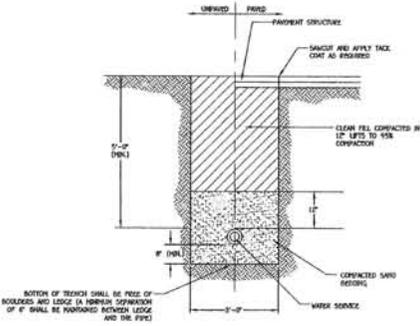
PREPARED BY
ON-SITE ENGINEERING, INC.
85 BEACH STREET, BLDG. B
WESTERLY, RHODE ISLAND 02891

CONSTABLE, JULY 31, 2019

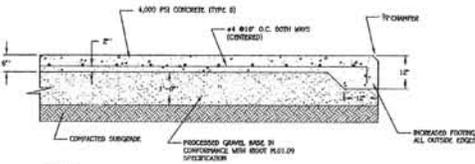
NOV 25 2019



TYPICAL DRAIN PIPE TRENCH SECTION
NOT TO SCALE



TYPICAL WATER SERVICE TRENCH SECTION
NOT TO SCALE

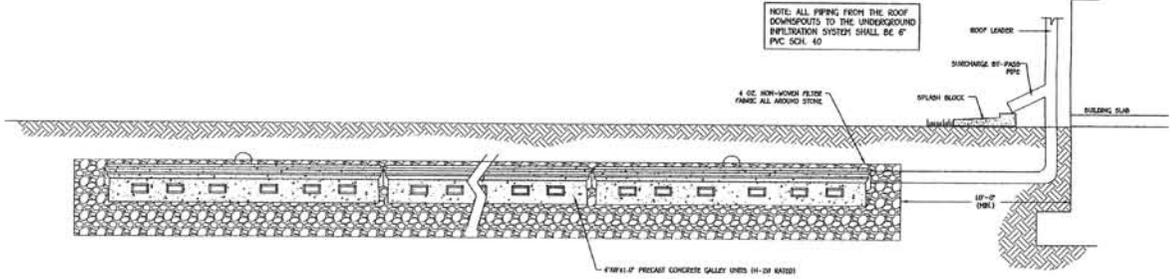


NOTES

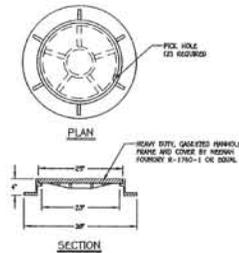
1. CONCRETE SHALL BE 4,000 PSI 28 DAY STRENGTH.
2. COATS TO BE AT INTERVALS OF 16 HOURS.
3. SIZE OF DUMPSTER PAD SHALL BE AS INDICATED ON THE SITE PLAN AND SHALL BE ENCLOSED WITH A 6 FT. HIGH FENCE WITH GATE.
4. THE ENCLOSURE FENCING SHALL BE 6 FEET HIGH WITH THE HEIGHT NOT EXCEEDING 6 FEET.
5. THE ENCLOSURE SHALL BE CONSTRUCTED SUCH THAT ALL STRUCTURAL MEMBERS THAT INCLUDE BRACES AND POSTS SHALL BE INSTALLED ON THE INSIDE OF THE FENCING.
6. A GATE SHALL BE PROVIDED AT THE POINT OF THE ENCLOSURE AND SHALL BE CONSTRUCTED WITH COMMERCIAL GRADE PERFORMANCE.
7. THE SUPPORTING PILES AT THE GATE SHALL BE METAL, BE A MINIMUM DIAMETER OF 1-1/2\"/>

DUMPSTER PAD

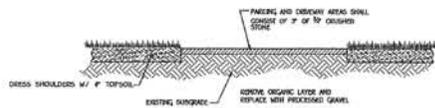
SCALE: NONE



UNDERGROUND INFILTRATION CHAMBERS CROSS SECTION
(PROPOSED ROOF AREA)
NOT TO SCALE



MANHOLE FRAME AND COVER
(ACCESS MANHOLE FOR INFILTRATION SYSTEM)
NOT TO SCALE



PERVIOUS DRIVEWAY
SCALE: NONE

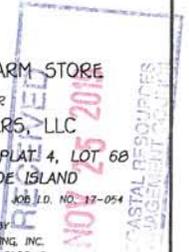


DETAILS
PROPOSED BARN/FARM STORE

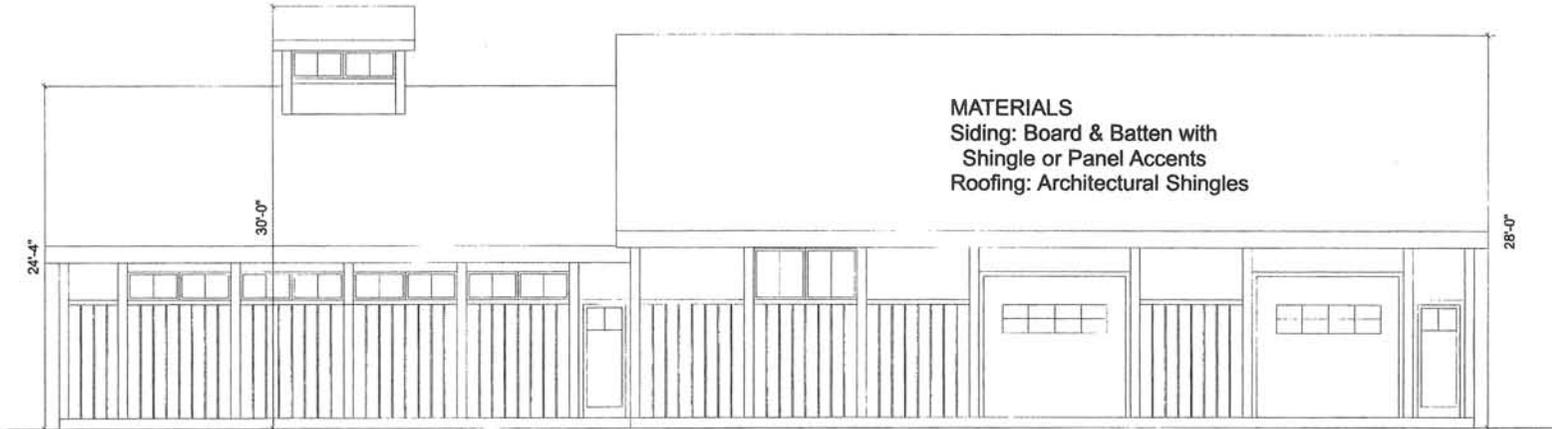
PREPARED FOR
QUONNIE PARTNERS, LLC
16 WEST BEACH ROAD - PLAT 4, LOT 68
CHARLESTOWN, RHODE ISLAND

SCALE: AS SHOWN JULY 29, 2019 JOB I.D. NO. 17-054

PREPARED BY
ON-SITE ENGINEERING, INC.
85 BEACH STREET, BLOG B
WESTERLY, RHODE ISLAND 02891

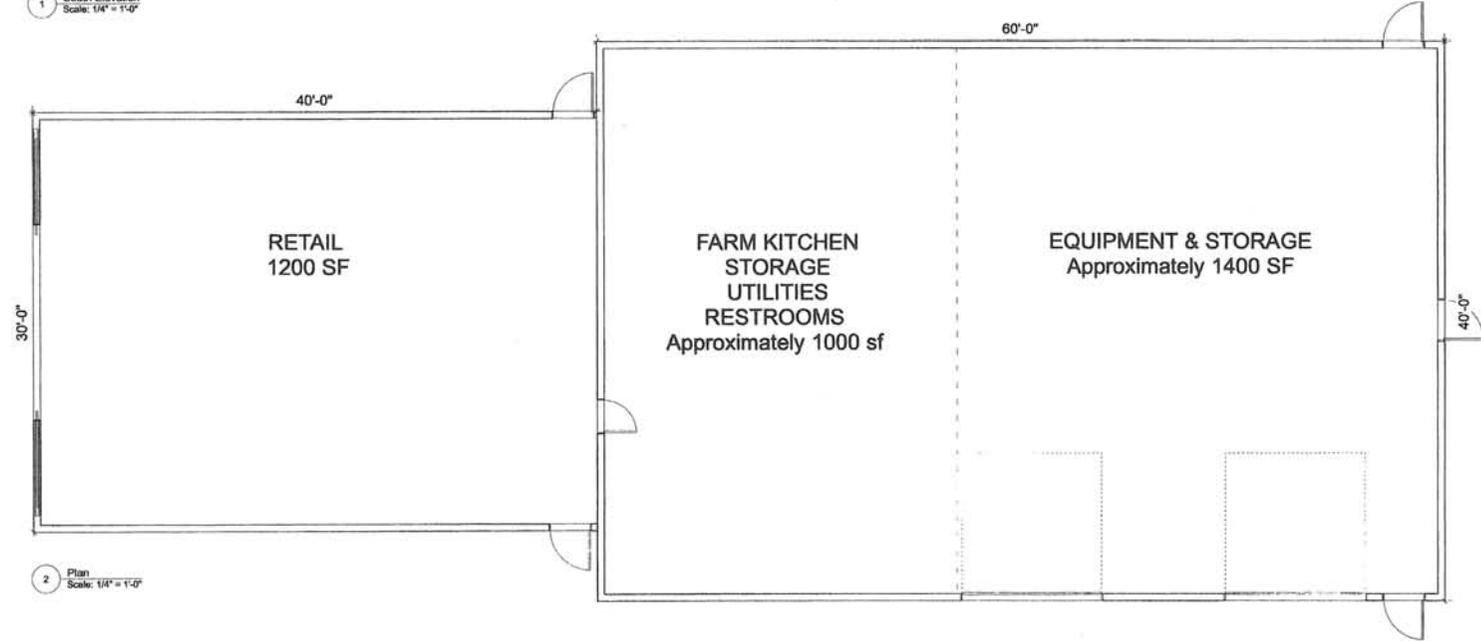


P17



MATERIALS
 Siding: Board & Batten with
 Shingle or Panel Accents
 Roofing: Architectural Shingles

1 South Elevation
 Scale: 1/4" = 1'-0"



2 Plan
 Scale: 1/4" = 1'-0"

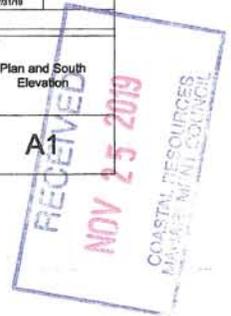
**QUONNIE FARMS
 BARN & FARM STORE**
 QUONNIE PARTNERS, LLC
 16 WEST BEACH ROAD
 Charlestown RI 02813
 Plat 4, Lot 68

OYSTER WORKS
 ARCHITECTURE • DESIGN • PROJECT MANAGEMENT
 OYSTER WORKS, LLC
 313 Riam Island Road
 Charlestown RI 02813

NO.	DATE	DESCRIPTION

Plan and South Elevation

A1





1 West Elevation
Scale: 1/4" = 1'-0"



2 East Elevation
Scale: 1/4" = 1'-0"



3 North Elevation
Scale: 1/4" = 1'-0"

**QUONNIE FARMS
BARN & FARM STORE**
QUONNIE PARTNERS, LLC
16 WEST BEACH ROAD
Charlestown RI 02813
Plat. 4, Lot 68

OYSTER WORKS
ARCHITECTURE - DESIGN - PROJECT ADMINISTRATION

OYSTER WORKS, LLC
313 Ram Island Road
Charlestown RI 02813

REV. DATE. DESCRIPTION

NO. DATE. ISSUE NOTE

Prepared By: _____

Drawn By: _____

Date: 07/23/19

Project: _____

Sheet No. _____

Sheet Title: _____

Scale: _____

West, East & North Elevations

Sheet No. _____

Scale: _____

A2

RECEIVED
NOV 25 2019
CONSTRUCTION
MANAGEMENT GROUP

PLANNING COMMISSION



4540 SO. COUNTY TRAIL
CHARLESTOWN,
RHODE ISLAND 02813

Tel (401) 364-1225
Fax (401) 364-1238

TOWN OF CHARLESTOWN

September 27, 2019

Stephen Peet
Quonnie Partners LLC
16 West beach Road
Charlestown, RI 02813

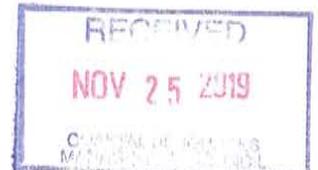
RE: Quonnie Farms Barn and Farm Store, Development Plan Review; Master /Preliminary Plan Approval, 16 West Beach Road, Plat 4 Lot 68

Dear Mr. Peet:

Following the public hearings held on August 28 and September 25, 2019 to consider the proposal for a new farm building, relocated greenhouses and associated site improvements at the Quonnie Farms parcel, as indicated on the plan set entitled "Quonnie Farms Site Improvements, 16 West Beach Road Charlestown, Rhode Island, Map 4 Lot 68", dated July 29, 2019, latest revisions 9/17/19, the Charlestown Planning Commission voted 5 to 0 to approve the combined master/preliminary plan, based on the findings of fact and conditions of approval, as listed below.

Findings of Fact:

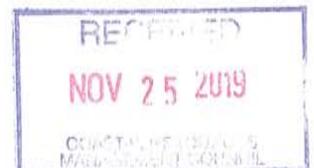
- A. The proposed application is consistent with the Comprehensive Plan;
- B. The proposed application is consistent with the Charlestown Zoning Ordinance, including regulations relating to use, parking and dimensional standards;
- C. Based on the information submitted, and sworn to by the applicant, with all required conditions for approval, there will be no significant negative environmental impact from the proposed application;
- D. The application does not result in the creation of any new lots;
- E. The lot is now partially developed and has direct access to a public road, namely West Beach Road;



- F. Based on the information submitted, the application will not impact current drainage flow patterns, and will not increase run-off onto adjacent property;
- G. Based on the information submitted, the application, which involves construction of a new building to complement the existing farmstand use, with a new public well and on-site wastewater treatment system and additional road access and parking, has designed the development with the most economical and efficient road, utilities and land usage;
- H. Based on the information submitted, adequate public services exist to serve the development; and
- I. The special requirements of the Charlestown zoning and subdivision regulations and any rules of the RI CRMC, and/or any other appropriate state or federal agencies have or will be met.

Conditions of Preliminary Plan Approval:

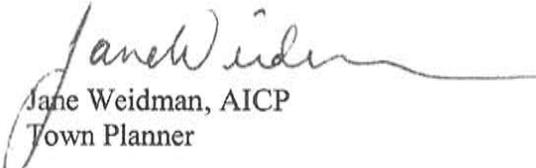
1. The issuance of an Assent from the RI CRMC;
2. The CRMC stipulation that any future alteration within 200 feet of the coastal feature shall require re-establishment of the 150 foot buffer zone for the tributary wetland shall be added as a note to the final plan;
3. A note regarding the 150 foot buffer for the tributary wetland as applied to the southern portion of the site shall also be added to the final plan;
4. No additional clearing, placement of structures or development shall take place in the southern portion of the site;
5. There shall be no public parking on the southern portion of the site;
6. If at any time following the completion and full operation of the proposed farm retail sales building, a public safety official of the Town of Charlestown deems that the entrance to the facility creates a potential hazard to public safety, the applicant shall utilize the resources of a duly qualified traffic engineer to review traffic counts and develop a plan to address access and circulation, and to implement any such improvements as required following additional review and approval by the Charlestown Planning Commission;
7. There will be entrance and exit signs placed at the site and road signage placed along West Beach Road indicating turning vehicles, so as to eliminate traffic congestion and confusion;
8. All farm food manufacturing shall be limited to those listed in the applicable state laws and the Town of Charlestown Zoning Ordinance, as of the date of this approval;
9. There shall be no seating or tables on the premises for use by the public for serving and consumption of foods in connection with the proposed use;



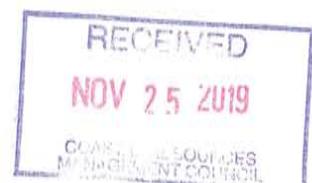
FILED 11/23/19
TOWN OF CHARLESTOWN

10. No pesticides shall be stored in the southern portion of the site;
11. Details of the fence enclosing the dumpster and of the split rail fence marking the wetlands buffer at the very southern end of the parcel shall be included on the final plan set;
12. All outdoor lighting shall be installed and maintained as Dark Sky compliant, and all external building lighting shall be turned off within one-half hour of the close of operating hours, with use of motion detector lighting as appropriate;
13. Any proposed signage shall be submitted to the Town Planner, who shall approve the sign in consultation with the Zoning Officer;
14. There will be no underground storage tanks;
15. The on-site wastewater treatment system shall be maintained in accordance with the Town of Charlestown Wastewater Management Ordinance;
16. All rules and regulations of the Groundwater Protection District (Section 218-46 of the Charlestown Zoning Ordinance) shall be adhered to;
17. The conditions of approval are binding on the applicant, all heirs and assigns and all subsequent land owners; and
18. Final plan approval shall be delegated to the Town Planner.

Sincerely,


Jane Weidman, AICP
Town Planner

cc Planning Commission
Margaret Hogan, Esquire





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

FRESHWATER WETLANDS IN THE VICINITY OF THE COAST
APPLICATION PACKAGE

Purpose of Application (Part A)

- Request to Determine Presence of Wetland Only § 2.8(B)
- Request to Verify Wetland Edge § 2.8(C)
- Request for Regulatory Applicability § 2.8(D)
- Request for Preliminary Determination § 2.9
- Application to Alter § 2.10
- Application for Permit Extension – Part D required § 2.11(B)
- Application for Permit Modification § 2.11(C)
- Application for Permit Transfer – Part E required § 2.11(D)

Applicant Information (Part B)

File No. (CRMC use only): <u>2019-06-089</u>		
Owner's Name: Quonnie Partners, LLC c/o Steve Peet	Contact Number: 203-912-8927	
Mailing Address: <u>57 Surfside Avenue</u>		
City/Town: Charlestown	State: RI	Zip Code: 02813
Location of Property Subject to this Application:		
<u>Charlestown</u> <small>City/Town</small>	<u>West Beach Road</u> <small>Street Abutting Site</small>	<u>16 West Beach Road</u> <small>Street Address (if applicable)</small>
Direction to site from abutting street: <input type="checkbox"/> North <input checked="" type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West		Plat: <u>4</u>
Nearest intersection & distance from site: <u>Post Road, 50 feet</u>		Lot(s): <u>68</u>
Nearest Utility Pole & number: <u>Pole #1</u>		

General Information (Part C)

Any previous applications for this site?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Application No.: _____
Any previous Enforcement action?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	File No.(s): _____
Amount of Wetland Area to be altered (§ 2.10(D)): Square Feet: <u>None</u>		
Linear Feet of Watercourse: <u>None</u>		
Amount of Fee Submitted for Application (§ 2.7(K)): \$ 1,200.00		



For Permit Extension (Part D)

Name of Original/Subsequent Permittee: _____

Application/Permit No.: _____ Expiration Date: _____

Number of Previous Extensions: _____

Statement of Applicant: *I hereby state that I am requesting extension of the original or subsequently modified permitted project under Application/Permit No.: _____. I fully understand the permit limitations and will comply with any and all conditions of the permit.*

Applicant's Name: _____

Applicant's Signature: _____

For Change in Owner During Application Processing Only (Part E)

Application No.: _____

Name of Original Applicant: _____

NOTE: *A certified copy of the deed of transfer must be enclosed for Applications to Alter only.*

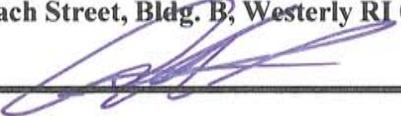
Certification of Professional (if applicable) (Part F)

Note: *Any professional (engineer, biologist, landscape architect etc.) who participated in the submission and/or preparation of this Application and supporting documentation must sign below.*

I hereby certify that I have been authorized by the applicant to prepare documentation to be submitted in support of this application; that such documentation is in accordance with the CRMC Rules and Regulations for the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast; and that such documentation is true, accurate and complete to the best of my knowledge.

Name of Professional: Anthony A. Nenna, P.E. Title: President

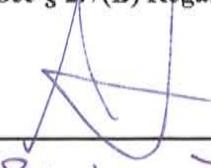
Address: 85 Beach Street, Bldg. B, Westerly RI 02891 Company: On-Site Engineering, Inc.

Signature:  Date: 6-25-19

Certification of Applicant (Part G)

I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge.

See § 2.7(B) Regarding Signatories to Applications

Applicant's Signature:  _____

Applicant Name: Stephen Peet Date: 6/27/19



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

ORIGINAL



FROM: Building Official

DATE: June 24, 2019

SUBJ: Application of: Quonnie Partners, LLC c/o Steve Peet

Location: Charlestown

Address: 16 West Beach Road, Charlestown Plat No. 4 Lot No. 68

To Construct: a barn/farm store building, expand the existing gravel driveway and parking area, install utilities, public well and new OWTS to support the building on the Northerly portion of the Subject Parcel. Also, to clear, grade and build (2) greenhouses on the southerly portion of the Subject Parcel. The greenhouses will not have a foundation. This work will be conducted on the Southerly portion of the Subject Parcel.

I hereby certify that I have reviewed _____ foundation plan(s).

_____ plan(s) for entire structure

X site plans

Titled: Site Plan to Support A CRMC Freshwater Wetland Preliminary Determination Application, Proposed Barn/Farm Store and Greenhouses, Prepared for Quonnie Partners, LLC, 16 West Beach Road, Plat 4, Lot 68 Charlestown Rhode Island June 21, 2019, prepared by On-Site Engineering, Inc

Date of Plan (last revision): June 21, 2019

N/A 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.

[Signature] 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.

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

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

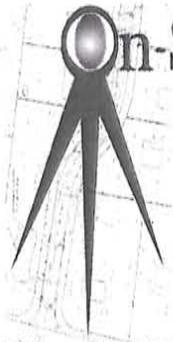
[Signature] and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval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

Joseph L Warner Jr. 6/27/19
Building Official's Signature Date

[Signature] 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.



Joseph L Warner Jr. 6/27/19
Zoning Officer's Signature Date



On-Site Engineering INC.

Civil & Environmental Engineering

Registered in CT, RI & MA

July 30, 2019



Coastal Resources Management Council
Attn: Amy Silva
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, Rhode Island 02879

RE: Resubmission of CRMC Assent No. 2019-06-089
Property Address: 16 West Beach Road, Charlestown, RI; Plat 4, Lot 68
Property Owner: Quonnie Partners, LLC

Dear Ms. Silva:

Attached please find two (2) copies of a revised site plan and the revised impact and avoidance questions for site improvements that Quonnie Partners, LLC is proposing at 16 West Beach Road in Charlestown, Rhode Island. As you are aware, we have been discussing the proposed buffer zone on The Subject Property as this is an existing developed working farm with a barn/farm store being proposed to support the farm. The north side of the property has a fairly narrow existing buffer zone between wetland flags C8 through C14 as the three existing greenhouses are located approximately 25 feet from the wetland edge. The buffer zone between C-1 and C-7 widens as the wetland continues in the southwesterly direction toward West Beach Road. Due to the location of the proposed barn, the public well location and the need to continue using one of the greenhouses, the buffer zone was maintained at 10 feet from flag C-10 and widened towards the south. The compensation area between flag C-8 and C-15 is approximately 2,141 s.f.. The buffer zone between C-1 and C-7 widens to the required 50 feet and in some areas exceeds the 50 feet. 2,335 s.f will be allowed to revegetate in this area.

The southerly portion of the Subject Property also has a revised buffer zone. The existing greenhouse that is currently under construction was built approximately 24 feet from wetland flag B18. The proposed buffer zone is illustrated on the site plan and provides a minimum 25 foot buffer, except at flag B18 in which the boulder wall will act as the buffer zone limits.

Approximately 1,250 s.f. of cleared area between flag B5 and B14 will be allowed to re-vegetate. This area will provide between 25 and 58 feet of buffer zone. Finally, a 25 foot buffer is

Resubmission of CRMC Assent No. 2019-06-089

Property Address: 16 West Beach Road, Charlestown, RI; Plat 4, Lot 68

Property Owner: Quonnie Partners, LLC

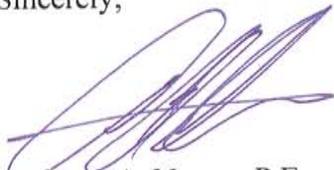
Page 2 of 2

proposed along wetland edge A1 through A6. Approximately 1,370 s.f. of cleared area will be allowed to revegetate to its natural condition. A split rail fence is proposed along the proposed buffer zone.

Buffer posts are proposed along the proposed buffer zones within the northerly and southerly portions of the Subject Property. The area between the buffer posts and wetland edge will therefore be allowed to re-vegetate. Drainage provisions were also implemented for roof area associated with the proposed barn/farm store. Concrete flow diffusers are proposed within the pervious gravel parking area.

Thank you for your assistance and consideration with this application, if you have any questions regarding this application please feel free to call me at 401-348-6831.

Sincerely,



Anthony A. Nenna, P.E.
President

Attachments



**RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
STATE OF RHODE ISLAND
PRELIMINARY DETERMINATION APPLICATION**

**PROPERTY OF QUONNIE PROPERTIES, LLC
16 WEST BEACH ROAD, CHARLESTOWN RHODE ISLAND
PLAT 4, LOT 68**



REVISED JULY 30, 2019

In accordance with the application for Rhode Island Coastal Resources Management Council (CRMC) Preliminary Determination, the following information is offered in support of the proposed improvements. The following are the questions and responses to Rule 9.02.D, which address impact avoidance and minimization, of the current *Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast*).

Project Scope

The Subject Property is currently developed and utilized as a working farm. The parcel has a single-family dwelling with garage and septic system as well as a gravel driveway. To support the farm a total of three greenhouses, irrigation wells and areas designated for growing vegetables and seasonal flowers. In July 2018, the applicant applied for a wetland edge verification (CRMC Application No. 2018-07-067). The CRMC staff reviewed the site plan and conducted a site walk and approved the edge as presented to the CRMC. The wetland area is located approximately midpoint of the Subject Parcel. The northerly portion will be utilized for the proposed barn/farm store, while the southerly portion will be utilized for growing vegetables and will contain greenhouses to support the farm. The northerly portion of the Subject Parcel has two curb cuts directly onto West Beach Road and the southerly portion has one curb cut on to West Beach Road. The southerly portion was recently re-graded, with approval by both CRMC and Howard Cook from RIDEM's Agricultural Division, in order to provide level areas for the greenhouses as well as plantable areas. During re-grading operations some clearing and placement of boulders extended into the agreed 25-foot buffer. Part of the CRMC PD application is to allow the encroachable areas to re-vegetate to its natural state. Buffer posts are proposed in order to establish a permanent buffer zone along the delineated wetland edge.

Project Description

The Subject Property currently operates as a working farm. The proposed improvements will allow the owner to provide more vegetable fields, greenhouses and a farm store to support the farming operations. A 3,600 s.f. barn/farm store is proposed at the northerly end of the property as well as an expanded gravel driveway and parking area to accommodate 13 vehicles. The barn/farm store will be supported by a RIDEM approved OWTS and a public well. A waterline will be trenched from the public well to the barn/farm store.



1. Impact Avoidance

- a. Whether the primary proposed activity is water-dependent or whether it requires access to freshwater wetlands as a central element of its primary purpose.

Response: The primary proposed activity is not water-dependent.

- b. Whether any areas within the same property or other properties owned or controlled by the applicant could be used to achieve the project purpose without altering the natural character of any freshwater wetlands.

Response: No, the existing wetland separates the northerly and southerly portions of the Subject Parcel.

- c. Whether any other properties reasonably available to, but not currently owned or controlled by the applicant could be used to achieve the project purpose while avoiding wetland alterations. A property is reasonably available if, in whole or in part, it can be acquired without excessive cost, taking individual circumstances into account, or, in the case of property owned or controlled by the same family, entity, group of affiliated entities, or local, state or federal government, may be obtained without excessive hardship.

Response: No, the abutting properties are not owned by the applicant. In fact, the area between the Subject Parcel and the abutting property to the east is divided by the existing wetland. Also, all proposed activity is outside of the 25 foot buffer.

- d. Whether there are alternative designs, layouts, or technologies that could be used to avoid freshwater wetlands or impacts on wetland functions and values on the subject property or whether the project purpose could be achieved on other property that is reasonably available and would avoid wetlands.

Response: The Subject Property is currently developed and utilized as a working farm. The Northerly portion has existing greenhouses currently located just outside of the delineated wetland edge. The northerly portion of the Subject Parcel also contains garden areas for vegetables and flowers.

- e. Whether the applicant has made any attempts (and if so what they were) to avoid alterations to fresh water wetlands by overcoming or removing constraints imposed by zoning, infrastructure, parcel size or the like.

Response: The Subject Parcel is a working farm. The proposed building is located in an area that was reviewed by RIDEM's Department of Agriculture.



- f. Whether the feasible alternative that would not alter the natural character of any freshwater wetlands on the subject property or on property that is reasonably available, if incorporated into the proposed project would adversely affect public health, safety or the environment.

Response: The proposed site development will not significantly affect the public health and safety since the proposed building will be serviced by a RIDEM approved septic system and a permitted public well with the RI Department of Health.

2. Impact Minimization

- a. Whether the proposed project is necessary at the proposed scale or whether the scale of alteration could be reduced and still achieve the same primary project purpose.

Response: The footprint of the proposed farm store/barn is the minimum size in order to provide a retail store, kitchen to support the farm and storage of farm equipment and materials.

- b. Whether the proposed project is necessary at the proposed location or whether another location within the site could achieve the same primary project purpose while resulting in less impact to the wetland.

Response: The barn/farm store was located at the northerly property line to separate the existing residential use from the farm/retail store. Also, the site improvements were located to maximize the distance from the proposed public well. The Department of Health requires no new impervious area within the 200 foot well radius.

- c. Whether there are feasible alternative designs, layouts, densities, or technologies that would result in less impact to the wetland while still achieving the project purpose.

Response: The Subject Property is currently developed and utilized as a working farm. The Northerly portion has existing greenhouses currently located just outside of the delineated wetland edge. The northerly portion of the Subject Parcel also contains garden areas for vegetables and flowers.

- d. Whether reduction in the scale or relocation of the proposed project to minimize impact to the wetland would result in adverse consequences to public health, safety or the environment.

Response: The proposed site development will not significantly affect the public health and safety since the proposed farmstand/barn will be connected to a RIDEM approved OWTS. Also, the Department of Health will require routine sampling and monitoring of the proposed public well.



3. Mitigation Measures

Impervious surfaces were minimized in order to provide access to the proposed farmstore/barn. The width of the gravel driveway was widened to accommodate public vehicles and was minimized to 22 feet wide. The proposed driveway will consist of crushed stone. Also, the impervious area associated with the roof will be collected and discharged to an underground infiltration system.

The proposed building will require RIDEM OWTS approval and the leachfield will maintain the required 3-foot separation between the bottom of the leachfield and the seasonal high water table. The leachfield will be a de-nitrification system. Soil evaluations were conducted and approved by the RIDEM. The proposed OWTS will also provide de-nitrification.

The area where the proposed barn/farm store is proposed is currently cleared and utilized as a storage area. The proposed building is located 11 feet from the property line, meeting the Town of Charlestown's zoning setback for an accessory structure. The proposed building is located in its current location in order to keep the existing gravel driveway and parking area on the northerly side of the parcel without having the need to expand the parking area to the west. The proposed building and parking lot are located in developed areas. The southerly greenhouse is proposed to remain in its current location to support farm activities. The greenhouse is currently located in cleared and developed areas.

Where possible, existing mature trees will be preserved to provide shade within the parking area.

The north side of the property has a fairly narrow buffer zone between wetland flags C8 through C14 as the three existing greenhouses are located approximately 25 feet from the wetland edge. The buffer zone between C-1 and C-7 widens as the wetland continues in the southwesterly direction toward West Beach Road. Due to the location of the proposed barn, the public well location and the need to continue using one of the greenhouses, the buffer zone was maintained at 10 feet from flag C-10 and widened towards the south. The compensation area between flag C-8 and C-15 is approximately 2,141 s.f.. The buffer zone between C-1 and C-7 widens to the required 50 feet and in some areas exceeds the 50 feet. 2,335 s.f will be allowed to revegetate in this area.

The southerly portion of the Subject Property also has a revised buffer zone. The existing greenhouse that is currently under construction was built approximately 24 feet from wetland flag B18. The proposed buffer zone is illustrated on the site plan and provides a minimum 25 foot buffer, except at flag B18 in which the boulder wall will act as the buffer zone limits.

Approximately 1,250 s.f. of cleared area between flag B5 and B14 will be allowed to re-vegetate. This area will provide between 25 and 58 feet of buffer zone. Finally, a 25 foot buffer is proposed along wetland edge A1 through A6. Approximately 1,370



s.f. of cleared area will be allowed to revegetate to its natural condition. A split rail fence is proposed along the proposed buffer zone.

Buffer posts are proposed along the proposed buffer zones within the northerly and southerly portions of the Subject Property. This will preserve the buffer zone and prevent any future encroachment.

Best management practices will be implemented during the development/construction phase of the lot in order to control soil erosion. Siltfence is proposed along the limits of disturbance to prevent sediment from entering the existing wetland area and control on-site erosion. All erosion controls shall remain in place until vegetation has been established on the lot. The Contractor will be responsible for inspecting, maintaining, and repairing erosion controls during construction.

Amy Silva

From: Amy Silva <asilva@crmc.ri.gov>
Sent: Tuesday, July 02, 2019 11:23 AM
To: 'Steve Peet'; 'Tony Nenna'
Cc: Cook, Howard (DEM) (howard.cook@dem.ri.gov)
Subject: RE: 16 West Beach Road

Steve/Tony –

I'll add that to the file (2019-06-089).

I'm just getting a chance to look at the application now – we're going to need stormwater management for the proposed barn. (Its within 50' feet)

We also talked about getting a measurement of how much area is disturbed by the greenhouse that's within the 25' Buffer. Right now you're not showing where your proposed BZ is around that greenhouse – the corner of it is 15' off the wetland edge. I haven't read the narrative, but there needs to be a reason why the two further greenhouses are being removed and the one that's the closest is not.

I'd need the area within the 25' BZ that will be permanently removed, and a commensurate area of Buffer (or greater in size) elsewhere to compensate for it.

If the proposed public well must be in the location that its shown, please depict a small 3-4' path through the wetland to access the well.

Also need permanent markers along the entire 25' BZ limit and annotation that the Buffer is to remain permanently undisturbed.

For future reference – anything occurring within 50 feet will require review by CRMC.

-Amy

Amy L. Silva
Senior Environmental Scientist
CRMC
4808 Tower Hill Rd.
Wakefield, RI 02879
(401)783-3370p/(401)783-3767f
From: Steve Peet [<mailto:smpeet1@gmail.com>]
Sent: Monday, July 01, 2019 11:34 AM
To: Amy Silva; Tony Nenna
Subject: 16 West Beach Road

Amy,

Thank you for your patience on our submittal of the Preliminary Determination Application.

I want to point out an inaccurate statement in the application. The response to question (e.) states: "The proposed building is located in an area that was reviewed by RIDEM's Department of Agriculture." This is misleading. I have spoken to Howard Cook about "agricultural operations" being acceptable outside of a 25' wetland buffer, but have never specifically located or discussed building the barn as sited on the plan. My belief, per previous discussions, is that the barn location would be acceptable to RIDEM, but the statement implies that RIDEM has reviewed the plan. They have not.

Thank you,

Steve

--

Steve Peet

* Please note new email address:

smpeet1@gmail.com



Virus-free. www.avg.com

2019-06-089

Charlotte A. Britland
15 Maplewood Lane
Charlestown, RI 02813

Mr. Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council
Of Rhode Island
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

Dear Mr. Willis:

I wish to object to the current application by Quonnie Partners LLC for the proposed farm on West Beach Road in Charlestown. I object based on the buffer zones that have been established by Mr. Peet and have been reviewed by the Department of Agriculture.

The buffer zones on the north side of the property should be 150' and Agriculture has approved a 50' buffer. The buffer on the south side should be 50' and Agriculture has approved a 25' buffer. The set-back on the east side has also been adjusted.

I am concerned because this area is not only close to the salt pond, but all the streams and adjacent wetland areas support a variety of wildlife. Keeping these streams and wetland areas pristine and free of contaminants is vital to the wildlife population and also to our own groundwater supply.

My property is also on some of the same streams/wetland areas as those of the applicant, yet I have a 50' buffer. The applicant will be doing far more to stress the wetlands that I am but he is affecting all our natural habitat.

So, on this basis I am asking that you review and expand the buffer zones that Agriculture has allowed.

Very truly yours,



Charlotte A. Britland

Steven J. Williams
81 Briarwood Drive
Charlestown, RI
jawabqaig@aol.com
401-322-1466



September 10, 2019

Jeffery M. Willis, CRMC Deputy Director
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

Re: CRMC File No. ²⁰¹⁹⁻⁰⁶⁻⁰⁸⁹~~W2018-07-067~~, Quonnie Farms (QF)
Site Address: 16 West Beach Road, Charlestown
Plot 4, Lot 68

Dear Mr. Willis;

I am opposed to the Quonnie Farm application because it is a commercial enterprise in a residential zone using agriculture as the cover for its commercial intention. Also, many issues are still unresolved which could impact approval. The public is not provided a lot of information which makes it difficult to discuss in detail so I have listed my concerns and questions for you to consider.

1. This lot is zoned as a single family residence, not a commercial lot. Mr. Peet has already drilled a second private well and is applying for a third public well. A public well implies commercial usage. What about the drain on the aquifer?
2. This lot is zoned as a single family residence, not a commercial lot. Mr. Peet is applying for a second larger OTWS for restrooms in a barn. This implies commercial usage. I've never heard of restrooms in a barn on a true working farm. What about the waste/drainage from this sewer?
3. The runoff from the southern end of this lot goes directly into the northeast corner of Quonnie Pond where all the oyster fields are located. They must be protected from fertilizer and other pollutants.
4. This lot is zoned as a single family residence, not a commercial lot. Mr. Peet is applying for a commercial kitchen this is not needed for a retail stand. This implies commercial usage.
5. Mr. Peet has cut and filled approximately 2 acres in the southern end of the lot. I would guess as much as 3' has been back filled in some areas. Where is the permit?
6. The Freshwater Wetlands act requires a 50' buffer on wetlands where there is flowing water. Drawings indicate they are only doing 25'. I can't even be sure where the buffer is, as you indicated in your letter dated Sept 4, 2018. It would be very discouraging if the state won't enforce its own act.
7. The FFOS act requires 5 acres under cultivation in order to be designated a farm, but the QF application was approved with only 3.75. I question if 3.75 acres are under cultivation. It would be very discouraging if the state won't enforce its own act.

Mr. Peet is acting as if all the permitting is done therefore he is pushing for town approval when all the paperwork is not done. This application should not be before the town for approval.

8. Where is a public copy of the Conservation Plan?
9. Where is CRMC's permit referenced in your Sept 4th letter?
10. Where is the OWTS permit?
11. The permit for the easement of the public well has not been approved by the owner.
12. I have not heard any discussion on whether or not any Federal permits are required as you mentioned in your Sept 4th letter.

As a layman these are the concerns I have found. I'm sure a professional review would find even more that have been overlooked. Please conduct due diligence on this application, there are a lot of ramifications if it is approved. Hopefully it won't be.

Thank you.

Sincerely,



Steven J. Williams



CRMC DECISION WORKSHEET

2019-01-063

Therman Richard & Justin Pinheiro

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
2019-01-063	North Kingstown	West Passage, Narragansett Bay		B	<input type="checkbox"/>	<input type="checkbox"/>
		Plat	Lot			
		Owner Name and Address				
Date Accepted	1/29/2019	Therman Richard & Justin Pinheiro 80 Spanker Street Jamestown, RI 02835		Work at or Below MHW	<input checked="" type="checkbox"/>	
Date Completed	12/27/2019			Lease Required	<input checked="" type="checkbox"/>	

PROJECT DESCRIPTION

Eastern Oysters and Sugar Kelp

KEY PROGRAMMATIC ISSUES

Coastal Feature: Submerged land

Water Type: Type 4, Multi-Purpose Waters

CRMP: §§ 1.2.1(B); 1.3.1(A); 1.3.1(K); and 1.3.1(R)

Variations 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
Other Staff <u>JTB</u> _____	Recommendation: _____	Approval

 Executive Director Sign-Off _____ date 29 Dec 2019

 Aquaculture Coordinator Sign-off _____ date 12-29-19

 Staff Sign off on Hearing Packet (Aqua) _____ date 1-21-20

Name: Therman Richard & Justin Pinheiro
CRMC File No.: 2019-01-063
Staff Report



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

DATE: December 27, 2019
TO: Grover J. Fugate, Executive Director
FROM: David Beutel
SUBJECT: CRMC File No. 2019-01-063

Applicant's Name: Therman Richard & Justin Pinheiro
Project: two acre aquaculture farm using floating oyster gear and submerged longlines for kelp

Location: West Passage, Narragansett Bay, North Kingstown,
Water Type/Name: Type 4, Multi-Purpose Waters,
Coastal Feature: submerged land

STAFF REPORT

This application is for a two acre aquaculture farm to grow oysters using floating gear and sugar kelp on submerged longlines. The location is in Type 4 waters just south of Rome Point in the west passage of Narragansett Bay near four existing aquaculture sites including oyster and kelp farms. This is an area that aquaculture has been encouraged to use because it has minimal impact with other users. The area is busy with aquaculture but is not saturated for aquaculture activity and two other sites are proposed nearby. The floating gear proposed are the large style cages (5'x3.5'x1.5'). The gear proposed meets all of the floating gear guidelines except for the cage size. Cages this size would maximize the production for the small two acre site and is consistent with the already approved cages at adjacent sites. The kelp gear proposed is the same kelp gear that adjacent farmers use successfully.

The sub aquatic vegetation maps have never shown this to be an area for eelgrass. The quahog density is low for the entire area: less than 1.2 per meter square (DEM Quahog Density Map).

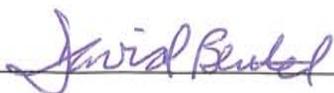
Name: Therman Richard & Justin Pinheiro
CRMC File No.: 2019-01-063
Staff Report

CRMC has received the following correspondence for this application:

- RI Department of Environmental Management (DEM) Office of Water Resources; water quality certificate not required, February 14, 2019
- RI Historical Preservation and Heritage Commission; no significant impact, February 14, 2019
- RIDEM Division of Marine Fisheries; no objection, February 27, 2019
- North Kingstown Town Council; no substantive objection, April 1, 2019
- RIMFC; no effect on marine fisheries, December 4, 2019
- Richard Pastore objection e-mail; February 13, 2019

During the thirty day public notice period CRMC received one objection for this site. The objector is a member of the Rhode Island Marine Fisheries Council (RIMFC) Shellfish Advisory Panel (SAP) representing recreational rod and reel fishermen and has objected to other applications in this area and other parts of Narragansett Bay. Please see the objection. The suggestion of moving the location to the north is impossible because it would conflict with the NOAA Protected Resources Policy for interactions with seals. Please note that CRMC has never received an objection for this area by recreational or commercial boaters other than this objector. The RIMFC SAP voted to object to this application. Staff was present at the meeting and noted to the RIMFC that the panel did not follow their statutory requirement of voting only on the issue of whether or not an application would significantly affect the exploitation of marine fisheries. The panel never addressed the topic in their discussion which was led by the objector. At their December 2, 2019 meeting the RIMFC reviewed the SAP response and voted unanimously that that this application does not threaten the exploitation of marine fisheries in this area.

It is staff opinion that this application has met the requirements of the RI Coastal Resources Management Program. The cages proposed are larger than those supported by the CRMC Guidelines for floating aquaculture gear. The adjacent farms are already using cages identical to the cages proposed. This area is away from residential development and is little used for recreation activities. Staff supports the use of the larger cages in this location. Staff recommends approval of this application with the standard stipulations for floating gear.



Aquaculture Coordinator

Approved Aquaculture Leases in Rhode Island



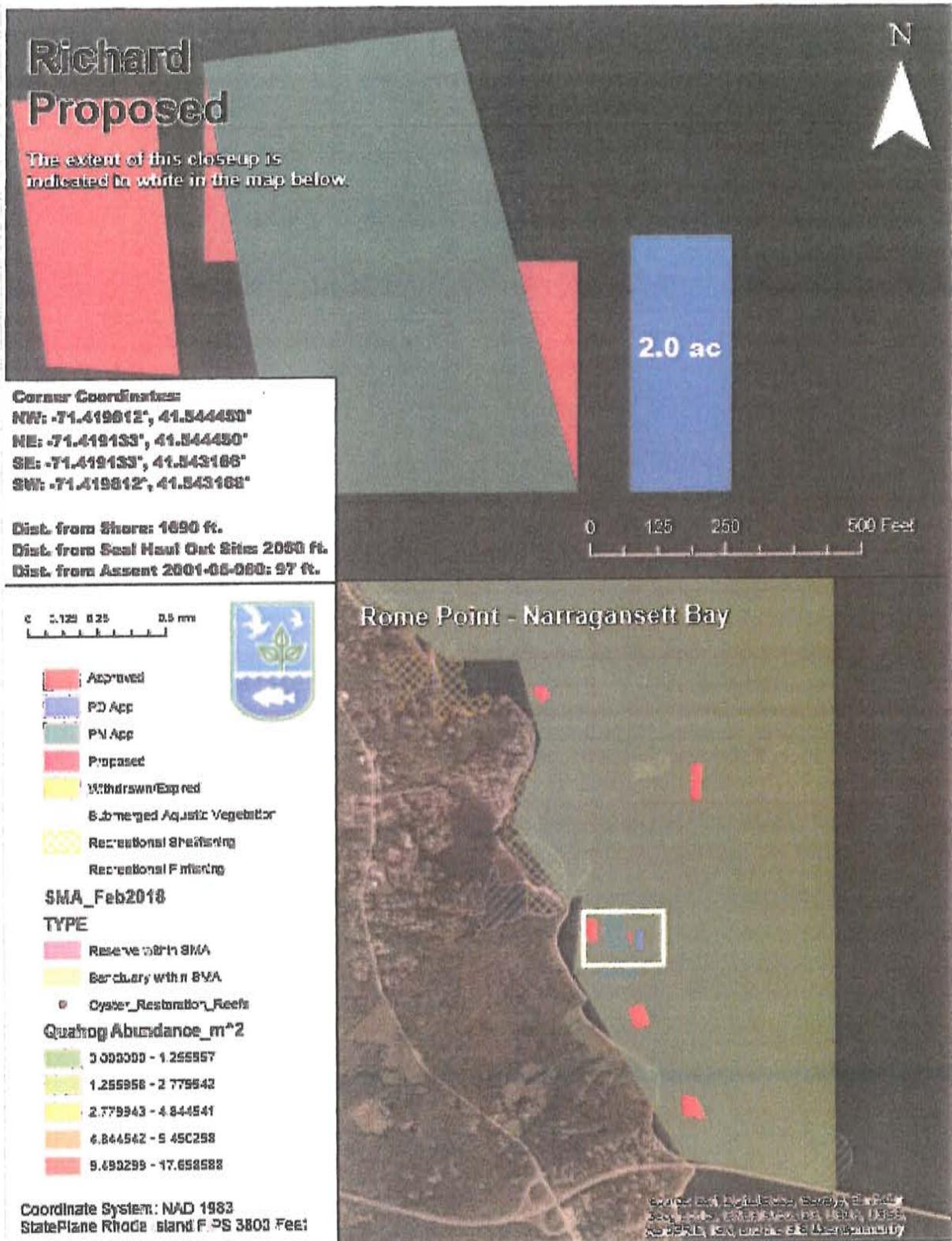


Figure 1: Site Location

RECEIVED
 JAN 22 2019
 COASTAL RESOURCES
 MANAGEMENT COUNCIL

From: Richard Pastore <rpengri@gmail.com>
Sent: Wednesday, February 13, 2019 3:21 PM
To: 'Dave Beutel'; 'Alison Verkade - NOAA Federal'; 'Steve Medeiros'; 'Azure Cygler'; 'Robert Rheault'; 'Robert Ballou'; 'Rich Fuka'; mclamdigger@aol.com; 'Dennis Erkan'; 'Prescott, David'; 'Leavitt, Dale'; gvdwood@cox.net; 'Jim Arnoux'; 'Dave Reis'; 'Jeff Grant'; 'Jeff Gardner'; 'Jody King'; 'Katie Eagan'; kurt.blanchard@dem.ri.gov; 'Michael A. Rice'; 'Rich Hittinger'; FVThistle@verizon.net; dmontifish@verizon.net; 'Rick Bellavance'; cgreinstrategies@gmail.com; lad0626@aol.com; 'Catherine White'; 'John Torgan'; dean.hoxsie@dem.ri.gov; 'Beuth, Joshua (DEM)'; 'LeBlanc, Edward G CIV'; cindy.hannus@dem.ri.gov; 'Jerry Carvalho'; 'Phil Capaldi'; marcapcar@icloud.com; marcapcar@me.com; michaelaonosko@gmail.com; john_crosson@watkinson.org; dacapaldi@aol.com; mmcapaldi@aol.com; jschickler@cox.net; suemarinaro@me.com; traceydistefano@gmail.com; travisbarao@gmail.com; mroderick@towndock.com; maridee2@gmail.com; Taylor.M.Bell@usace.army.mil; dacapaldi@aol.com; mmcapaldi@aol.com; 'Ed'; buddhajay108@yahoo.com; 'Kenneth Murgio'; MHarrington@northkingstown.org; Betaray1@verizon.net; 'Allen Harbor Marina'; 'Jeannette Alyward'; 'Steve DePetrillo'; 'Russ Blank'; 'Matthew Griffin'; 'Graham Watson'; 'Janet Coit'; 'Jason McNamee'; 'Osenkowski, Jay (DEM)'; ckarp@brown.edu; psozek@lighttower.com; 'Mcmanus, Conor (DEM)'; 'Livermore, Julia (DEM)'; 'Mike Jarbeau'; 'Todd Corayer'; traceydistefano2013@gmail.com; 'Lisa Turner'; 'Gerry Schey'; davidclatham@gmail.com; 'Lisa Turner'; 'Jeff Grant'
Cc:
Subject: RE: public notice 2019001-063

dave

first off I really can't tell which leases are approved and which are proposed from the color key. regardless the application is for yet another usurpation of an area in the bay which is contiguous to a public reserve, accessible both by foot and by water. the diagram included in the application indicates what appears to be two other leases further south along the Chaffee shoreline. as I've stated before, regardless of the claims of accessibility within the oyster farms by the applicants, their presence dramatically reduces if not eliminates the use of these areas by boaters. I've previously suggested that the area between Bissel Cove and Fox Island be promoted for oyster farming. The area is a stone's throw to the NE of Rome Point, is loaded with protruding glacial boulders and not used by boaters.

I object to the application

regards
 dick

Richard L. Pastore P.E.
 RP Engineering, Inc
 121 Suffolk Drive
 North Kingstown, RI 02852
 401 885 7255
www.RPENGRI.COM

From: Dave Beutel <dbeutel@crmc.ri.gov>
Sent: Wednesday, February 13, 2019 1:50 PM
To: 'Alison Verkade - NOAA Federal' <alison.verkade@noaa.gov>; 'Steve Medeiros' <stevem@risaa.org>; 'Azure Cygler' <azure@crc.uri.edu>; 'Robert Rheault' <bob@ecsga.org>; 'Robert Ballou' <robert.ballou@DEM.RI.GOV>; 'Rich Fuka' <captlobster@gmail.com>; mclamdigger@aol.com; 'Dennis Erkan' <dennis.erkan@DEM.RI.GOV>; 'Prescott, David'



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835
(401) 423-1920 Fax: (401) 423-1925

RIMFC: Robert Ballou, *Chairman*; Travis Barao; Andy Dangelo; Katie Eagan; Jason Jarvis; David Monti, *Vice Chair*; Christopher Rein; Michael Rice, Ph.D.; Mike Roderick

December 4, 2019

Dave Beutel, Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC Aquaculture Lease Application# 2019-01-063 – Richard and Pinheiro –
Narragansett Bay, North Kingstown

Dear Mr. Beutel:

Pursuant to RIGL §20-10-5, the above-referenced application was brought before the RI Marine Fisheries Council (hereafter "Council" or "RIMFC") on December 2, 2019 for review. Please be advised that the Council found on a 7 – 0 vote that the proposal poses no inconsistency with competing uses engaged in the exploitation of marine fisheries in the area and the Council's review is now complete.

Sincerely,

David Monti, Acting Chair, RI Marine Fisheries Council

Cc: RI Marine Fisheries Council





TOWN OF
NORTH KINGSTOWN, RHODE ISLAND

100 FAIRWAY DRIVE
NORTH KINGSTOWN, R.I. 02852-5762
PHONE: (401) 294-3331
FAX: (401) 583-4140

April 1, 2019

Mr. Grover J. Fugate
Executive Director
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

RE: Coastal Resources Management Council Application Number 2019-01-063

Dear Mr. Fugate:

Please find enclosed a North Kingstown Town Council vote regarding Coastal Resources Management Council Application Number 2019-01-063 to allow Therman Richard and Justin Pinheiro to construct and maintain a two-acre oyster farm using floating gear, in the west passage of Narragansett Bay. The Town Council has no substantive objection to the application as presented.

If you have any questions, you may contact me at 294-3331, extension 122.

Sincerely,

Jeannette Alyward
Town Clerk

Enclosure (1)

cc David Reis, Environmental Scientist
William Mosunic, Administrative Assistant
David Beutel, Aquaculture Coordinator
Nicole LaFontaine, Director of Planning and Development





Town of North Kingstown
Rhode Island
No. 24

TOWN COUNCIL

Gregory A. Mancini
Council President

Mary Brimer
Council Member

Stacey Elliott
Council Member

Kerry P. McKay
Council Member

Richard A. Welch
Council Member

March 25, 2019

At the Regular Meeting of the Town Council of the Town of North Kingstown held on March 25, 2019, it was

VOTED: That no substantive objection be filed to Coastal Resources Management Council Application Number 2019-01-063 to allow Therman Richard and Justin Pinheiro to construct and maintain a two-acre oyster farm using floating gear, in the west passage of Narragansett Bay.

Jeannette Alyward
Town Clerk





RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

February 14, 2019

Dave Beutel Aquaculture Coordinator
Coastal Resources Management Council
Wakefield, RI 02879-1900

Dear Mr. Beutel,

I am writing in reference to the Public Notice request by Therman Richard and Justin Pinheiro. (File number 2019-01-063). The proposed location for this site is in waters approved for shellfish harvesting located in shellfish classification area GA9 West Passage harvest area 3W in the town of North Kingstown .

The classification of shellfish grounds is an ongoing process based on the principles of the National Shellfish Sanitation Program. The Department of Environmental Management assumes no liability by the leaseholder for changes in classifications that may restrict or prohibit access and/or harvesting from said lease area. While this site currently has an approved classification for the harvesting of shellfish, extraordinary circumstances (i.e., large amounts of rainfall, hurricanes or oil spills) could temporarily halt such harvesting and prohibit work on said lease. If approved please include the following language that CRMC and DEM previously agreed to as a stipulation:

Aquaculturists in areas where emergency shellfish closures have been enacted will be allowed access to their leases for the purposes of preparing for and planting seed and when extreme weather could result in loss or damage of gear to conduct necessary maintenance/retrieval of their equipment. All other activities on the aquaculture lease, including but not limited to the harvest of shellfish, will remain prohibited until the water quality is acceptable to allow for harvest. Aquaculturists seeking permission to access their lease during an emergency closure must seek authorization by contacting Dave Beutel, CRMC's aquaculture coordinator at 783-7587.

The applicant should be aware that at the 2017 ISSC conference, changes were adopted to the model ordinance relating to floating aquaculture gear. These changes are now included in the 2017 NSSP Model Ordinance. The changes adopted by FDA include a requirement that aquaculture gear that attracts birds or mammals to the extent that their waste presents a human health risk shall have a written operation plan. As this is now a requirement, please advise the applicant and encourage him to consider methods to deter waterfowl attraction in consultation with RIDEM Division of Marine Fisheries

In the effort to address increasing water temperatures and the potential threat of a Vibrio Illness outbreaks we are asking all lease holders to monitor water temperature at their lease site and keep records of actual temperatures of bottom, surface and at the depth waters where the shellfish are being grown during the Summer months (June-September). If this project is approved, please include this request in your aquaculture approval document.

Neither a RIPDES permit nor a Water Quality Certificate is required for the proposed facility. Please call me at 222-4700, Ext. 7241 if you have any questions.

Sincerely,

Lucinda M. Hannus

Lucinda M. Hannus, Principal Environmental Scientist
RI DEM
Office of Water Resources – Shellfish Program

cc Angelo Liberti
Conor McManus
Dennis Erkan
Julia Livermore
Catherine White- RIDOH



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF MARINE FISHERIES
3 Fort Wetherill Road
Jamestown, RI 02835

DIVISION OF FISH AND WILDLIFE
277 Great Neck Road
West Kingston, RI 02892

February 27, 2019

David Beutel
Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: Richard and Pinheiro Application #2019-01-063

Dear Mr. Beutel,

The Rhode Island Department of Environmental Management, through the Division of Fish and Wildlife (DFW) and Division of Marine Fisheries (DMF), has received and reviewed the application submitted by Therman Richard and Justin Pinheiro for a proposed 2.0-acre aquaculture lease in the near Rome Point for cultivating eastern oysters (*Crassostrea virginica*) and sugar kelp (*Saccharina latissima*) using floating and suspended gear. The site will be active year-round, with oysters May 1 – October 3 and kelp November 1 - April 30.

The DMF and DFW believe that the adverse impacts to marine fisheries and wildlife and their habitat from this prospective site would be minimal. While the rocks off Rome Point are a well-documented and heavily used harbor seal haul-out site (STB 2017, Raposa and Dapp 2009), the DFW does not believe that the aquaculture site in question will disturb the seals. NOAA Fisheries recommends staying at least 50 yards from seals by land or sea in order to avoid Level A Harassment under the Marine Mammal Protection Act (NOAA Fisheries 2016, STB 2017). The distance at which seals become alert and begin to move towards the water can be as much as 500–800m (Henry & Hammill 2001, Wilson et al. 2011), though the actual distance at which most flushing to the water occurs has varied from study site to site, but has been given as approximately <100m (Wilson 2013, Allen et al 1984, Jackson & Wilson 1990, Calambokidis et al 1991, Brown & Prior 1998, Suryan & Harvey 1999, Henry & Hammill 2001, Johnson & Acevedo 2007, Fox 2008, Jansen et al 2010). Proposed assent 2019-01-063 is 2050 feet (624 m) from the haul-out site (Figure 1). Although the aquaculture site potentially falls within a range where human activity may attract the attention of hauled-out seals, it is unlikely to cause flushing activity and excess energy expenditure. Therefore, aquaculture activities within the lease area are unlikely to harm the seals.

As such, the DFW and DMF do not have objections to this application. The Divisions' acceptance of the current proposal is specific to the location and specifications outlined in the application.

Telephone 401.423.1923 | www.dem.ri.gov | Rhode Island Relay 711

P12



Sincerely,



Dean Hoxsie,
Deputy Director for Natural Resources





Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835
(401) 423-1920 Fax: (401) 423-1925

RIMFC: Robert Ballou, *Chairman*; Travis Barao; Andy Dangelo; Katie Eagan; Jason Jarvis; David Monti, *Vice Chair*; Christopher Rein; Michael Rice, Ph.D.; Mike Roderick

December 4, 2019

Dave Beutel, Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC Aquaculture Lease Application# 2019-01-063 – Richard and Pinheiro –
Narragansett Bay, North Kingstown

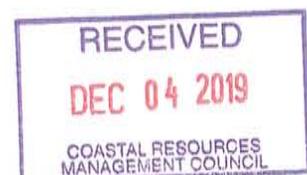
Dear Mr. Beutel:

Pursuant to RIGL §20-10-5, the above-referenced application was brought before the RI Marine Fisheries Council (hereafter "Council" or "RIMFC") on December 2, 2019 for review. Please be advised that the Council found on a 7 – 0 vote that the proposal poses no inconsistency with competing uses engaged in the exploitation of marine fisheries in the area and the Council's review is now complete.

Sincerely,

David Monti, Acting Chair, RI Marine Fisheries Council

Cc: RI Marine Fisheries Council



3. Guidelines for floating aquaculture gear

- a. floating gear should be a minimum of 750 feet from the nearest residence
- b. low profile floating gear shall be required (maximum 4" above still water elevation).
- c. floating gear is discouraged in areas where the fetch from the prevailing wind is greater than 3 nautical miles.
- d. floating gear should be secured with helical (screw) anchors
- e. floating gear shall have a minimum \$15,000 proof of performance bond
- f. initial floating gear leases should be a maximum of three (3) acres
- g. floating gear is discouraged in Type 1 waters
- h. areas which are subject to significant boat traffic or significant water based recreational activities including but not limited to sailing, kayaking, paddleboarding, kiteboarding or swimming should not have floating gear
- i. floating gear should be at least 200 feet from an existing CRMC approved recreational mooring field
- j. floating gear shall not be permitted over or within 25 feet of protected submerged aquatic vegetation (SAV)
- k. floating gear shall not be permitted in areas of significant fishing activity
- l. towns may recommend areas where floating gear should be discouraged
- m. floating gear should be discouraged within 400 feet along shorelines which have been preserved for conservation, recreation and/or public access through easements, purchase by the state or municipality or are owned by a land trust or conservation organization and have been recognized by the CRMC
- n. floating gear should not be located within 400 feet along shorelines where public access is provided through CRMC rights-of-way, public land where the primary purpose is intended for public access, or by CRMC easements and/or where there is evidence of significant public usage and access
- o. leases permitted for direct bottom plant may receive a stipulation preventing modification to floating gear

Determinations such as "significant" will be a determination made by the CRMC based on staff experience, communication with municipalities, user groups and other organizations, available guides, publications and promotional literature, photographs, satellite images, aerial photographs and through public comments and consultations.



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: <u>Therman Richard, Justin Pinheiro</u>		File No (CRMC use only): <u>2019-01-063</u>
Mailing Address: <u>80 Spangler St.</u>		Res. Tel. # <u>(401) 447-5850</u>
City/Town: <u>Jamestown</u>	State: <u>RI</u> Zip Code <u>02835</u>	Bus. Tel. # <u>(401) 447-5850</u>
Waterway: <u>west Passage, Narragansett Bay</u>	Est. Project Cost \$ <u>\$5000.00</u>	Fee/Costs: \$ <u>\$150.00</u>
Longitude/latitude of all corners of Proposed Aquaculture Project Location (preferably in decimal degrees): NW: <u>-71.419812°, 41.544450°</u> SW: <u>-71.419812°, 41.543166°</u> NE: <u>-71.419133°, 41.544450°</u> SE: <u>-71.419133°, 41.543166°</u>		

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).

N/A

Is this application being submitted in response to a coastal violation?

Yes _____ No X

If yes, you must indicate NOV or C&D Number N/A

Is this site within a designated historic district? No

Therman Richard Therman Richard
 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

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.

Therman Richard
Signature

1/22/2019
Date

Therman Richard 80 Spanker St. Jamestown, RI 02835
Print Name and Mailing Address



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- 1.) Operational Plan
- 2.) Responses to RICRMP section 300.1.
- 3.) Additional Information
- 4.) References

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- Figure 2.) Site Location
- Figure 3.) Oyster Gro six bay cage
- Figure 4.) Kelp line dropper
- Figure 5.) Plan View
- Figure 6.) View looking north from proposed lease
- Figure 7.) View looking east from proposed lease
- Figure 8.) View looking west from proposed lease
- Figure 9.) View looking south from proposed lease
- Figure 10.) Cross-section showing oyster cages during growing season
- Figure 11.) Cross-section showing winter season with kelp lines.
- Figure 12.) Additional cross-section



1.) Operational Plan

1. Name and mailing address:

- Justin Pinheiro 227 Fleetwood Dr. Saunderstown, RI 02874
- Therman Richard 80 Spanker St. Jamestown, RI 02835

2. CRMC file number for the facility: 2018-10-069

3. DEM Aquaculture License number: TBD

4. Type of facility: Commercial lease site.

5. Location of facility: (See Figure 1)

North Kingstown, RI.

West Passage, Narragansett Bay.

South of Rome Point and north of Greene Point.

Lat/long coordinates of facility:

NW corner: -71.419812°, 41.544450°

NE corner: -71.419133°, 41.544450°

SW corner: -71.419812°, 41.543166°

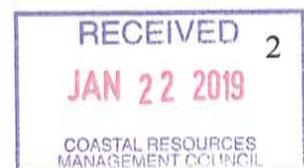
SE corner: -71.419133°, 41.543166°

6. Identification of all species grown:

- *Crassostrea virginica* (Eastern Oyster) and *Saccharina latissimi* (Sugar Kelp) will solely be grown and harvested at the proposed lease site following any and all Biosecurity Board seed protocols.

7. Description of gear.

Eastern oysters will be grown in Oyster Gro floating cages (Figure 3). Each cage is made of 12 gauge vinyl coated wire mesh and has two polyethylene floats affixed to the top with bird deterrents. Each cage is 60" long, 19" tall, 40" wide, and houses 6 18" X 35" X 3" vexar mesh bags. The cages will be modified to maintain an above water height of 4" to mitigate visual impact where possible. 10 cages will be spliced into a 160' main trawl line (½" Pro-Flex sink line) and anchored to 5' 10000 lb. helical anchors at each end (Figure 5,11,12). The proposed site will encompass 36 160' trawl lines spaced 15' apart. Totaling 360 cages (Figure 5). The cages



will be floated on the surface and flipped bi-weekly for anti-fouling purposes during the growing season. When oysters begin to slow their growth the cages will be sunk to the seafloor for over-wintering. Once the cages are in the over-wintering position a second trawl line will be attached to the same helical anchors as the oyster cages for the growth of sugar kelp. These secondary trawl lines will be suspended 5' below the surface using droppers spliced into the secondary line every 50' (Figure 11). Each dropper consists of 5' of ½" PVC with a 14-lb. displacement lobster buoy attached at the top and an 8 pound weight at the bottom (Figure 4). The dropper maintains the desired depth of the secondary trawl line. Once the sugar kelp is harvested in the spring the oyster cages will be floated to the surface and growing season procedures will resume.

8. Description of the methods and equipment used to identify and mark site.

Each of the four lease corners will be marked with standard 11" pot buoys. Each buoy will have "CRMC" written in 3" letters along with the accompanied file number. Additionally, the lease corners will be marked with high-flyers utilizing reflective tape. We will work with the town of North Kingstown, CRMC, and local farms to choose a consistent marking plan to delineate our farm from others and provide a clear visual path to the shore and between adjacent farms.

9. DEM Shellfish Harvesting Classification at site.

Narragansett Bay, West Passage, 3W

10. Description of practices and procedures used during the growth, harvest, storage, transportation, and sale of the cultured species.

Our seed will be purchased from New England based dealers. Examples include, Mook Sea Farm, Chatham Shellfish Company, Fishers Island Oyster Farm, etc. Final determination of dealer will be based on availability. For any imported shellfish, a written request will be submitted to the aquaculture coordinator no later than five days before entry into the state. The request will be accompanied by a certificate of disease inspection. All additional shellfish culture requirements set forth by the RIDEM and CRMC in section 9.2 and 9.7 of the Aquaculture of Marine Species in Rhode Island Waters will be followed. All shellfish handled to be consumed will follow the Vibrio Management Plan Instituted by the RIDEM as of July 1, 2014.

Once the seed has been started, each cage will be sorted, tumbled, and rearranged weekly. Each cage will be flipped onto its buoys for anti-fouling purposes bi-weekly. Oyster cages will be sunk to the sea floor during winter months (November-April). Market sized oysters will be removed from the farm and transported to a refrigerated vehicle via boat. The harvested oysters will then be sold to a distributor immediately.

11. Procedures for maintaining records for operations using seed acquired from out-of-state. Description of notification, disease certification, and labeling/tagging procedures.



When seed is purchased from out of state all notification, disease certification, and labeling/tagging procedures will be followed and kept on record by the applicants of this lease.

12. Procedures for maintaining records: N/A

13.) Procedures for maintaining records for operations using seed from prohibited waters:

Seed purchased from prohibited waters will be kept separate from other oysters and marked as so. The date the seed was purchased and planted will be documented to ensure that oysters are not sold before 6 months of growth in approved waters.

2.) Responses to Section 300.1 Category B Requirements

1.) Demonstrate the need for the proposed activity or alteration.

Our need to lease land from the state of Rhode Island to perform aquaculture processes is intended to earn a living while supplementing the sea food market in New England.

2.) 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.

None of the above listed requirements are needed for an aquaculture land lease.

3.) Describe the boundaries of the coastal waters and land area that are anticipated to be affected.

The proposed aquaculture lease lies 1690' east of the approximately 1 mile of coast line that stretches between Greene Point and Rome Point in North Kingstown, RI. The proposed aquaculture lease will encompass 2 acres. The northwest corner is located at -71.419812°, 41.544450°, the southwest corner at -71.419812°, 41.543166°, the northeast corner at -71.419133°, 41.544450°, and the southeast corner at -71.419133°, 41.543166°.

4.) 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.

Our farm will use floating cages to culture oysters. They will not impact erosion or deposition. The shore will not be used in our cultivation process.

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



Our 2 acre farm will not out-compete other organisms causing any significant difference in current bio-diversity or abundance of those organisms. A study performed on aquaculture sites located within Narragansett Bay, Rhode Island found oyster grow out cages to create a good habitat for fishes associated with the area (Tallman, J. C, Forrester). Additionally, there is no submerged aquatic plant life located within the lease area.

- 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 shoreline is currently accessible via the Rome Point Trail located within the John H. Chafee Nature Preserve or by watercraft from Narragansett Bay. Our farm will have no impact on pedestrian activity or access via the Rome point Trail. The farm lies 1690' from shore and 100' from the nearest lease leaving sufficient room for navigation throughout the cove and area for use of the cove. Also, our location abuts shallow water and some coastal rocks that already deter boaters from going ashore from water.

- 7.) Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation.**

Our floating cage design will not significantly impact the current water circulation, turbidity, sedimentation , or flushing of the coastal waters off the coast line stretching from Greene Point to Rome Point.

- 8.) Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM.**

The proposed lease will have no negative impact of the quality of water in the area. "Oysters provide valuable eco-system services including fish habitat, water filtration, and denitrification" (Hoellein, Zarnoch, Grizzle 2015). The approval of this lease will lead to improved water quality within the area.

- 9.) Demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance.**

There are no known areas of historic or archaeological significance within the proposed lease site.

- 10. 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.**



The proposed location is infrequently used by recreational boating due to the shallow water and rocky surroundings. The proposed lease lies 1690' from shore and 100' from the nearest aquaculture farm. The lease corners are marked with high-flyers utilizing reflective tape along with a consistent marking plan to allow mariners to easily navigate to shore and between farms. This along with trawl lines spaced at 15' apart provide adequate area for recreational access into the cove. As a lifelong resident of Jamestown, RI and boater of Narragansett Bay I have noticed the lack of shell fishing and fishing that takes place within the cove. Swimming from boats and/or the shore will not be disrupted as the distance from the shore and other aquaculture activities provides adequate access into the cove.

11. Demonstrate that measures have been taken to minimize any adverse scenic impact

Where applicable the proposed lease location will follow the CRMC guidelines for floating aquaculture gear to minimize any scenic impact.

3.) Additional Information

Proposed work schedule:

Growing Season (May-October):

9 am – 5 pm Monday-Friday, tumble and sort oysters.

9 am – 5 pm Monday- Friday bi-weekly, flip cages for anti-fouling.

9 am – 5 pm Monday-Friday, Harvest market sized oysters.

Winter Season (November – April):

9 am – 3 pm Monday – Friday, Install kelp lines in November

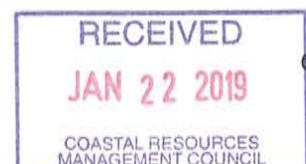
9 am – 3 pm Monday – Friday, Manage farm to ensure its operating properly.

4.) References

Tallman, J. C, Forrester, G.E. *OYSTER GROW-OUT CAGES FUNCTION AS ARTIFICIAL REEFS FOR TEMPERATE FISHES*. Retrieved 9/10/2018 from https://ecsga.org/wp-content/uploads/2018/02/oyster_cages_reefs.pdf

USGS, (April 9, 2014), *Oyster Aquaculture Could Significantly Improve Potomac River Estuary Water Quality*. Retrieved 9/12/2018 from <https://www.usgs.gov/news/oyster-aquaculture-could-significantly-improve-potomac-river-estuary-water-quality>

Hoellein, T., Zarnoch, C., & Grizzle, R. (2015). Eastern oyster (*Crassostrea virginica*) filtration, biodeposition, and sediment nitrogen cycling at two oyster reefs with contrasting water quality in Great Bay Estuary (New Hampshire, USA). *Biogeochemistry*, 122(1), 113–129. <https://doi.org/10.1007/s10533-014-0034-7>



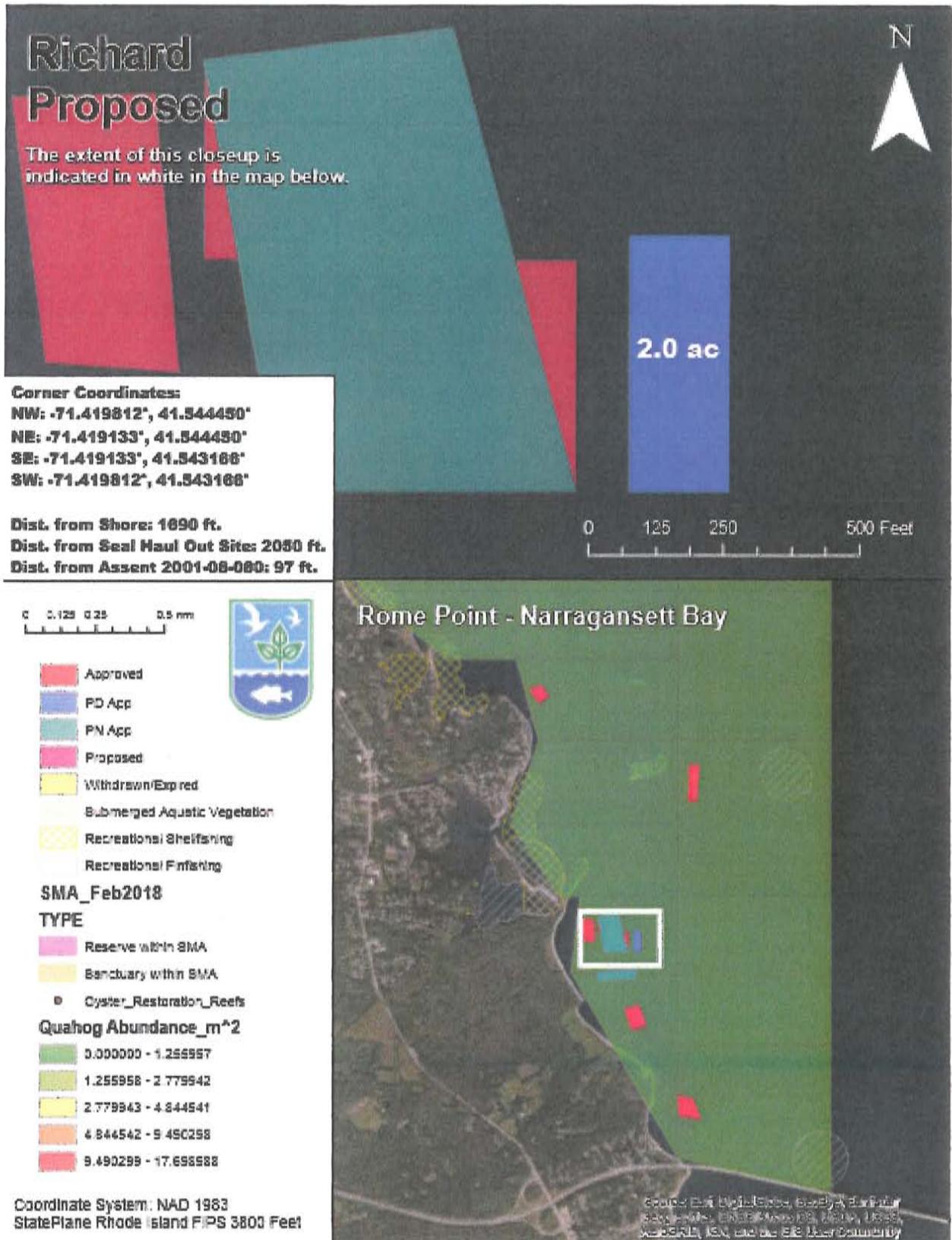


Figure 1: Site Location

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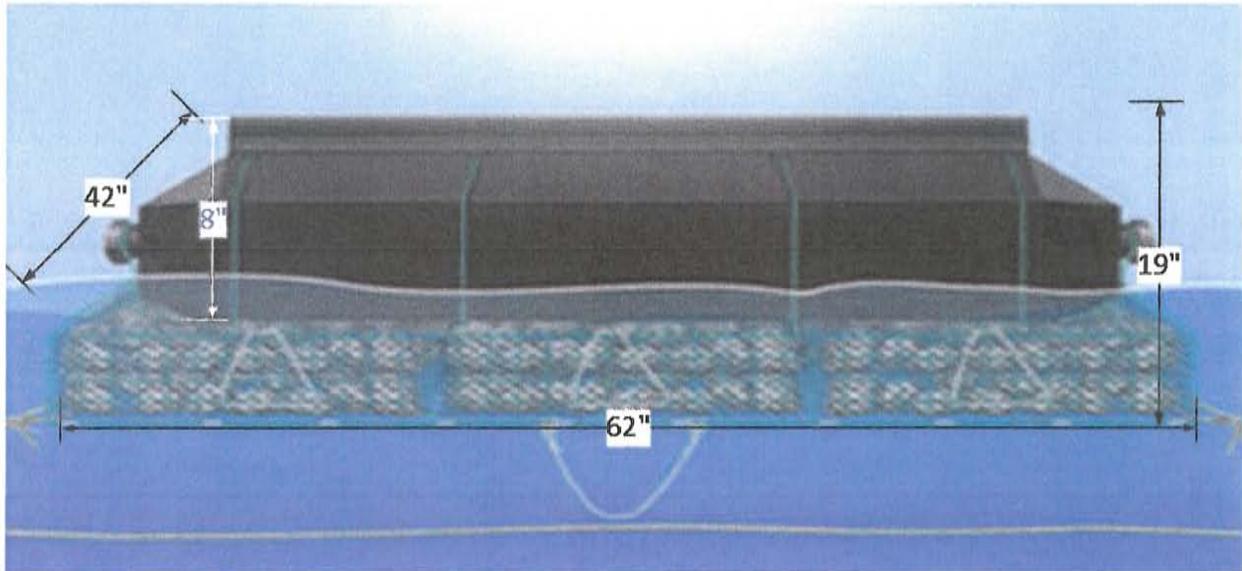


Figure 3: Oyster-Gro Six Bay Cage (modified from Oyster Gro 10/2018)

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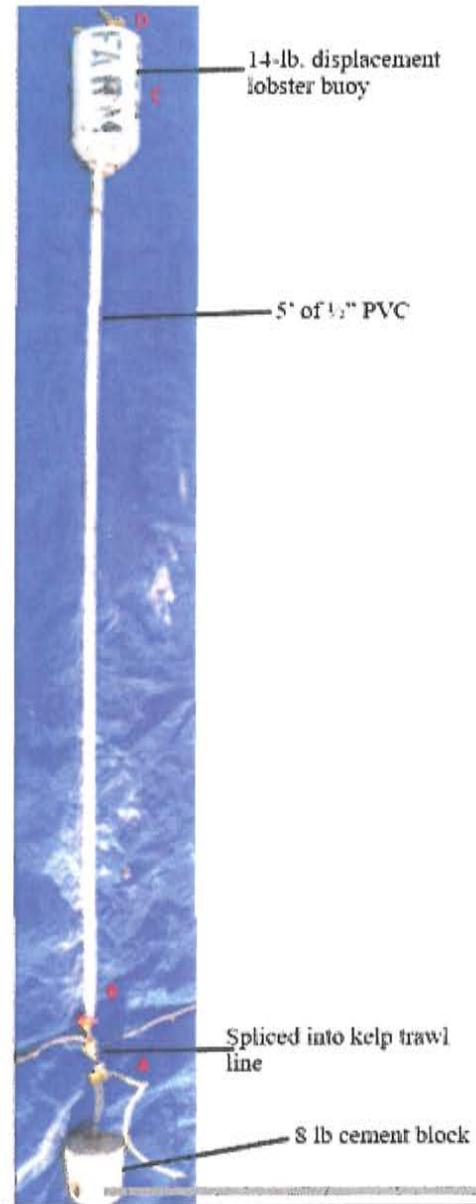


Figure 4: Kelp line Dropper (modified from Ocean Approved 10/2018)

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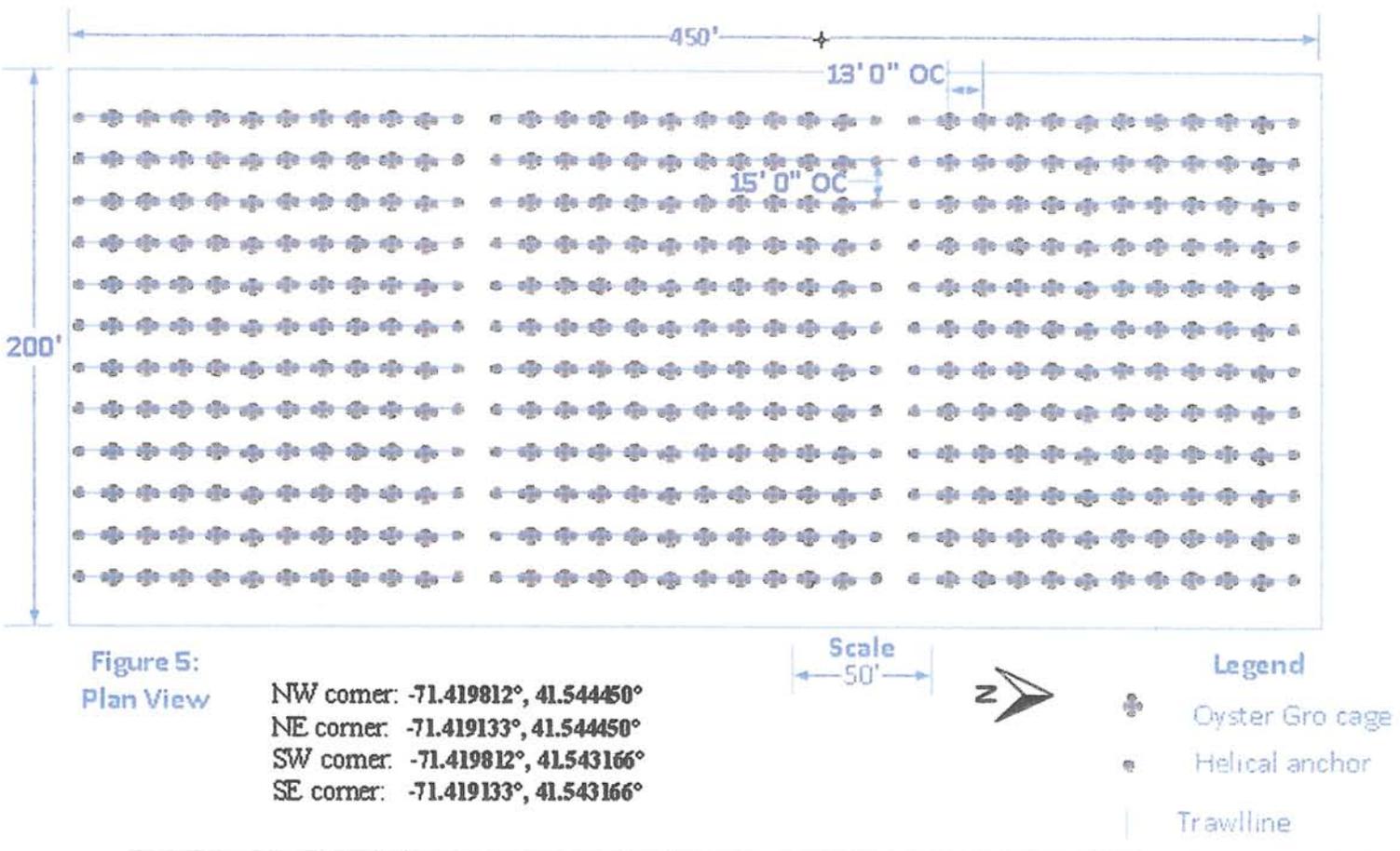


Figure 5: Plan view/Gear layout

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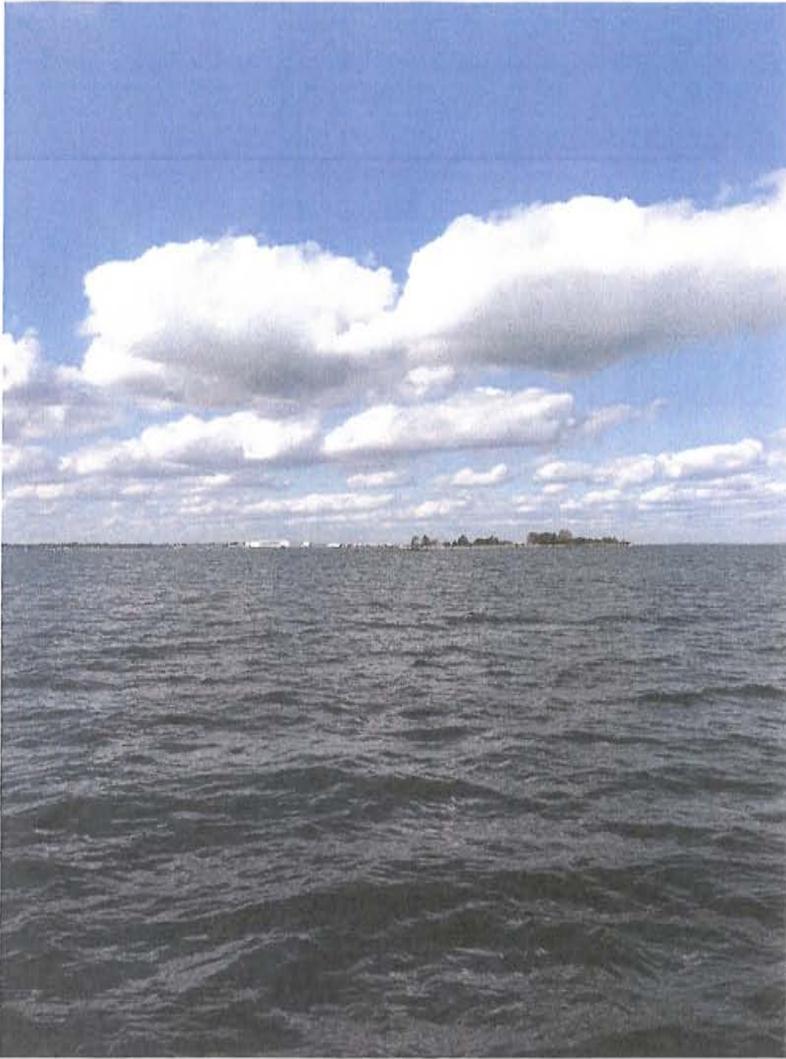


Figure 6: View looking north from proposed lease.

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Figure 7: View looking east from proposed lease.

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Figure 8: View looking west from proposed lease.

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Figure 9: View looking south from proposed lease.

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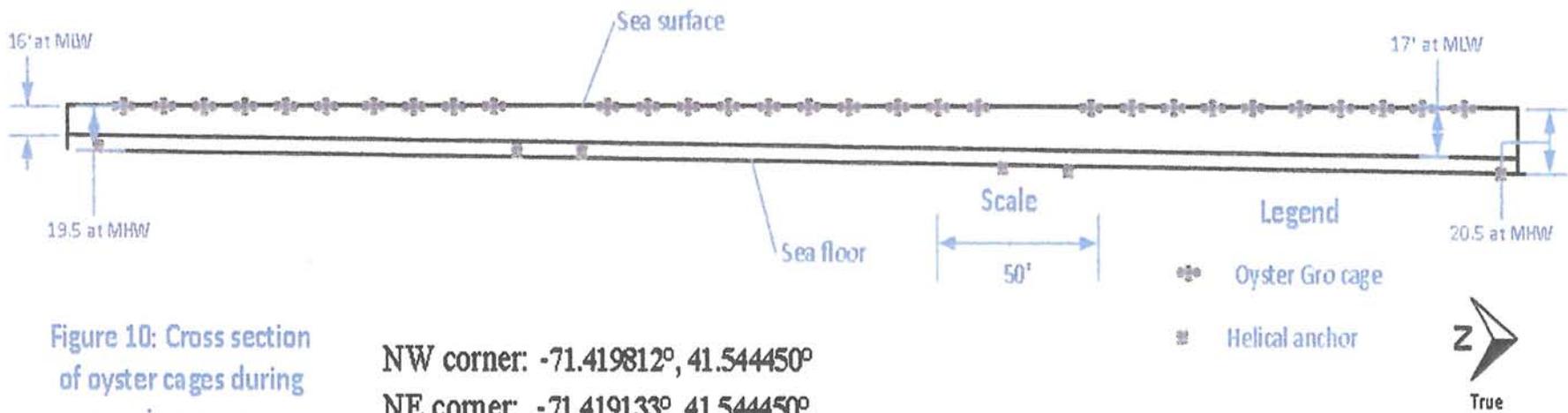


Figure 10: Cross section of oyster cages during growing season.

NW corner: -71.419812°, 41.544450°
 NE corner: -71.419133°, 41.544450°
 SW corner: -71.419812°, 41.543166°
 SE corner: -71.419133°, 41.543166°

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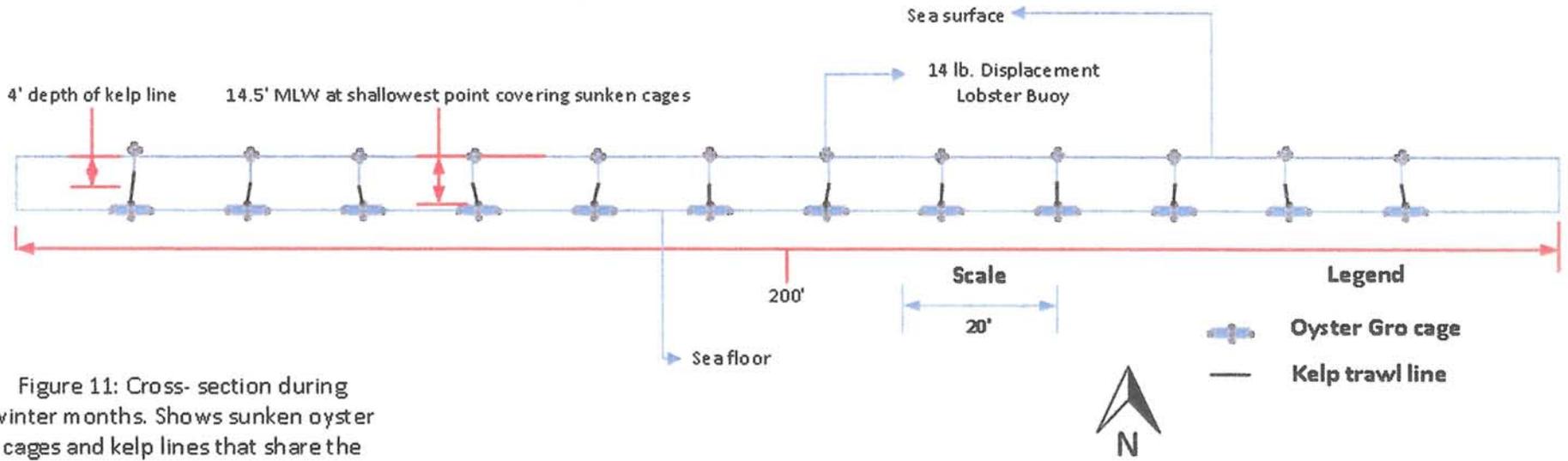


Figure 11: Cross-section during winter months. Shows sunken oyster cages and kelp lines that share the same helical anchors.

P34



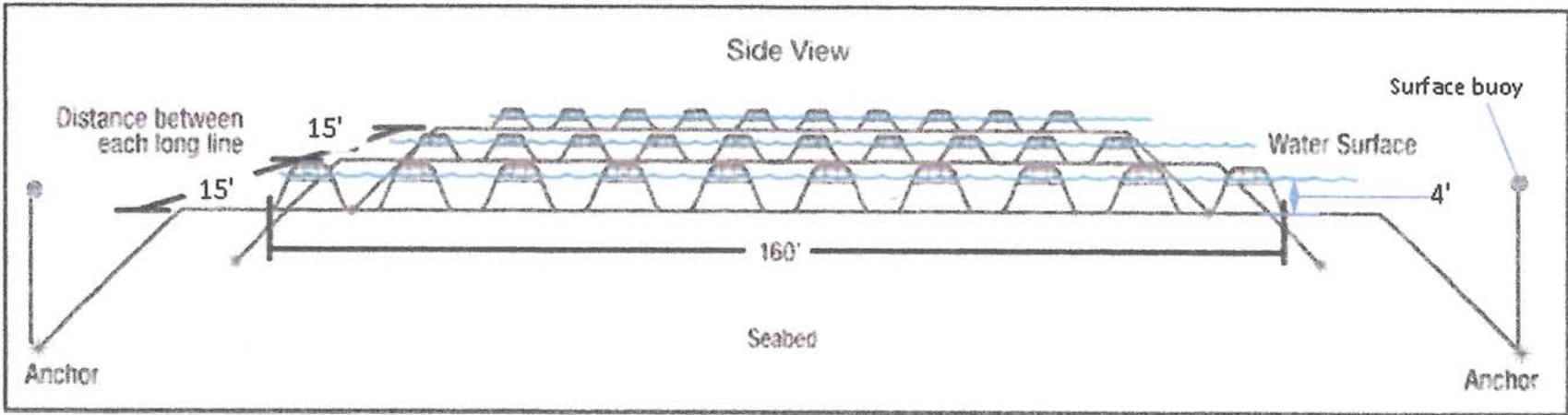


Figure 12: Additional cross section view.
Shows distance of trawl line under
surface.

Note: Figure is meant to show
additional detail to previous cross
sections. Not to scale.

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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: 2019-01-063 Date: February 13, 2019

This office has under consideration the application of:

Therman Richard & Justin Pinheiro
80 Spanker Street
Jamestown, RI 02835

for a State of Rhode Island Assent to construct and maintain: a two acre oyster farm using floating gear and to grow kelp on suspended longlines. Please see attached map.

Project Location:	West Passage, Narragansett Bay
City/Town:	North Kingstown
Plat/Lot:	/
Waterway:	West Passage Narragansett Bay

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 March 13, 2019.

CRMC Mailing List for Therman Richard & JustinPinheiro
CRMC File Number 2019-01-063

Therman Richard & Justin Pinheiro
80 Spanker Street
Jamestown, RI 02835

CRMC (2019-01-063)
O. S. Government Center
4808 Tower Hill Road
Wakefield, RI 02879

CRMC DECISION WORKSHEET

2019-07-003

Jennifer Scappatura

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
2019-07-003	Charlestown	Quonochontaug Pond		B	<input type="checkbox"/>	<input type="checkbox"/>
		Plat	Lot			
		Owner Name and Address				
Date Accepted	July 1, 2019	Jennifer Scappatura		Work at or Below MHW	<input checked="" type="checkbox"/>	
Date Completed	Dec. 23, 2019	P.O. Box 721		Lease Required	<input checked="" type="checkbox"/>	
		Wakefield, RI 02880				

PROJECT DESCRIPTION

4.4 acre farm expansion for bottom planted oysters

KEY PROGRAMMATIC ISSUES

Coastal Feature: Submerged land

Water Type: Type 2, Low Intensity Use

CRMP: §§ 1.2.1(C); 1.3.1(B); 1.3.1(K); and 1.3.1(R)

Variations 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
Other Staff	<u>JTB</u>	Recommendation:	Approval

David Beutel 12-23-19
Aquaculture Coordinator Sign-Off date

[Signature] 12/23/2019
Executive Director Sign-Off date

David Beutel 1-21-20
Staff Sign off on Hearing Packet (Aqua) date

Name: Jennifer Scappatura
CRMC File No.: 2019-07-003
Staff Report



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

DATE: December 23, 2019
TO: Grover J. Fugate, Executive Director
FROM: David Beutel
SUBJECT: CRMC File No. 2019-07-003

Applicant's Name: Jennifer Scappatura
Project: 4.4 acre addition to existing one acre oyster farm

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

STAFF REPORT

Ms. Scappatura currently operates a one acre oyster farm (#2015-06-005) in Quonochontaug Pond using bottom cages. This application is to add 4.4 acres around the existing farm form bottom planted oysters only. All of the oyster cages would remain in the existing one acre area.

The thirty day public notice for this application ended on August 12, 2019. CRMC received four written objections (attached) with three of the objections provided by objectors of previous aquaculture sites in this area. The major points of the objections are listed below:

- Access to existing docks will be inhibited
- The area is heavily used for recreational activities
- Navigation will be negatively impacted
- Lease #2015-06-005 is not fully utilized
- The harvest activity will negatively impact eelgrass
- The site will negatively impact pond ecology
- The site is in a mooring field

Staff will address each of the objection bullets in order:

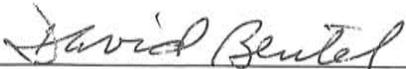
- It is challenging to understand how bottom planted oysters will have an effect on dock access
- The area has random large boulders throughout. There is recreational activity nearby out of the boulder field for the boating activity. The proposed site is in the boulder field.
- The boulders negatively impact navigation. It is challenging to understand how corner buoys negatively impact competent navigation. Once again, this application is for bottom planted oysters.
- CRMC staff conducted a site inspection and site assessment on August 14, 2019. Staff found the current one acre site sufficiently utilized; a low density of quahogs on the proposed site; and eelgrass was not present; as no eelgrass is present it cannot be negatively impacted
- The 2012 SAV survey found eelgrass in this area but it was absent from the 2016 SAV survey.
- Scientific work specific to the Rhode Island coastal ponds found that aquaculture had little to no effect on pond carrying capacity. In fact the ponds could have a 62 fold increase in shellfish aquaculture before carrying capacity was negatively affected (Byron 2011) it is challenging to understand how additional filter feeders will negatively impact pond ecology
- This site is in a mooring field. Charlestown designates large portions of the ponds as mooring field. The Charlestown Coastal Pond Management Commission (CCPMC) and harbor master work with CRMC staff to remove approved aquaculture sites from existing mooring fields. The objector knows this as he is a member of the CCPMC.

CRMC has received the following agency correspondence for this application:

- Historical Preservation and Heritage Commission; no effect on cultural resources July 9, 2019
- RIDEM Office of Water Resources; no water quality certificate required July 24, 2019
- RIDEM Division of Marine Resources; no objection but in area of historic eelgrass Aug. 12, 2019
- RI Marine Fisheries Council; no objection December 4, 2019

Please note that although the letter from RIDEM Division of marine Fisheries comments about eelgrass, there was no eelgrass present at this location when permitted in 2015, and eelgrass was not present in any of the annual inspections since 2015, and eelgrass was not present during the site assessment in 2019. Eelgrass should not be considered an issue at this location.

It is staff opinion that this application for bottom planted oysters has met the requirements of the RI Coastal Resources Management Program and is recommended for approval.



Aquaculture Coordinator

Reference:

Byron, C., Link, J., Costa-Pierce, B., Bengtson, D., 2011. Modeling ecological carrying capacity of shellfish aquaculture in highly flushed temperate lagoons. *Aquaculture* 314, 87-99, doi:10.1016/j.aquaculture.2011.02.019.



Grover Fugate, Executive Director
CRMC
Oliver H. Stedman Center
4808 Tower Hill Road Suite 3
Wakefield RI. 02879-1908

Dear Mr. Fugate,

8/13/19

My wife and I have recently purchased lot B at 5740 Post Road in Charlestown RI. It has come to our attention that an application has been filed, no. 2019-07-003, by Jennifer Scappatura, for a four acre oyster farm. While we have nothing against oysters, in fact quite like them, we do have concerns. As we are avid boaters and enjoy water activities, we question the effect on navigation and worry about impending additional buoys. We understand from a neighbor that props have been fouled by already existing buoys. We also understand that the applicant has an oyster farm that has not been fully utilized. We would hope that the current farm be fully utilized before permission for additional farms be granted. Thank you in advance for considering our concern.

Sincerely,

Handwritten signatures of Jesse de la Rama and Mallory Andrews. The signature of Jesse de la Rama is on the left, and the signature of Mallory Andrews is on the right, with a small star symbol between them.

Jesse de la Rama and Mallory Andrews

Lisa Turner

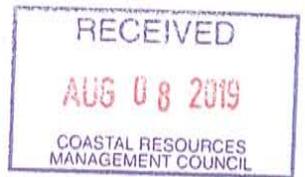
From: Dave Beutel <dbeutel@crmc.ri.gov>
Sent: Thursday, August 08, 2019 1:11 PM
To: Lisa Turner
Subject: FW: Objection
Attachments: Oyster Farm Protest - Jennifer Scappatura CRMC File No. 2019-07-003.docx

-----Original Message-----

From: Bill Wilson [<mailto:wilson.wm.h@gmail.com>]
Sent: Thursday, August 08, 2019 12:02 PM
To: Dave Beutel
Subject: Objection

please place my objection to Scappatura 2019.07.003 in file

Tks

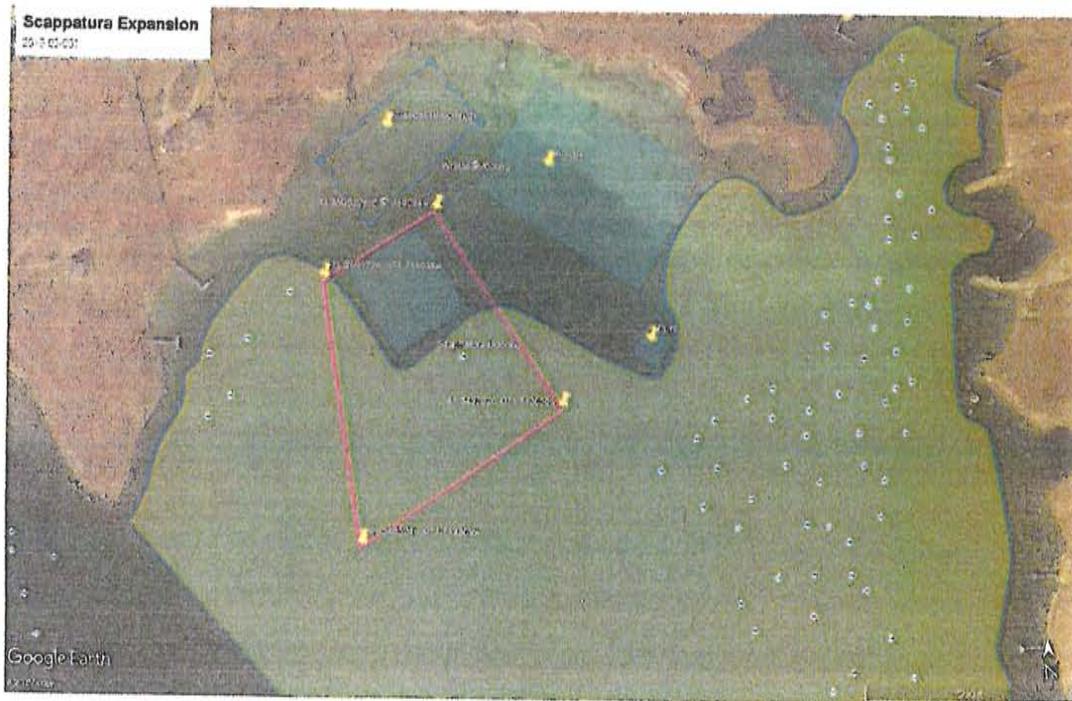


Charlestown – Coastal Ponds Management Commission
Dave Beutel – Coastal Resource Management Council
Oyster Farm Application (Jennifer Scappatura, CRMC File No. 2019-07-003)
Comments from William H. Wilson (wilson.wm.h@gmail.com) Charlestown RI

Objections to application –

- 1- The location of the farm is almost entirely within an existing Recreational use area. Mooring field 1.1. Quonnie Yacht Club.
 - 2- 5% rule, all Aquaculture operations are being placed within the Charlestown portion of Quonochontaug Pond. This will result in an excess of 5% aquaculture in Charlestown and may have a negative impact on the local ecology.
 - 3- Eelgrass, DEM maps of the area in 2012 show the presence of eelgrass. Applicant indicates as the methods of harvest, Scuba diving, bull raking, tonged, or dredging. All but scuba diving will prevent eelgrass from returning to this area.
1. Location of farm is in a recreational use area. Mooring field 1.1 Quonnie Yacht Club as defined in the Charlestown 2018 Harbor Management Plan (C 2018 HMP). Map see below.

Mooring field is green, Scappatura Expansion outlined in Red, Corners yellow pins



Red Book 1.3.1(k) Aquaculture 3.a. (1) the compatibility of the proposal with other existing and potential uses of the area and areas contiguous to it, including navigation, recreation, and fisheries.

The Charlestown 2018 Harbor Management Plan, Mooring Management Section addresses the towns concerns and identifies pressure being placed or actions that will create more pressure on existing fields.

Issue – Availability of Mooring Permits

DEM has limited the number of Moorings, the waiting list for moorings exceeds 4 years.

Policy – Town will work to increase the allowable number of mooring permits available to the public to help satisfy the current demand.

Action – Increase the Availability of Mooring Permits.

Determine which existing field could be modified to allow for additional Moorings.

Work with state agencies to obtain approval for additional mooring permits.

Issue – Mooring field Congestion

An increase in the size of vessels has a potential effect on safety and navigation.

Policy – The Harbor Master will work with mooring permit holders and service providers to relocate existing moorings as needed.

Action – Undertake Mooring Field Design.

Existing recreational mooring fields should not be modified and/or reduced in size to accommodate aquaculture until the issues as outlined in The Charlestown 2018 Harbor Management Plan have been addressed and the Town Council has reviewed the results and makes recommendations on changes.

2- Potential negative effect of Pond Ecology

Red Book 1.3.1 (K) 1.a. The CRMC recognizes that responsible shellfish aquaculture has a net positive effect on the environment, and therefore it is permissible in all water types. As any human activity can have adverse environmental effects, the Council recognizes the possibility of setting scientifically defensible limits on aquaculture leasing in any particular water body.

(14) The maximum area occupied by aquaculture leases in the coastal salt ponds is five percent (5%) of the total open water surface area of the salt pond below MLW. This limit is established based upon the current knowledge of ecological carrying capacity models. See: Salt Pond SAMP Section 100.B.1 and Figure 1-1 for salt pond areas.

Quonnie pond is divided into 2 separate ecosystems by the Breachway. To the east is the portion located in the Town of Charlestown and the western portion is within the Town of Westerly. All the aquaculture operations have been placed in the eastern section of Quonnie Pond. This will result in CRMC exceeding 5% of the open water surface within the Town of Charlestown. The carrying capacity will be exceeded and the human activity will have a net adverse effect of the environment.



3. Harvest methods remain the same, RIDEM recommendations ignored.

Charlestown Coastal Pond Management Commission held a Preliminary Determination meeting on April 8, 2019 to review CRMC file No. 2019.02.001, Scappatura Oyster Farm expansion.

Julie Livermore was present and reviewed the DEM concerns regarding eelgrass growth.

The 2012 eelgrass survey showed growth, however the 2016 survey did not. It was suggested that harvesting by bull raking, tonged, or dredging would have a negative impact and would prohibit regrowth in the future. It was suggested that RIDEM would have less issue if the harvest method was limited to a less destructive means such as scuba.

In the revised application 2019.07.003, the applicant indicates that Scuba is preferred, however all methods of harvest have remained including, bull raking, tonged, or dredging.

Submitted by: Bill Wilson, 22 Bay Street, Charlestown RI wilson.wm.h@gmail.com

Grover Fugate, Executive Director
CRMC
Oliver H. Stedman Center
4808 Tower Hill Rd. Suite 3
Wakefield RI. 02879-1908

August 12, 2019

Dear Mr. Fugate,

We own the property 5740 A, C and D Post Rd, Charlestown RI.
This letter presents our objections to the application No.2019-07-003 submitted by Jennifer Scappatura.

1. We oppose the application because it will further impede access and navigation to our dock and mooring. Her existing farm already impedes the access. We have collided with her buoys while navigating through her existing farm with our propellers.

In addition, the proposed application is heavily used for boating, mooring, and other recreational activities. This would be dangerous for boaters, water skiers, paddle boarders, and swimmers.

2. The size and scope of the proposed farm is unnecessary. Ms. Scappatura is not fully utilizing her existing lease. This application should be denied until her current lease is being fully utilized.

3. The lease will interfere with access to our neighbors Charlie and Kathy Glew's two docks at 5790B Post Rd.

4. The propose farm is in Type 2 waters and therefore must be a category B assent. Therefore, the council should hold a public hearing on the application.

5. This additional farm could have a negative impact on Quonnie Pond's ecology. The methods of harvesting proposed by Ms. Scappatura would not be beneficial for eelgrass.

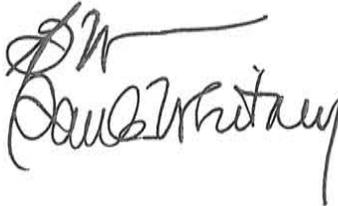
Pulled eelgrass shows up on our shore on a regular basis, as a result of the current harvesting methods utilized by Ms. Scappatura.

Please place us on mailing lists regarding the Application and any future applications in Quonnie Pond

Brian and Paula Whitney

5740 Post Rd
Charlestown, RI 02813

14 Thicket Lane
West Hartford, CT 06107



**STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL**

IN THE MATTER OF:

CRMC File No.: 2019-07-003

Jennifer Scappatura

NOTICE OF APPEARANCE

I, Robin L. Main, hereby enter my appearance on behalf Charles Glew and Kathie Glew in the above-referenced matter.

CHARLES GLEW AND KATHIE GLEW

By their Attorney,



Robin L. Main (#4222)
Hinckley, Allen & Snyder LLP
100 Westminster Street, Suite 1500
Providence, Rhode Island 02903
rmain@hinckleyallen.com
Phone: 401-457-5278
Fax: 401-277-9600

Dated: August 9, 2019

CERTIFICATE OF SERVICE

Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

I hereby certify that I mailed the within document in quadruplicate to the CRMC in Wakefield, Rhode Island on August 9, 2019.



Robin L. Main





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

August 9, 2019

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 4.4 acre shellfish farm for oysters in Quonochontaug Pond, Charlestown, Rhode Island, submitted by Jennifer Scappatura, No. 2019-07-003 (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 Ms. Scappatura's oyster farm will impede access to the Quonochontaug Pond frontage of their two homes, both of which have recreational docks. Ms. Scappatura'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 Ms. Scappatura's farm expansion 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. The Glews are concerned that Ms. Scappatura's proposed oyster farm expansion will directly, negatively impact boating activities in Quonochontaug Pond as the southwest area of the planned expansion is used heavily for boating and recreational activities. The southwest corner, 71 degrees 42' 53.672" & 41 degrees 20' 54.672, where Ms. Scappatura has already placed a white buoy is in a heavily used skiing area and at a minimum should be moved 240 feet toward the South East. This is a dangerous outer limit for boats/propellers as well as rope entanglement by water skiers;

▶ ALBANY ▶ BOSTON ▶ HARTFORD ▶ MANCHESTER ▶ NEW YORK ▶ PROVIDENCE

#58957333 HINCKLEY, ALLEN & SNYDER LLP, ATTORNEYS AT LAW

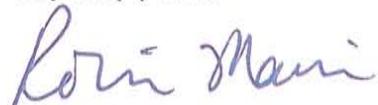


Grover Fugate, Executive Director
August 9, 2019
Page 2

3. 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;
4. It appears that Ms. Scappatura is not fully utilizing her current lease area, so the Glews are concerned that a larger lease area will not be used or, at best, underutilized. As such, this Application should be denied until such time that it is determined that Ms. Scappatura is using her entire lease area;
5. The far northeast corner of the larger lease area may interfere with navigation in that area, including access to the mooring and dock located at the adjacent property; and
6. If the Council does approve the Application, its assent should state clearly that the Council's assent does not constitute approval of any land based activities by Ms. Scappatura.

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/eh

Enclosure

cc: Mr. & Mrs. Charles Glew



Dave Beutel

From: Jennifer Harrington <jsh.harrington@gmail.com>
Sent: Tuesday, August 13, 2019 7:47 PM
To: Dave Beutel; Corey Allard
Subject: Re: File No. 2019-07-003 - Scappatura Application

David,

For the record...

1-The Witney's attorney had been on the list and notified over 30 days ago about this expansion, As seen on the original email CRMC sent out announcing the 30 day public notice.

2-They spoke with Justin Vail The Charlestown Harbor master about this application during their day of harassment on the pond.

The harbor master gave them a safe way to navigate to their dock to avoid the massive borders in my existing lease and Mr Witney discussed my bottom planted expansion. They had ample time to respond.

4-The expansion is all bottom planted oysters in deep water and as stated by Harbor master will not affect their navigation at all.

The Sunday of their complaints were well documented between myself, Steve McCandless (Charlestown GIS) Justin Vail and The Witney's.

For them to act like they had no notice is easily dismissed with these facts.

Warm Regards,

Jennifer Scappatura

Sent from my iPhone

On Aug 13, 2019, at 1:48 PM, Dave Beutel <dbeutel@crmc.ri.gov> wrote:

This just came in.

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

From: Jennifer Harrington [mailto:jsh.harrington@gmail.com]
Sent: Tuesday, August 13, 2019 11:41 AM
To: Dave Beutel
Subject: Re: File No. 2019-07-003 - Scappatura Application

Thank you Dave.

Sent from my iPhone

On Aug 13, 2019, at 11:47 AM, Dave Beutel <dbeutel@crmc.ri.gov> wrote:

I have sent you all of the correspondence.

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

From: Jennifer Harrington [<mailto:jsh.harrington@gmail.com>]
Sent: Tuesday, August 13, 2019 9:25 AM
To: Dave Beutel
Subject: Re: File No. 2019-07-003 - Scappatura Application

Dave
Are there any other formal objections on my expansion?

Sent from my iPhone

On Aug 13, 2019, at 8:57 AM, Dave Beutel <dbeutel@crmc.ri.gov> wrote:

From: Tugan, Andrew S. [<mailto:atugan@hinckleyallen.com>]
Sent: Friday, August 09, 2019 1:34 PM
To: Lisa Turner; gfugate@crmc.ri.gov; dbeutel@crmc.ri.gov
Cc: Main, Robin L.
Subject: File No. 2019-07-003 - Scappatura Application

Good afternoon. Attached please find Ms. Main's entry of appearance in this matter and an opposition letter sent on behalf of Charles and Kathie Glew.

Thank you,

Andy

Andrew S. Tugan
Associate

Hinckley Allen
100 Westminster Street, Suite 1500

Providence, RI 02903-2319

p: 401-457-5146 | f: 401-277-9600

atugan@hinckleyallen.com

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<2019-08-09 Fugate (RLM) Opposition to 2019 Scappatura
Application # 1 58959212.PDF>

<2019-08-09 Entry of Appearance Robin Main # 1
58959215.PDF>

<SKM_C654e19081313560.pdf>



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HISTORICAL PRESERVATION & HERITAGE COMMISSION

Old State House • 150 Benefit Street • Providence, R.I. 02903-1209

TEL (401) 222-2678 FAX (401) 222-2968

TTY / Relay 711 Website www.preservation.ri.gov

Jennifer R. Cervenka, Chair
Coastal Resources Management Council
Stedman Government Center, 4808 Tower Hill Road
Wakefield, RI 02879

CRMC File Number: 2019-07-003
Applicant: S. Sappatwa - Aquanase Oyster Co.
Town: South Kingstown
Response Date: 7/3/19

Dear Ms. Cervenka,

The Rhode Island Historical Preservation & Heritage Commission has reviewed the above-referenced project. It is our conclusion that this project will have no effect on any significant cultural resources (those listed on or eligible for listing on the National Register of Historic Places).

These comments are provided in accordance with Section 220 of the Coastal Resources Management Plan. If you have any questions, please contact Jeff Emidy, Project Review Coordinator, or Charlotte Taylor, Senior Archaeologist, at this office.

Very truly yours,

J. Paul Loether
Executive Director, RIHPHC
State Historic Preservation Officer





RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

April 11, 2019
Dave Beutel Aquaculture Coordinator
Coastal Resources Management Council
Wakefield, RI 02879-1900

Dear Mr. Beutel,

I am writing in reference to the Preliminary determination request by Jennifer Scappatura for an expansion of an existing lease site (File number 2019-02-001). The proposed location for this site is in waters approved for shellfish harvesting located in Quonochontaug Pond, shellfish classification growing area 11QW and harvest area 6Q in the town of Charlestown .

The classification of shellfish grounds is an ongoing process based on the principles of the National Shellfish Sanitation Program. The Department of Environmental Management assumes no liability by the leaseholder for changes in classifications that may restrict or prohibit access and/or harvesting from said lease area. While this site currently has an approved classification for the harvesting of shellfish, extraordinary circumstances (i.e., large amounts of rainfall, hurricanes or oil spills) could temporarily halt such harvesting and prohibit work on said lease. If approved please include the following language that CRMC and DEM previously agreed to as a stipulation:

Aquaculturists in areas where emergency shellfish closures have been enacted will be allowed access to their leases for the purposes of preparing for and planting seed and when extreme weather could result in loss or damage of gear to conduct necessary maintenance/retrieval of their equipment. All other activities on the aquaculture lease, including but not limited to the harvest of shellfish, will remain prohibited until the water quality is acceptable to allow for harvest. Aquaculturists seeking permission to access their lease during an emergency closure must seek authorization by contacting Dave Beutel, CRMC's aquaculture coordinator at 783-7587.

In the effort to address increasing water temperatures and the potential threat of a Vibrio Illness outbreaks we are asking all lease holders to monitor water temperature at their lease site and keep records of actual temperatures of bottom, surface and at the depth waters where the shellfish are being grown during the Summer months (June-September). If this project is approved, please include this request in your aquaculture approval document.

Neither a RIPDES permit nor a Water Quality Certificate is required for the proposed facility. Please call me at 222-4700, Ext. 7241 if you have any questions.

Sincerely,

Lucinda M. Hannus

Lucinda M. Hannus, Principal Environmental Scientist
RI DEM
Office of Water Resources – Shellfish Program

cc Angelo Liberti
Conor McManus
Dennis Erkan
Julia Livermore



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

July 24, 2019
Dave Beutel Aquaculture Coordinator
Coastal Resources Management Council
Wakefield, RI 02879-1900

Dear Mr. Beutel,

I am writing in reference to the Public Notice request by Jennifer Scappatura for expansion of an existing lease to 4.4 acres bottom planted oysters (File number 2019-07-003). The proposed location for this site is in waters approved for shellfish harvesting located in Quonochontaug Pond growing area classification area GA11QW, harvest area 6q in the town of Charlestown .

The classification of shellfish grounds is an ongoing process based on the principles of the National Shellfish Sanitation Program. The Department of Environmental Management assumes no liability by the leaseholder for changes in classifications that may restrict or prohibit access and/or harvesting from said lease area. While this site currently has an approved classification for the harvesting of shellfish, extraordinary circumstances (i.e., large amounts of rainfall, hurricanes or oil spills) could temporarily halt such harvesting and prohibit work on said lease. If approved please include the following language that CRMC and DEM previously agreed to as a stipulation:

Aquaculturists in areas where emergency shellfish closures have been enacted will be allowed access to their leases for the purposes of preparing for and planting seed and when extreme weather could result in loss or damage of gear to conduct necessary maintenance/retrieval of their equipment. All other activities on the aquaculture lease, including but not limited to the harvest of shellfish, will remain prohibited until the water quality is acceptable to allow for harvest. Aquaculturists seeking permission to access their lease during an emergency closure must seek authorization by contacting Dave Beutel, CRMC's aquaculture coordinator at 783-7587.

In the effort to address increasing water temperatures and the potential threat of a Vibrio Illness outbreaks we are asking all lease holders to monitor water temperature at their lease site and keep records of actual temperatures of bottom, surface and at the depth waters where the shellfish are being grown during the Summer months (June-September). If this project is approved, please include this request in your aquaculture approval document.

Neither a RIPDES permit nor a Water Quality Certificate is required for the proposed facility. Please call me at 222-4700, Ext. 7241 if you have any questions.

Sincerely,

Lucinda M. Hannus

Lucinda M. Hannus, Principal Environmental Scientist
RI DEM
Office of Water Resources – Shellfish Program

cc Angelo Liberti
Conor McManus
Dennis Erkan
Julia Livermore





Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

(401) 423-1920 Fax: (401) 423-1925

RIMFC: Robert Ballou, *Chairman*; Travis Barao; Andy Dangelo; Katie Eagan; Jason Jarvis; David Monti, *Vice Chair*; Christopher Rein; Michael Rice, Ph.D.; Mike Roderick

December 4, 2019

Dave Beutel, Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC Aquaculture Lease Application# 2019-07-003 – Scappatura – Quonochontaug Pond, Charlestown

Dear Mr. Beutel:

Pursuant to RIGL §20-10-5, the above-referenced application was brought before the RI Marine Fisheries Council (hereafter "Council"), via the Council's Shellfish Advisory Panel (SAP), on October 23, 2019 for review. Please be advised that the SAP found on a 8 – 0 vote that the proposal poses no inconsistency with competing uses engaged in the exploitation of marine fisheries in the area. In accordance with Council policy, the recommendation of the SAP constitutes the recommendation of the Council, unless there is a request to bring the matter before the full Council. Given that no such request was made on this application, the SAP recommendation stands and the Council's review is now complete.

Sincerely,

David Monti, Acting Chair, RI Marine Fisheries Council

Cc: RI Marine Fisheries Council





RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF MARINE FISHERIES/DIVISION OF FISH AND WILDLIFE

3 Fort Wetherill Road
Jamestown, Rhode Island 02835

August 12, 2019

David Beutel
Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: Scappatura Assent #2019-07-003 Modification

Dear Mr. Beutel:

The Rhode Island Department of Environmental Management (Department), through the Division of Marine Fisheries (DMF) and the Division of Fish and Wildlife (DFW), has received and reviewed the application submitted by Jennifer Scappatura for a proposed 4.43-acre aquaculture lease expansion of assent 2015-06-005 for a total of 5.43 acres in Quonochontaug Pond for cultivating eastern oysters (*Crassostrea virginica*) using bottom plant (no gear).

The DMF and DFW believe that the adverse impacts to marine fisheries and wildlife and their habitat from this prospective site would be minimal. However, the proposed site expansion overlaps with eelgrass (*Zostera marina L.*) mapped by the RI Eelgrass Mapping Taskforce (RIGIS, 2013, Figure 1). The currently approved site (2015-06-005) operates within an area of historically recorded eelgrass using bottom planted oysters and hand collection. Consequently, DMF would support the continued methods of bottom plant and hand collection within the expanded site. Harvest by dredging, raking, or using tongs will be disruptive to areas of eelgrass habitat because it may cause sediment disturbance and below-ground damage to plant structures (Dumbauld et al. 2009), and therefore will not be supported by the DMF. Hand-picked oyster aquaculture has been shown to be the least disruptive to eelgrass beds (Dumbauld et al. 2009, Stephan et al. 2000). Thus, the continued use of hand collection will minimally impact eelgrass habitat.

As such, the DFW and DMF do not have objections to this application. The Department's acceptance of the current proposal is specific to the location and specifications outlined in the application.



Dumbauld BR, Ruesink JL, Rumrill SS (2009) The ecological role of bivalve shellfish aquaculture in the estuarine environment: A review with application to oyster and clam culture in West Coast (USA) estuaries. *Aquaculture* 290: 196–223. doi: [10.1016/j.aquaculture.2009.02.033](https://doi.org/10.1016/j.aquaculture.2009.02.033)

Stephan CD, Peuser RL, Fonseca MS (2000) Evaluating Fishing Gear Impacts to Submerged Aquatic Vegetation and Determining Mitigation Strategies. ASMFC Habitat Management Series #5. <https://www.asmfc.org/uploads/file/gearImpactsReport.pdf>



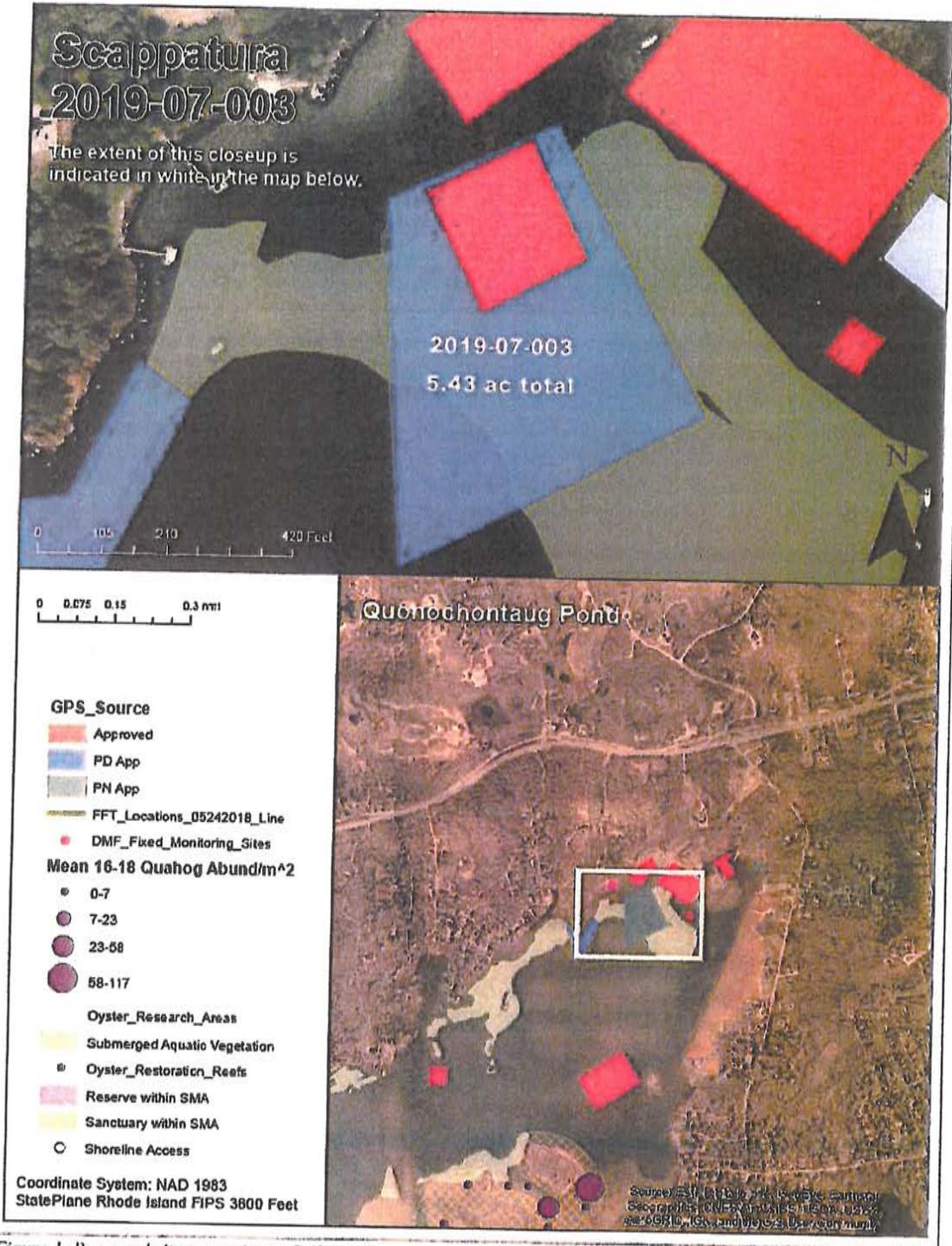


Figure 1. Proposed site expansion to 5.43 acres

COASTAL PONDS MANAGEMENT COMMISSION MEETING
Community Room
Charlestown Police Station
Charlestown, RI
November 4, 2019
7:30 PM

Call to Order

Roll Call

Aquaculture Preliminary Determination

CRMC PD 2019-10-061 East Beach Farms (Ninigret Pond)

Minutes

October 7, 2019

August 5, 2019 Field Trip

Financial

Monthly Report

Harbormaster Report

Old Business

Mooring Field Modifications

Continued discussion regarding proposed modification of mooring fields
in Ninigret and Quonochontaug Ponds

McKee Craft

Status of McKee Craft

New Business

Aquaculture Application Public Notice

CRMC 2019-10-047 East Beach Oyster Co. (Ninigret Pond)

CRMC 2019-07-003 Scappatura (Quonochontaug)

Public Comment

Adjournment

The public is welcome to any meeting of the Coastal Ponds Management Council . If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation, please contact (711-364-1240) at least three (3) business days prior to the meeting. In accordance with Federal law and U.S. Department of Agriculture policy, the Town of Charlestown is prohibited from discrimination on the basis of race, color, national origin, sex, age or disability. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington DC 20250-0410 or call 800-795-3272 (voice) or 202-720-6382 (TDD).

Rhode Island Coastal Resources Management Council Aquaculture Site Evaluation

Assessment Date/Time: 8-14-19 10:00

File Number: 2019-07-003
Location: Quonochontaug pond

Applicant: Scappatura
Water Type: 2

Tidal Stage: High outgoing
Substrate: muddy

Tidal Flow:
Shoreline:

Sampling Equipment: tongs

Shellfish Sampling:

Vegetation Observations: no SAV observed

Marine Invertebrate Species Observed:

Fish Species Observed:

Investigator: Beutel

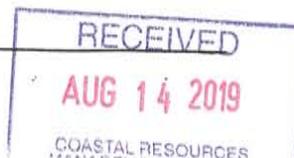
Witnesses: Baribault

- | | |
|------------------------|--------------|
| ① mud/rocks | ②① mud |
| ② mud/shell | ②② mud |
| ③ mud | ②③ mud |
| ④ mud/shell | ②④ mud |
| ⑤ mud | ②⑤ mud/shell |
| ⑥ 1 quahog | ②⑥ mud |
| ⑦ mud/rock | ②⑦ mud/rocks |
| ⑧ mud/rock | ②⑧ 2 quahogs |
| ⑨ 3 quahogs | ②⑨ 1 quahog |
| ⑩ shell/mud | ③⑩ 2 quahogs |
| ⑪ mud | ③⑪ 1 quahog |
| ⑫ mud | ③⑫ 1 quahog |
| ⑬ mud/shell | ③⑬ 1 quahog |
| ⑭ 1 quahog | ③⑭ 1 quahog |
| ⑮ mud | |
| ⑯ mud | |
| ⑰ 1 quahog | |
| ⑱ mud | |
| ⑲ 1 quahog | |
| ⑳ horseshoe crab shell | |
- all rocks
are

14 quahogs 8 m²
1.75 g/m²

Signatures: _____

David Beutel





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: <u>JENNIFER SCAPPATURA - QUONNE OYSTER CO.</u>	File No (CRMC use only): <u>2019-07-003</u>
Mailing Address: <u>P.O. Box 721</u>	Res. Tel. # _____
City/Town: <u>WAKEFIELD</u> State: <u>RI</u> Zip Code <u>02880</u>	Bus. Tel. # <u>401-207-6027</u>
Waterway: <u>QUONONHTAUG POND</u> Est. Project Cost \$ _____	Fee/Costs: \$ _____
Longitude/latitude of all corners of Proposed Aquaculture Project Location (preferably in decimal degrees): <u>NORTH WEST -71° 42' 54.114" NORTH -71° 42' 53.408" NORTH EAST -71° 42' 50.486"</u> <u>41° 21' 0.323" 41° 21' 0.871 41° 21' 1.879"</u> <u>SOUTH WEST -71° 42' 53.672" 41° 20' 54.672" SOUTHEAST -71° 42' 47.106" 41° 20' 57.199"</u>	

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).

Is this application being submitted in response to a coastal violation?
 Yes _____ No X

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

Is this site within a designated historic district? _____


 Owner's Signature (sign and print) JENNIFER SCAPPATURA - H.

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

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM



STATEMENT OF DISCLOSURE AND APPLICANT AGREEMENT AS TO FEES

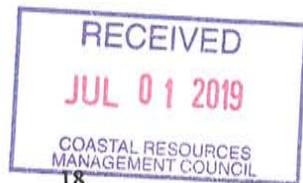
The fees which must be submitted to the Coastal Resources Management Council are based upon representations made to the Coastal Resources Management Council by the applicant. If after submission of this fee the Coastal Resources Management Council determines that an error has been made either in the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

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


Signature

6.28.2019
Date

JENNIFER SCAPPATURA QUONNE OYSTER COMPANY
Print Name and Mailing Address P.O. Box 721
WAKEFIELD, RI
02880



Jennifer Scappatura
Quonnie Oyster Co.
P.O. Box 721
Wakefield, RI
02880

This aquaculture application is for an appropriate 4.4 expansion of an existing 1 acre oyster farm (B2015-06-005) in Quonochontaug Pond. The proposed new 4.4 area is for bottom planted oysters only.

The Preliminary Determination application was submitted and based on the CRMC recommendations accommodations have been made;

*CRMC suggested moving the northwest corner to accommodate RIDEM beach seine survey. After working with RIDEM Anna Gerber the northwest corner has been moved to accommodate RIDEM's requests.

All navigation and recreational activity will not be affected. Work will be very low impact and will only take place at most a few times a week. All pond users will have full access for navigating, fishing and all recreation at any time and their needs will take precedents over farm work.

Operational Plan:

The proposed lease expansion would be for the grow-out phase of the oysters. The existing 1 acre cage and bag lease would continue for the juvenile growing area. Once the bivalves reach a size appropriate they will be bottom planted in the proposed 4.3 acre area.

The lease size is needed to give the oysters room for healthily husbandry. Once they reached market size the oysters will be harvested by scuba diving, bull raked, tonged, or dredged.

Diving is our preferred method as it goes along with Quonnie Oyster companies business model and philosophies. All work will be preformed on state owned leased land.

1. Address:

Jennifer Scappatura
Quonnie Oyster Company
P.O. Box 721
Wakefield, RI
02880

2. CRMC File Number: TBD. Existing Asset B2015-06-005

3. DEM Aquaculture License Number: 000113

4. Type of Facility: Commercial oyster lease/bottom cultured

5. Location of facility: North East corner of Quonochontaug Pond, Charlestown, Rhode Island
(See attached maps)

6. Identification of all shellfish grown: Crassostrea virginica will be grown and all Biosecurity board seed protocols will be strictly followed with CRMC and the Biosecurity Board.



7. Description of types of structure, gear and methods used: The proposed expansion will be for bottom culture oysters only. (see cross section drawings)

8. Description of methods and equipment used to identify and mark site. The site will be marked at each corner with buoys colored navy blue to disappear from a distance to not disrupt the aesthetic of the pond, but will have CRMC assent numbers visible in proper inch letter size.

9. DEM Shellfish Harvesting Classification at site: 11QW

10. Description of practices and procedures used during the growth, harvest, storage, transportation, sale of the cultured species. The oysters will be grown on the bottom and harvested by hand as preferred method of Quonnie Oyster Co. Business plan and philosophy. All husbandry will be performed on submerged state owned land. All previously approved Quonochontaug Pond farming methods will be practiced. Once harvested, the oysters will be iced and delivered to our current wholesaler, "The Ocean State Shellfish Cooperative". All oysters will be marked with harvest tags as required by DOH and CRMC. All required information will be noted on all harvest tags. During vibrio season all regulations will be followed extensively.

11. Procedures for maintaining records:

All seed acquired from out of state will be approved prior by the Biosecurity board. All seed year class will be recorded on farm maps and iPad and backed up on the cloud...This includes all seed from spat to harvest. All Biosecurity protocols will be adhered to fully. Farm map with year, date, disease certification will be recorded and backed up on the cloud.

12. Procedures for maintaining records.

All Biosecurity approved spat will be grown only on lease in rack and bag then moved to expansion to harvest size when appropriate size. (All labeling refer to # 11). All safe and approved husbandry will be performed.

13. Does not apply at this time. All spat is only purchased, once approved by Biosecurity board, from approved waters.

Section 300.1

1) Question: Demonstrate the need for the proposed activity or alteration. Answer: The proposed activity consists of an expansion of an existing lease. The existing lease will remain the juvenile cage site. The new proposed area is for the grow-out stage. Bottom planted Eastern Oyster, *Crassostrea virginica*. The need for the expansion will insure healthy oyster husbandry.

2) Question: Demonstrate that all local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met. Answer: The proposed site will not impact the land in any way.

3) Question: Describe the boundaries of the coastal waters and land area that are anticipated to be affected. Answer: The proposed site is in the north-east corner of Quonochontaug Pond. The one home owner will have complete ability to navigate over bottom planted oysters. All other recreation activities such as Kayaking and fishing will also not be affected by navigating over bottom planted oysters.



4) Question: 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. Answer: The proposed activity will be very low impact.

5) Question: Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life by providing additional habitat and micro-ecosystems.

Answer: The proposed activity will not result in significant impacts on the abundance and diversity of plant and animal life. Cage and bottom oysters provide safe habitats for juvenile marine life and help decrease the rising Nitrogen levels from increased populations and wastewater runoff.

“A study by NOAA researcher showed that, in the Potomac River estuary, all the extra nitrogen from wastewater, urban and agricultural runoff, or the atmosphere could be removed if 40 percent of the river bottom were used to farm shellfish, or with a combination of farming shellfish and restoring oyster reefs. That’s because shellfish are filter feeders, sucking up nutrients and spitting out clean water.” “The bottom line is that more oyster reefs and shellfish beds along our coast not only aid the environment, but also provide us with economic and health benefits- and deliver additional sources of delicious seafood.” (US Department of Commerce, and National Oceanic and Atmospheric Administration “Protecting Our Oceans- and Our Bottom Line” 24 Oct. 2018, oceanservice.noaa.gov/economy/ocean-investment.html.)

“Oysters are natural water filters; each one cleans 30 to 50 gallons of water a day. They also provide food and shelter for all sorts of marine creatures, supporting biodiversity. “Oyster reefs provide great marine habitat, similar to coral reefs, with nooks and crannies to protect juvenile fish, and are active food for some species. They help to create a thriving ecosystem,” (Strong, Andrea. “Oysters On The Half Shell are Actually Saving New York’s Eroding Harbor” NPR, NPR 10 ct 2018)

6). Question: 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;

Answer: The purposed expansion will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore. All normal and current public access will not be affected at all as navigating over bottom plated oysters is just like navigating over the natural sea bottom especially with depths of 4’ to 9’6” cause no disruption to public or private navigation is possible.

7). Question: Impacts on water circulation, flushing, turbidity and sedimentation: Answer: Please refer to answer 5

8). Question: Demonstrate that there will be no significant deterioration of water quality in the immediate vicinity. Answer: Please refer to answer 5

9). Question: Demonstrate that the alteration or activity will not result in significant impacts to the area of historic and archaeological significance. Answer: There are no known historic or archaeological resources within the proposed site.

10). Question: Demonstrate the activity will not result in significant conflicts with water dependent users. Answer: The purposed lease will not result in conflicts with dependent users as the users will continue to use and navigate the area. The purposed activity is very low-impact.

11). Question: Demonstrate that measures have been taken to minimize any adverse scenic impact. Answer: The proposed site will be marked with Corner marker buoys that can be navy



blue to blend in with the natural color of the water. All shellfish on expansion will be bottom planted and are obviously submerged under water.



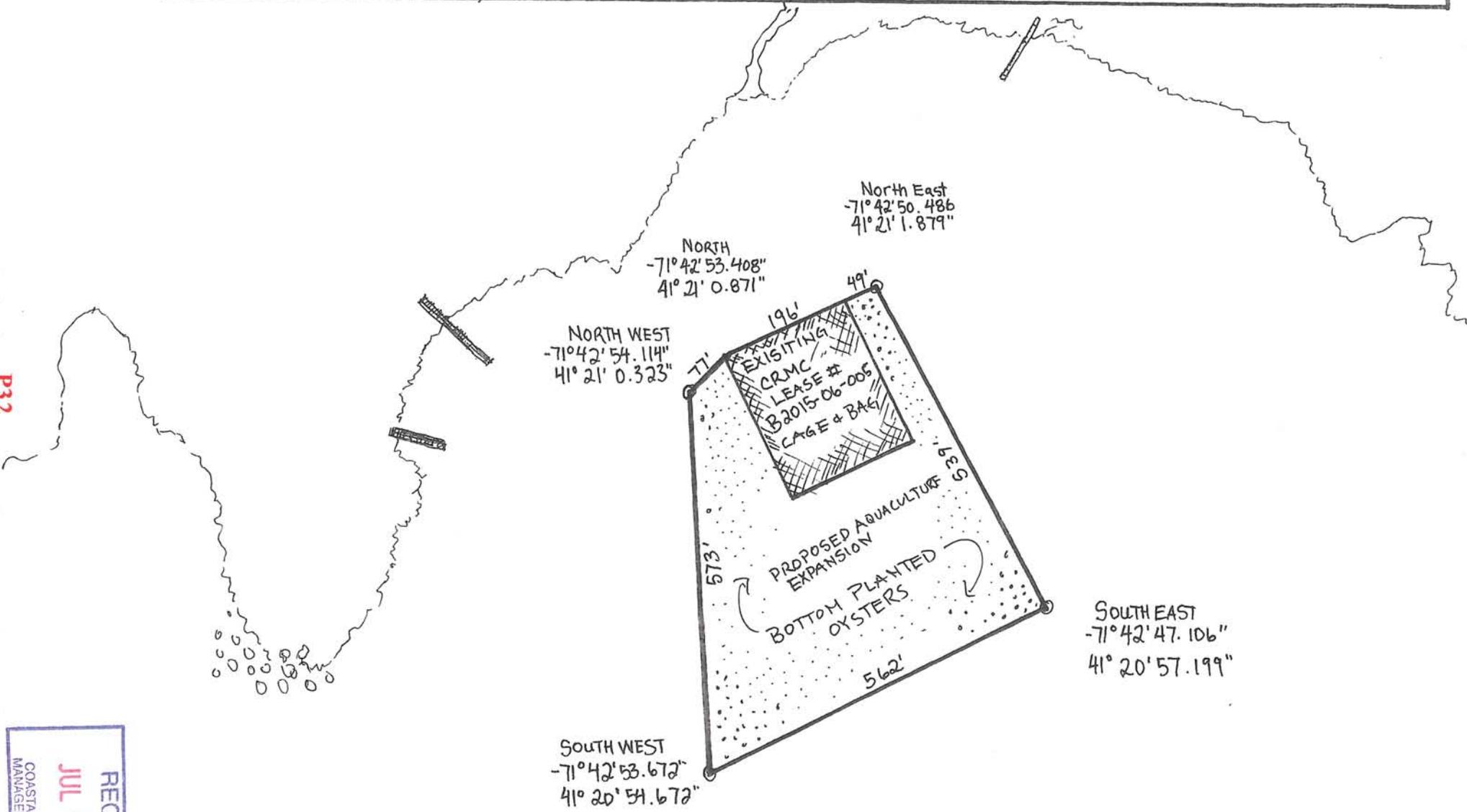
QUONNIE OYSTER Co.
J. SCAPPATURA (TMP)

PROPOSED AQUACULTURE EXPANSION
QUONOHONTAUG POND, RI

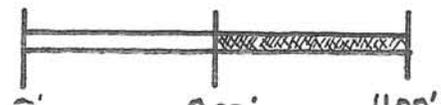
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SITE PLAN

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P32



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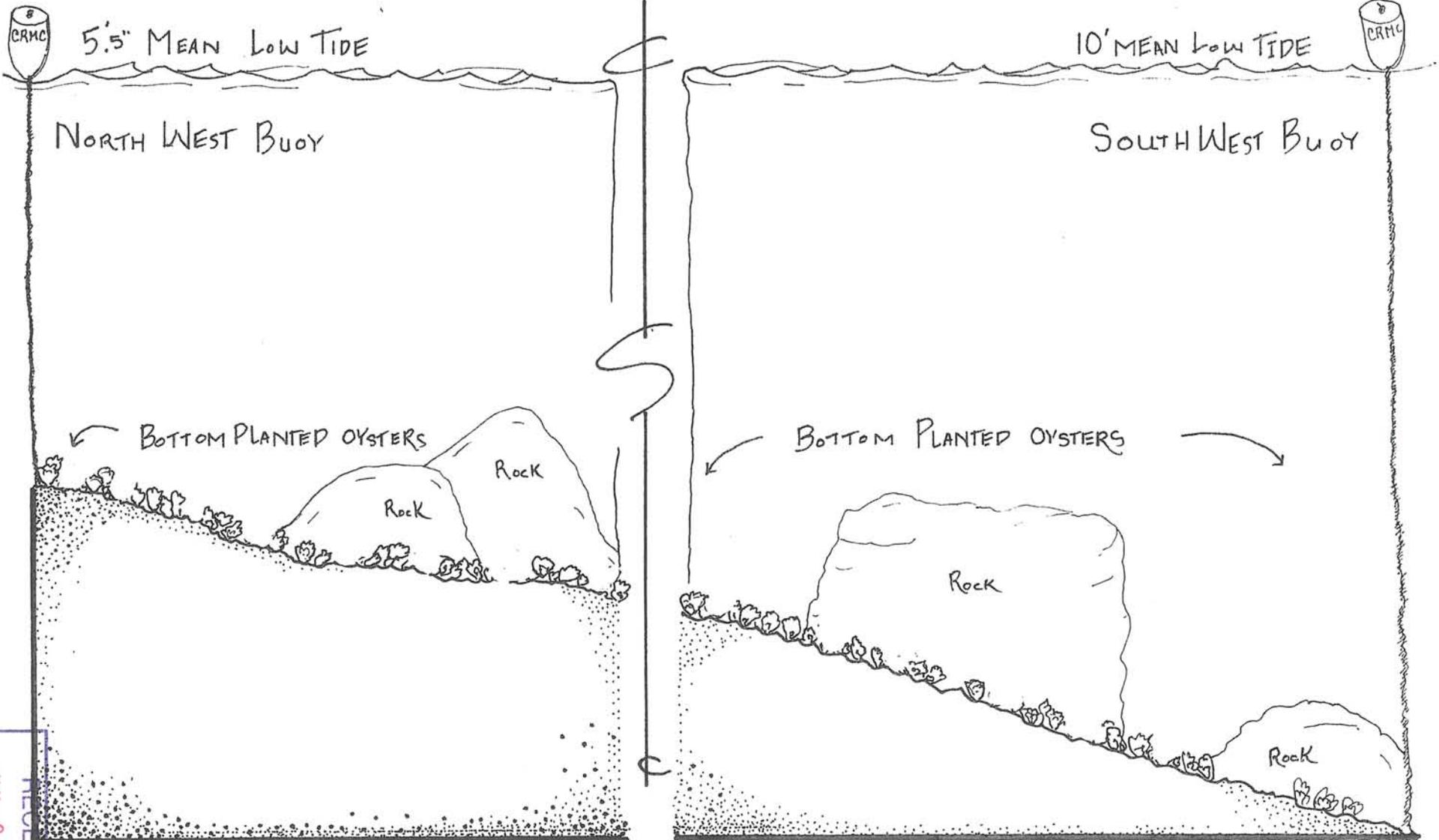
QUONNIE OYSTER Co.
J. SCAPPATURA

TMP

PROPOSED AQUACULTURE LEASE
QUONOCONTAUG POND, RI

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CROSS SECTION

1B



NOTES: BATHYMETRY IS IN MEAN SEA LEVEL (MSL)
QUONNIE OYSTER CO. MAKES NO CLAIMS, NO WARRANTIES

SCALE 1/2" = 1'



P33

COASTAL RESOURCES
MANAGEMENT COUNCIL

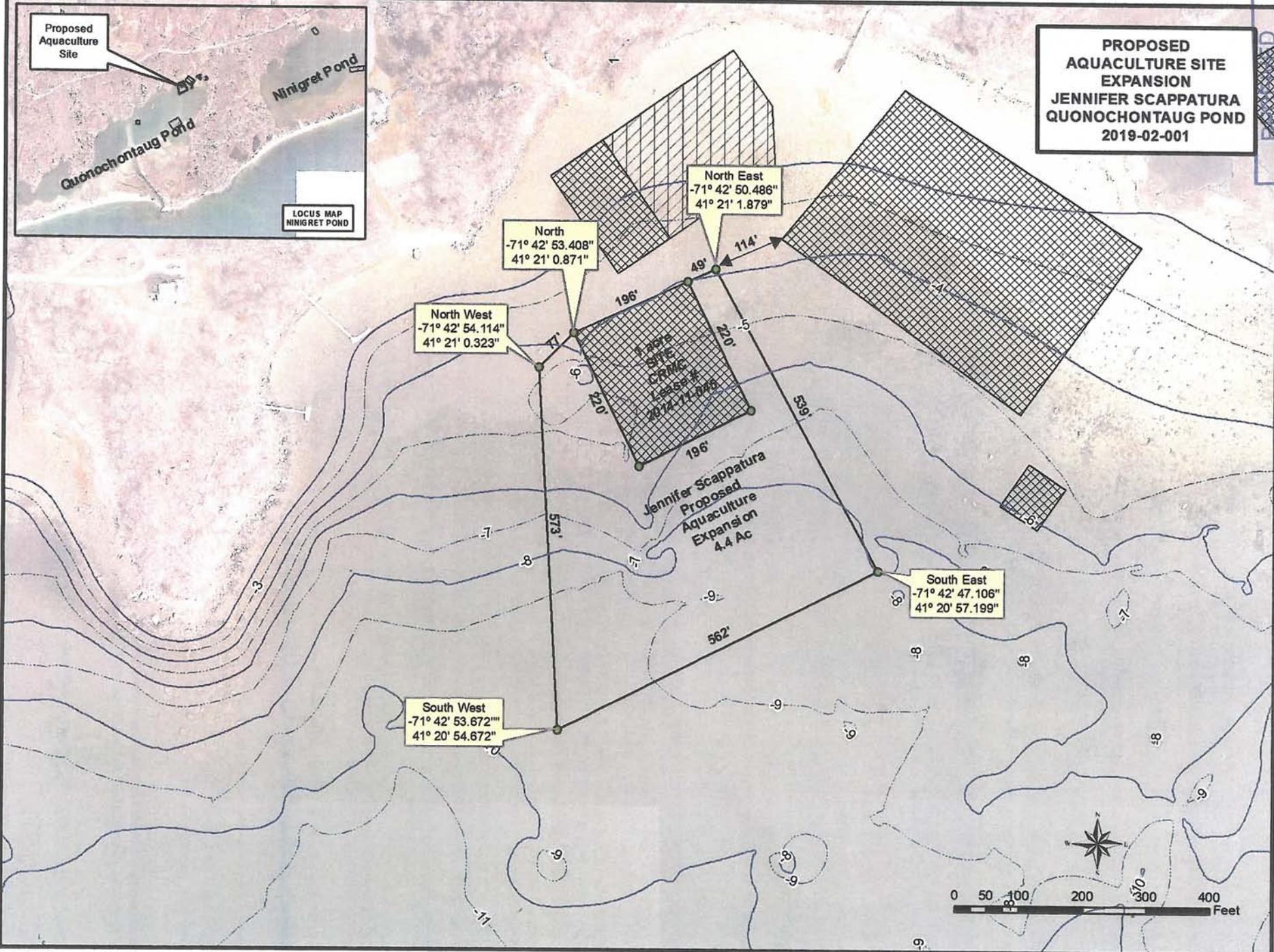
JUL 01 2019

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JUL 01 2019

COASTAL RESOURCES
COMMISSION COUNCIL

**PROPOSED
AQUACULTURE SITE
EXPANSION
JENNIFER SCAPPATURA
QUONOCHONTAUG POND
2019-02-001**



P34

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COASTAL RESOURCE
MANAGEMENT COUNCIL



P35



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MANAGEMENT COUNCIL

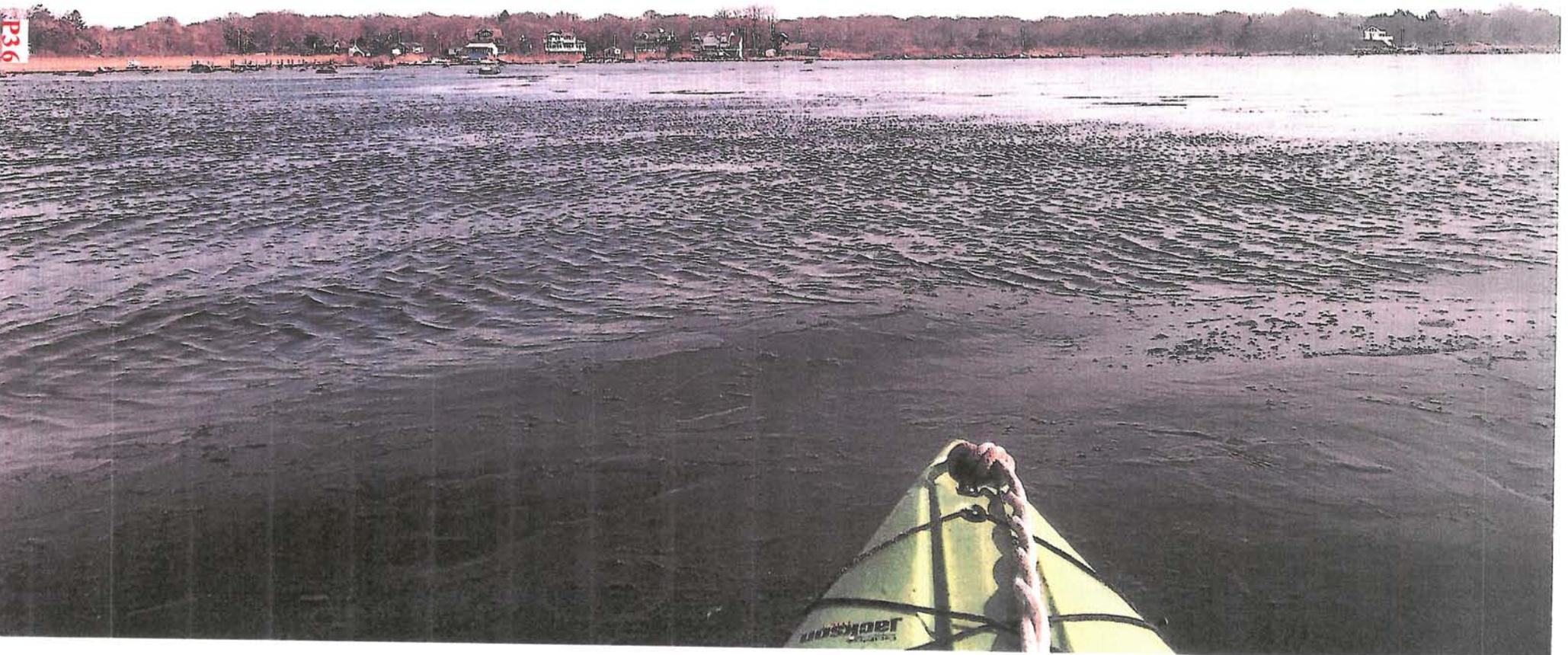


PHOTO TAKEN 1-27-2019

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COASTAL RESOURCES
MANAGEMENT DIVISION



P37



PHOTO TAKEN 1-27-2019

W

P38



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P38

From: Dave Beutel <dbeutel@crmc.ri.gov>
Sent: Friday, July 12, 2019 2:24 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'; seabrown58@gmail.com; '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'; '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'; 'Lisa Turner'; Jennifer Harrington; David Keil; Main, Robin L.; mike@watchhilloutfitters.com; manuel.b.sousa.86@gmail.com; Michael Foley; Matthew Oliverio
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; GerberWilliams, Anna (DEM); 'Jason McNamee'; 'Amanda Turco'; 'Phil Capaldi'; '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; 'Jim Arnoux'; elschwab@comcast.net; 'Nick Papa'; 'Rob Krause'; 'Brian Pinsky'; 'jules opton-himmel'; buddhajay108@yahoo.com
Subject: 30 day public notice Quonochontaug Pond 2019-07-003
Attachments: 2019 Scappatura 2019-07-003.pdf

This application for shellfish farm expansion of 4.4 acres in Quonochontaug Pond using direct bottom plant begins thirty day public notice today. Please submit any comments to CRMC by August 12, 2019.

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



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: 2019-07-003 Date: July 12, 2019

This office has under consideration the application of:

Jennifer Scappatura
 P.O. Box 721
 Wakefield, RI 02880

for a State of Rhode Island Assent to construct and maintain: a bottom plant oyster farm adding 4.4 acres to the existing one acre cage culture oyster farm in Quonochontaug Pond. The new 4.4 acres will be for bottom planted oysters (no gear).

Project Location:	Quonochontaug Pond
City/Town:	Charlestown
Plat/Lot:	/
Waterway:	Quonochontaug 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 August 12, 2019.

From: Lisa Turner <lturner@crmc.ri.gov>
Sent: Friday, July 12, 2019 2:14 PM
To: Alan Arsenault, Charlestown Public Works Director; Amy Rose Weinreich, Charlestown TC; Bonnie Van Slyke, Charlestown Town Council; Charles F. Connery, Charlestown Conservation Commission; Denise L. Rhodes, Charlestown Town Council; Donald Rathbone, Chief, Charlestown Fire District; Forrester C. Safford, Charlestown Conservation Commission; Gary Gardiner, Charlestown Conservation Commission; George C. Tremblay, Charlestown Town Council; George Gray; Grace Klinger, Conservation Commission Chair; Jane Weidman, Charlestown Town Planner; Joseph L. Warner, Charlestown Building/Zoning Official; Julie A. Carroccia, Charlestown Town Council VP; Justin Vail, Harbormaster Chlstn; Kenneth Swain, Assessor, Charlestown; Mark Stankiewicz, Town Administrator; Nancy Nichols; Nick Gorham, Esq.; Rhode Island Mobile Sportfishermen; Richard N. Thieke, Conservation Commission, Secretary; Shirley Griffin, Charlestown Conservation Commission; Steven Hoff; Thomas Frost; Thomas J. Dunn Jr., Artisan Builders; Virginia Lee, Charlestown Town Council President; Alison Kates, NRPA Program Coordinator; 'Andrew Nota, Jamestown Town Administrator'; 'Bruce Eastman, RISA'; 'C. Brown, DBEngineers'; Carol Wordell, Little Compton Town Clerk; 'Charlotte Taylor'; Cheryl Fernstrom, Jamestown TC; 'Chris Church, Reporter'; 'Christine Andrews, QDC'; Colin Howard, Independent RI -- South Kingstown; Dale Holberton South Kingstown TC; David Latham; 'David Murdock'; David Prescott, Save the Bay; 'Deborah Mongeau, Librarian'; 'Dennis Erkan, RIDEM F&W'; Donna Giordano, Westerly TC; 'Emilie Holland'; 'Eric Schneider, RIDEM Fish and Wildlife'; Glenn Modica; James Bessette, Editorial Assistant; Jean Bellm, Exec Asst, Barrington; Jeanne Spencer, Tiverton Town Clerk's Office; Jeannette Alyward, North Kingstown TC; 'Jeffrey Gardner'; Jennifer M. West , Portsmouth TC; Jerry Elmer , Esq, CLF; 'John Torgan'; 'John Williams, Warwick Cove Marina'; 'Jonathan F. Stone, Exec Dir'; Joshua Helms, USACE CENAE; 'Jude Zeh'; Julie Coelho Warren TC; Kathy & Steve Jacques; Kathy & Steve Jacques; 'Kendra L. Beaver, Esq, Save the Bay'; Kim A. Casci-Palangio, East Prov CC; Laura C. Swistak, City Clerk, Newport; 'Lawrence Taft, Exec Dir'; Leigh Carney, Town Clerk; Liz Boardman; Louis P. Cirillo, Bristol Town Clerk; Lyn Pagliarini, Warwick City Clerk; Maria Wall Cranston TC; 'Matt Gineo, Oldport Marine'; Matt O'Brien, AP Reporter; Matthew Enright, Independent RI -- Narragansett; Meg Kerr, Audubon Society of RI; Melanie Jewett Army, AICP, RIDOT; Meredith J. DeSisto, Barrington TC; 'Michael McGiveney'; Mike Jarbeau, Save The Bay; Nancy Mello, Tiverton TC; 'Neal Personeus, RIDEM'; Nick Donadio; 'Peter A. Healey'; 'Peter M. Vieira, Marine Construction'; Phil Capaldi; Providence City Clerk; Richard Goldstein Pawtucket TC; 'Richard Kalunian'; 'Robert Lyons, Ocean House Marina'; Rodman R. Black Jr. HIIA; 'Scott Briggs, Librarian'; 'Thomas R. Evans, State Librarian'; 'tim rockwell'; Wendy J. W. Marshall, Middletown TC
Subject: CRMC Public Notice -- Charlestown -- Quonochontaug Pond -- Scappatura
Attachments: 2019-07-003 Scappatura -- Charlestown.pdf

Please note: Comments must be received by August 12, 2019

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