

CRMC DECISION WORKSHEET

2021-09-056

Kenneth & Elvira Guarino

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

APPLICATION INFORMATION						
File Number	Town	Project Location		Category	Special Exception	Variance
2021-09-056	Cranston	50 Fort Avenue		A*	<input type="checkbox"/>	X
		Plat	1			
		Owner Name and Address				
Date Accepted	11/4/2021	Kenneth & Elvira Guarino		Work at or Below MHW		<input type="checkbox"/>
Date Completed	4/5/2022	50 Fort Avenue Cranston, RI 02905		Lease Required		<input type="checkbox"/>

PROJECT DESCRIPTION

To construct and maintain a 4' x 109' timber pier extending to 4' x 20' "L" section. Also installing a 25,000 lbs boat lift at terminal end of dock.

KEY PROGRAMMATIC ISSUES

Coastal Feature: Manmade shoreline, seawall fronted by a cobble beach

Water Type: Type 4, Multi-Purpose Waters

CRMP: Section 1.3.1(P)(1)(a) , 1.3.1(D)(6)(f)(3)

SAMP: N/A

Variations and/or Special Exception Details:

Section 1.3.1(D)(6)(f)(3)

A variance request to exceed the 50' mean low water standard.

Additional Comments and/or Council Requirements:

Section 1.3.1(P)(1)(a): Boat lift and float lift systems (Policies)

Decision for a boat lift to be located within type 4 waters. Currently as the regulations are written type 4 waters are not specified for allowance for boat lifts.

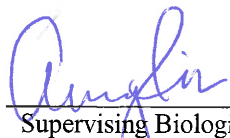
Specific Staff Stipulations (beyond Standard stipulations): N/A


STAFF RECOMMENDATION(S)

Engineer JWS Recommendation: no objection

Biologist _____ Recommendation: _____

 4/6/2022
Engineering Supervisor Sign-Off date

 4/6/2022
Supervising Biologist Sign-off date

 7 APR 2022
Executive Director Sign-Off date

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

Name: Kenneth & Elvira Guarino
CRMC File No.: 2021-09-056
Staff Report



STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL
STAFF REPORT TO THE COUNCIL

DATE: 4/4/2022
TO: Jeffrey M. Willis, Executive Director
FROM: Justin Wolf Skenyon

Applicant's Name:	Kenneth & Elvira Guarino
CRMC File Number:	2021-09-056
Project:	To construct and maintain a 4' x 109' timber pier extending to 4' x 20' "L" section. Also installing a 25,000 lbs boat lift at terminal end of facility.
Location:	50 Fort Avenue; Cranston: Plat(s): 1; Lot(s): 109
Water Type/Name:	Type 4, Providence River
Coastal Feature:	Manmade shoreline, seawall fronted by a cobble beach
Plans Reviewed:	"Plan of proposed residential pier and boatlift, Kenneth Guarino, 50 Fort Ave, AP 1, LOT 109, Cranston, RI 02905," By: Warren Hall P.E., Civil Engineer July 22, 2021 Sheet 1 - 5"

INTRODUCTION:

The proposed project is for a residential boating facility consisting of a 4' x 109' timber pier with a 4' x 20' fixed pier "L" section. The facility will extend 75' beyond mean low water requiring a variance to the 50' mean low water standard (Red Book 1.3.1(D)(11)(E)).

COMMENTS ON APPLICATION/APPLICABLE POLICIES, STANDARDS:

Please note that the CRMC water type designation at the site is Type 4 (Multi-Purpose Water). Boat lifts are not specified within the regulation. Per Red Book, 1.3.1(P)(1)(a) "*Boat and/or float lifts may be allowed in Type 3, 5, and 6 waters. Boat and/or float lifts may be allowed in Type 2 Waters in accordance with this section. For Council purposes, the raising of floats and ramps by manual methods (manual pulleys, come-a-longs, etc.) for temporary elevated off-season storage shall not be considered a float lift in accordance with this section. This exception shall only apply to methods that do not require the installation of permanent winches, pulley systems or other permanent mechanical structures, pilings, or equipment. The offseason shall be considered November 1 to May 1*" Also note there is only specified prohibition to boat lifts in Type 1 waters and in certain water bodies in Type 2. There is no specific prohibition to boat lifts in Type 4 waters.

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When considering the Red Books definition of Type 4 waters Multi-Purpose waters, (See attached Water Type Classification map) there are no staff objections to the placement of a boat lift at their site. It is the staff opinion that it will neither cause detracton from scenic value nor cause environmental impacts. As defined in Red Book 1.2.1(E) Type 4 Multipurpose water these waters are 1(a) "*Large expanses of open water in Narragansett Bay and the Sounds which support a variety of commercial and recreational activities while maintaining good value as a fish and wildlife habitat; and*" 1(b) "*Open waters adjacent to shorelines that could support water dependent commercial, industrial, and/or high intensity recreational activities*". Based on the above it is in the staff opinion that the proposed residential boating facility (which are allowed in Type 4 waters) and the boat lift meet the intent of this section.

Please note the facility will extend 75' beyond mean low water requiring a variance to the 50' mean low water standard (Red Book 1.3.1(D)(11)(E)). The terminal end of the facility has a water depth of approximately 3.5' at mean low water. This variance could have been processed through an administrative review under section 1.1.6(D) and was subsequently presented for administrative review. However, due to the ambiguity around the boat lifts in Type 4 waters the project is being presented to the full council for a decision.

COMMENTS ON VARIANCE REQUEST:

There are no staff objections to the 25' variance request to the 50' beyond mean low water standard (Proposed length is 75' beyond mean low water). This is based on the dock closely matching the length of neighboring docks along this shoreline and therefore will most likely not interfere with other water users. Additionally, the dock terminates at a water depth of 3.5 at mean low water which is within the typical depth allowed for safe usage of a bloating usage of the facility. There were no staff objections to the required variance at the review process.

Conclusion and Recommendations:

Based on the above, there are no staff objections to the proposed boating facility and boat lift. Please note currently staff have been working on drafting a rule change to the omissions of boat lifts in Type 4 water. Additionally, there is no staff objection to the length variance request to the 50' mean low water standard in Red Book 1.3.1(D)(11)(E). Staff wishes to reiterate that this variance request would have been approved during the administrative dock review process.

Staff has no objections to the Council approval of the Boat Lift.

Signed Justin Moly Skermyan Staff Engineer

Cranston, Providence and East Providence (Metro Bay - south) Water Type Classification

