



STATE OF RHODE ISLAND

HISTORICAL PRESERVATION & HERITAGE COMMISSION

Old State House 150 Benefit Street Providence, RI 02903

Telephone 401-222-2678  
TTY 401-222-3700

Fax 401-222-2968  
www.preservation.ri.gov

3 September 2021

Via email: lturner@crmc.ri.gov & jabbruzzese@crmc.ri.gov

Jennifer R. Cervenka, Chair  
Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road  
Wakefield, Rhode Island 02879

Re: CRMC File Number 2021-06-074  
Applicant: W. Mark Russo Esq.  
East Point Development  
Bourne Avenue  
East Providence, Rhode Island

Dear Ms. Cervenka:

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) staff has reviewed the additional information that the applicant provided for the above-referenced project. W. Mark Russo Esq. is proposing to develop three vacant properties at 300 Bourne Avenue in East Providence.

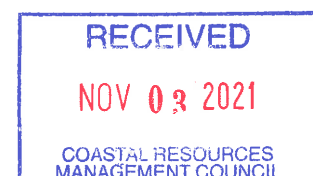
As stated in our July 28, 2021 letter, the vacant properties are located within the Phillipsdale Historic District and abut the former Richmond Paper Company Mill Complex, 310 Bourne Avenue, both of which are listed in the National Register of Historic Places. In that letter, we requested renderings and elevation drawings of the new buildings, which were received on August 6<sup>th</sup>. Based upon the information provided, the RIHPHC has no objection to the CRMC issuing the requested permit. However, we recommend that the north end of the western parcel be reconfigured, and the buildings redesigned, to act as a transition between the industrial buildings to the north and the planned suburban subdivision to the south. This could be achieved by incorporating more industrial architectural features and resituating the larger buildings to be at the north end of that parcel.

These comments are provided in accordance with *650-RICR-20-00-1.2.3 Areas of Historic and Archaeological Significance* of the Coastal Resources Management Council. If you have any questions, please contact Elizabeth Totten, Project Review Coordinator, of this office.

Sincerely,

Jeffrey Emidy  
Interim Executive Director/Interim State Historic Preservation Officer

CC via email: W. Mark Russo Esq.  
mrusso@frlawri.com





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28 July 2021

Via email: lturner@crmc.ri.gov & jabbruzzese@crmc.ri.gov

Jennifer R. Cervenka, Chair  
Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road  
Wakefield, Rhode Island 02879

Re: CRMC File Number 2021-06-074  
Applicant: W. Mark Russo Esq.  
East Point Development  
Bourne Avenue  
East Providence, Rhode Island

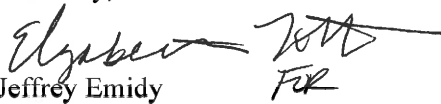
Dear Ms. Cervenka:

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) staff has reviewed the information that you provided for the above-referenced project. W. Mark Russo Esq. is proposing to develop three vacant properties at 300 Bourne Avenue in East Providence.

The vacant properties are located within the Phillipsdale Historic District and abut the former Richmond Paper Company Mill Complex, 310 Bourne Avenue, both of which are listed in the National Register of Historic Places. The subject properties were formerly improved by industrial buildings that formed the Washburn Wire Company. The buildings have been demolished and the parcels are owned by the City of East Providence. Noble Development, LLC is proposing to construct a multifamily development on the three parcels. In order to determine the effect of the new construction on the historic resources, we are requesting renderings and elevation drawings be submitted to the RIHPHC for review. Please include exterior material schedules and building heights.

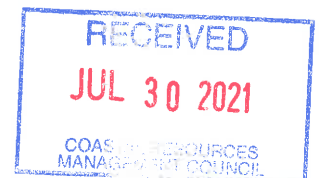
These comments are provided in accordance with *650-RICR-20-00-1.2.3 Areas of Historic and Archaeological Significance* of the Coastal Resources Management Council. Requested documents can be sent via email to the previously mentioned address or sent in hard copy to Elizabeth Totten, 150 Benefit Street, Providence, RI 02903.

Sincerely,

  
Jeffrey Emidy  
Interim Executive Director  
Interim State Historic Preservation Officer

CC W. Mark Russo Esq.  
mrusso@friawri.com  
55 Pine Street, 3<sup>rd</sup> Floor  
Providence, RI 02903

210728.03est



## Lisa Turner

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**From:** Kotelly, Kevin R CIV USARMY CENAE (USA) <Kevin.R.Kotelly@usace.army.mil>  
**Sent:** Friday, July 30, 2021 4:30 PM  
**To:** kma@kevinmalversonia.com  
**Cc:** lturner@crmc.ri.gov  
**Subject:** NAE-2021-02080 East Point Multi Family Development  
**Attachments:** NAE-2021-02080 - 2021-06-074 City of East Providence - CRMC Public Notice.pdf;  
CORPS OF ENGINEERS JURISDICTION FACT SHEET.pdf

The Corps of Engineers has assigned this file #NAE-2021-02080. We have jurisdiction over work, structures, or fill within waters and wetlands at this location. Please contact me if the project will involve any Corps jurisdictional activities as you may require a permit from the Corps. Thank You

Kevin R. Kotelly, P.E.  
US Army Corps of Engineers  
696 Virginia Road  
Concord, Massachusetts 01742-2751  
Tel 978-318-8703  
Cell 978-578-6406  
[kevin.r.kotelly@usace.army.mil](mailto:kevin.r.kotelly@usace.army.mil)

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**From:** Lisa Turner <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)>  
**Sent:** Thursday, July 29, 2021 4:44 PM  
**Subject:** CRMC Public Notice -- 2021-06-074 City of East Providence

Please note: Comments must be received by August 28, 2021. Thank you!

*Lisa A. Turner*  
Office Manager  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road; Room 116  
Wakefield, RI 02879  
401-783-3370



**US Army Corps  
of Engineers**®  
New England District

## FACT SHEET

Under **Section 10 of the Rivers and Harbors Act of 1899** (USC 403), a Corps permit is required for all work, including structures, seaward of the mean high water line in navigable waters of the U.S. In New England, for purposes of Section 10, navigable waters of the U.S. are those subject to the ebb and flow of the tide, as well as a few of the major rivers used to transport interstate or foreign commerce.

Under **Section 404 of the Clean Water Act (CWA)** (33 U.S.C. 1344) a permit from the U.S. Army Corps of Engineers is required for activities which involve the **discharge of dredged or fill material** into waters of the United States (U.S.), including not only navigable waters of the U.S. but also inland rivers, lakes, streams, and **wetlands**. In inland waters, Corps jurisdiction under the CWA extends landward to the **ordinary high water mark** or the **landward limit** of any wetlands, whichever is more extensive.

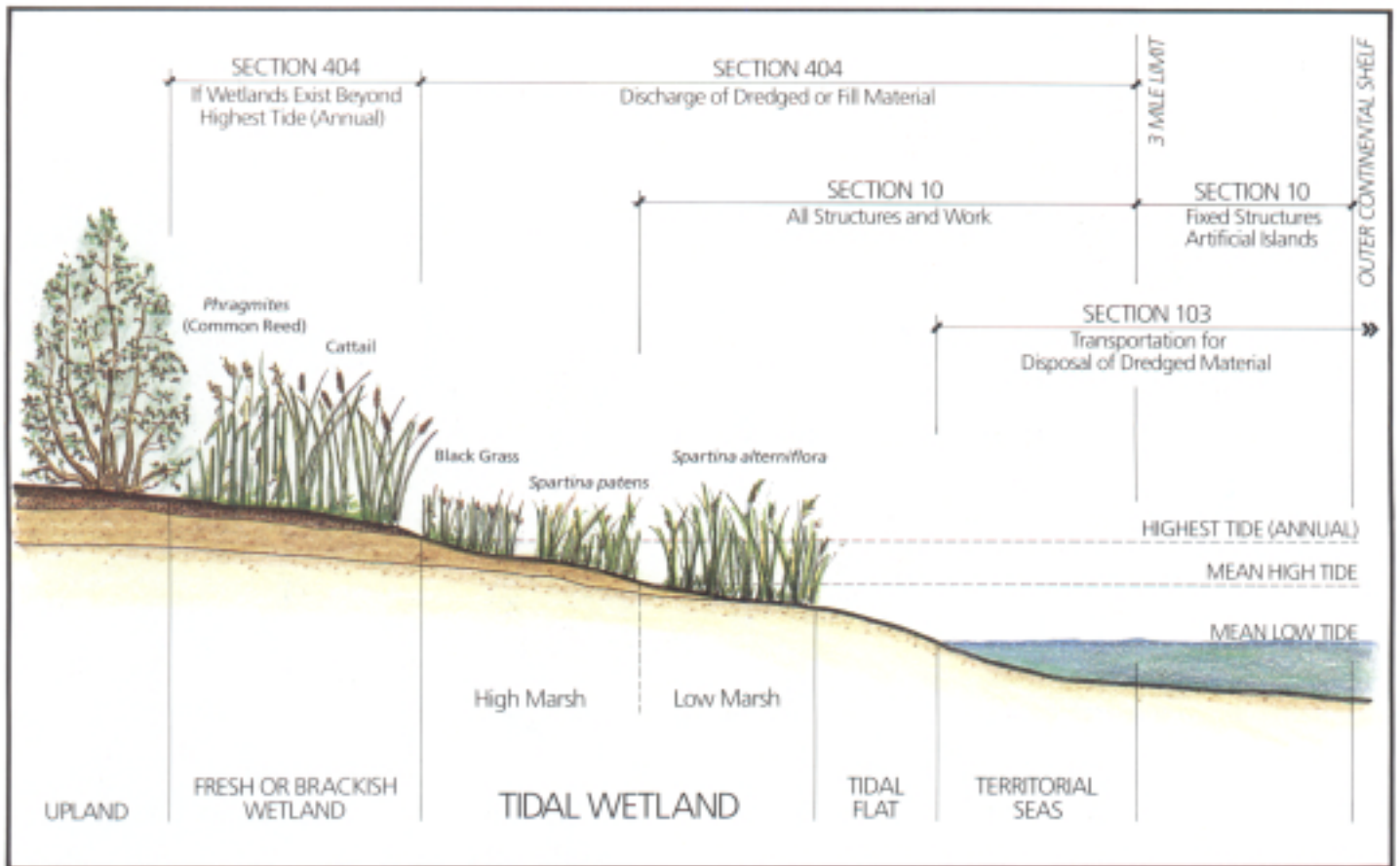
The term **“wetlands,”** as used above, is defined by Federal regulations as “... those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions...(33 CFR 328.3(b), November 13, 1986 Federal Register). Wetlands generally include swamps, marshes, and bogs. Forested and meadow areas that lack standing water can also be wetlands. Please note that such boundaries might not be the same as wetland boundaries determined by state or local regulations, since those agencies sometimes use different criteria to delineate wetlands.

The term **“discharge”** is defined as the addition of dredged or fill material into waters of the U.S. This may include the redeposition of wetland soils such as occurs during mechanized land clearing activities, including grubbing, grading, and excavation.

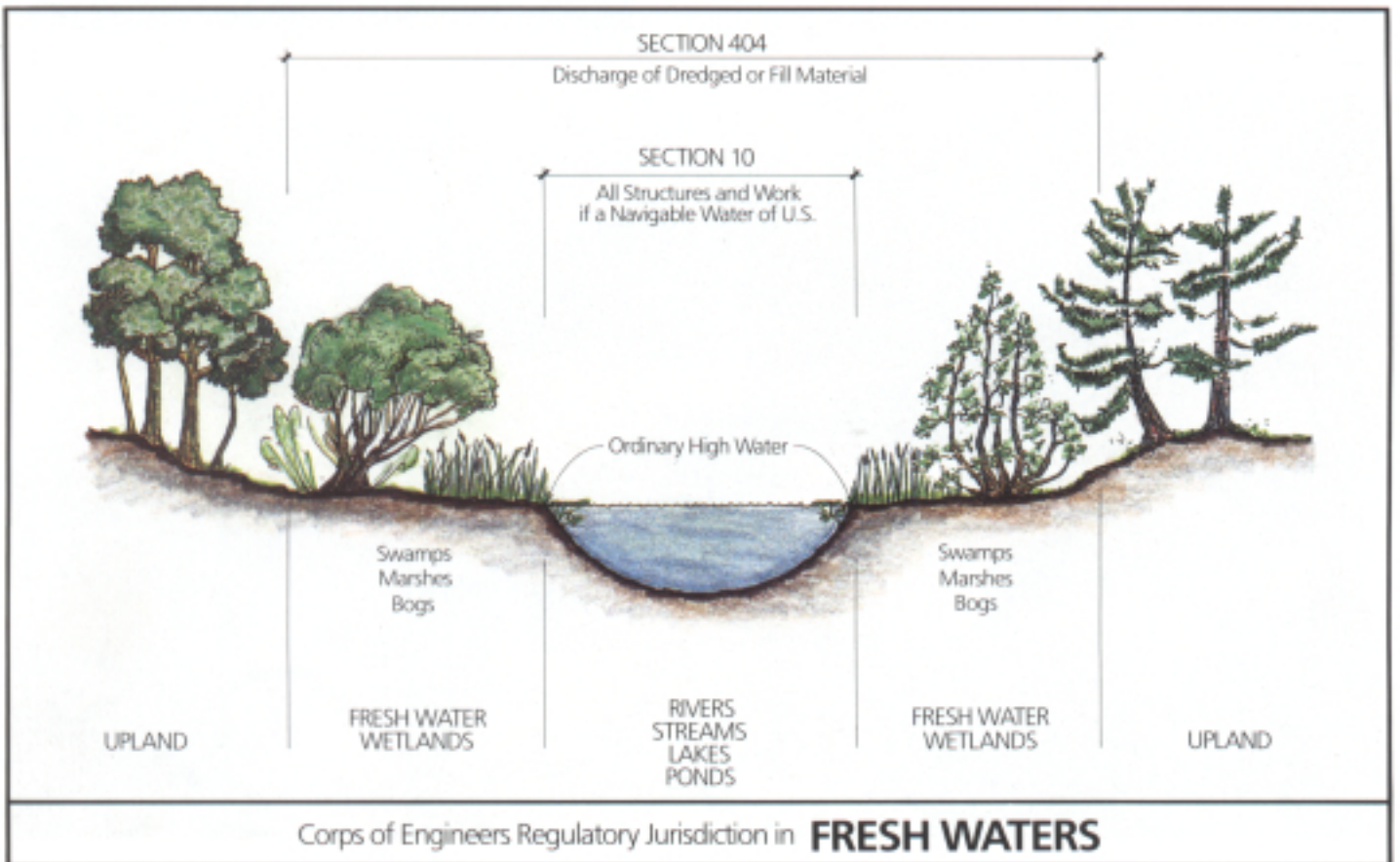
The term **“fill material”** is defined by Federal regulation as “...material placed in waters of the United States where the material has the effect of: (i) Replacing any portion of a water of the U.S. with dry land; or (ii) Changing the bottom elevation of any portion of a water of the U.S. Examples of such fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in the waters of the U.S. The term fill material does not include trash or garbage.” (33 CFR 323.2 (e), May 9, 2002 Federal Register). The Environmental Protection Agency is responsible for regulating discharges of wastes and other pollutants.

You must obtain authorization for any work within Corps jurisdiction before you can legally undertake such work. Corps permits are a limited form of authorization containing a stated set of terms and conditions which must be complied with. Before starting any work in waters of the U.S., people doing such work or having such work done for them should: (1) be certain that a DA permit has been obtained or is not needed and (2) familiarize themselves and their contractor with the terms and conditions of the permit. Performing any work which requires, but is not authorized by, a Corps permit, or failing to comply with the terms and conditions of a Corps permit, may subject the developer, the landowner or other responsible party, including the contractor, to criminal and/or civil liability.

General Permits (GPs) have been issued for each New England state. The GPs are located at [www.nae.usace.army.mil/Missions/Regulatory/StateGeneralPermits](http://www.nae.usace.army.mil/Missions/Regulatory/StateGeneralPermits). Projects in Corps jurisdiction may be authorized under Category 1 or Category 2 of the GP, or require an Individual Permit (IP). An application to the Corps isn't required for activities meeting the Category 1 definition (see appendix at the back of the GP) and all the terms and conditions of the GP. See the GP for more details. Those performing work under the assumption that the work is authorized under Category 1 are responsible to ensure compliance with the terms and conditions. They should carefully check the GP or consult our office for verification. The same situation applies if someone incorrectly determines that a project is outside Corps jurisdiction. Category 2 GP or Individual Permit reviews require an application be submitted for project-specific authorization from the Corps in writing.



Corps of Engineers Regulatory Jurisdiction in **TIDAL WATERS**



Corps of Engineers Regulatory Jurisdiction in **FRESH WATERS**