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05.03.24

To: CRMC  
Attn: Amy Silva, Senior Environmental Scientist  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

## Addenda to Modification Request Narrative

CRMC: 1990-10-40 (Subdivision Assent)  
Ref. A22-12-28 (View Corridor Assent)  
Johnycake Lane, Portsmouth (Gurski Residence) – NEI job#22.0123  
“Stipulation H”

per Telcon with A Silva (CRMC) and N. Hingorany (NEI). 05.02.24

*Request to amend report to include rationale as to why stipulation H was included in original Assent. A. Silva noted that, erosive concerns were part of the consideration of an aggregate access and limit on individual access points and requested this be addressed.*

As the proposed site is situated on a ~10% slope, which runs towards the Sakonnet River, it is posited that part of the original intent of CRMC was to limit individual access points due to concerns over erosion of the coastal bank. As noted in the prior narrative, we believe Stipulation “H” was originally intended to minimize disturbance into the coastal feature, due to fears over erosion. We have conducted detailed surveys and investigations of the bluff, along the owners land, and where feasible, those of the abutters. The bluff and coastal feature appear to be stable,



healthy, and well vegetated. No evidence of erosion is present, including areas to the south, where the abutter has constructed a staircase.

Water Street Realty Trust  
c/o Hall "Snip" from 1990-10-40 Noting Stipulation and Community access.  
CGI Corp  
637 Washington Street  
Brookline, MA 02146

RE: CRMC Assent B90-10-40

Dear Sir:

CRMC Assent B90-10-40 is hereby amended to include the community access and stairway as per detail plan entitled "Water Street Condos, Portsmouth, Gauchat Architects, 1348 Cambridge Street, Cambridge, MA 02139", dated 6/9/88.

As required by additional stipulation "H" of CRMC Assent B90-10-40, NO additional shoreline access paths or structures shall be allowed for this subdivision (that is on lots "H", "G", "F"). [redacted] zone on the CRMC Assent [redacted] and the coastal back from excess disturbance and development.

As per the submitted access easement agreement dated May 23, 1991, all lots in this residential subdivision (that is lots "162", "163", "164", "D", "E", "F", "G", and "H") shall have access to the shore by this established easement on lot "E."

Sincerely,

*Grover J. Fugate*  
Grover J. Fugate, Executive Director  
Coastal Resources Management Council

DR/lam

cc: David Wollicki  
K. Anderson  
D. Reis  
File

The only exception, is to the north of the Gurski property, along a stormwater swale at the terminus of a drainage

easement. This swale is fed by unmitigated stormwater from the Leeward Shores Condominium property, which, Ms. Gurski initially hired my firm to investigate. We prepared a report, that stated the cause was flow from

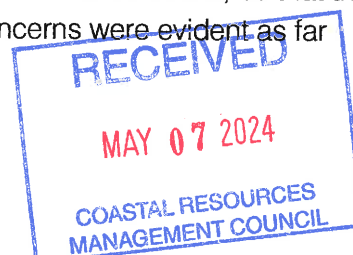
Leeward Shores drives and structures; Ms. Gurski has shared it with the condo board, so that their consultants can design and prepare and install a solution. Such concerns were evident as far back as the original Assent, per the permit record.

flow through the 50' buffer zone (see Attachment I).

A condominium complex located to the north of the subject site contributes a significant amount of [redacted] Because of the significant flow currently discharging along the northeast corner of the site, [redacted] was designed for the southwest corner (see Attachment I).

Drainage Calculations: Drainage calculations have been computa-

"Snip" from 1990-10-40 re: runoff from abutter



Aside from this isolated, and pre-existing condition, there is no evidence of erosion in the subdivision. In addition, this writer has personally worked on shoreline access paths and coastal steps on significantly steeper parcels (further south, along the Sakonnet River), and in more recent subdivisions no limits on individual access points were included (Vanderbilt Ln, Seaspray Ln, etc.). Properly designed and installed shoreline access paths and steps, will not further destabilize the coastal feature., Given the width of the lots, these features account for a very small percentage of the overall slope. Any minor temporary erosion is mitigated by standard erosion control practices (Compost Filter Sock, Coir, Mats, and bedding). Once any stairs are established, vegetation grows freely to firm up the slope.

As no erosion has occurred, since the construction of the structures and infrastructure, and since initial intent of stipulation "H" was to protect the bluff due to staff concerns over erosion, this would further indicate the lack of necessity of restriction on individual access paths for the subject parcel(s).



*Southerly Abutters Steps looking North toward the Gurski Parcel – Showing a well vegetated and stable buffer (Summer 2023)*



