

2018-12-037

Sept 10, 2021

Coastal Resources Management Council
Stedman Government Center, Suite 116
480~~7~~ Tower Hill Rd.
Wakefield, RI 02879-1000

If there's one thing I've learned about the shore in Saunderstown, it's the incredible violence visited upon it in storms. I had just turned five when I woke up in my third-floor bedroom to feel our large, solid house on the shore shaking in the wind. I went to the window and looked out on a scene of utter destruction. Under the black sky the Bay was streaked with white foam and huge breakers were forming far out, exposing dark rocks in the troughs. The stone and concrete pier in front of the house was broken through, leaving a dinghy swaying in davits at the end, now a small island engulfed in the surf. The boathouse was gone with only the fireplace and chimney left, and all along the shore were smashed boats and wreckage.

It was Hurricane Carol and the house, predecessor of the house on the property at ⁶⁶⁶~~77~~ Waterway Drive in Saunderstown concerned in this proposal, was owned then by my grandmother. After the storm I asked her if she would fix the dock. She said she had rebuilt it after the '38 Hurricane. That was enough.

We did eventually replace the dock with an aluminum structure that we would remove when storms were predicted.

We get a lot of storms here, and if people wish to risk assets to them it's their prerogative. Everyone who lives along the shore does to some extent. I consider myself lucky that my property nearby escaped damage in two events so far in this season. But I think that property owners along the shore have an interest in knowing what happens when the proposed project is ruined, as it almost inevitably will be, in a hurricane. Such systems are common enough along the enclosed waters of the Intercoastal Waterway in Florida and elsewhere, but there is no such shelter here. In fact, the sea state along this shore is such that the entire project would seem of dubious utility. But we should be concerned about oil released into the Bay from fuel tanks and hydraulic systems, as well as other wreckage.

The scale of the project, the navigational and mooring issues and a dozen other considerations advocate against the project. I focus on the hurricane angle because this has been an active season this year.

Sincerely,
Irving C. Sheldon, Jr.
22 Gould Way
Saunderstown, RI 02874
Get [Outlook for iOS](#)



2018-12-037

September 9, 2021

Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Rd.
Wakefield, RI, 02879-1900

Re: Application 2018-12-038

As a third generation member of the Saunderstown community, I am writing to object to the project described in this application because it sets a precedent for individual homeowners building oversized shoreline amenities that unfairly impact the resource currently shared by all who love and enjoy this part of Narragansett Bay.

Approval of this project as currently described would require an astonishing four variances. The length of the dock alone puts it into the South Ferry mooring field. If a 30,000 lb. boat were hoisted on the boat lift, the resulting obstruction could pose a significant hazard to navigation for small craft under paddle, motor, and sail along this well-traveled shore.

This project should be either redesigned to conform to current regulations or declined. In light of the pressures on the bay, our shared resource, no building of docks or boat lifts should be considered to be a matter of right for individual homeowners. Each project should be individually evaluated based on numbers of potential beneficiaries, impacts on the environment, impacts on fellow users of the bay, and aesthetic qualities, among other standards. This project, as currently designed, fails to meet these standards.

Thank you for your careful consideration of this application,

Dorcas Sheldon Adkins
22 Gould Way
Saunderstown, RI, 02874
Dorcas.adkins@gmail.com
401-474-0033



September 6, 2021

Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

VIA EMAIL AND USPS

Re: CRMC Application 2018-12-037

As a property owner at 210 Willett Road, Saunderstown, RI, I object to and request a hearing on CRMC Application 2018-12-037.

The proposed dock and boat lift, approval of which requires FOUR separate variances, would be 44% larger than policy allows, adversely impacting the scenic benefits and public usage of this area of the coastline forever, and, therefore, should be denied and/or modified.

The only other oversized docks on this stretch of coastline are URI School of Oceanography and Saunderstown Yacht Club, both organizations that operate for the benefit of hundreds if not thousands of people; the proposed structure amounts to a taking of a portion of the Bay from the general population for the benefit of one property owner.

If CRMC approves the variance to the adjacent mooring field, the effective footprint of this project is well beyond any structure, commercial or residential, in this area of Narragansett Bay. In fact, when the applicant previously submitted this proposal to the Narragansett Harbor Management Commission, the necessary variance around proximity to the mooring field, part of the Commission's own Harbor Management Plan, was conveniently omitted.

CRMC staff review indicates that the applicant has been advised to "revise the project to reduced the requested length variance." The Review also notes that "the proposed 30,000 lb boat lift is considerably larger" than other facilities in the area, and continues to note that "this application for a boat lift proposed in Type 2 waters should be justified for its appropriateness in the area." The proposal directly violates CRMC policy that states "*boats and/or float lifts in Type 2 waters shall be allowed only for the minimum amount necessary to accommodate a residential dock.*" The Staff Review goes on to point out that the applicant has a mooring located in the proximity of the proposed structure.



Allowing a variance of this magnitude sets a precedent for future requests, potentially leading to a completely unrecognizable coastline. In fact, CRMC Staff Review notes this very disqualifying factor: "Cumulative scenic impacts from facilities with similar designs in the future may become significant on this shoreline."

The application should be modified to avoid the unnecessary 22' extension. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Thank you in advance for your consideration of this objection.

Sincerely,



Michelle Ingari

210 Willett Road

Saunderstown, RI 02874

michelle.ingari@icloud.com

mobile phone 617-816-2299

cc: Representative Carol Hagan McEntee
Jonathan Stone, Executive Director, Save the Bay
Rhode Island Attorney General Peter Neronha
Narragansett Harbor Management Commission



Julia Randall Sharpe
P.O. Box 202
Saunderstown, RI 02874

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

August 31, 2021

Re: **CRMC Application 2018-12-037**

Dear Sir/Madam,

My name is Julia Sharpe, and I own property at 204 Waterway and 449 Old Boston Neck Road both in the Town of Narragansett. I am writing to request a hearing on the above-cited Application, and I am writing to protest the Application based on the Design of the "boating facility" which now requires four variances to CRMC regulations which are listed below.

- Section 1.3.1(D)(11)(1) Limiting docks to 50' from MLW
- Section 1.3.1(D)(11)(M) Requiring a 50' setback from an existing mooring field
- Section 1.3.1(D)(11)(R) Requiring geologic conditions suitable for driven piles
- Section 1.3.1(D)(11)(P) Prohibiting the use of steel piles for residential docks

Regarding the variance for the length of the dock, what is the hardship that requires this variance? If it is due to the large, inconveniently located rock, there is plenty of frontage along the applicant's property that would allow an unencumbered 50' dock. If it is due to the size of the boat and/or the boat lifts, then clearly this kind of boat, boat use and facility are unsuitable for this location. This is reinforced by the need for three additional variances to accommodate this "facility". There are marinas and other docking facilities that are specifically designed to service this kind of boat and boat use.

One would presume that CRMC regulations are based on the laws of physics and chemistry, on considerations of safety –structural safety, boating safety, on expertise and experience. I therefore conclude that a design that diverges from these regulations in multiple ways is unsafe and may end up in my front yard.

Why would I think that? Because I grew up two houses down from the proposed dock site. There used to be other docks along this stretch of coast, including one at the exact



location of the proposal, that were bigger than 50' which did not hold up to the vagaries of strong Nor'easters and hurricanes. Growing up with rock patios with missing steps and giant blocks of concrete scattered along the shore, were grim reminders of the dangers of boating and maintaining a dock along this stretch of shoreline. The 50' docks that are compliant with the regulations, seem to be doing fine.

Variations are variations. But what do you say to the next applicant who wants the same allowances? If you acquiesce to these variations, you will set a precedent for the next oversized dock and thereby have compounded the risk to neighbors, other boaters and the shoreline. Variations must be based on true hardship. Just because someone wants the convenience of something that doesn't fit, is dangerous, and could be accommodated elsewhere, doesn't rank as true hardship. Everyone else along this shoreline has managed to stay within the regulations, and if this applicant cannot, and has safer, more suitable options elsewhere, then the application should be denied.

Respectfully submitted,


Julia Randall Sharpe

P.O. Box 202

Saunderstown, RI 02874

E: juliesharpe55@gmail.com

M: 401 595-4554



September 4, 2021

Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: CRMC Application 2018-12-038

As a property owner at 110 Willett Road, Saunderstown, RI, I strongly object to and request a hearing on CRMC Application 2018-12-038.

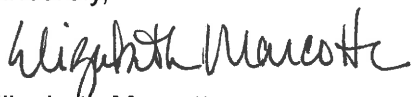
The oversized dock and boat lift proposed in this application are completely at odds with other recreational facilities and uses along this section of the West Passage coastline. This private dock and boat lift requires four variances and would be 44% larger than policy allows. Recreational boaters, paddleboarders and kayakers all use this section of the bay. The proposed dock, which would extend out into the existing mooring field, would interfere with the public's access and use of this portion of the bay. The only other oversized docks on this stretch of coastline are the URI School of Oceanography and the Saunderstown Yacht Club. Both of these are not personal-use facilities and serve broad communities.

The 30,000 lb boat lift, proposed in the application, is in direct contradiction to CRMC's own policy that states "boats and/or float lifts in Type 2 Waters shall be allowed only for the minimum amount necessary to accommodate a residential dock." There are no "minimums" associated with this application -- everything proposed is "maximum," -- the dock, the boat lift, and the two jet ski lifts.

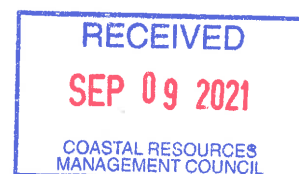
Perhaps of greatest concern is that allowing a variance of this size would set a precedent, encouraging additional over-sized development that further destroys the coastline and restricts other uses. In fact, the CRMC Staff Review notes that the "cumulative scenic impacts from facilities with similar designs in the future may become significant on this shoreline." A secondary concern is the additional light pollution this dock would create. The lighting at this property is already excessive. It is reasonable to assume the dock will add to this problem.

Thank you in advance for your consideration.

Sincerely,



Elizabeth Marcotte
110 Willett Road
Saunderstown, RI 02874
571-236-3128
elizabeth.marcotte109@gmail.com



September 4, 2021

Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: CRMC Application 2018-12-038

As a property owner at 110 Willett Road, Saunderstown, RI, I strongly object to and request a hearing on CRMC Application 2018-12-038.

The oversized dock and boat lift proposed in this application are completely at odds with other recreational facilities and uses along this section of the West Passage coastline. This private dock and boat lift requires four variances and would be 44% larger than policy allows. Recreational boaters, paddleboarders and kayakers all use this section of the bay. The proposed dock, which would extend out into the existing mooring field, would interfere with the public's access and use of this portion of the bay. The only other oversized docks on this stretch of coastline are the URI School of Oceanography and the Saunderstown Yacht Club. Both of these are not personal-use facilities and serve broad communities.

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Thank you in advance for your consideration.

Sincerely,



Lloyd Feinberg
110 Willett Road
Saunderstown, RI 02874
571-236-3127
lloydjamesfeinberg@gmail.com



September 8, 2021



Coastal Resources Management
Council Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

My husband and I are writing to voice our objection to the granting of multiple (4) variances for CRMC Application 2019-12-037, and to request a hearing for the application.

Many of our neighbors in Saunderstown, all of whom make frequent use of our beautiful coastal waters, are concerned that by allowing a project of this magnitude, the CRMC will set a precedent for future requests—which could lead to a shoreline marred by oversized docks and boat lifts, effectively destroying the coastline for future generations of sailors, swimmers, and kayakers.

The CRMC's staff review of the application clearly states that this aspect of the project alone would be disqualifying: "Cumulative scenic impacts from facilities with similar designs in the future may become significant on this shoreline."

This project, with its proposed dock that extends into the mooring field and 30,000 lb. boat lift, does not take into consideration the current usage of these waters. The request for four variances clearly demonstrates that this is an excessive and inappropriate usage of the waterfront.

Please deny or modify this application.

Sincerely,

Two handwritten signatures in black ink. The top signature is "Amy Paulsen" and the bottom signature is "Albert Nalle".

Amy Paulsen and Albert Nalle
66 Willett Road
Saunderstown, RI 02874
nallsen@aol.com
401-525-6165

September 7, 2021



Coastal Resources Management
Council Stedman Government Center
Suite 116 4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

I am writing to voice my strong objection to the granting of multiple (4) variances for CRMC Application 2019-12-037. My family has owned our home at 66 Willett Road, Saunderstown, RI for multiple generations and I urge that this project be denied or modified and scaled back to maintain and preserve our beautiful coastline.

Many in our community are concerned that by allowing a project of this magnitude, the CRMC will set a precedent for future requests which could lead to a shoreline studded with out of scale dock structures thereby destroying the coastline for future generations. The CRMC's own Staff Review notes clearly state that this aspect of the project alone would be disqualifying: "Cumulative scenic impacts from facilities with similar designs in the future may become significant on this shoreline."

At present, small boat sailors, kayakers, wind surfers, swimmers, and fishing boats all happily co-exist along our shores for recreation. This project with its proposed 22 ft. dock extension and 30,000 lb. boat lift completely disregards the current usage and is seeking to place the desires of one homeowner over the needs of many. The project request for four variances clearly demonstrates that this is an excessive and inappropriate usage of the waterfront.

Please deny or modify this application.

Sincerely,

A handwritten signature in black ink that reads "Marshall Nalle Ayers".

Marshall Nalle Ayers
Appledore Realty Partnership
66 Willett Road
Saunderstown, RI 02874
4ayers@sbcglobal.net
818-317-7584

cstaff1

From: Michelle Ingari <michelle.ingari@icloud.com>
Sent: Tuesday, September 7, 2021 9:53 AM
To: <cstaff1@crmc.ri.gov>
Subject: Objection to CRMC Application 2018-12-037

September 6, 2021

Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

VIA EMAIL AND USPS

Re: CRMC Application 2018-12-037

As a property owner and full time resident at 210 Willett Road, Saunderstown, RI, I object to and request a hearing on CRMC Application 2018-12-037.

The proposed dock and boat lift, approval of which requires FOUR separate variances, would be 44% larger than policy allows, adversely impacting the scenic benefits and public usage of this area of the coastline forever, and, therefore, should be denied and/or modified.

The only other oversized docks on this stretch of coastline are URI School of Oceanography and Saunderstown Yacht Club, both organizations that operate for the benefit of hundreds if not thousands of people; the proposed structure amounts to a taking of a portion of the Bay from the general population for the benefit of one property owner.

If CRMC approves the variance to the adjacent mooring field, the effective footprint of this project is well beyond any structure, commercial or residential, in this area of Narragansett Bay. In fact, when the applicant previously submitted this proposal to the Narragansett Harbor Management Commission, the necessary variance around proximity to the mooring field, part of the Commission's own Harbor Management Plan, was conveniently omitted.

CRMC staff review indicates that the applicant has been advised to "revise the project to reduced the requested length variance." The Review also notes that "the proposed 30,000 lb boat lift is considerably larger" than other facilities in the area, and continues to note that "this application for a boat lift proposed in Type 2 waters should be justified for its appropriateness in the area." The proposal directly violates CRMC policy that states "*boats and/or float lifts in Type 2 waters shall be allowed only for the minimum amount necessary to accommodate a residential dock.*" The Staff Review goes on to point out that the applicant has a mooring located in the proximity of the proposed structure.

Allowing a variance of this magnitude sets a precedent for future requests, potentially leading to a completely unrecognizable coastline. In fact, CRMC Staff Review notes this very disqualifying factor: "Cumulative scenic impacts from facilities with similar designs in the future may become significant on this shoreline."

The application should be modified to avoid the unnecessary 22' extension. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Thank you in advance for your consideration of this objection.

Sincerely,

Michelle Ingari
210 Willett Road
Saunderstown, RI 02874
michelle.ingari@icloud.com
mobile phone 617-816-2299

cc: Representative Carol Hagan McEntee
Jonathan Stone, Executive Director, Save the Bay
Rhode Island Attorney General Peter Neronha
Narragansett Harbor Management Commission

Deborah Randall
141 S. Lakeview Boulevard
Chandler, AZ 85225
and 204 Waterway Road
Saunderstown, RI 02874

August 24, 2021

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

To Whom It May Concern:

Thank you for informing me that my neighbor, Jon Janikies, who resides at 166 Waterway Road, Saunderstown, RI, 02874, has submitted new plans to RICRMP for a residential pier that requires several variances. **CRMC File Number 2018-12-037.**

I am sending this letter to request a hearing and to voice my concerns. The plans for this dock are very out of character with the other residential docks along this stretch of the bay and set a dangerous precedent for others to break the regulations you have set down for public safety and the aesthetic beauty of our coastline.

1. The variance for an extended 22' of length will cause interference to the many sailors, kayakers, windsurfers and fishermen who navigate our waters close to shore. There are many who launch from the Saunderstown Yacht Club to the north and the URI Bay Campus to the south. This is a very active part of the bay.
2. In this area the request for a jet ski lift and a 30,000 lbs boatlift is a marina, not a residential dock. While suspended above the waters, the jet skis and 30,000 lbs boat will be a blight on the scenic beauty of our shoreline. This monstrosity is compounded by the elevated height of this dock. This kind of development is not appropriate for the natural character of this coastal area.
3. The lack of enforcing your 50' pier to mooring field setback regulation presents further dangers to the many water activities along this shoreline.
4. According to the southern extended property line the Janikies' mooring is set in their neighbor's waters (???) which puts the majority of the mooring field and its restrictions in their neighbor's front yard.
5. The issue of lighting has not been addressed and this dock should not be approved until we know what that entails.

My contact information:

Mailing address: 141 S. Lakeview Blvd. Chandler AZ, 85225
Email address: drandall47@cox.net
Phone in AZ: 480 857 6004

Thank you for your consideration of my concerns.

Sincerely, 
Deborah Randall



Lisa Turner

From: Peter Randall <PRandall@sch.org>
Sent: Sunday, August 15, 2021 12:33 PM
To: Lisa Turner
Subject: CRMC Application 2018-12-037

Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: CRMC Application 2018-12-037

Dear Council Members,

My name is Peter Randall. I own real estate located at 204 Waterway in Saunderstown and 449 Old Boston Neck Road in Saunderstown. The proposed dock at 166 Waterway is an affront to every neighbor and user of Narragansett Bay. Its size will literally block out the sun for some neighbors and serves no useful purpose except to demand special consideration for an individual at the expense of the public.

The proposed height of the dock at 15 feet above mean low water and length of 22 feet beyond the acceptable size is substantially higher and longer than any other dock along this coast line (both private and commercial). It would be both the longest & highest dock by far, substantially increasing its intrusion into the scenic shoreline and fair use of the waterway. Its approval will provide a precedent for further incursions for any person who simply demands more. At the very least, the requesters should have to demonstrate what hardship would be incurred by sticking to the current regulations.

The applicant argues that the dock needs to be so long and high to clear a large boulder in the vicinity of the dock. Why not simply incorporate the boulder into the construction of the dock as the two previous docks at that location have done in the past or angle the dock away from the offending boulder so as to clear it laterally. Simply angling the dock 10 degrees to the north would clear the boulder completely. Why have these simpler solutions not been explored by the applicant? Neither would inflict hardship on the applicant and neither would require length and height variances.

In addition to its imposing size, the proposed dock violates four long standing RICRMP requirements:

- Section 1.3.1(D)(11)(1) Limiting docks to 50' from MLW.
- Section 1.3.1(D)(11)(M) Requiring a 50' setback from an existing mooring field
- Section 1.3.1(D)(11)(R) Requiring geologic conditions suitable for driven piles
- Section 1.3.1(D)(11)(P) Prohibiting the use of steel piles for residential docks

I also want to challenge the proposed design from an Engineering perspective. I have a degree in Civil and Geological Engineering from Princeton University and currently serve as Chairman of the Department of Engineering and Robotics at SCH Academy. If you look at the proposed design, it proposes to use piles driven 10' into the silt and sand. But as we all know, ledge is exposed throughout this shoreline. For exposed ledge, they are proposing to drill a 2" hole and cement (grout) a section of 1.5" schedule 40 steel pipe into the hole. This pipe is then bolted to a shorter section of

pile that extends up to the dock deck. The area of specific concern is the point where the 1.5" pipe leaves the protection of the drilled hole. It is inevitably exposed to seawater and the resulting corrosion. It is also the point of maximum stress in the design, leading to flexing that in turn leads to more rapid corrosion. I have substantial experience with steel pipe, docks and Narragansett Bay. The two current docks immediately to the south of the proposed dock use a system of REMOVABLE steel pipe drilled into the ledge. We know from decades of experience that we need to replace our 2" schedule 40 steel pipe every 10 years or so due to corrosion. It should be noted that we remove our pipe from the salt water environment for 8-9 months of the year and inspect it COMPLETELY EVERY year. The proposed dock depends on the year round 24/7 resistance to corrosion to support it. This is simply not possible. The resulting corrosion will inevitably cause the piling to fail and will ultimately wash the whole thing away during a serious storm resulting in a severe hazard to navigation and neighboring docks and moorings.

If you are uncertain about the arrogance of the proposal, please look at the fate of the two historic docks located immediately to the south that despite hundreds of tons of rock and concrete are simply no longer there. The key question is what percentage of the piles will need this rusty pipe solution. I suspect, based on years of skin diving in the area and the presence of ledge rock visible in the immediate area and in the drawings, that it will be extremely high. At the very least CRMC should insist on a detailed geologic survey to determine if any of the piles can be driven into the sea bed or if the entire dock will, in essence, be suspended on a series of glorified fence posts that can never be inspected or replaced until the whole thing washes away.

PGR

Peter G. Randall '69
Chairman, Department of Engineering & Robotics
[Springside Chestnut Hill Academy](#)
500 W Willow Grove Ave, Philadelphia PA 19118
Office | 215-254-1619
Cell | 267-784-5259



[Twitter](#)
| [Facebook](#) | [Instagram](#) | [YouTube](#)
[@SCHacademy](#) #SCHproud



May 13, 2020

Sent via tsilvia@crmc.ri.gov

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

This office represents Ms. Sally Robinson Squibb of 200 Waterway, Narragansett, RI. Pursuant 650 R.I. Code R. § 010-00-1.5.1(F) and § 020-00-1.1.6(G), Ms. Squibb hereby objects to and request a hearing on the above referenced application.

As more fully described below, the proposed activity has the potential for significant adverse impacts on coastal resources and fails to meet the standards for granting the variance. Ms. Squibb reserves the right to submit additional documents, information and testimony at the hearing on the above referenced application.

I. Proposed Activity will have Adverse Impacts on Coastal Resources

The project will significantly impact coastal resources and, therefore, should be denied and/or modified to mitigate impacts.

Section 1.2.1(C)(2)(a) states it is the Council's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of Type 2 waters, while providing for low intensity uses that will not detract from these values.

Section 1.2.1(C)(2)(c) requires the applicant to demonstrate that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State. If an impact exists, it is grounds for denial or modification of an application for an Assent.

A. Water Quality and Coastal Resources will be Impacted

Section 1.3.1(A)(1)(g) requires the applicant to demonstrate that the project will not result in significant impacts to water turbidity and sedimentation.

Propeller wash from a vessel disturbs sediments, resulting in turbidity, poor water quality, and adverse effects on the ecology (e.g., fish spawning grounds and shellfish beds). Irrespective of the non-presence of SAV, the project should be modified and/or reevaluated to mitigate this affect.

The 30,000 lb boat lift is situated in approximately 6' - 7' of water. The application does not specify the vessel size to determine the expected vessel's draft. Thus, the potential for adverse impacts associated with propeller wash and the utility of the dock is concerning. Notwithstanding the absence of this information, a recreational boat weighing 30,000 lb, may draft approximately 4.5' of water. Based on this realistic scenario, at low or mid tide, the effects of propeller wash are likely to occur; possibly even during high tide.

At a minimum, the applicant should address the potential for propeller wash impacts and the overall utility of the project.

B. Water Dependent Uses

Section 1.3.1(A)(1)(g) requires the applicant to demonstrate that the project will not result in significant conflicts with water dependent uses and activities, such as, recreational boating, fishing, swimming, navigation, and commerce.

The application asserts, "Water adjacent to the proposed pier are not deep enough and [sic] to support any active recreational boating, fishing and navigation, or commerce activities." If true, the dock has no utility because, the applicant could not use these waters with his recreational boat.

Notwithstanding the self-proving statement that the dock has limited utility, year-round vessel anglers and kayakers regular use the waters adjacent to the proposed dock. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

C. Scenic Values

The application states, "...[t]his pier will be in conformance in [sic] with surrounding area. There are exiting piers within the area."

In reality, the proposed dock length and boat lift are incongruent to this area. The area has seasonal moorings and seasonal 50' docks in the immediate vicinity (not 72' permanent docks). There are no boat lifts. This atypical dock and boat lift will mar the neighbors' viewsheds. The applicant has not provided sufficient evidence to demonstrate that § 1.2.1(C)'s polices to maintain high scenic values are met, as required by § 1.2.1(C)(2)(d).

At a minimum, the additional 22' protrusion unnecessarily detracts from the neighbors' scenic viewshed.

D. Depth of Water Adjacent to the Site Requires Denial or Modification

Section 1.2.1(C)(2)(c)(4) states:

Water depths adjacent to the site would require dock span lengths in excess of the standards contained in § 1.3.1(D) of this Part in order to allow normal and appropriate use of the dock by a vessel.

The application states that this project is seeking a 22' variance because, "In order to provide clearance beyond an existing large rock outcrop it requested to extend an addition [sic] 25'." In other words, the project is seeking a dock span length in excess of § 1.3.1(D) because the limiting water depth, due to the rock outcrop, prevents normal use of the dock by a vessel.

The application should be denied or, in the alternative, modified (e.g., relocation of the pier or rock removal) to avoid the outcrop and obviate the need for the 22' extension.

II. Variance Should be Denied for Failure to Meet Criteria

Pursuant to § 1.1.7(A), six (6) criteria must be satisfied to grant a variance. The application, as proposed, fails to meet all six (6) criteria.

The applicant avers that to provide clearance beyond an existing large rock outcrop, a 22' extension is required. Notwithstanding whether or not the rock outcrop necessitates the extension, the dock could be redesigned to avoid the outcrop.

A. § 1.1.7(A)(3) – Applicable Standards Can Be Met

The site plans reveal that the rock outcrop is located approximately 40' from MHW. Section 1.3.1(D) allows a 50' dock from MHW. Thus, an additional 10' of dock is available to clear the outcrop.

B. § 1.1.7(A)(4) – Not the Minimum Variance Necessary

Notwithstanding the necessity of the variance, if the dock cannot be engineered in its current location, then it should be relocated or the rock outcrop should be removed.

C. § 1.1.7(A)(6) – Denial or Modification Will Not Cause Undue Hardship

Relocation of the project and/or removal of the rock outcrop are both viable options for the development of the project, while still meeting § 1.3.1(D) standards. Relocation and rock removal may be more costly and/or a less convenient option; however, an economic advantage, or

inconvenience does not constitute a showing of undue hardship that will support the granting of a variance.

Although the application does not state as such, it appears that another reason to extend the dock 22' is to provide a fixed access deck and jet ski dock. Clearly, an access deck provides for convenient vessel loading and unloading of passengers and provisions, but an access deck is not indispensable, nor required for the reasonable use of the dock. The applicant can still load the vessel while it is on the boat lift and not endure an undue hardship.

In closing, Ms. Squibb respectfully objects to this application and requests a hearing to present evidence in support of her objections.

We thank you in advance for your attention to and consideration of these comments.

Respectfully submitted,
Ms. Robin Squibb,
By her Attorney:



Christopher A. D'Ovidio

Lisa Turner

From: DOvidioLaw <chris@dovidiolaw.com>
Sent: Wednesday, May 13, 2020 2:58 PM
To: Tracy Silvia; rsinger@crmc.ri.gov; Lisa Turner
Subject: Re: Janikies #2018-12-037
Attachments: Squibb_Objection_2018-12-037_CRMC.pdf; Untitled attachment 00379.html

Dear CRMC staff:

Attached, please find Robin Squibb's objection to the above referenced application.

We expect to call expert witnesses and present documents and other evidence at the hearing. We will provide the documents and witness list 5 days prior to the hearing.

Please acknowledge receipt of the attached objection and confirm it was timely filed.

Thanks.

May 9th, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**



Dear Ms. Silvia:

My name is Mark Golberg. I own real estate located at 40 Stillman Road, Saunderstown, RI. I believe this family deserves a magnificent dock, perhaps one even wider than typically permitted so that they may enjoy the bay...but not longer. Also, I am categorically opposed to any technology that detracts from the view scape, swim scape, or contributes to nighttime light pollution that is becoming a scourge of the bay. (See new lights on Newport Bridge!) In particular, jet skis and powerboats with lifts, general electrification and light fixtures are in particular opposed --as well as anything that further commercializes the bay! Also, as a long distance swimmer the ability to hug the coast and mooring fields is a safety priority. Longer docks push swimmers further into traffic.

I object to and request a hearing on CRMC Application 2018-12. The dock as proposed will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will not maintain the high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

31 Bates St
Cambridge MA
02140

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Golberg". The signature is stylized and includes a large, sweeping flourish at the end.

May 8, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900



Dear Ms. Silvia:

My name is Ann Ferrante. I own real estate located at 166 Ferry Road in Saundertown, RI. I object to and request a hearing on CRMC Application 2018-12.

The proposed variance for an extended and greatly amplified dock on Narragansett Bay does not take into consideration negative effects on the aesthetics of an historic community and on the environment of Narragansett Bay and the ecology of the bay itself.

The application should be modified to avoid the need for an 22' extension. The dock built should be in keeping with other modest docks that do not seriously affect the Narragansett Bay environment and well being of people.

Sincerely,

A handwritten signature in blue ink that reads "Ann Ferrante".

Ann Ferrante

A yellow rectangular sticky note with handwritten text in black ink. The text reads: "P O Box 132", "Saunderstown", and "02874".

P O Box 132
Saunderstown
02874

Cstaff1

From: KStreuli <k_streuli@verizon.net>
Sent: Tuesday, May 12, 2020 12:00 PM
To: cstaff1@crmc.ri.gov
Subject: 2018-12-037/application of john janikies

Dear Madam/Sir

Why would you in effect amend your 50' dock policies and open the lower east passage shorelines to a new generation of docks and boat lifts?

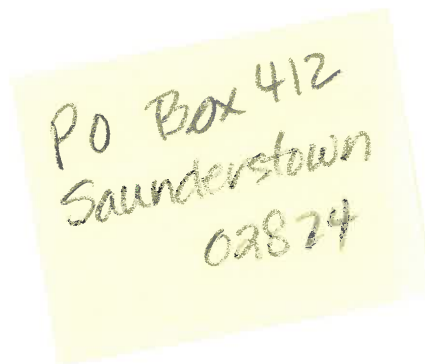
What was the rationale for your 50' dock rule?

What definition of "hardship" will you have to accept that would not also justify dredging?

Please don't approve this variance request.

YVT

konrad Streuli
161 Ferry Road
18 Waterway
Saunderstown, RI
401 294-6274



PO Box 412
Saunderstown
02824

May 12, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Drusie Sheldon. My home is at 50 Narragansett Road in Saunderstown, Rhode Island. I object to and request a hearing on CRMC Application 2018-12. I know very well the waterfront of 166 Waterway having spent every summer from childhood through the 1980s at my grandmother's home, the original house at 166 Waterway. The proposed boating facility is out of scale for a residential property in this neighborhood and imposes both hazards to our coastal resources and to the recreational resources enjoyed by our community of boaters.

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. This is a community that passionately enjoys a lifetime of all sorts of boating on our beautiful Narragansett Bay, and it is seriously concerning that the children of this community, especially the young children, would have such a dangerous obstacle to navigate when sailing, even racing, along what should be the protection of our shoreline. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length, boat lift, and jet ski lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift would be in conflict with the high scenic values, as required by CRMC policies.

Sincerely,



Drusilla (Drusie) Sheldon
50 Narragansett Rd, PO Box 643
Saunderstown, RI 02875
drusie.sheldon@gmail.com



May 11, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

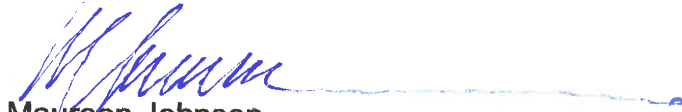
Dear Ms. Silvia:

My name is Maureen Johnson. I live at 32 Stillman Road in Saunderstown. I object to and request a hearing on CRMC Application 2018-12.

As a long-term resident of Saunderstown, I am approaching you today to please apply a voice of reason to the scale and proportions of this proposed dock. I find the insensitivity and lack of concern for congruency to the natural coastline most unfortunate.

While I respect the wishes of Mr. Janikies, I appreciate any efforts to keep development of such urban or commercial scale out of this historic hamlet.

Most Sincerely,



Maureen Johnson

32 Stillman Road
Saunderstown, Rhode Island 02874
mbj@drumm-b.com
401-714-1234

P O Box 148
Saunderstown
02874



May 11, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

Our names are Lloyd Feinberg and Elizabeth Marcotte. We own property at 110 Willett Road in Saunderstown. We are writing to object to and request a hearing on CRMC Application 2018-12.

The proposed dock in this application will adversely impact coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses, or the public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional, unnecessary 22' of dock would mitigate conflicts with other water-dependent uses.

The proposed dock length and boat lift are inconsistent with how this section of the coastline is used. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift would change the traditional usage of this stretch of waterfront and greatly reduce the area's high scenic value, in conflict with existing CRMC policies.

We support modifying the application to avoid the need for the 22' extension. This would eliminate the need for a variance. Relocating the dock and/or removal of the rock outcrop are both viable options for developing the dock.

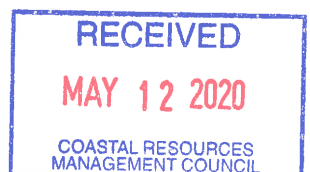
While we are generally tolerant of our neighbors' projects, this proposal poses too great a threat to the fundamental nature of the neighborhood and our shoreline for us to support it.

Thank you,



Lloyd J. Feinberg and Elizabeth Marcotte

110 Willett Rd
02874



F E R G U S O N

130 Waterway
Saunderstown RI 02874
401-294-5568
5/11/2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

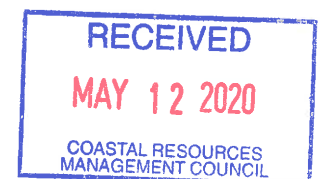
Re: CRMC Application 2018-12-037

Dear Ms. Silvia:

My name is Eleanor Ferguson, and I own and live at 130 Waterway, Saunderstown. I write in opposition to the variance sought by the application cited above and make some suggestions as to stipulations that might be made.

This variance seeks permission to build a pier longer than that allowed on a residential property. The application does not mention the "hardship" that a regulation-length dock would pose.

1. Large (30,000#) Lift's Exposure to Wind, Rough Water and Weather This location is wide-open to the south east with rapidly changing weather. This fact is not recognized by the applicant.
 - a. The specter of a 40' (probably), 30,000# (stated in application) vessel with 4 outboard engines (stated in application) hoisted up and out of the water and wide open to rough seas, (high tides from storms) and wind is not contemplated by the applicant.
 - i. This exposure is well known to longtime local residents.
2. New and intrusive Noise Pollution, Gas Pollution, Air Pollution and Navigational Hazard
 - a. Personal watercraft (PWCs) such as Jet-Skis, Seadoos, Wave Runners, etc.) **will overwhelm** this stretch of coast by their in-air noise pollution. This deafening noise will degrade the quality of the environment enjoyed by the surrounding area.
 - b. PWCs (particularly 2-stroke engine powered) are widely unfavorably known for fuel **inefficiency, high emissions and water pollution**. These highly adverse features will adversely affect the natural habitat and the community's enjoyment of the coastal environment.
 - c. PWCs, **capable of going 65-80 MPH**, will disrupt coastline activities by their speed and wake. Locals commonly swim and sail in surrounding waters.



3. A Long, Permanent Structure Will Disrupt the Commerce, Leisure Activities and Habitat long established and long enjoyed by coastal residents. This habitat provides a vital food source for the shellfish, marine life, and wildlife we value highly. The natural coastline provides a perfect environment for people to coexist with those creatures.
 - a. The proposed 111' pier is far longer and far more substantial than any of those in its vicinity. It is quite simply out of scale. It is difficult to imagine this considerable structure will not shade out or discourage aquatic life.

4. Lighting and Light Pollution; Noise Pollution. This proposal calls for water and power for the entire length of the pier. One can infer that exterior lighting fixtures will be selected by the applicant without input from nearby residents.
 - a. *'Dark Sky' compliant outdoor fixtures should be stipulated for the applicant's choice of lighting.* While providing adequate light for the deck, they add little or no atmosphere light to the night sky.
 - b. Without stipulating a time frame for outdoor audio equipment, neighbors will have no say in late-night loud music. *The applicant should offer 9:00 to 9:00 only for music audible beyond the immediate premises.*

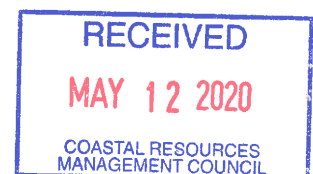
Please consider our concerns. Many residents have been here for generations and have grave concerns about this proposal.

Sincerely,



Eleanor Ferguson

ECF/sw



May 11, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

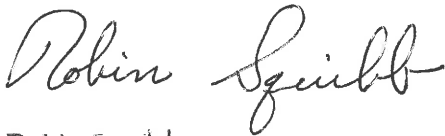
Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

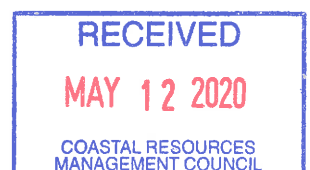
My name is Robin Squibb. I own real estate located at 200 Waterway in Saunderstown, Rhode Island. I object to and request a hearing on CRMC Application 2018-12.

Attached to this letter is a document that was mailed to me by a group called Concerned Citizen of Saunderstown. I was unaware of such a group and have no idea who are its members. I am sending it along, however, as it articulately reflects some of my reasons for asking you to deny the variance requested by Jon Janikies.

Most sincerely,



Robin Squibb
917 769-5798
srsquibb@gmail.com



Subject: RE Janikies dock CRMC File No 2018-12-037

May 2020

To Whom It May Concern:

RE: CRMC File No 2018-12-037

We believe that CRMC should **DENY** Jonathan Janikies of 166 Waterway, Saunderstown, a permit to build this dock.

KEY POINTS:

This coast is exposed to wind, waves and ocean swells which would create dangerous situations when docking a boat and/or operating a lift

Likely damage to the seabed due to prop wash or groundings

With the proposed lifts, it is more appropriate for a Type 3 waters, not to the Type 2 waters in location of proposed dock

Jet skies would create a noise nuisance and risk to others

It would be out of character with the existing docks in this historic & scenic neighborhood

SUPPORTING DETAILS:

-1. The location of the applicant's proposed dock is a 'lee shore' and is exposed to wind, waves and ocean swells, as well as the wakes of passing boats including ships servicing the offshore wind farms and tugs pulling barges to New London, CT. Docking a boat and operating a lift in these waters is likely to result in injury to a person(s), the lift or the boat. Injury to a person or persons would be tragic. Damage to the lift would make it inoperable and become a blight to the scenic views from land and from shore. Damage to the boat could be catastrophic to the environment, especially if there's a fuel spill.



-2 Warren Hall, the applicant's engineer, claims that this dock would be similar to others in the neighborhood. This is not true as they are 50' or less. Unlike the proposed dock, they have a low profile with low lighting and have no impact on the scenic value of this coastline. They are used for swimming or for launching a paddle board, dinghy or kayak.

-3. A 10,000- 30,000lb lift is large enough to accommodate a 30-50' boat, depending on its displacement. Winds of 45mph (and much more) are common along this unprotected coast. A boat of this size, suspended on a lift's bed, would have considerable windage and can become dislodged. Also, a large boat would need 2 to 4 large outboards with powerful props below the draft of the hull. These props would cause significant damage to the shallow seabed due to prop wash and bottom strikes.

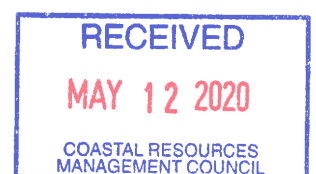
-4. Jet skies would create a noise nuisance for the entire village. Their high speed and unpredictable maneuvers are a hazard to swimmers and others. The neighborhood sailing club **DOES NOT** allow jet skies. There is also an environmental hazard when refueling them from a precarious lift or at a dock which can have considerable wave action.

-5. The applicant's engineer states that this coast is classified as Type 2 waters. Type 2 waters, according to the Town of Narragansett Harbor Management Plan (HMP) are meant for residential use, but for him not to include HMP's complete description is a misrepresentation. Type 2 waters are intended for low-intensity recreational use while maintaining **-not detracting from-** the high scenic value. HMP's full description is the following:

"Type 2 waters are adjacent to mostly residential areas. Low intensity uses such as docks are allowed. This classification of waters encourages high scenic value and water quality, as well as the preservation of natural habitats.

This category includes waters in areas with high scenic value that support low-intensity recreational and residential uses. These waters include seasonal mooring areas where good water quality and fish and wildlife habitat are maintained.

The Council's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of these areas, while providing for low-intensity uses that will not detract from these values."



This is an historic and scenic neighborhood. The history is well documented in a publication of the RI Historical Preservation Commission (www.preservation.ri.gov). More recently, GT Cranston, a historian who writes for *The Independent* newspaper (www.independenri.com/view_from_swamptown), wrote about Saunderstown in his April 19, 2020 column. The citizens are proud of their village and would like to maintain its peaceful existence.

Sincerely,

Concerned Citizens of Saunderstown



May 9, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Marjorie Johnston. I own real estate located at 58 Collation Circle. 16⁶ Waterway was my family's summer home for over 60 years. I object to and request a hearing on CRMC Application 2018-12.

I agree with the points listed below, but I would like to add that this structure is not consistent with neighboring docks. It is more like a commercial structure than a residential, recreational dock. I believe he has asked for twice as much as he wants to allow for bargaining points. Sailboat races at the local yacht club 5/8 of a mile down the road traditionally use the coastline as part of their race course for the children's fleet and other small day sailors. There is no reason for this dock to extend double the distance of neighboring docks. The existing docks have been sufficient for many generations of boating residents.

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

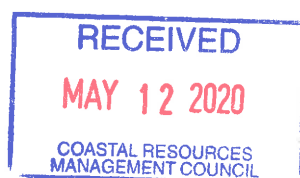
The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will not maintain the high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

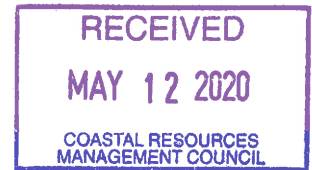
Sincerely,
Marjorie Johnston

maschman@cox.net



May 7, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900



Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Wendy Warburton. I own and live in the house at 136 Ferry Road, Saunderstown, RI 02874. I am writing to make a formal objection to and request a hearing regarding CRMC Application 2018-12-037.

The proposed dock would create a significant adverse effect on our coastal resources and the public use of our shoreline and tidal waters in the area of Narragansett Bay and should, therefore, be denied and/or modified to mitigate those impact. In my opinion, it is incumbent upon anyone requesting a variance of any kind to demonstrate that such proposal will not cause a negative impact and I do not think Mr. Janikies can show that to be true in this instance.

The proposed structure would be excessively long, extending 22' beyond the length of any usual 50' dock. This alone would create conflict with water-dependent uses and activities such as recreation boating, navigation, swimming and commerce, as well as fishing. Furthermore, the proposed 30,000 lb. boat and jet ski lift is completely inappropriate for this quiet and beautiful area of Narragansett Bay. It would not only be an eyesore, it would create a great deal of unnecessary and unwelcome noise. There is nothing like it anywhere nearby for the excellent reason that none of the local residents want such a device nearby.

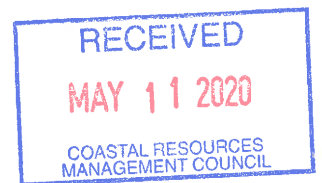
During this time of crisis, which will inevitably have negative consequences on tourism in our state, it more important than ever for us to keep in forefront of our thinking that Narragansett Bay is one of Rhode Island's most valued and sought after resources. Please let us be diligent in maintaining areas which are peaceful, as well as beautiful and welcoming to visitors.

Changing the location of the dock or removing the rock outcropping, would obviate the need for a variance to accommodate the 22' extension.

Sincerely,

A handwritten signature in black ink that reads "Wendy Warburton".

Wendy Warburton
136 Ferry Road
Saunderstown, RI 02874
(401) 808-0652 ~ cell (*best*)
(401) 294-5800 ~ home



May 11, 2020

BY EMAIL AND OVERNIGHT DELIVERY
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road – Suite 3
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

To Whom it May Concern:

My name is Steve Nightingale. I own half the shares in Waterway LLC, the owner of two lots comprising approximately an acre-and-a-half, with a family home and rental cottage, bordering on the shore at 22 and 28 Waterway, Saunderstown, RI. This property is located seven houses away from the one involved in CRMC Application 2018-12-037. I object to and request a hearing on this application. I am willing to testify in person at a hearing, but ask instead that I be allowed to submit my testimony in the form of a sworn written statement or to appear by phone or videoconference if the coronavirus continues to impose limitations on travel.

My grandfather purchased this property in the 1940s, and he and my grandmother lived in it until the 1960s. My father inherited it in 1969 after my grandfather's passing, and my mother transferred it to an LLC owned by her three sons between 2010 and 2012. My brother, David Nightingale, and I are the two survivors, and we each own 50% of the shares in the LLC. My parents, brothers, and our families have been regular visitors to this second home for decades. Since my retirement about 10 years ago, I have spent an increasing amount of time there in all seasons. I am a member of the Saunderstown Yacht Club and own a small sailboat and kayak, which my wife and I use to explore the shore.

Next to the Bay, the greatest asset of Saunderstown is its community. I understand that there are two sides to this issue and have no desire to foster bad feelings. My brother, the co-owner of our property, and his wife, Sharon, do not join this letter. I hope to be constructive, providing only information relevant to the judgment the CRMC is called upon to make, expressed in terms the CRMC notice requires, intending nothing with respect to any other issues or disputes.

In my view, the pending application is usefully viewed in three parts: (i) as a request for a 30,000 lb. boat lift and jet ski lift (ii) at the end of a new 111-ft pier, requiring a variance of 22 feet from CRMC standards (iii) in the context of an existing shorefront alteration previously approved.

A good starting point for my position on all three is a picture of the view from my porch.



The view has changed significantly since I first saw it in the early 1950s. There is a new bridge. The Saunderstown Yacht Club has installed a new breakwater. And the dock in the middle of this view was installed several years ago. As a frame of reference, Mr. Janikies' proposed alteration, if replicated on this dock, would extend it by 22 feet and add a 30,000 lb. boat lift and jet ski lift to the end – with a large boat suspended in the air. (A second dock, also installed in the past several years, is visible from our lawn, and could also be the subject of a similar application in the future.) With that in mind:

Boat Lift

The CRMC's regulations deal specifically with boat lifts. Red Book, Sec. 1.3.5(P). The Council "has determined that boat and float lifts detract from the high scenic value and important visual characteristics of Type 2 waters" and, in "low intensity" waters, "may be considered an unacceptable intensification of use." It thus prohibits them outright from a specified list of bodies of water. Applications for boat lifts in other places must, unlike those for docks, be approved by the Council as a whole and not just the staff. They are discretionary. They "may" be granted, but no one has a right to one.

The West Passage from the Jamestown Bridge to Pt. Judith and Beavertail is not on the list of areas from which boat lifts are absolutely prohibited by the regulation. However, I am not aware of any boat lifts within this area. I cannot see Mr. Janikies' property from mine, but the CRMC should pay particularly close attention to the views of the land owners who can – as I would expect mine to be if this matter involved the two docks visible from my property. Just as or more important, the CRMC must consider the viewpoint of the many boaters, other users, and sightseers who benefit from the unique beauty of this part of the Bay. In keeping with the CRMC's expressed determination on boat lifts generally, it is my position that the proposed alteration would be an unacceptable intensification of use in this stretch of the West Passage.



Variance

The CRMC's regulations also specify the criteria that must be satisfied for a variance. Red Book, Sec. 1.1.7. In short, a proposed alteration must (i) conform with the applicable goals and policies of the CRMC, (ii) not result in adverse environmental impacts, including but not limited to, taking into account cumulative impacts, (iii) be necessary because applicable standards cannot be met at the site in question, and (iv) be the minimum variance to the applicable standards necessary to allow a reasonable alteration or use of the site. Last and maybe most important, the applicant must show:

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

I expect soon to receive a copy of this application, to which I have not had access in Connecticut, from Mr. Janikies. I will be familiar with it by the time a hearing is held. Based on what I know of the area, however, the requirements for a variance cannot be satisfied here. In particular, the denial of permission for a structure that may be nonexistent in this stretch of the Bay would impose no "undue hardship" of the type the law requires.

Cumulative Impact

The regulation on variances requires consideration of the "cumulative impacts" of an owner's alterations. The applicant here has already installed a very substantial alteration, including furniture, a television set, barbecue area, and bar, grandfathered to replace a boat house, in the buffer zone on the coast. The variance sought, unlike a small adjustment to setbacks needed to accommodate a dwelling to a lot, would be visible from far out in the Bay. Again, I request that the Commission consider this latest application with close attention to the views of the owners closest to Mr. Janikies' property and an appreciation of the cumulative impact of these improvements as a whole, as well as the possibility that they would be replicated in the future on other properties.

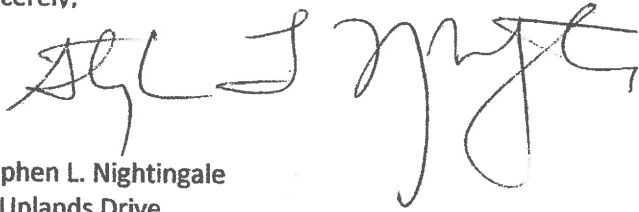
Final Thoughts

I concede that I have strong personal feelings for the Rhode Island shore. I have treasured my time on our porch, property and shore – and the Bay – since I was a small boy. My parents' relationship matured into a romance when they raced together in small boats in the waters just off our property. My wife, Vaughan, and I watched my children play there and look forward to the same with our grandchildren. References in the law to the scenic beauty of the Bay are a powerful reality for those invested in it, not just words or legal technicalities. I understand that Mr. Janikies and others agreeing with him have a different view of the relative force of these values and our rights as property owners. I oppose the application, and request that the CRMC base its decision on an evenhanded, objective assessment of the issues involved, under the governing law and consistent with its public responsibility to preserve the Bay while recognizing the legitimate interests of owners along its shores.



Thank you for your consideration.

Sincerely,



Stephen L. Nightingale
54 Uplands Drive
West Hartford, CT 06107
steven5216@comcast.net
860-521-6055

Cc: BY EMAIL AND OVERNIGHT DELIVERY
Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Mr. Jon Janikies (BY EMAIL)
Mr. and Mrs. David Nightingale (BY EMAIL)



Peter D. Nalle
71 Waterway
Saunderstown, RI 02874
401-294-1411 ♦ pdevnalle@gmail.com

May 8, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Peter Nalle and I own a home located at 71 Waterway, Saunderstown, RI 02874.

I am objecting to and requesting a hearing on CRMC Application 2018-12.

Throughout my life in various communities my understanding of zoning regulations is that variance requests are based on need or hardship; i.e. that variances are granted because the petitioner has reasonable and legitimate needs or hardships that cannot be accommodated by existing zoning regulations.

This variance request does not nearly begin to meet that test, and I ask: if a variance can be granted for any reason whatsoever then what is the point of having zoning laws or regulations at all?

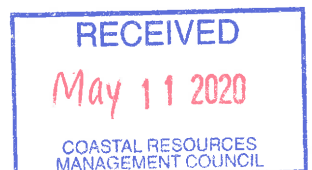
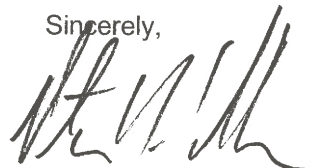
The proposed dock in this instance requires a variance. But where is the legitimate need or hardship? This proposed structure will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will not maintain the high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,



John & Georgine Edwards
24 Saunders Road
Saunderstown RI 02874

May 8, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

Our names are John and Georgine Edwards. We own real estate located at 24 Saunders Road, North Kingstown. I object to and request a hearing on CRMC Application 2018-12-037.

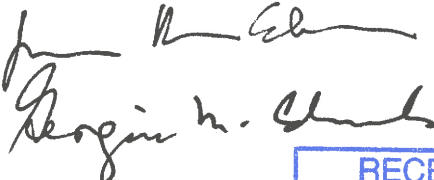
The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

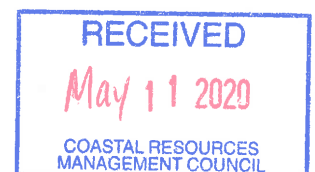
The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will not maintain the high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By so doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,


John & Georgine Edwards



May 13, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Albert Nalle. I own real estate located at 66 Willett Road. I object to and request a hearing on CRMC Application 2018-12.

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will not maintain the high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

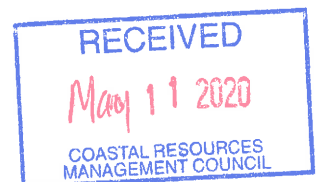
Sincerely,


Albert G. Nalle

142 Spring St.
Newport, RI
02840

(401) 626-1753

Bernalle@gmail.com



Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900
Re: CRMC Application 2018 - 12 - 037

Dear Ms. Silvia:

April 28, 2020

I understand that my neighbor, Jon Janikies, at 166 Waterway Road, Saunderstown, RI, 02874, has submitted plans to RICRMC for a residential dock that requires a variance. File Number 2018-12-037.

I own a property at 204 Waterway, not far from the proposed dock.

This new proposal is little different from the first and continues to be out of character for the area by size (22' longer and also higher) as well as another boat lift. While I have no personal grudge against Mr Janikies, this dock is a monster in comparison to all the ones in the area. It sets a terrible precedent for future bigger docks that impose on the views and impinge on the use of the waterway and shoreline. We have sailors, kayakers, fishermen, swimmers and walkers who use this shoreline and this will be a huge hindrance. Each weekend in the summer the local yacht club runs races up and down this shore line, everyone will have to dodge around this dock sticking out. There are no docks in the area that are as large and obtrusive as this one would be and that is because we have ordinances against such a thing. Keep to these ordinances and keep the area peaceful as it should be. We have fought hard to Save the Bay over many years and we need to keep doing that for everyone's future. All of the other docks have had to conform and the Janikies' should as well.

Thank you,

Susanna Randall

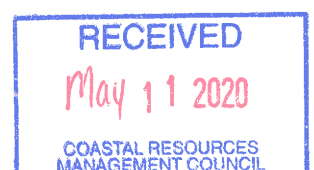
Susanna Randall

Mailing address:

724 Cornelia Place

Philadelphia, PA 19118

215-242-4693



7 May 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Patty Nalle, my family has owned multiple houses in Saunderstown for four generations. My immediate family owns the residence at **66 Willet Road, Saunderstown, RI 02874**. My cousin owns the house next door and her older brother owns the house down the hill from us on Waterway. I object to and request a hearing on CRMC Application 2018-12.

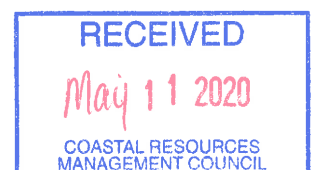
The proposed dock is completely out of scale to any existing dock along this entire stretch of coast line from Wickford to the URI Campus at South Ferry. Construction of a dock this scale will have adverse impacts to coastal resources, local recreation, community integrity, and the scenic beauty that attracts international tourist dollars to the State of RI. This coast has always been subject to hurricanes and many existing 50' docks are designed to be easily removed to protect public safety.

The requested variance should be categorically denied because the dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. The local community has very active small boat sailing programs and fishing activities. I learned to sail as a small child along this coast. There are no sheltered harbors so small boats are typical of most water-oriented activities and as such are very dependent on the waters adjacent to the shoreline to avoid the impact of the strong tides in this section of the Bay.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area only has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will not maintain the high scenic values, as required by CRMC policies.

Thank you for your considerations in this matter.

Patty Nalle



May 11, 2020

Sent via tsilvia@crmc.ri.gov

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Brent Cliveden. I own real estate located at 195 Waterway, Saunderstown, RI 02874. I object to and request a hearing on CRMC Application 2018-12.

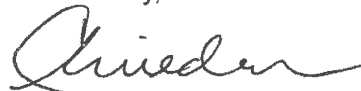
The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

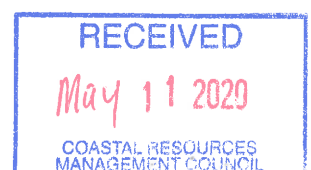
The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and seasonal 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will mar my view and will not maintain high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,



JPB Cliveden



Cstaff1

From: Marshall Ayers <4ayers@sbcglobal.net>
Sent: Saturday, May 9, 2020 6:49 PM
To: cstaff1@crmc.ri.gov
Subject: CRMC Application 2018-12-037

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: CRMC Application 2018-12-037

Dear Ms. Silvia:

My name is Marshall Nalle Ayers. I am a forth generation homeowner at 66 Willett Road in the village of Saunderstown. I object to, and request a hearing on CRMC Application 2018-12.

Coastal resources will be significantly impacted but the proposed dock and, therefore, it should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The proposed dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts. This is a case where one individual will be changing the look and use of the coastline for their private usage at the expense of others in the community.

Without question, this proposed dock will impact the scenic value of our coastline. Having viewed family photographs taken over the years, one of the unique characteristics of the coastline in this community is that it is relatively unchanged and has been preserved by those who care for the environment and want to retain its natural characteristics. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will not maintain the high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing that, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,

Marshall Nalle Ayers
818-317-7584

May 13, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist Coastal Resources Management Council Stedman
Government Center, Suite 116

4808 Tower Hill Road

Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Irving Sheldon. I grew up in Saunderstown and my father lives at 22 Gould Way. I am an avid sailor and spend much time sailing the waters in front of 166 Waterway.

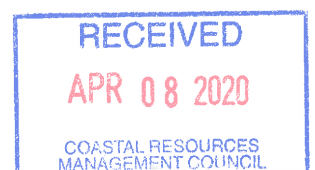
From the 1920s to the '80s, 166 Waterway, "Spindriff", was my grandparents' summer home and I lived there every summer until my late 20s.

Shortly after he acquired the property, my grandfather, James R. Sheldon, had a pier and a boathouse built. He had several yachts that he moored in front of the house, and the pier eliminated the need to launch a skiff from the rocky and at times treacherous shore. A skiff was suspended from davits at the pier end. Constructed of rocks, concrete and iron rebar with a concrete deck, the pier terminated at a large boulder -- it's still there, exposed at low tide. Both structures were destroyed in the '38 hurricane, and rebuilt, only to be swept away again in Hurricane Carol, in 1954. After that, my grandmother, Marjorie Chase Sheldon Feeter, said that she had built two boathouses and two docks and that was enough for her.

It fell to my father, Irving C. Sheldon, whose business was non-ferrous metals, to build the third pier, this one removable (laboriously) in winter and at the approach of storms, out of aluminum I-beams and supports placed in holes drilled into the aforementioned boulder and another large one halfway between it and the shore. This worked well as long as there were children and grandchildren around at critical times.

The moral of this story is that Saunderstown has a punishing shoreline and elaborate constructions fail quickly.

Of course, that is not a reason to object to this proposed plan. People have the right to squander resources any way they like. But I am greatly offended by the vile "improvements" that the current owners of the property have made to a piece of the shore I feel an ancient affinity for and where I occasionally on a quiet night would anchor my boat and have a peaceful sleep -- specifically the ultra-bright floodlights outlandishly intended to illuminate Dutch Island a mile distant, for no discernible purpose. One of the great virtues of Saunderstown at night is the comparative absence of bright lights on the shore (URI's GSO being the glaring exception,



something I've complained about to the university administration before – but then, the site was a POW camp during WWII, so I guess the lights have historical precedent). Or the large TV screen on the seawall, designed seemingly to induce one to turn away from one of the great views of God's creation. Actually, the only thing I like is that utterly outrageous and gigantic canopied bed with the diaphanous muslin curtains. If they ever want to get rid of it they have a buyer. I have a good place for it – more private too.

I have more substantial objections than the appalling aesthetics, specifically the plan for a 30,000# boat lift at the end of the pier, which, while it's of an ugly piece with all the above, would also present an unacceptable hazard to the waterfront should it, as it inevitably will, get wrecked – a lot of oil and non-biodegradable plastic and fiberglass.

The sea state changes quickly and it's easy to envision a situation when it would be very unsafe to lower and launch a 15-ton boat. My 32-foot '50s wooden racer-cruiser displaces half that, so this would be a 35-or-40-foot-plus powerboat (presumably). It's just not a good idea. Actually, the whole concept of a Intracoastal Waterway-style boatlift in Saunderstown is bizarre.

I object to and request a hearing on CRMC Application 2018-12.

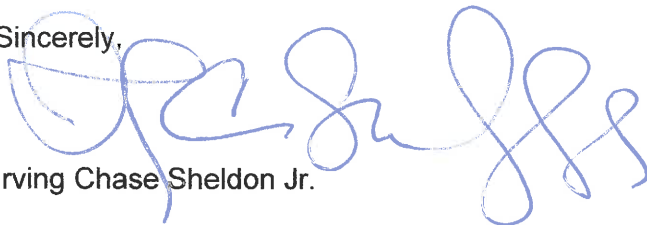
The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and seasonal 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will mar my view and will not maintain high scenic values, as required by CRMC policies.

The application should be modified, or just outright rejected, to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,



Irving Chase Sheldon Jr.

7 Barnes Street

Providence, RI 02906

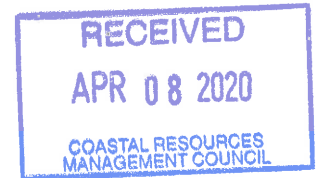
Phone: (401) 521-6186



Cell: (401) 699-6144

E-mail: icsheldon@hotmail.com

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



Re: **CRMC Application 2018-12-037**

5-6-2020

To the CRMC Council:

My name is Barry Sharaf. I live at 56 Waterway Rd in Saunderstown, RI.

I object to and request a hearing on **CRMC Application 2018-12-037 located at 166 Waterway Rd, Narragansett, RI**. The proposed dock will have adverse impacts on coastal resources and therefore should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State. The dock will result in significant conflicts with water dependent uses and activities such as the scenic view, recreational boating, fishing, swimming, navigation, and commerce.

Specifically, I object to the project's proposed length, extending 72 feet out from mean low water (MLW). I believe the 50 feet maximum (from MLW) regulation is important to ensure that the rights of neighbors and the public are protected to maximumly benefit from and enjoy the bay. This regulation should be adhered to, with few exceptions. Justifiable reasons to be granted this variance should be more substantial than a desire to build a longer dock with a bigger boat lift or having a rock obstruction at the preferred location.

The dock as proposed will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings with several other docks nearby which all comply with the 50 foot regulation. This atypical dock and boat lift will mar the neighborhood view and will not maintain the high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock and obviating the need to seek a variance from the 50 foot regulation. Eliminating the additional 22' of dock at the currently proposed or other location would mitigate my objections.

If the engineering report demonstrates however, that there is no location within the allowed property boundaries that can accommodate a boat (of reasonable size, similar to others in the neighborhood or at the nearby yacht club) without exceeding the 50 foot from MLW regulation, I would consider withdrawing my objection.

Sincerely,

A handwritten signature in black ink that reads "Barry Sharaf M.D." in a cursive style.

Barry Sharaf, M.D.

bsharaf@lifespan.org

56 Waterway Rd

Saunderstown, RI 02874

401-480-2104



May 4, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900



Re: CRMC Application 2018-12-037

Dear Ms. Silvia:

As homeowners at 210 Willett Road, Saunderstown, RI, we object to and request a hearing on CRMC Application 2018-12.

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The proposed dock would certainly bring adverse impacts to coastal resources, water dependent uses and public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock, a 44% increase in size over what is allowed without a variance, would mitigate water-dependent user conflicts. Also, allowing a variance of this magnitude sets a precedent for future requests, potentially leading to a completely unrecognizable coastline.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and 50-foot docks in the immediate vicinity. There are no boat lifts. This ungainly dock and boat lift will not maintain the high scenic values that CRMC strives to protect.

The application should be modified to avoid the unnecessary 22' extension. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

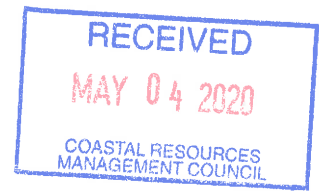
Thank you in advance for your consideration of our position.

Sincerely,

A handwritten signature in black ink that appears to read "Michelle and Frank Ingari".

Michelle and Frank Ingari

michelle.ingari@icloud.com
617-816-2299



Susan Tash

7 Stillman Road • Saunderstown, RI 02874 • 312.802.9450 • susantash7@gmail.com

1 May 2020

Ms. Tracy Silvia
Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road
Suite 116
Wakefield, RI 02879-1900

Re: CRMC Application 2018-12-037

Dear Ms. Silvia:

I write to register my concern and to object to the granting of a variance to build a dock 22 ft. longer than the current allowable length at 166 Waterway in Saunderstown (CRMC Application 2018-12-037). I am a neighbor living but a short walk from that property and I am a member of the Saunderstown Yacht Club, where I keep my kayak.

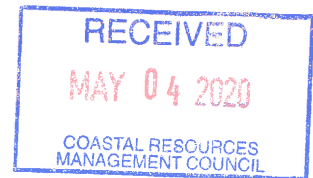
Most of the neighbors are sailors and the water around the Saunderstown Yacht Club throughout the summer is alive with small sailboats and people like me, who enjoy a kayak trip along the shoreline. Such an unnecessarily large dock, equipped with lifts for a jetski and 30,000 lb. boat, will forever alter the beautiful placid area we neighbors all enjoy. It is my strongly held belief that we must do all we can to preserve the natural beauty of the shoreline for all of us who use these waters.

I have no objection to the owner building a dock comparable to the size of others in the neighborhood. But the proposed dock length and boat lifts do not belong in this quiet village. Seasonal moorings and 50 ft. docks in the immediate vicinity will be dwarfed by the proposed dock and lifts. I would hope that the applicant will heed the pleas of neighbors and build a dock that's no larger than the others in the vicinity. I also hope that CRMC will also understand and act on our neighborly concerns.

Respectfully submitted,


Susan Tash

April 24, 2020



Sent via tsilvia@crmc.ri.gov

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is John H W Rhein III. I own real estate located at 168 Willett Road, Saunderstown RI 02874. I object to and request a hearing on CRMC Application 2018-12.

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

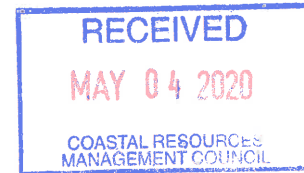
The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and seasonal 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will mar my view and will not maintain high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,

A handwritten signature in black ink that reads "John H. W. Rhein III". The signature is written in a cursive style with a horizontal line at the end.

Peter G Randall
315 Whitmarsh Drive
Flourtown PA 19031
PRandall@SCH.org
267-784-5259



204 Waterway, Saunderstown RI

Ms. Tracy Silvia, Senior Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

4/27/2020

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:


My name is Peter Randall. I own real estate located at 204 Waterway in Saunderstown. The proposed dock at 166 Waterway is an affront to every neighbor and user of Narragansett Bay. Its size will literally block out the sun for some neighbors and serves no useful purpose except to demand special consideration for one person at the expense of the public. The proposed height of the dock at 15 feet above mean low water and length of 22 feet beyond the acceptable size is substantially higher and longer than any other dock along this coast line (both private and commercial). It would be both the longest & highest dock by far, substantially increasing its intrusion into the scenic shoreline and fair use of the waterway. Its approval will provide a precedent for further incursions for any person who simply demands more. At the very least, the requesters should have to demonstrate what hardship would be incurred by sticking to the current regulations.

I also want to challenge the proposed design from an Engineering perspective. I have a degree in Civil and Geological Engineering from Princeton University. If you look at the proposed design, it proposes to use piles driven 10' into the silt and sand. But as we all know, ledge is exposed throughout this shoreline. For exposed ledge, they are proposing to drill a 2" hole and cement (grout) a section of 1.5" schedule 40 steel pipe into the hole. This pipe is then bolted to a shorter section of pile that extends up to the dock deck. The area of specific concern is the point where the 1.5" pipe leaves the protection of the drilled hole. It is inevitably exposed to seawater and the resulting corrosion. I have substantial experience with steel pipe, docks and Narragansett Bay. The two docks immediately to the south of the proposed dock use a system of REMOVABLE steel pipe drilled into the ledge. We know from experience that we need to replace our 2" schedule 40 steel pipe every 10 years or so due to corrosion. It should

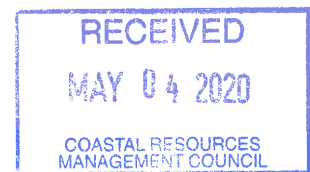
be noted that our pipe is seasonally removed from the salt environment for 8-9 months of the year and inspected completely EVERY year. The proposed dock depends on the year round 24/7 resistance to corrosion to support it. This is simply not possible. The resulting corrosion will inevitably cause the piling to fail and will ultimately wash the whole thing away during a serious storm resulting in a severe hazard to navigation.

If you are uncertain about the arrogance of the proposal, please look at the fate of the two historic docks located immediately to the south that despite tons of rock and concrete are simply no longer there. They were subsequently replaced by the aforementioned minimal impact removable docks more than 5 decades ago.

The key question is what percentage of the piles will need this rusty pipe solution. I suspect, based on years of skin diving in the area and the presence of ledge rock visible in the immediate area and in the drawings, that it will be extremely high. At the very least CRMC should insist on a detailed geologic survey to determine if any of the piles can be driven into the sea bed or if the entire dock will in essence be suspended on a series of glorified fence posts that can never be inspected or replaced until the whole thing washes away.



Peter G. Randall '69
PRandall@SCH.org
Chairman, Department of Engineering & Robotics
[Springside Chestnut Hill Academy](#)
500 W Willow Grove Ave, Philadelphia PA 19118
Office | 215-254-1619
Cell | 267-784-5259



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May 13, 2020

Sent via tsilvia@crmc.ri.gov

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

Elizabeth Rhein Collins

My name is _____ I own real estate located at 190 Waterway I object to
and request a hearing on CRMC Application 2018-12. Scarsdale, RI 02874

*directly adjacent
to the property with
the proposed dock*

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impacts to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

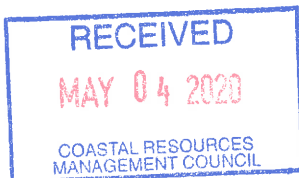
The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and seasonal 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will mar my view and will not maintain high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,

*Elizabeth Rhein Collins
2722 N St NW
Washington, DC*

*2020
202-550-2434*



May 4, 2020

Jeff Willis, Executive Director
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900



Re: **CRMC Application 2018-12-037**

Dear Sir:

My name is Lynne Hale. I own real estate located at 116 Ferry Road, Saunderstown, Rhode Island. I object to and request a hearing on CRMC Application 2018-12.

The proposed dock would be located in Type 2 waters (Low Intensity Use) and the applicant requests a Variance to allow it to extend 72 feet into tidal waters (a 22 ft variance). As stated on page 87 of CRMC regulations, it the CRMC's policy (in Type 2 waters) "to maintain, and where possible restore the high scenic value.....while providing for low intensity use that will not detract from these values."

The applicant is requesting a variance that is not appropriate for Type 2 waters and fails to meet any of the six criteria listed in Section 1.1.7 of the Council's regulations on "Variances". I will only comment on criteria 1 and 2.

The proposed large dock will negatively impact both the scenic quality of these Type 2 waters and create use conflicts with the recreational boating activity that has long existed in this location. The proposed dock length is visually inconsistent with the existing coastline which has only seasonal moorings and 50-foot docks in the immediate vicinity. This atypical dock will not maintain the high scenic values, as required by CRMC policies.

Given that Council Regulations require that all six Variance criteria must be met in order to grant a variance and they are not, I respectfully request that this Application for a Variance be denied.

Sincerely,


Lynne Zeitlin Hale
116 Ferry Road
Saunderstown, Rhode Island
lynnehale2@gmail.com
401-294-6413

C. T. Silvia

Deborah Randall
141 S. Lakeview Boulevard
Chandler, AZ 85225
(and 204 Waterway Road
Saunderstown, RI 02874)

April 28, 2020

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: CRMC Application 2018 - 12 - 037

Dear Ms. Silvia:

I understand that my neighbor, Jon Janikies, at 166 Waterway Road, Saunderstown, RI, 02874, has submitted plans to RICRMC for a residential dock that requires a variance. File Number 2018-12-037. I am a co-owner of property a few doors down the road at 204 Waterway Road. I request that the Janikies' plans be modified to be in keeping with local residential docks.

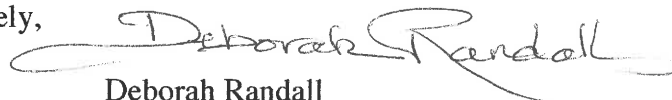
My concerns are the extra 22' length of their dock, the need for a hydraulic boatlift and a second lift for jet skis at the end of their dock.

We have many fishermen, lobstermen, kayakers, and sailors who use the water close to our shoreline. The elimination of the additional 22' length of the dock would mitigate the conflict with the folks who participate in these water activities.

The dock's extra length and 2 hydraulic boatlifts will severely impact scenic values. These plans are inconsistent with the area coastline, which has seasonal moorings and 50' docks. There are no boatlifts. This atypical dock and boatlifts will mar our view and will conflict with the scenic value that is required by CRMC policies.

Thank you for your consideration of my concerns.

Sincerely,



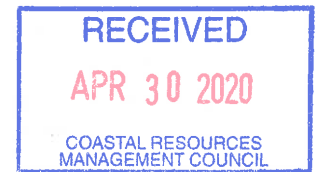
Deborah Randall

Mailing address: 141 S. Lakeview Blvd. Chandler AZ, 85225
Phone in AZ: 480 857 6004



Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

27 April 2020



Re: 2018-12-037

Dear Ms. Silvia,

I object to the proposed dock, reference number 2018-12-037 for the following 3 reasons:

- 1) The size of the dock;
- 2) The purpose of the dock;
- 3) The conduct of the dock's owners.

1) The dock exceeds the limitations established by law, and by doing so will alter the esthetic of the lower Narragansett Bay coastline. Moreover, it will be brightly lit at night, just as is the owner's house, thereby increasing light pollution and further disturbing the sleep of neighbors who overlook the property.

2) The dock's purpose is to be a private marina. The 30,000 pound hydraulic lift serves as a berth for a very large boat which will hang from the hydraulic lift, in the clear sight line of all on water or land. The smaller lifts service several jet skis, which even in the best of circumstances are noisy, recreational toys.


3) If past behavior is any predictor of the future, the actions of the Janikies and their guests on land are a poor recommendation for those that will take place on water. On land, the Janikies harass passersby by training a remote-controlled sprinkler on the street and dousing the unsuspecting victim. They have been seen laughing at their joke. They own an all-terrain buggy which they load with guests and tear around the lower end of Waterway and Willet Rd at night, disturbing the neighbors' peace and endangering the safety of anyone walking in the evening dark. I have both personally witnessed this behavior and have been told of it by the victims.

On the water, jet skis are for speeding. Can we expect their pilots to go slowly and cautiously? Nearby swimmers, paddlers, and sailors will be endangered. On summer weekends, at the Saunderstown Yacht Club there are sail boat races whose course always includes a southern mark at the altitude of the Janikies property or a bit further south. In other words, the jet skis will cut through the races, at a minimum creating a wake, and at worse, forcing the sailors to change course or fear for their safety.

In the summer, even though I do not live on the water, the quiet is often ruined by the sound of a cigarette boat over a mile away racing down the bay. Everyone on the bay has to endure the sound pollution caused by just one speed-loving individual. Now, less than one mile away, in our own backyard, the residents of Saunderstown will have to endure a much closer, and busier source of noise, light, and potential danger.

Please do not allow this pier to be built! Thank you for your consideration.

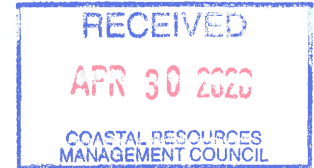
Sara T. Nalle


72 Willett Rd
Saunderstown, RI 02874
401 294-1094
saranalle@gmail.com

April 29, 2020, 2020

Sent via tsilvia@crmc.ri.gov

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900



Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Jane Foster Rhein. I own real estate located at 190 Waterway, Saunderstown, RI 02874. I object to and request a hearing on CRMC Application 2018-12.

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and seasonal 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will mar my view and will not maintain high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

Sincerely,

A handwritten signature in blue ink that reads "Jane F. Rhein".

April 28, 2020, 2020

Sent via tsilvia@crmc.ri.gov

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900



Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Pat Turner. I own real estate located at 190 Waterway, Saunderstown, RI 02874. I object to and request a hearing on CRMC Application 2018-12.

The proposed dock will have adverse impacts to coastal resources and, therefore, should be denied and/or modified to mitigate impacts. The applicant has not demonstrated that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State.

The dock will result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce. Eliminating the additional unnecessary 22' of dock would mitigate water-dependent user conflicts.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this area of the coastline. The area has seasonal moorings and seasonal 50' docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will mar my view and will not maintain high scenic values, as required by CRMC policies.

The application should be modified to avoid the need for the 22' extension. By doing, a variance will not be required. Relocating the dock and/or removal of the rock outcrop are both viable options for the development of the dock.

A handwritten signature in black ink that reads "Pat Turner".

Sincerely,

April 27, 2020

Ms. Tracy Silvia, Senior Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900



Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Alexander Randall. I own real estate located at 420 Waterway in Saunderstown.

I am shocked. **Simply SHOCKED** that this dock is even being considered. I object. When we built a dock we had had to conform to stringent zoning regulations. Those regulations are in place to specifically **NOT** allow this dock. It is longer than any neighboring dock, and includes a huge lift, lights and more.

The whole idea of regulations is to keep private use of public waterways to a modest minimum.

The proposed dock will have adverse impacts to coastal resources and should be denied. These are public waters; shared state waters, the people's water; shared with the rest of humanity. This proposal is like the landowner trying to seize more of the public waters than a fair share.

At the very least, this proposal should eliminate the additional unnecessary 22' of dock might mitigate water-dependent user conflicts. That would mean it would not need a variance.

The dock will impact scenic values. The proposed dock length and boat lift are inconsistent with this coastline. All along that shore there are 50' docks without boat lifts. This dock will stick out like a sore thumb. **Moreover – if you approve this one, the next one will want the same variance.** You will end up with dozens of these extraordinary ugly docks.

The application should be rejected or modified remove the 22' extension and the lifts. By doing so, a variance will not be required. **Stop making the shoreline ugly.**

Sincerely,

Alexander Randall

Ms. Tracy Silvia, Senior Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

April 28, 2020

Re: CRMC Application 2018-12-037

Dear Ms. Silvia,

My name is John Chapin and I am one of the owners of the property at 204 Waterway in Saunderstown. I feel the need to comment on the dock plan proposed by our neighbor at 166 Waterway and request a hearing on CRMC Application 2018-12. As a permanent structure that would exceed the current length limit for docks I am very concerned that it will present an impediment to the use and enjoyment of this section of the coast, the installation will be difficult and require structural concessions, and it won't last.

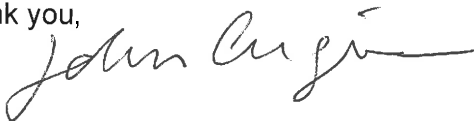
In the 30's my grandfather Maurice Chapin built a concrete and boulder dock at his residence adjacent to ours that was wide enough to drive a Ford model A truck 40' down to the end. A few years later the 1938 hurricane threw huge pieces of it northward along the shore leaving nothing extending into the water. He did not attempt to build another dock.

I have done a considerable amount of scuba diving along this section of coast and know that the bottom resembles the shore, namely a collection of rocks and boulders with exposed bedrock ledges. There are small patches of shallow sand. I predict that it will prove impossible to drive greenheart piles any distance into this mess. Complicating this is that even large boulders, such as the one in the path of the proposed dock, move slightly with every large storm. What will the impact be when a large storm throws this huge dock up on this exposed shore?

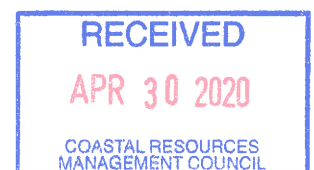
The proposed dock has two electric boat lifts adding to the mass at the dock end and to the visual impact on others. The existing docks in this area are small, some like ours are removable, and none have more than a set of steps allowing water access. Kayakers and fishing boats regularly pass closely along the shore and would now be diverting around this new excessively large and unusual dock.

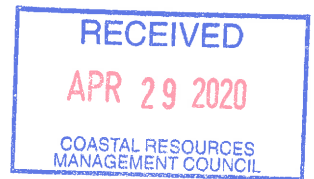
Lastly, part of beauty of this location is the unspoiled view. This large dock with its huge size and inevitable evening lighting will be a glaring intrusion where natural beauty used to lie.

Thank you,



John Chapin
72 Elm St., Holliston MA 01746
j468chapin@gmail.com
508-272-7232





April 26, 2020

Sent via tsilvia@crmc.ri.gov

Ms. Tracy Silvia, Sr. Environmental Scientist
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Ms. Silvia:

My name is Peter Rhein. I own real estate located at 190 Waterway, Saunderstown, RI 02874. I object to, and request a hearing on, CRMC Application 2018-12-37.

My objection is based on the fact that the proposed project requires physical attachment to a previous project (CRMC 2009-08-062) in which the applicant proposed construction that "shall be limited to replacement, reconstruction, or rebuilding to approved pre-existing conditions and dimensions." The restoration was of an existing so-called "concrete pad" on the beach which already reached to the high tide mark at the time, over 70 years ago.

The completed project far exceeded the dimensions of the original slab but also included extremely large imported rocks that extended around the new slab down to the low tide line and also onto my littoral property rights. Even without the subject proposed pier, the existing slab and riprap has a significant adverse impact on coastal resources, water-dependent uses, and the public's use and enjoyment of the shoreline and tidal waters of the State. I cite Article I sec.17 of the Rhode Island Constitution: the littoral and/or riparian access on all beaches. At this time, those walking along the beach cannot pass the current oversized concrete pad and riprap.

Should the applicant cite the right to restore a pre-existing dock, it would appear he was attempting to do the same as he did with the concrete slab which is clearly not a restoration. I personally have memory of the previous dock which did not extend any further than the rock outcrop mentioned in the application. This would require no variance to the 50-foot length limitation to which I have no objection. Furthermore, if this proposed pier is "grandfathered" pursuant to state legislation which established a procedure to authorize docks which were built before the establishment of CRMC in 1971, the window for this statutory grandfathering was between 1994 and 1999. If such status was granted, it should be reflected in CRMC records and specified in the application.

I have before and after pictures of the concrete pad and the imported large riprap (that is not endemic to the surrounding shoreline) as evidence. I also have record of my objection at the time of construction.

Sincerely,

A handwritten signature in black ink that reads "Peter Van Rhein". The signature is written in a cursive style.

Peter Rhein

195 Waterway
Saunderstown, RI 02874

21 February 2019

Mr. Grover Fugate, Executive Director
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

REF: CRMC APPLICATION 2018-12-037

Dear Director Fugate:

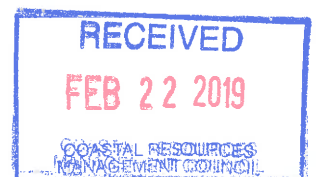
I am the abutting property owner to the south of 166 Waterway, the site of the above-referenced application. Due to my age (97 this year) and winter location, I am unable to appear in person to object to permitting a variance for a dock. For this reason, I join Ms. Robin Squibb in her February 1, 2019 objections and any additional objections presented on her behalf.

Yours sincerely,



Jane Foster Rhein

Winter address:
2717 Blue Ridge Terrace
Winchester, VA 22601



2018-12-037

Mrs. Jane F. Rhein
190 Waterway
Saunderstown, RI 02874

January 23, 2019

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

To Whom It May Concern:

It was been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI , 02874, has submitted a design for a residential boating facility to RICRMP which requires a 25' length variance to RICRMP Section 1.3.1 (D) and also proposes a 10,000 pound boat lift and a float lift.

As Mr. Janikies's properties abuts mine, it is my understand that I should have been notified of the hearing. As I have not been notified, I request a delay in the hearing until such time as I receive official notification and have sufficient time to thoroughly review all submitted plans.

Please send your reply and all future notifications to me at my winter residence:

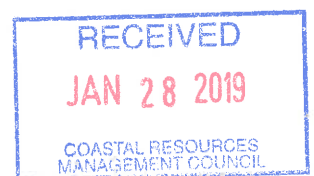
Mrs. Jane F Rhein
2717 Blue Ridge Terrace
Winchester, VA 22601

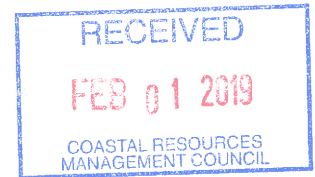
Thank you very much.

Sincerely,



Mrs. Jane F. Rhein





February 1, 2019

Sent via cstaff1@crmc.ri.gov and gfugate@crmc.ri.gov

Mr. Grover Fugate, Executive Director
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Director Fugate:

Pursuant 650 R.I. Code R. § 010-00-1.5.1(F) and § 020-00-1.1.6(G), Ms. Sally Robinson Squibb hereby objects to and request a hearing on the above referenced application.

As more fully described below, the proposed activity has the potential for significant adverse impacts on coastal resources and fails to meet the standards for granting the variance.

I. **Proposed Activity will have Adverse Impacts on Coastal Resources**

The project will significantly impact coastal resources and, therefore, should be denied and/or modified to mitigate impacts.

Section 1.2.1(C)(2)(a) states it is the Council's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of Type 2 waters, while providing for low intensity uses that will not detract from these values.

Section 1.2.1(C)(2)(c) requires the applicant to demonstrate that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State. If an impact exist, it is grounds for denial or modification of an application for an Assent.

A. **Water Quality and Coastal Resources will be Impacted**

Section 1.3.1(A)(1)(g) requires the applicant to demonstrate that the project will not result in significant impacts to water turbidity and sedimentation.

Propeller wash from a vessel disturbs sediments, resulting in turbidity, poor water quality, and adverse effects on the ecology (e.g., fish spawning grounds and shellfish beds). Irrespective of the non-presence of SAV, the project should be modified and/or reevaluated to mitigate this affect.

The boat lift is situated in approximately 3' - 4.25' of water at mean low water (MLW) and approximately 6' - 7.25' of water at mean high water (MHW). The application does not specify the vessel size to determine the expected vessel's draft. Thus, the potential for adverse impacts associated with propeller wash and the utility of the dock is concerning. Notwithstanding the absence of this information, a typical recreational boat of 27'- 32', drafts approximately 3' of water. Based on this realistic scenario, the utility of the proposed dock is questionable, if a portion of a vessel could run aground at low tide (twice daily). Even at low or mid tide, the affects of propeller wash are likely to occur; possibly even during high tide.

At a minimum, the applicant should address the potential for propeller wash impacts and the overall utility of the project.

B. Water Dependant Uses

Section 1.3.1(A)(1)(g) requires the applicant to demonstrate that the project will not result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce.

The application asserts, "Water adjacent to the proposed pier are not deep enough and [sic] to support any active recreational boating, fishing and navigation, or commerce activities." If true, the dock has no utility because, the applicant could not use these waters with his recreational boat.

Notwithstanding the self-proving statement that the dock has limited utility, year-round vessel anglers and kayakers regular use the waters adjacent to the proposed dock. Eliminating the additional unnecessary 25' of dock would mitigate water-dependent user conflicts.

C. Scenic Values

The application states, "...[t]his pier will be in conformance in [sic] with surrounding area. There are exiting piers within the area."

In reality, the proposed dock length and boat lift are incongruent to this area. The area has seasonal moorings and seasonal 50' (not 75') docks in the immediate vicinity. There are no boat lifts. This atypical dock and boat lift will mar the neighbors' viewsheds. The applicant has not provided sufficient evidence to demonstrate that § 1.2.1(C)'s polices to maintain high scenic values are met, as required by § 1.2.1(C)(2)(d).

At a minimum, the additional 25' protrusion unnecessarily detracts from the neighbors' scenic viewshed.

D. Depth of Water Adjacent to the Site Requires Denial or Modification

Section 1.2.1(C)(2)(c)(4) states:

(4) Water depths adjacent to the site would require dock span lengths in excess of the standards contained in § 1.3.1(D) of this Part in order to allow normal and appropriate use of the dock by a vessel.

The application states that this project is seeking a 25' variance because, "In order to provide clearance beyond an existing large rock outcrop it requested to extend an addition [sic] 25'." In other words, the project is seeking a dock span length in excess of § 1.3.1(D) because the limiting water depth, due to the rock outcrop, prevents normal use of the dock by a vessel.

The application should be denied or, in the alternative, modified (e.g., relocation of the pier or rock removal) to avoid the outcrop and obviate the need for the 25' extension.

II. Variance Should be Denied for Failure to Meet Criteria

Pursuant to § 1.1.7(A), six (6) criteria must be satisfied to grant a variance. The application, as proposed, fails to meet all six (6) criteria.

The applicant avers that to provide clearance beyond an existing large rock outcrop, a 25' extension is required. Notwithstanding whether or not the rock outcrop necessitates the extension, the dock could be redesigned to avoid the outcrop.

A. § 1.1.7(A)(3) – Applicable Standards Can Be Met

The site plans reveal that the rock outcrop is located approximately 40' from MHW. Section 1.3.1(D) allows a 50' dock from MHW. Thus, an additional 10' of dock is available to clear the outcrop. Moreover, the boat lift is located adjacent to the outcrop so, it appears that the project is designed for vessel navigation near the outcrop.

B. § 1.1.7(A)(4) – Not the Minimum Variance Necessary

Notwithstanding the necessity of the variance, if the dock cannot be engineered in its current location, then it should be relocated or the rock outcrop should be removed.

C. § 1.1.7(A)(6) – Denial or Modification Will Not Cause Undue Hardship


Relocation of the project and/or removal of the rock outcrop are both viable options for the development of the project, while still meeting § 1.3.1(D) standards. Relocation and rock removal may be more costly and/or a less convenient option; however, an economic advantage, or inconvenience does not constitute a showing of undue hardship that will support the granting of a variance.

Although the application does not state as such, it appears that the reason to extend the dock 25' is to provide a float area. Clearly, a float area provides for convenient vessel loading and unloading of passengers and provisions, but a float is not indispensable, nor required for the reasonable use of the dock. The applicant can still load the vessel while it is on the boat lift and not endure an undue hardship.

In closing, Ms. Squibb respectfully objects to this application and requests a hearing to present evidence in furtherance of her objections.

We thank you in advance for your attention to and consideration of these comments.

Respectfully submitted,
Ms. Robin Squibb,
By her Attorney:


Christopher A. D'Ovidio,



January 30, 2019

Sent via cstaff1@crmc.ri.gov and gfugate@crmc.ri.gov

Mr. Grover Fugate, Executive Director
Coastal Resources Management Council
Stedman Government Center, Suite 116
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: **CRMC Application 2018-12-037**

Dear Director Fugate:

This letter shall serve as a formal request for a 45-day extension to the public comment period in the above referenced application, which is scheduled to terminate on February 2, 2019.

This office was retained today to represent Ms. Sally Robinson Squibb (a/k/a Robin Squibb), the owner of real estate located at 200 Waterway, Narragansett, RI. Ms. Squibb's property is located two (2) parcels south of the applicant's property.

The scale and scope of this project in Type 2 waters poses significant inconsistencies with the RICR, including, but not limited to, Section 1.2.1(C)'s polices to (a) restore and maintain high scenic values, (b) prevent interference with the public's access to tidal and inter-tidal areas of the shoreline and, (c) prohibit excessive dock lengths.

Given this office's recent engagement, adequate time is required to retain experts and evaluate this application's consistency with the RICR and to provide meaningful and germane comments. Our comments will assist CRMC staff in their evaluation of the application and will form the basis for Ms. Squibb's request for a formal hearing in this matter. In addition to Ms. Squibb's concerns, we are also aware of two (2) other neighboring property owners, the Rhein (abutters) and Chapin families, who have also requested an extension of time to provide public comment.

In closing, an additional 45-days will not prejudice the applicant; particularly, given the scope of this project in Type 2 waters and the neighbors' concerns.

We thank you in advance for your prompt attention to and cooperation in this request.

Cordially,

Christopher A. D'Ovidio

2018-12-037

Ms. Robin Squibb
200 Waterway
Saunderstown, RI 02874

January 23, 2019

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

To Whom It May Concern:

It was been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI, 02874, has submitted plans to RICRMP for a boating facility that requires a variance. File Number 2018-12-037

I am sending this letter to request a hearing.

My contact information is below.

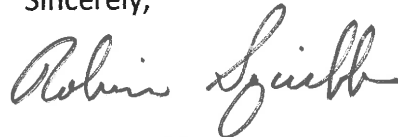
Mailing address: 259 Benefit Street, Providence, RI 02903

Email address: srsquibb@gmail.com

Cell phone: 917 769-5798

Thank you very much.

Sincerely,



Robin Squibb



JULIA RANDALL SHARPE

January 28, 2019

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

Re: Revised letter re: File Number 2018-12-037

To Whom It May Concern:

It has been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI, 02874, has submitted an application to RICRMC for permission to construct and maintain a residential boating facility that requires a variance. File Number 2018-12-037

I own property at 204 Waterway in Saunderstown, RI, and I am sending this letter to request a hearing on the above-referenced matter. I am protesting the proposed length of the dock which will require a variance. And I am protesting the current use of a high-powered spotlight at this property which leads me to question what the lighting plan for the proposed dock would be.

My contact information is below:

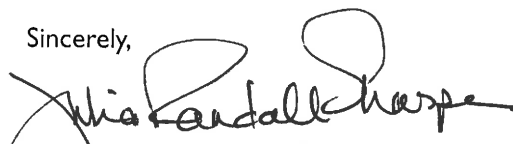
Mailing address: P.O. Box 202, Saunderstown, RI 02874

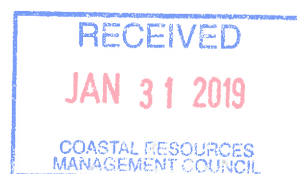
Email address: Juliesharpe55@gmail.com

Cell phone: 401 595-4554

Thank you very much.

Sincerely,


Julia Randall Sharpe



2018-12-037

JULIA RANDALL SHARPE

January 25, 2019

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

Re: File Number 2018-12-037

To Whom It May Concern:

It has been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI, 02874, has submitted an application to RICRMC for permission to construct and maintain a residential boating facility that requires a variance. File Number 2018-12-037

I own property at 204 Waterway in Saunderstown, RI, and I am sending this letter to request a hearing on the above-referenced matter.

My contact information is below.

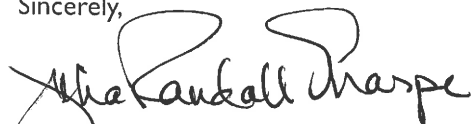
Mailing address: P.O. Box 202, Saunderstown, RI 02874

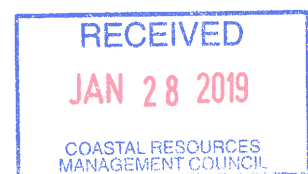
Email address: Juliesharpe55@gmail.com

Cell phone: 401 595-4554

Thank you very much.

Sincerely,


Julia Randall Sharpe



John Chapin, Secretary
Wallow Corporation
204 Waterway Drive
Narrangansett RI 02882

January 28, 2019

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

To Whom It May Concern:

It was been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI, 02874, has submitted plans to RICRMP for a boating facility that requires a variance. **File Number 2018-12-037**

My concerns are that the proposed dock would be much larger than neighboring docks and the Janikies property is presently lit with an excessive amount of illumination at night. Will this extra large dock also be brilliantly lit?

I am sending this letter to request a hearing.

My contact information is below.

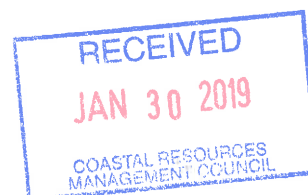
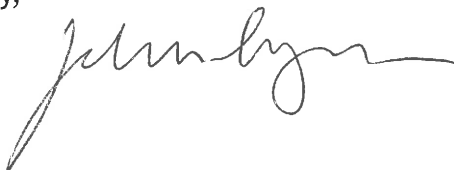
Mailing address: John Chapin, 72 Elm Street, Holliston MA 01746

Email address: lureloser@gmail.com

Cell phone: 508-272-7232

Thank you very much.

Sincerely,



2018-12-037

John Chapin, Secretary
The Wallow Corporation
204 Waterway Drive
Narragansett RI 02882

January 24, 2019

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

To Whom It May Concern:

It was been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI, 02874, has submitted plans to RICRMP for a boating facility that requires a variance. **File Number 2018-12-037**

I am sending this letter to request a hearing.

My contact information is below.

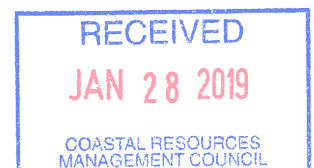
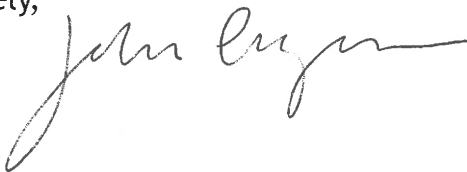
Mailing address: John Chapin, 72 Elm Street, Holliston MA 01746

Email address: lureloser@gmail.com

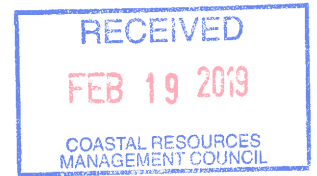
Cell phone: 508-272-7232

Thank you very much.

Sincerely,



February 13, 2019



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

To Whom It May Concern:

It was recently brought to my attention that my neighbor, Jon Janikies, 166 Waterway, Saunderstown, RI 02874, has submitted plans to RICRMC for a boating facility/dock that requires a variance. **File number 2018-12-037**

It is my understanding that the reason for the variance is that the structure would exceed the length of a standard dock by an additional 25 feet. Perhaps it would look proportional to the size of Mr. Janikies house, but it would jut too far into the Narragansett Bay, posing a safety hazard for small boats and wind surfers. It would resemble a commercial facility which would be inappropriate in a residential area, it would interrupt the habitats of the fish and wildlife in the area, and could easily damage the environment. I would like to be included in any hearings on this issue.

The following is my contact information ~

Mailing address and residence: 136 Ferry Road, Saunderstown, RI 02874

Email address: st4732@gmail.com

Cell phone: (401) 808-0652

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Wendy Warburton". The signature is fluid and cursive, with a long horizontal flourish at the end.

Wendy Warburton

Drusilla C. Sheldon
50 Narragansett Rd
PO Box 643
Saunderstown, RI 02874



January 31, 2019

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

To Whom It May Concern:

It was been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI, 02874, has submitted plans to RICRMP for a boating facility that requires a variance. **File Number 2018-12-037**

I am sending this letter to request a hearing.

My contact information is:

Drusilla C. Sheldon, PO Box 643, Saunderstown, RI 02874
Drusie.sheldon@gmail.com
Home phone: 295-1361 Cell phone: 401-496-9988

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Drusilla C. Sheldon". The signature is written in a cursive style.

Deborah Randall
141 S. Lakeview Boulevard
Chandler, AZ 85225
(and 204 Waterway Road
Saunderstown, RI 02874)

January 27, 2020

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

To Whom It May Concern:

It was been brought to my attention that my neighbor, Jon Janikies, who resides at 166 Waterway, Saunderstown, RI, 02874, has submitted plans to RICRMP for a residential pier that requires a variance. **File Number 2018-12-037**

I am sending this letter to request a hearing. My concerns are the need for the extra length of the pier and the need for hydraulic lifts for the terminal floating dock. I presume the fetch in their waters make it necessary for the boatlift, but I question if that is the case. Their plans show no indication for lighting on their dock and this is the greatest concern to me. I hope it means that there are no lights, but I expect there will be something. If there are lights, I hope they will be very subtle and in keeping with the quiet ambiance of our waterways. Some of the lighting on the Janikies' house is glaring and intrusive: I would hate for that to extend to their patio and pier.

My contact information is below.

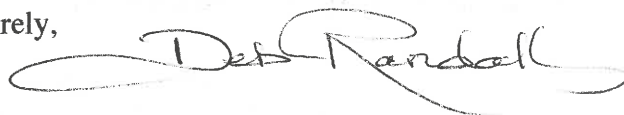
Mailing address: 141 S. Lakeview Blvd. Chandler AZ, 85225

Email address: drandall47@cox.net

Phone in AZ: 480 857 6004

Thank you for your consideration of my request.

Sincerely,



Deborah Randall

