



CITY OF NEWPORT
CITY MANAGER
Joseph J. Nicholson, Jr., Esq.

April 14, 2023

Jeffrey Willis, Executive Director
Coastal Resources Management Council
Oliver H. Stedman Government Building
4808 Tower Hill Road
Wakefield, RI 02879

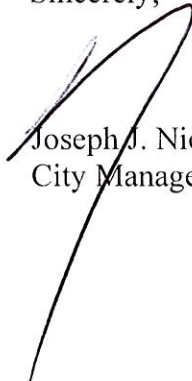
Re: CRMC File No. 2022-09-020
Application of New York Yacht Club

Dear Mr. Willis:

The New York Yacht Club is currently under consideration for a new dock at their property. To fulfill the public access component of their application, under RICRMP § 1.3.6, the NYYC requests to contribute towards the new Stone Pier Dinghy Dock at King Park. The NYYC would like to donate \$100,000 towards the construction of the new Stone Pier Dinghy Dock. The new City-owned dinghy dock will improve public access to Newport Harbor by providing a safe and spacious dock for all users to enjoy.

The City of Newport accepts the donation from the New York Yacht Club. We look forward to offering improved public access to the harbor. If there is any problem with this public access plan, please advise my office as soon as possible.

Sincerely,


Joseph J. Nicholson, Jr.
City Manager

cc: S. Land, Newport Harbormaster



ADLER POLLOCK & SHEEHAN P.C.

49 Bellevue Avenue
Newport, RI 02840-3207
Telephone 401-847-1919
Fax 401-751-0604

One Citizens Plaza, 8th Floor
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175 Federal Street
Boston, MA 02110-2210
Telephone 617-482-0600
Fax 617-482-0604

www.apslaw.com

March 15, 2023

Via E-mail and Hand Delivery
Mayor Xaykham Khamsyvovang &
Members of the City Council
City of Newport
43 Broadway
Newport, RI 02840
lswistak@cityofnewport.com

Re: King Park Dinghy Dock and New York Yacht Club

Dear Mayor Khamsyvovang and Members of the City Council:

This office represents the New York Yacht Club (“NYYC”), located at 5 Halidon Avenue in Newport. NYYC is currently in the permitting stages of its project to, *inter alia*, replace its current fixed wooden pier with a more modern floating dock system. This project may be familiar to you, as NYYC has been before the City’s Waterfront Commission, Planning Board, and City Council, and received letters of no objection from all three bodies.

The dock project is now before the Coastal Resources Management Council, which has raised a question regarding public access under R.I. Coastal Resources Management Plan § 1.3.6. Per CRMC guidance, an offsite access plan may be appropriate in scenarios when onsite public access is not practicably feasible. As NYYC is a private club, onsite public access is not practicably feasible and therefore offsite access is appropriate.

NYYC is aware that the City is currently in the permitting process before CRMC for the City’s own project, which will expand and significantly improve the dinghy docks located at King Park, nearby NYYC’s property. NYYC additionally understands that the project currently is unfunded. NYYC proposes that, as a public access plan per CRMC’s request under RICRMP § 1.3.6, it contribute to the funding of that significant project. In particular, NYYC proposes that it purchase for the City the ADA-compliant ramp that is necessary to access the expanded docks as called for by the City’s plans. This will permit members of the public entry to the new docks, which will assist with alleviating the pressures on the City’s current dinghy dock. NYYC believes that contribution to the City’s effort would provide a meaningful step towards construction and ensuring greater public access to the City’s waters.

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Mayor Khamsyvoravong &
Members of the City Council
March 15, 2023
Page 2

We hope that the Council views this proposal favorably. The Council's approval will enable NYYC to present this public access plan to CRMC. NYYC is eager to assist the City with its King Park dock project and to receive its own final CRMC approval and proceed towards construction. Thank you for your consideration.

Very truly yours,



JOSHUA S. PARKS
jparks@apslaw.com



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43 Broadway
Newport, RI 02840
lswistak@cityofnewport.com

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Mayor Khamsyvovong &
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Very truly yours,



JOSHUA S. PARKS
jparks@apslaw.com





City of Newport
REQUEST FOR CITY COUNCIL ACTION

To: Mayor Xay Khamsyvovong & Members of the City Council
From: Joseph J. Nicholson, Jr., Esq., City Manager
Date: March 29, 2023
Subject: New York Yacht Club Donation - Ramp for King Park Stone Pier Dinghy Dock
Staff Presentation: Stephen C. Land, Harbormaster

RECOMMENDATION:

The Harbormaster respectfully recommends the acceptance of the donation from the New York Yacht Club. The donation will consist of a 65' aluminum ramp that will be used at the new King Park Stone Pier Dinghy Dock. The ramp will be ADA accessible. It is recommended that the Council approve the attached resolution authorizing the City Manager to send a letter to the Coastal Resources Management Council (CRMC) indicating the City's acceptance of the ramp donation.

BACKGROUND AND FINDINGS:

The New York Yacht Club is currently in the permitting process for their reconstruction and expansion of their docks. As part of their application, the CRMC is requiring them to develop and support public access in Newport Harbor. They would like to donate the ADA accessible ramp that will be installed at the new King Park Stone Pier Dinghy Dock, which is currently in the CRMC permitting process as well.

The City's new dinghy dock at the Stone Pier will consist of (7) 20'x16' sections, (18) Greenheart pilings which will be drilled and installed, and a 65' aluminum ramp which will allow access to both sides of the dock. The estimated total cost of the project will be between \$400,000-500,000. The ramp is estimated to cost \$45,000.

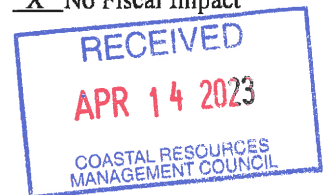
PREVIOUS LEGISLATIVE ACTION

FISCAL IMPACT

Currently Budgeted () Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

- Resolution
- Draft Letter to CRMC
- Letter from Joshua Parks, Esq. attorney for New York Yacht Club



Finance Dept. Review: _____ Date By: _____ (if applicable)

THE CITY OF NEWPORT

RESOLUTION

**OF THE
COUNCIL**

No.

WHEREAS: the New York Yacht Club (NYYC) is currently in the permitting phase of their dock construction project with the Coastal Resource Management Council (CRMC) and they have been asked to increase public access in Newport Harbor; and

WHEREAS: the City of Newport is also in the permitting phase with the CRMC for the construction of the Stone Pier Dinghy Dock; and

WHEREAS: the New York Yacht Club would like to donate a new, ADA-compliant, 65' aluminum ramp that will be installed as part of the new Stone Pier Dinghy Dock.
NOW THEREFORE BE IT

RESOLVED: that the City of Newport accepts the aluminum ramp donation from the New York Yacht Club and the City Manager is authorized to sign a letter to the Coastal Resource Management Council on behalf of the City indicating the City's acceptance of the ramp donation.

IN COUNCIL
READ AND PASSED

Laura Swistak
City Clerk



DRAFT

April 13, 2023

Jeffrey Willis, Executive Director
Coastal Resources Management Council
Oliver H. Stedman Government Building
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC File No. 2022-09-020
Application of New York Yacht Club

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The City of Newport accepts the donation from the New York Yacht Club. We look forward to offering improved public access to the harbor. If there is any problem with this public access plan, please advise my office as soon as possible.

Sincerely,

Joseph J. Nicholson, Jr.
City Manager





Adler Pollack & Sheehan

DEC 19 2022

49 Bellevue Ave.
Newport, R.I. 02840

CITY OF NEWPORT
CITY MANAGER
Joseph J. Nicholson, Jr., Esq.

December 15, 2022

Jeffrey Willis, Executive Director
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC File No. 2022-09-020
Application of New York Yacht Club
5 Halidon Avenue, Newport

Dear Mr. Willis:

The Newport City Council, at its regular meeting of December 14, 2022 considered the above referenced application, as well as the comments of the Newport Planning Board and Waterfront Commission.

The City Council voted not object to the project.

We thank you for the extension to the comment period to provide the Council an opportunity to review the recommendations of the Planning Board and the Waterfront Commission and comment.

Sincerely,

Joseph J. Nicholson, Jr.
City Manager

/paf

By Email: CRMC-Jeffrey Willis jwillis@crmc.ri.gov; Lisa Turner ltturner@crmc.ri.gov

cc: Director of Planning & Economic Development
Harbormaster
Chairman, Planning Board
Chairman, Waterfront Commission
New York Yacht Club, 5 Halidon Avenue, Newport, RI, 02840, Applicant
Joshua S. Parks, Esq., Adler Pollack & Sheehan, PC, Attorney for Applicant
Richard St. Jean, St. Jean Engineering, LLC, Engineer for Applicant