



Warren Hall, Civil Engineer
63 Elmwood Ave.
Middletown, RI 02842
PE #5114, PLS #1917

Revised 3-3-22

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Application # 2021-09-056

**Kenneth Guarino, 50 Fort Ave., Cranston, RI 02905, AP 1, Lot 109
Pier and Boatlift application**

Type 4 Water

RE: Section 1.1.7 VARIANCE requested from:

1.3.1(D)(6)(f)(3); pier to extend 75' beyond mean low water where 50' is allowed

1.3.1.P.1.a Lift to be located within Type 4 waters, where there is no reference for lifts

A):

1) Council policies and goals of sections two and three are addressed as follows:

a) Water type in this area is type four, where the council allows residential piers. As proposed this pier will be elevated a minimum 7.5' above mean high water to allow for public access laterally along the shoreline. Proposed pier will be supported on existing seawall (to be repaired under maintenance permit 2021-06-024).

b) In order to provide 3.5' water depth during mean low water, and accommodate large commercial vessel wake waves, a variance is requested to extend the pier an additional 25' beyond mean low water. This location has an increased water depth of 6" compared to water depth at 50' beyond mean low water. This increase will minimize impacts to the marine bottom and damage to boats.

c) There is no reference of Type 4 waters in 1.3.1.P, all other required design requirements have been met.

2) Proposed alteration will not result in use conflicts or adverse environmental impacts:

a) The proposed pier is very similar to other piers that have been permitted and constructed. As proposed the design provides a 3.5' water depth during low tide and also provides 7.5' clearance to the stringer from mean high water, allowing all uses to continue laterally along the shoreline. This area of the cove has marinas and piers with more restrictive clearance's than this pier.



b) All of the proposed materials have been used in the past and resulted in no effect on the marine environment. Water depths obstruct any intense use of this area including fishing, navigation, and commerce.

3) Due to site conditions the standard cannot be met:

a) Pre-existing limited depth condition, large commercial vessel wake waves, and natural shoaling, are being mitigated by taking advantage of the increased length providing for a pier that is functional during periods of lower tides.

4) Modification is minimum necessary:

a) The proposed extension will provide 3.5' of water depth, allowing use and clearance to marine bottom during periods of lower tides

5) Hardship is not the result of any action by the applicant or predecessor in title:

a) Limiting water depths and shoaling are present at the site and are a natural condition.

6) Due to conditions at the site, the standard will cause the applicant an undue hardship:

a) Existing natural shoaling and minimal water depths at 50' limit use of the facility. Large vessel wake wave action is being mitigated by proposed location into deeper water.

B): NA

C): All other program requirements have been met.

D): NA

A handwritten signature in black ink, appearing to read "Warren Hall".

Warren Hall, PE, PLS