

TO: **Coastal Resources Management Council**
 4808 Tower Hill Road Suite 3
 Wakefield, RI 02879
 Phone: (401) 783-3370



FROM: Building Official

DATE: 10.22.24

Received

6/26/2025

SUBJ: Application of: West Wind Marina (n/f: Harbour Realty LLC)

**Coastal Resources
Management Council**

Location: 25 + 0 Waites Wharf - Newport RI AP 32-155 + 32-268

Address: 25 + 0 Plat No. 32 Lot No. 155 + 268

To Construct: Marina Reconfiguration as shown on attached plans entitled "West Wind Marina Alteration" including: New fixed pier, floats, and piles (27 Slips (23 Inside))

I hereby certify that I have reviewed _____ foundation plan(s).

_____ plan(s) for entire structure

☒ site plans

Titled: "West Wind Marina Alteration" by RMA GeoEnvironmental LLC + Narragansett Engineering Inc. Dated: 10.22.24

Date of Plan (last revision): 10/22/24

N/A and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

☒ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

N/A and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

N/A and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

☒ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Building Official's Signature

Date

11/22/24

☒ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature

Date

11/22/2024

Oliver Allamby

From: Mason Sherman
Sent: Wednesday, June 18, 2025 7:53 AM
To: Oliver Allamby
Cc: Brittany Spurlock
Subject: FW: CRMC file no. 2024-12-052 West Wind Marina Reconfiguration Application
Attachments: 880240_22255 WestWindMarina - Coddingtons_B&C_RTC6.17.2025.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Oliver,

Could you please add the attached applicant responses to Coddington's objections into the 2024-12-052 file.

Thanks,

Mason Sherman
401-602-5302

From: Ethan Smith <ethan@rmahydro.com>
Sent: Tuesday, June 17, 2025 5:09 PM
To: Mason Sherman <msherman@crmc.ri.gov>
Cc: Joshua Rosenberg <josh@rmahydro.com>; Sydney Chalmers-Gannon <sydney@rmahydro.com>; neal hingorany <nhingorany@nei-cds.com>; Ryan McCoy <ryan@rmahydro.com>
Subject: Re: CRMC file no. 2024-12-052 West Wind Marina Reconfiguration Application

Hi Mason,

Thanks again for your help with this project! I've attached our response letter (with the harbormaster email you had sent over appended). Let us know when you have that staff report finalized

Thanks,
Ethan

Ethan Smith
Staff Engineer

RMA Environmental, L.L.C.
A Minority-Owned Business Enterprise
www.rmahydro.com

e: ethan@rmahydro.com
p: 860.215.0327

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful

On Tue, Jun 10, 2025 at 8:27 AM Mason Sherman <msherman@crmc.ri.gov> wrote:

Good Morning Ethan,

I received the attached from Mr. Turner Scott yesterday afternoon. It will be added to the CRMC file and public info shortly, so I am sharing with you now to help expedite in case you haven't received it yet.

Please send over your response to Coddington's Lawyers as soon as you are able. My staff report is mostly completed but I have been holding off on finalizing it until receiving the attached from the Harbor Master and your response, just so I don't have to make additional edits with new information. I'll get it over to you once completed.

FYI on the Council Meeting, there is only one meeting in June (this evening) so the next one will be held on July 8th. This case is slated to be presented to the Council during the July 8th meeting.

Thanks,

Mason Sherman

401-602-5302

From: Ethan Smith <ethan@rmahydro.com>

Sent: Monday, June 9, 2025 4:15 PM

To: Mason Sherman <msherman@crmc.ri.gov>

Cc: Joshua Rosenberg <josh@rmahydro.com>; Sydney Chalmers-Gannon <sydney@rmahydro.com>; neal hingorany <nhingorany@nei-cds.com>; Ryan McCoy <ryan@rmahydro.com>

Subject: RE: CRMC file no. 2024-12-052 West Wind Marina Reconfiguration Application

Hi Mason,

I appreciate your patience with this project, and wanted to give you a quick update on how things stand. We've drafted a response to Coddington's objections via Blish and Cavanagh, however, we are waiting to receive input from the Newport Harbor Master with regards to the mooring/access conflict claims along the shared property line extension. We will send over our response and the Harbor Master's comments upon receipt of said comments (I don't see any reason for this to take a significant period of time).

I've also been asked to request a copy of your engineering report - I'm not sure what condition this is in or if you are able to send a draft. Let me know if this is something you can provide, everyone on our team is eager to read it in preparation for the council meeting (now in July at the earliest).

In other news, We recently received approval from the City of Newport for the landside development project. Ideally bringing us closer to being able to complete all the site work in tandem.

Best,

Ethan

Ethan Smith

Staff Engineer

RMA Environmental, L.L.C.

A Minority-Owned Business Enterprise
www.rmahydro.com

e: ethan@rmahydro.com

p: 860.215.0327

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RESPONSE TO COMMENTS

CODDINGTON LANDING CONDOMINIUM ASSOCIATION CARE OF: MATHEW J LANDRY, BLISH & CAVANAGH LLP

RE: APPLICATION OF HARBOUR REALTY, LLC (FILE NO: 2024-12-052) OBJECTION TO PETITION TO ESTABLISH NEW MARINA PERIMETER LIMIT (MPL) AND MARINA CONFIGURATION

APPLICATION No: 2024-12-052

APPLICANT: Harbour Realty LLC

RMA PROJECT No: 22255.00

RMA PROJECT: West Wind Marina Npt_Waterfront_RI

DATE: June 17th 2025

LOCATION: 1& 25 Waites Wharf Newport, RI

TO: Coastal Resources Management Council / Coddington Landing Condominium Association

FROM: Josh Rosenberg, P.E.

Received

6/18/2025

**Coastal Resources
Management Council**

In response to the public comments and concerns voiced by Coddington Landing Condominium Association (Coddington) under representation by Blish & Cavanagh LLP on March 14th, 2025, RMA Environmental LLC (RMA) and Narragansett Engineering Inc. (NEI) have prepared the following clarifications and summarized how the concerns are addressed by relevant application revisions. A copy of the letter from Coddington has been provided in *italics* with clarifying interjections in **blue**.

~~~

*Our office represents Coddington Landing Condominium Association (“Coddington”). I am writing on behalf of Coddington and its Members to note for the record a formal objection to the above proposed marina expansion located at Waite’s Wharf in the City of Newport.*

*Coddington is comprised of a group of owners of real property located at Coddington Wharf, more particularly described as City of Newport Tax Assessor’s plat 32, Lot 221 (the “Coddington Property”). The Coddington Property consists of residential condominium units and a marina situated directly South and adjacent to Waite’s Wharf (hereinafter referred to as the “Waite’s Marina”).*

*The submission proposes to modify the existing pier configuration, contemplates the installation of new floating docks, and seeks to establish a new Marina Perimeter Limit (MPL). The Marina’s existing MPL and dock configuration is a triangular shaped configuration purportedly approved for (27) total slips with (23) interior slips with access to the North. The existing approvals also provide for a 30’ +/- “Abutter Access” travel way to allow unimpeded navigation between Waite’s Marina and the mooring fields further to the west. To the South, the existing MPL extends along the Property Line Extension more than thirty (30’) feet from the existing Marina infrastructure.*

**The revised application following April 2025 revisions proposes an MPL offset 10' along the existing fixed pier structure within this area.**

*Coddington has several concerns regarding the use of Waite's Marina, particularly in the South nearest to the Coddington Property. Over the last several years, Coddington has experienced an influx of larger vessels docked on the southerly side of Waite's Marina, some vessels exceeding seventy (70') feet in length with a beam often exceeding twenty-six (26) feet. Docking of these vessels to the south often impedes safe passage of vessels entering and existing the Coddington Marina, and in some instances even prohibits travel in this area due to fenders and/or anchoring projecting from Waite's Marina into the Coddington Marina. In one instance, a large vessel docked along the south side of Waite's Marina caused an unauthorized anchoring system to be placed in the middle Coddington Marina (See Photograph at Exhibit A). The placement of the anchorage impeded travel and represents a persistent issue with Waite's Marina and the location of the MPL. Clearance to shallow water along the south also makes navigation and maneuverability difficult when exiting to the north or south – a difficulty that is exacerbated in the presence of larger vessels docked in this area.*

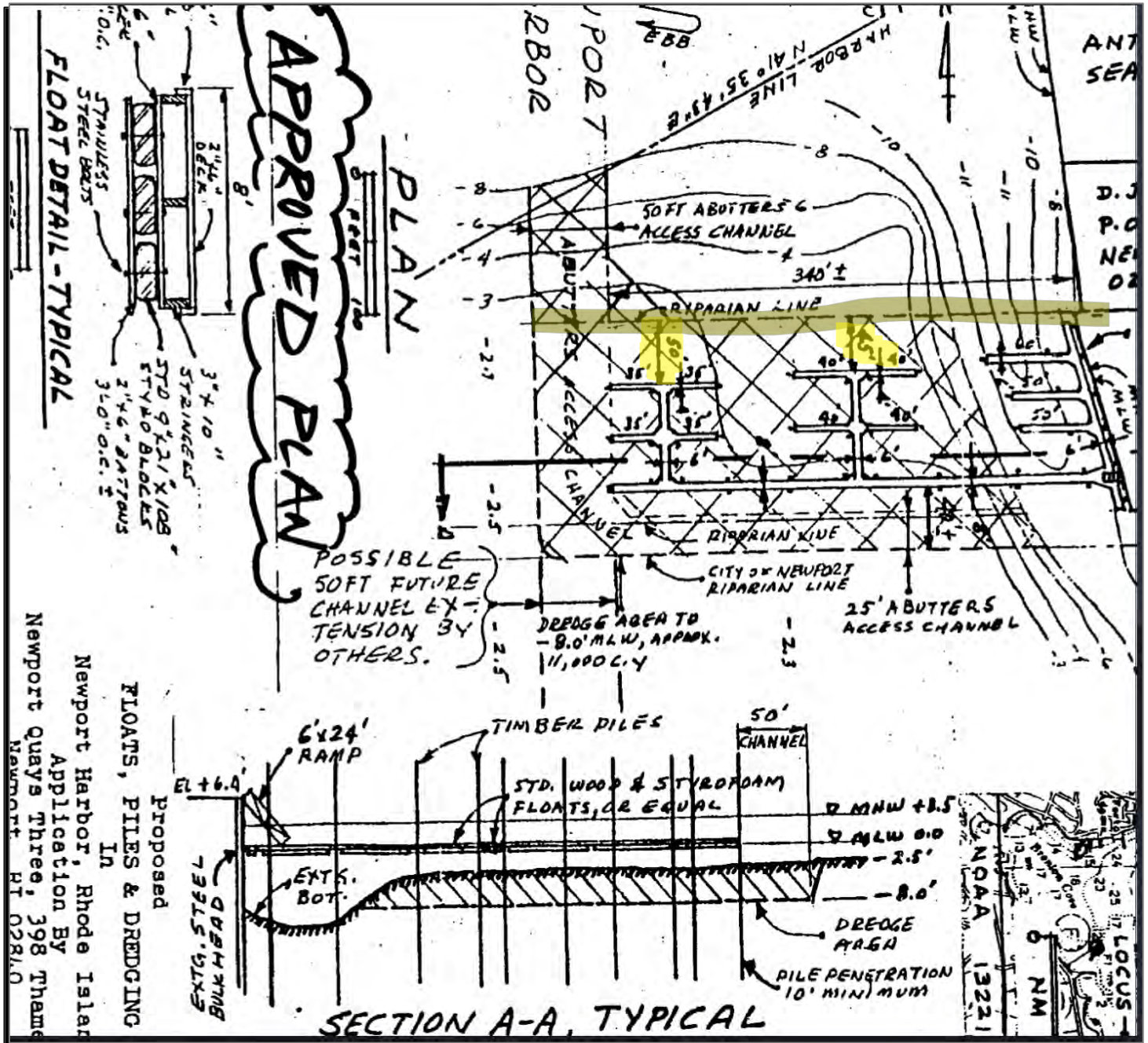
**With the application revision proposing an MPL offset 10' from the marina structure, no changes to the structure or usage within this area are proposed. The provided objections are limited to historic marina activity and are not impacted by the application under review. Anchoring obstructions as seen in Exhibit A are unauthorized regardless of any changes proposed at the site. Intrusions into Coddington's access and navigation must be resolved by the sites' marina masters and other relevant parties at the time of occurrence.**

**The applicant's usage of their property is in accordance with RICRMC rules and regulations and all applicable stipulations made at the site. The applicant has reached out to the Newport Harbormaster for comment on navigational safety within the discussed area – their response has been attached herein (no incidents have been reported in his tenure). It should be noted that no changes to the usage of this specific area are proposed, nor is marina capacity (and density) to be increased. As such, the proposed reconfiguration does not impact operations at Coddington's marina.**

*Similarly, travel within the "Abutter Access" Lane to the West is often impeded by large vessels projecting well within its limits. Coddington members have witnessed vessels over eighty (80) feet in length with a beam of twenty (20) to twenty-five (25) feet encroaching into the Abutter Access area. Coddington has submitted a series of photographs herewith that accurately represent the narrow waterway to the South, the persistent interference with Coddington's use of its own marina and captures the overall concerns with the MPL location.*

**In response to the concerns voiced here and by others, the proposed MPL has been revised to the line offset 10-feet from the marina structure in this area. We trust these revisions ease the concerns of future encroachments into Coddington's marina.**

**Received**  
**6/18/2025**  
**Coastal Resources**  
**Management Council**



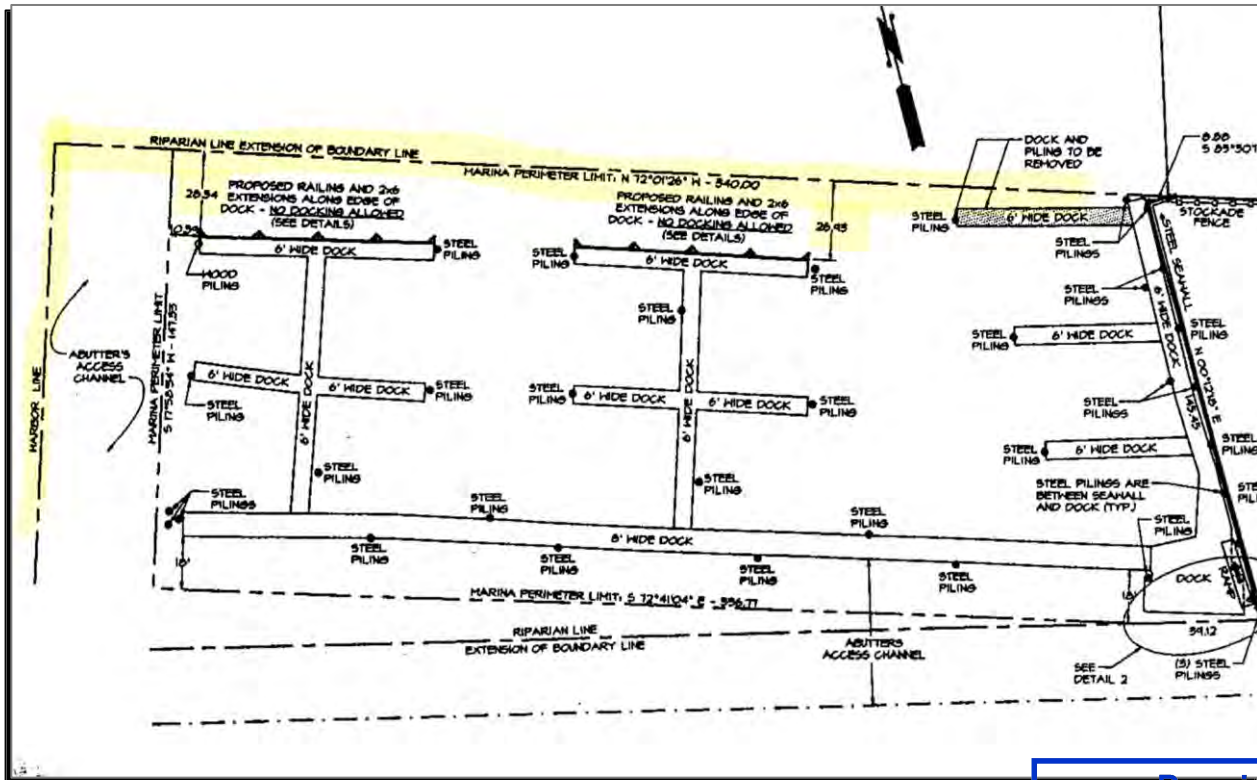
Coddington, Design Configuration

Received

6/18/2025

Coastal Resources  
Management Council



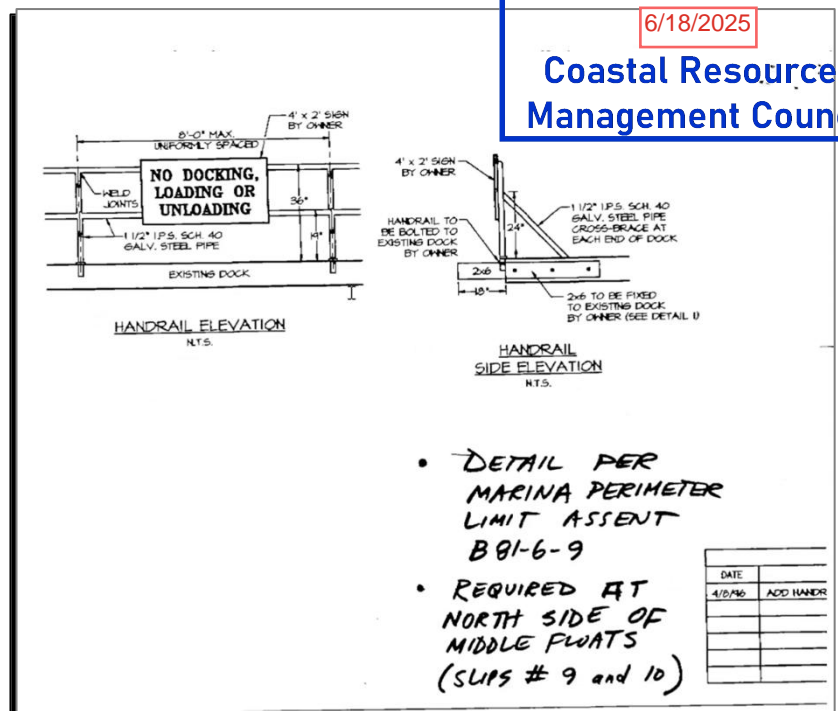


### Coddington, As-Built Configuration

Respectfully, the Council is charged with ensuring safe and navigable waterways and to protect the riparian rights of all property owners. The Council's Marina Policies include a review of "the potential navigation impacts of the structures and associated use of structures; the potential aesthetic and scenic impacts associated with the structure; the cumulative impacts associated with increased density of existing recreational boating facilities in the vicinity of proposed marinas and must weigh its potential impacts and the potential impacts to other recreational or commercial uses of the affected resources. § 1.3.1(D)(2).

As noted above, the reconfiguration application does not propose any changes along the southern end of the marina (proximal to Coddington's Marina), nor does it increase the density of vessels. As such, no impacts to Coddington's recreational usage shall occur.

While we posit that the existing fairway is sufficient, these issues have been settled historically in prior Assents.



Coddington Dockage Restriction from Record Assent

- **DETAIL PER MARINA PERIMETER LIMIT ASSENT B91-6-9**
- **REQUIRED AT NORTH SIDE OF MIDDLE FLATS (SLIPS # 9 and 10)**

| DATE   | ADD HANDR |
|--------|-----------|
| 4/8/16 |           |
|        |           |
|        |           |
|        |           |
|        |           |

West Wind's marina was designed set back to 30' (from 20', in the original design), per record Assents, built in the as-built condition at 33' from Coddington's Riparian Line.

Coddington Marina was designed to provide a 45'- 50' setback from West Wind's Riparian Line. Coddington's As-Built Condition yields only 26'+/-, as such Coddington was restricted from Dockage on the north side of its marina. Presuming parties abide by their respective restrictions, the fairway length is sufficient for safe navigation, evidenced by almost 30 years of use without significant incident.

*The submission contemplates a reconfiguration of the MPL, existing dock configuration and the installation of new floats for the marina. Although the submission contemplates twenty-three(23) slips to remain in the interior of the marina (up to twenty-seven (27) permitted), no information is provided as to how many berths are anticipated to the exterior of the new configuration, including how many vessels can be accommodated to the south. Notably, all new or modified Marina Perimeter Limit lines shall be a maximum of ten (10) feet outside of the marina structures (§ 1.3.1(D)(9)(o)).*

The proposed MPL has been revised to align with the cited standard. Mooring locations have not been shown or numbered along the exterior of the structure as they generally vary based on the size of the vessel being berthed and are at the discretion of the dockmaster, but not to exceed the number permitted. In general, the total number of vessels at the facility shall not exceed the number permitted, with any excess vessels limited to Touch and Go usage (berthing limited to a maximum of 48 hours)

*The proposed conditions plan contemplates an MPL along the southerly property line extension – a location approximately thirty-three (33) feet from the closest “marina structure”. The location of the MPL allows an excess of twenty-three (23) feet for marina related activities to occur to the South – well above and beyond what is permissible under modern regulations. Coddington encourages the Council to review the proposed MPL in its entirety and consider the impacts to the Coddington Marina and other adjacent riparian interest owners.*

*At a minimum, the MPL represents a threat of direct loss of property; the proposed alteration and activity does not meet all of the policies, prerequisites, and standards of the Council; and raises concerns regarding circulation, sediment deposition and erosion, water quality, public access to and along the shore, and has persistently impeded safe and navigable travel, specifically to the south between Waite's Wharf and Coddington Marina, as well as the established Abutter Access lane to the West.*

*Respectfully, Coddington asks the Council to consider these concerns during its deliberations and/or public hearing. An application proposing to modify an existing MPL should be reviewed in its entirety, and the review should evaluate both existing and proposed conditions to ensure the design is consistent with the aspirations, goals, and policies of the Council and associated programs.*

**See previous discussion noting the revised MPL is located 10-feet from the marina structure, consistent to CRMC policies. We trust this revision adequately addresses the concerns voiced in the preceding paragraphs.**

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On May 9, 2025, representatives of Coddington's reasserted their request for their objections to be addressed. By this time, much of the letter's discussion had been resolved (see previous discussion) and Coddington's representative requested responses to specifically address their objections to West Wind Marina's continued berthing along the outside of the southern pier. As done previously, A copy of the correspondence from Coddington's representative has been provided in *italics* with clarifying interjections in [blue](#).

Thank you for your continued communication regarding this matter. I have reviewed the Applicant's responses to public comment. Although the revised plans and attached narratives answer some of the issues raised, the responses notably omit my objection dated

March 14th, 2025. The responses were limited to comments received from HPHC, RICRCMC, and Mr. Bischof only (See NEI Engineering Cover Letter Dated April 25th, 2025). Respectfully, I would request a response to the my letter, specifically as it relates to the various encroachments and impediments caused by large vessels docked outside the MPL to the south. Although the applicant is revising its MPL line to conform to the maximum 10foot extension, it appears vessels with be docked along the southerly portion of the Marina outside the scope of the MPL. As you know, CRMC regulations limits marina related activities to be within the MPL, and berthing vessels outside the MPL is only permitted where the Executive Director has made a determination no conflicts exist, or there are no other impacts on resources.

Docking vessels in this area has been standard practice for decades, without significant or reported incidents. The permitting of both Marinas (Coddington and West Wind) pre-dates the current Redbook with respect to berthing vessels outside the MPL.

Furthermore, it is the applicant's understanding that the unrelated marina reconfiguration activities do not cause impacts to, nor are they impacted by, this usage. The design of the fairway in this area, considering Coddington's limitation against mooring vessels along their northern terminal floats, appears to account for the presence of berthed vessels along the West Wind Marina southern pier. As discussed previously, and demonstrated by the exhibits provided by Coddington's representative, improper mooring practices may occur to the detriment of Coddington's Marina. These practices are not condoned by the applicant nor are they a legal right of the applicant. Infringements beyond the property line extension shared by the abutters must be prevented or resolved by the local marina masters or other relevant authorities and have been brought to the attention of West Winds Marina Master and Owners.

~~~

We trust that this memorandum and attachments are sufficient for your continued review of the project located in Newport, RI. If you have any further comments, please contact me by phone (401) 230.7805 or by email at [josh@rmahydro.com](mailto:josh@rmahydro.com).

Sincerely,

RMA Environmental

/s

Joshua E. Rosenberg, P.E.

Principal

/s

Neal Hingorany, PLS MS

NEI

Attachments:

- Email Correspondence from Stephen Land, Harbormaster, dated 6.09.2025

d:\jobs\2022\22255.00 abruzzi marina npt\_waterfront\_ri\reports\rtc 2025.05.21\060525 880240\_22255 westwindmarina - coddingtons\_b&c\_rtc.docx



**From:** Turner Scott <tscott@millerscott.com>  
**Sent:** Monday, June 9, 2025 2:47 PM  
**To:** Mason Sherman  
**Cc:** neal hingorany; Joshua Rosenberg  
**Subject:** FW: Harbour Realty Application 2024-12-052



Mason, I am forwarding you an email sent to me addressed to the CRMC relative to the above referenced application pending before the Council. Will you please add this message to the file? A formal response to comments you received from the attorneys for Coddington Condominium Association will be forwarded to you shortly. The response will include reference to this message from the Harbormaster.

Please let me know if you have any questions.

Turner C. Scott  
Miller Scott Holbrook & Jackson  
122 Touro Street  
Newport, RI 02840  
401 847 7500 office  
401 862 5003 mobile  
[tscott@millerscott.com](mailto:tscott@millerscott.com)

---

**From:** Land, Stephen  
**Sent:** Monday, June 09, 2025 1:59 PM  
**To:** Turner Scott <[tscott@millerscott.com](mailto:tscott@millerscott.com)>  
**Cc:** Tristan Loughlin <[tloughlin@CityofNewport.com](mailto:tloughlin@CityofNewport.com)>  
**Subject:** Harbour Realty Application

To CRMC

A letter dated March 14, 2024 (sic) from the law firm of Blish & Cavanagh concerning the application of Harbour Realty ,LLC ( File No: 2024-12-052) was forwarded to me by the applicant for review and comment. I have reviewed the letter and have the following comments. The Newport Waterfront Commission and my office thoroughly reviewed all aspects of this marina reconfiguration application. The application rectifies unsafe interior conditions of the marina without expanding the number of vessels or impeding on navigable waters. The use and condition of the south pier of the Harbour Realty marina remains unchanged. The Waterfront Commission and my office provided a favorable recommendation for the reconfiguration project..

The existing fair way between the Harbor Realty marina and the Coddington Condominium marina provides a sufficient, ample, safe and navigable travel way for all the vessels using the two marinas to enter and exit the 2 adjacent marinas. In addition there have no reported or observed incidents of conflicting uses, accidents, or activities of unsafe conditions in this area.

Please include this message in the CRMC file regarding the Harbour Realty application.  
Harbormaster Stephen Land  
845-5818

## Oliver Allamby

---

**From:** Mason Sherman  
**Sent:** Tuesday, June 10, 2025 8:13 AM  
**To:** Oliver Allamby  
**Cc:** Brittany Spurlock  
**Subject:** FW: Harbour Realty Application 2024-12-052

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good Morning Oliver,

Could you please add this correspondence to 2024-12-052 when you get a moment?

Thanks,

Mason Sherman  
401-602-5302

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**From:** Turner Scott <tscott@millerscott.com>  
**Sent:** Monday, June 9, 2025 2:47 PM  
**To:** Mason Sherman <msherman@crmc.ri.gov>  
**Cc:** neal hingorany <nhingorany@nei-cds.com>; Joshua Rosenberg <josh@rmahydro.com>  
**Subject:** FW: Harbour Realty Application 2024-12-052

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Please let me know if you have any questions.

Turner C. Scott  
Miller Scott Holbrook & Jackson  
122 Touro Street  
Newport, RI 02840  
401 847 7500 office  
401 862 5003 mobile  
[tscott@millerscott.com](mailto:tscott@millerscott.com)

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**Cc:** Tristan Loughlin <[tloughlin@CityofNewport.com](mailto:tloughlin@CityofNewport.com)>  
**Subject:** Harbour Realty Application

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The existing fair way between the Harbor Realty marina and the Coddington Condominium marina provides a sufficient, ample, safe and navigable travel way for all the vessels using the two marinas to enter and exit the 2 adjacent marinas. In addition there have no reported or observed incidents of conflicting uses, accidents, or activities of unsafe conditions in this area.

Please include this message in the CRMC file regarding the Harbour Realty application.

Harbormaster Stephen Land

845-5818



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](http://www.preservation.ri.gov)

February 12, 2025

Via email: [lturmer@crmc.ri.gov](mailto:lturmer@crmc.ri.gov) & [jabbruzzese@crmc.ri.gov](mailto:jabbruzzese@crmc.ri.gov), CRMC

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

Re: CRMC File Number: 2024-12-052  
Applicant: Harbour Realty LLC  
1 & 25 Waites Wharf  
Newport, RI

Dear Mr. Coia:

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) staff has reviewed the information that your office provided for the above-referenced application. Harbour Realty LLC is proposing to reconfigure the marina at 1 & 25 Waites Wharf in Newport, RI.

Waites Wharf and some of the buildings located thereon are contributing resources to the Southern Thames Historic District, which is listed in the National Register of Historic Places. We are unable to determine the effect of the proposed project with the information provided. Please provide more information on the harbor master's office including photographs and an estimated date of construction; for its proposed location, please indicate how this will affect the existing buildings. We request confirmation that (1) this application does not include any demolition or alterations to the buildings on the wharf (except for the harbor master's office), (2) that demolition or alterations to the existing buildings is not required for this project to proceed, and (3) that no federal funds, permits, or licenses are required for the project. Lastly, we request that the CRMC refrain from issuing the permit until we have received this information and completed our review of the project.

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,

*Elizabeth Totten*  
FOR

Jeffrey Emidy  
Executive Director  
State Historic Preservation Officer



Copy via email: [agaroffice@aol.com](mailto:agaroffice@aol.com)

250212.01est

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## RESPONSE TO COMMENTS

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### HISTORICAL PRESERVATION & HERITAGE COMMISSION

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**RE: CRMC PERMIT APPLICATION FOR MARINA RECONFIGURATION**

APPLICATION No: 2024-12-052  
APPLICANT: Harbor Realty LLC  
RMA PROJECT No: 22255.00  
RMA PROJECT: West Wind Marina Npt\_Waterfront\_RI  
DATE: April 25<sup>th</sup>, 2025  
LOCATION: 1 & 25 Waites Wharf Newport, RI  
TO: Historical Preservation & Heritage Commission  
FROM: Josh Rosenberg, P.E.

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In response to review comments received by RMA from CRMC on February 12th, 2025. The comments received have been included below with RMA's responses immediately following. When applicable and noted below, revisions or additional information have been included incorporated into the associated revised permit documents.

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Waites Wharf and some of the buildings located thereon are contributing resources to the Southern Thames Historic District, which is listed in the National Register of Historic Places. Determine the effect of the proposed project with the information provided. Please provide more information on the harbor master's office including photographs and an estimated date of construction; for its proposed location, please indicate how this will affect the existing buildings.

The Dockmasters shed is currently located in the Waites Wharf ROW, with records indicating it was constructed (approximately) in the early to mid 1980's. The location is shown on EX-1. The encroachment specifically has been noted on the updated set.

We are not proposing demolishing this as part of the Marina Reconfiguration Project, as such there will be no effect to this structure as part of this application.

Per prior Assent this feature is only required to be moved when substantially damaged or demolished (CRMC assent B1987-11-039). The applicant has proposed the dockmaster office to be removed and relocated as part of the Hotel improvement project (relocation at that time is proposed to the southerly hotel building). This relocation is not part of the current application for the Marina Reconfiguration.





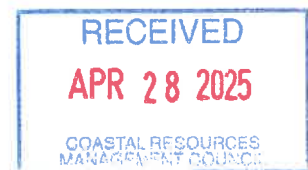
We request confirmation that this application does not include any demolition or alterations to the buildings on the wharf (except for the harbor master's office)

This application does not include any demolition or alterations to the buildings on the wharf, including the harbor master's office.

We request that demolition or alterations to the existing buildings is not required for this project to proceed
See above. Demolition or alteration of any existing buildings is not required for this project to proceed.

We request that no federal funds, permits, or licenses are required for the project. Lastly, we request that the CRMC refrain from issuing the permit until we have received this information and completed our review of the project.

No federal funds permits or licenses are required for the project apart from an Army Corps PCN. Additional permitting required for the project has been filed concurrently.





Response to HPHC Comments:
CRMC Permit Application for Marina Reconfiguration

Project: West Wind Marina Npt_Waterfront_RI
Project No.:22255.00
April 25th, 2025

~~~

We trust that this memorandum and attachments are sufficient for your continued review of the project located in Newport, RI. If you have any further comments, please contact me by phone (401) 230.7805 or by email at [josh@rmahydro.com](mailto:josh@rmahydro.com).

Sincerely,  
RMA Environmental

/s  
Joshua E. Rosenberg, P.E.  
Principal

/s  
Neal Hingorany, PLS MS  
NEI





## Jenn Abbruzzese

---

**From:** Mason Sherman  
**Sent:** Monday, April 28, 2025 8:48 AM  
**To:** Elizabeth.Totten@preservation.ri.gov; agaroffice@aol.com; Charlotte.Taylor@preservation.ri.gov  
**Cc:** Jenn Abbruzzese; Laura Miguel; Justin Skenyon  
**Subject:** RE: 2024-12-052  
**Attachments:** 2024-12-052 - West Wind Marina - Responses to HPHC.pdf; 250212.01\_CRMCMC 2024-12-052 Waites Wharf Newport.pdf

Good Morning,

We just received responses from the Consultant for Waite's Wharf regarding HPHC comments you all put together back in early February. I've attached their response to you and your original letter requesting additional information.

Please let me know if their response satisfies your concerns or if you have additional questions.

Thanks for the help.

Mason Sherman  
401-602-5302

**From:** jabbruzzese@crmc.ri.gov <jabbruzzese@crmc.ri.gov>  
**Sent:** Thursday, February 13, 2025 12:38 PM  
**To:** 'Laura Miguel' <lmiguel@crmc.ri.gov>; 'Justin Skenyon' <jskenyon@crmc.ri.gov>  
**Cc:** 'Mason Sherman' <MSherman@crmc.ri.gov>  
**Subject:** FW: 2024-12-052

Please see attached comments from HPHC.

*Thank you and have a great day*

*Jenn Abbruzzese*

Application Coordinator

4808 Tower Hill Road

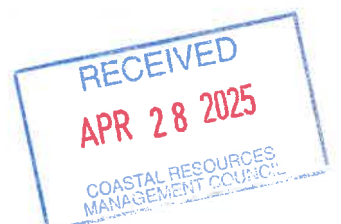
Wakefield, RI 02879

401-783-3370

[jabbruzzese@crmc.ri.gov](mailto:jabbruzzese@crmc.ri.gov)

**Please note: All file requests please send to me [Jabbruzzese@crmc.ri.gov](mailto:jabbruzzese@crmc.ri.gov) and cc: [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov) with file number that can be found on our permit database. To check on status of applications please visit <http://www.crmcpermitdatabase.org/pads>**

**From:** Totten, Elizabeth (HPHC) <[Elizabeth.Totten@preservation.ri.gov](mailto:Elizabeth.Totten@preservation.ri.gov)>  
**Sent:** Wednesday, February 12, 2025 12:08 PM  
**To:** Turner, Lisa (CRMCM) <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)>; Jenn Abbruzzese <[jabbruzzese@crmc.ri.gov](mailto:jabbruzzese@crmc.ri.gov)>  
**Cc:** [agaroffice@aol.com](mailto:agaroffice@aol.com)  
**Subject:** 2024-12-052



**This Message Is From an External Sender**

This message came from outside your organization.

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Good afternoon,

Please see the attached letter with our comments on this application.

Thank you,

Elizabeth

**\*\*Please note our temporary address\*\***

Elizabeth S. Totten  
Project Review Coordinator - Principal Historic Preservation Specialist  
Rhode Island Historical Preservation & Heritage Commission  
1 Capitol Hill, Suite 201  
Providence, RI 02908  
(401)222-2671  
[elizabeth.totten@preservation.ri.gov](mailto:elizabeth.totten@preservation.ri.gov)





**From:**

Narragansett Engineering, Inc.  
3102 East Main Road  
Portsmouth, Rhode Island 02871  
Tel: (401) 683-6630

**To:**

Coastal Resources Management Council  
Stedman Government Center, Suite 3  
4808 Tower Hill Road  
Wakefield, RI 02879-1900

**Date:** April 25<sup>th</sup> 2025

**Re:** Waites Wharf Marina Reconfiguration (NEI Job 880240)

**Delivery method:** Via Dropbox link (sent to [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov)) & hard copies dropped off to Coastal Resources Management Council office

**Contents:**

3 Copies unless noted otherwise

- Response to Comments (HPHC)
- Response to RICRCMC Comments
- Response to Public Comment (Rick Bischoff, Coddington Landing)
- Revised RICRCMC Assent Application Attachment A: Project Discussion
- Revised RICRCMC Assent Application Attachment D: CRMC Standards
- Revised Marina Reconfiguration Plans – Revision 01, dated 04/14/2025
- City Council Resolution March 27, 2025
- Email Correspondence with USACE (Mark Cutter) September 2021
- Email Correspondence with Mason Sherman, RICMC and USACE February, 2025
- Temporary Public Access Signage
- Army Corps of Engineers Newport Harbor Master Layout Plan
- Water Quality Certification (Application included, approval pending)

**RECEIVED**

**4/25/2025**

**COASTAL RESOURCES  
MANAGEMENT COUNCIL**



---

## RESPONSE TO COMMENTS

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### HISTORICAL PRESERVATION & HERITAGE COMMISSION

**RE: CRMC PERMIT APPLICATION FOR MARINA RECONFIGURATION**

APPLICATION No: 2024-12-052

APPLICANT: Harbor Realty LLC

RMA PROJECT No: 22255.00

RMA PROJECT: West Wind Marina Npt\_Waterfront\_RI

DATE: April 25<sup>th</sup>, 2025

LOCATION: 1 & 25 Waites Wharf Newport, RI

TO: Historical Preservation & Heritage Commission

FROM: Josh Rosenberg, P.E.

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In response to review comments received by RMA from CRMC on February 12th, 2025. The comments received have been included below with RMA's responses immediately following. When applicable and noted below, revisions or additional information have been included incorporated into the associated revised permit documents.

~~~

Waites Wharf and some of the buildings located thereon are contributing resources to the Southern Thames Historic District, which is listed in the National Register of Historic Places. Determine the effect of the proposed project with the information provided. Please provide more information on the harbor master's office including photographs and an estimated date of construction; for its proposed location, please indicate how this will affect the existing buildings.

The Dockmasters shed is currently located in the Waites Wharf ROW, with records indicating it was constructed (approximately) in the early to mid 1980's. The location is shown on EX-1. The encroachment specifically has been noted on the updated set.

We are not proposing demolishing this as part of the Marina Reconfiguration Project, as such there will be no effect to this structure as part of this application.

Per prior Assent this feature is only required to be moved when substantially damaged or demolished (CRMC assent B1987-11-039). The applicant has proposed the dockmaster office to be removed and relocated as part of the Hotel improvement project (relocation at that time is proposed to the southerly hotel building). This relocation is not part of the current application for the Marina Reconfiguration.



We request confirmation that this application does not include any demolition or alterations to the buildings on the wharf (except for the harbor master's office)

This application does not include any demolition or alterations to the buildings on the wharf, including the harbor master's office.

We request that demolition or alterations to the existing buildings is not required for this project to proceed
See above. Demolition or alteration of any existing buildings is not required for this project to proceed.

We request that no federal funds, permits, or licenses are required for the project. Lastly, we request that the CRMC refrain from issuing the permit until we have received this information and completed our review of the project.

No federal funds permits or licenses are required for the project apart from an Army Corps PCN. Additional permitting required for the project has been filed concurrently.



~~~

We trust that this memorandum and attachments are sufficient for your continued review of the project located in Newport, RI. If you have any further comments, please contact me by phone (401) 230.7805 or by email at [josh@rmahydro.com](mailto:josh@rmahydro.com).

Sincerely,

RMA Environmental

/s

Joshua E. Rosenberg, P.E.

Principal

/s

Neal Hingorany, PLS MS

NEI

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## RESPONSE TO COMMENTS

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### COASTAL RESOURCES AND MANAGEMENT COUNCIL

**RE: CRMC PERMIT APPLICATION FOR MARINA RECONFIGURATION**

APPLICATION No: 2024-12-052

APPLICANT: Harbour Realty LLC

RMA PROJECT No: 22255.00

RMA PROJECT: West Wind Marina Npt\_Waterfront\_RI

DATE: April 25<sup>th</sup>, 2025

LOCATION: 1& 25 Waites Wharf Newport, RI

TO: Coastal Resources Management Council

FROM: Josh Rosenberg, P.E.

---

In response to technical review comments received by RMA from CRMC on February 13<sup>th</sup>, 2025 and on March 14<sup>th</sup>, 2025, RMA and NEI have prepared the following responses and clarifications. The comments received have been included below with RMA's responses immediately following. When applicable and noted below, revisions or additional information have been included incorporated into the associated revised permit documents.

~~~~

February 13th, 2025

Sections of your proposed MPL are greater than the 10' maximum off the dock structure. Please submit a Variance Request addressing the items listed in the attached Red Book Section 1.1.7.

The proposed MPL has been revised to be offset a maximum of ten (10) feet off the dock structure in accordance with RICRMP policies. Please see the attached Permit plans revised (4/14/2025) for changes.

Public Access Plan

In your application you reference that there is a Public Access Plan onsite. Please provide your most up to date Public Access Plan to CRMC. I pulled the attached from File 2009-03-020. In this plan there is a public access route shown through the whole boardwalk and on the water side of the structure.

Public Access Associated with Marina Expansion

The existing Public Access Plan provides public access to all areas that are required under previous Assents. This access will entirely be re-constructed with the Marina Expansion Project. A current Public Access Plan has been appended to the revised permit plans on sheet (EX-1) attached herein

Temporary Public Access During Construction

A temporary public access path shall be provided during construction connecting CRMC public right of way #Z-21 (West Extension Street) to CRMC public right of way #Z-22 (Waites Wharf). This path shall be delineated with temporary rope rails and marked with signage at the northern and southern extents. The temporary access plan is provided on sheet EX-1 of the revised plan set provided.

Future Public Access Associated with Hotel Project:

The future public access way extends the harbor walk along the south side of the applicants property, and adds a “leg” that connects to Coddington. In addition, portions of Waites Wharf will be opened up to public access, formally via easement to allow sidewalks to be constructed.

Please show this entire Public Access on your plan drawings so it is clear what the actual access route is.

The existing public access has been included on sheets EX-1 and EX-2 of the attached revised plans. This substantially conforms with requirements under prior Assents including File 2009-03-020. Temporary public access is shown on the Temporary Access Plan on Sheet EX-1, and the future public access (pending landside redevelopment permitting and construction) is documented on sheets PR-1 - PR-3.

Old USACE Federal Anchorage

I put in an inquiry into the USACE about this to get some confirmation on paper that they have no claim or issues with the expanded MPL. Based on what I discussed with them; it doesn't appear like an issue, but I am waiting on an official response.

Correspondence with USACE occurred in 2021 over email and telephone. Correspondence is attached.

Were you able to track down any paper trail of this?

2021 Correspondence with USACE has been attached. Additional correspondence and data confirming USACE's determination collected in 2024 and 2025 by the CRMC during their review has been attached for completeness.

We are both still waiting on the City of Newport to send in their letter of no objection during this Public Notice Period.

A copy of the City of Newport's resolution has been attached

Outfall

2024-12-052 App – Drawing PR-2

Calls out an existing outfall to be crushed and abandoned

The revised plans (attached) have been corrected to show the outfall terminating at the bulkhead. This outfall will remain and be repaired in kind, this is called out on the revised plans.

2022-06-041 App – Drawing C-2 and C-4

C-2 Calls out this same outfall stating “Protect Utilities to Floating Docks – Repair/ Re-Establish Once New Sheets Are Installed”

The revised plans have been corrected to match drawings C-2 and C-4 from CRMC application 2022-06-041.

C-4 Calls out a Pipe Penetration Detail which looks to be referencing the repairs to this outfall

The revised plans have been corrected to match drawings C-2 and C-4 from CRMC application 2022-06-041.

Please confirm on the 2024-12-052 App that this outfall will still be in working condition for no change in drainage/functionality

The outfall will remain and be repaired in kind, the provided revised plans have been updated to correctly show this feature.

~~~

March 14<sup>th</sup>, 2025

*As a follow up to our discussion earlier this week, I spoke with Leah Feldman who handles most things ROW related for CRMC, and she was in agreement with what I mentioned. If sequence of construction is going to block off the ROW on the west side of the building (highlighted in red below) due to demo of the deck and bulkhead repairs occurring before removal of the existing building, then we require that a temporary ROW be maintained during construction and signage be established. Our goal is to maintain this ROW and ensure it is still established once your client's improvements are completed. I'd suggest the below as far as temp ROW/ signage.*

- *Come up with a plan for public passage during construction to maintain a temporary ROW.*

A temporary plan for public passage during construction has been provided on the revised plans (attached).

- *Place signage on the north and south ends of existing ROW where it will be blocked off. I'd include the following on this:*
  - *Verbiage that the existing ROW in this location is temporarily closed due to construction and safety of the public*
  - *Estimated completion date of construction and reopening of the ROW*
  - *Overview map outlining the new temporary ROW so public is aware*
  - *I'm not sure if this will help or not but I'd consider elaborating on how this ROW will be improved once construction is completed. I believe you mentioned in your application that the pathway leading up to the ROW along the water will be improved as part of the hotel project. My thought here is that this may aid in minimizing disgruntled calls from the public to both your client and CRMC during construction.*

Verbiage and sign content along the temporary public access path shall incorporate the provided recommendations. A draft sign has been attached here.





~ ~ ~

We trust that this memorandum and attachments are sufficient for your continued review of the project located in Newport, RI. If you have any further comments, please contact me by phone (401) 230.7805 or by email at [josh@rmahydro.com](mailto:josh@rmahydro.com).

Sincerely,

RMA Environmental

/s  
Joshua E. Rosenberg, P.E.  
Principal

/s  
Neal Hingorany, PLS MS  
NEI

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## RESPONSE TO COMMENTS

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### RICK BISCHOFF (CODDINGTON LANDING)

---

**RE: CRMC PERMIT APPLICATION FOR MARINA RECONFIGURATION**

APPLICATION No: 2024-12-052

APPLICANT: Harbour Realty LLC

RMA PROJECT No: 22255.00

RMA PROJECT: West Wind Marina Npt\_Waterfront\_RI

DATE: April 25<sup>th</sup>, 2025

LOCATION: 1& 25 Waites Wharf Newport, RI

TO: Coastal Resources Management Council / Coddington Landing Condominium Association

FROM: Josh Rosenberg, P.E.

---

In response to the public comments and concerns voiced by Coddington Landing Condominium Association (Coddington) on March 3, 2025, RMA Environmental LLC (RMA) and Narragansett Engineering Inc. (NEI) have prepared the following clarifications and summarized how the concerns are addressed by relevant application revisions. A copy of the letter from Coddington has been provided in *italics* with clarifying interjections in blue.

~~~

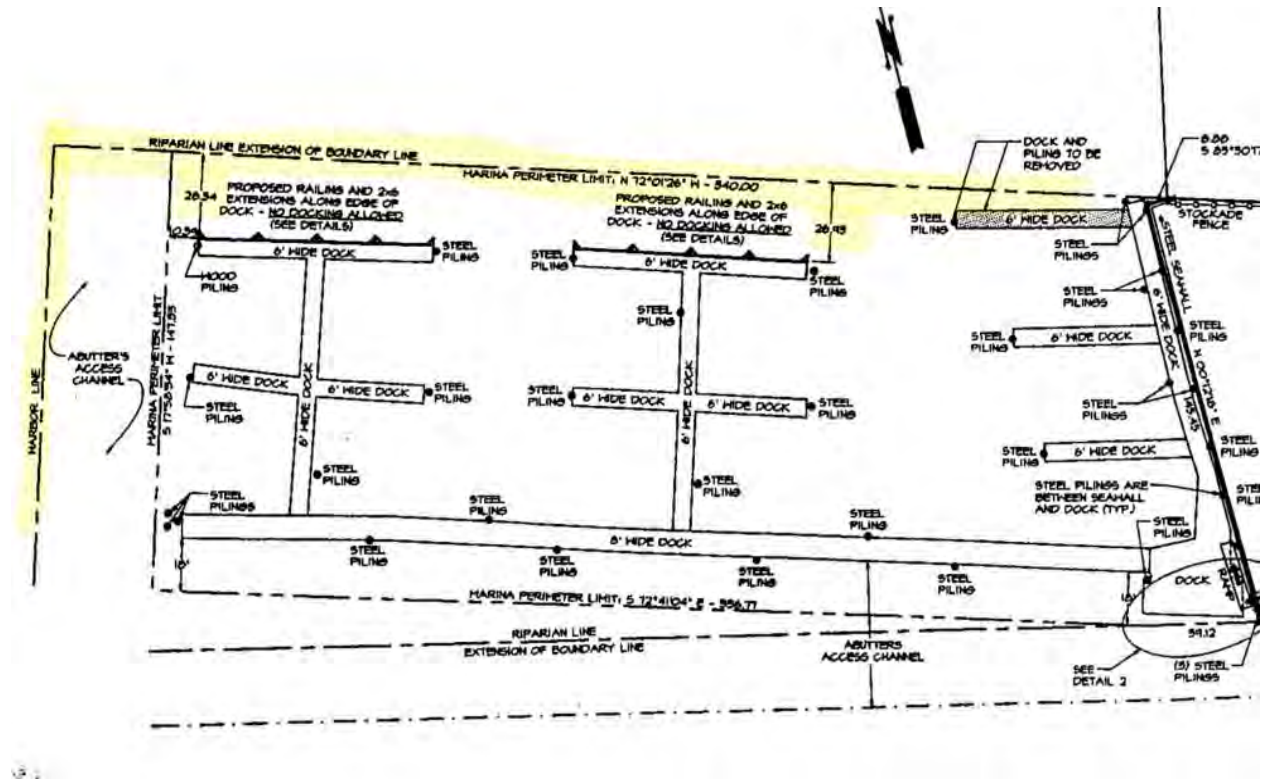
We, at Coddington Landing Condominium Association, are greatly appreciative of your receiving this and we hope you might give it the consideration that it deserves. Lisa Turner of the CRMC Staff was kind enough to send to me a digital copy of the dozen or so pages as I was unable to decipher most of the Proposal from the Notice due to the minute print. I wish to thank her. We have been able to go through the dozen or so pages and we appreciate the thoroughness of the effort. We could support most of the reconfiguration, however we have some concerns regarding some features on the southern portion of the Plan. Coddington Landing and Waite's Wharf share the channel between our marinas. The channel goes from the east to the west, from the land into the Harbor. Its width is approximately 50 feet, although that distance is not shown on the Plans.

These dimensions were formerly only shown on the existing condition plans. Revised plans have added the dimensions to the proposed condition plans as well.

In about 1998, Mr. Abruzzese sought to add floating docks along the entire south side of his docks until we objected and he conceded that the additional floating docks and the beams of large vessels would virtually render our ingress and egress impossible. Since that time, Coddington Landing has not berthed any boats on the northside of our middle docks (a reduction of about four berths). Unfortunately, our "sharing" of the channel has been anything but equal. Mr. Abruzzese berths many of his largest vessels along his south dock.

No floating docks are used or proposed along the outside of the southern pier. Use of this area is and will continue to be performed in conformance with all relevant CRMC Assents and stipulations. Per CRMC decision made on

2/27/1996 (Coddington Landing Condo. Association, CRMC file no. 1981-06-009), Coddington has been restricted from berthing vessels along the north side of their marina (where this shared channel exists) due to inconsistencies present between the as built condition of the Coddington Marina versus the original CRMC approved design. The As Built Condition of the Coddington Marina indicated that design called for 50' separation from the PLE, whereas the As Built Condition yields only 26'+/-, this inconsistency resulted in the restriction on Dockage along the north side of Coddington's pier)



When they enter and when they leave, all other boat traffic must cease. When they try to turn around they must enter into our basins.

While the fairway is 'relatively' narrow, it is sufficient for traffic, provided there is no dockage on the Coddington side. This issue appears to have been settled in the "original" applications for each marina. Wherein Waites Wharf marina was shifted 10' to the north to accommodate Coddington, and a restriction on dockage was set at Coddington along the northern side of the marina. These stipulations and changes presumably were made to mitigate the reduced fairway based on Coddington's as built.

It should be noted the proposed West Wind Marina reconfiguration does not propose any changes to the structure or ongoing usage along the southern property line extension. The southerly pier will remain in its present location, the core change is the reconfiguration of the "dogleg" to ameliorate the currently restricted throat at the marina entry.

That had never bothered us but in the last few years we have witnessed damage to our docks and to our owners' boats and suffered gestures and responses that must not be repeated. We even had one of their guests anchor about 100' into our basin before a storm, preventing any of the dozen of our boats in our eastern basin from moving or leaving. No serious damages nor injuries. (nor apologies). Of even greater concern to our owners has been the regularity of West Wind's vessels being berthed next to it's western dock which protrude into over 1/2 of the "shared" channel! I have regularly asked those vessels to move back so as not to block the channel and pointed out when there was no vessel behind them to prevent their relocation.

Our office reached out to Newport Harbor Master's office to review incident reports. The Harbormaster was not able to find any incident reports filed during his tenure (approx. 5 years), though noted records before his time have not been digitized. Incidents and damage are and will continue to be addressed upon notification.

I am always advised that the West Wind Dockmaster has insisted that they may and must protrude into the channel. Thus, the history of the "shared" Channel. Our concern is that we believe that Mr. Abruzese is trying to legitimise his claim that the "property line extension" goes west into the Bay and beyond his docks and ours and constitutes an "EXISTING PERIMETER LINE (per CRMC standard)", as he states on Page 2. We are not aware that his claim to 2/3 of the "shared" channel is "existing", just because he wants to claim such. Likewise, we do not believe that an extension of the landbound property line must be considered a "marina perimeter line" across the bay into the shallow water surrounding the rocks straight to the west. To the west, he leaves himself about 10 feet (not measured) and then 30' for abutters. Of course, if he berths vessels with over 15 feet of beam there. That leaves just enough room to venture into the shallow water near the rocks at Little Ida Lewis Rock. Mr. Abruzese is well aware of the bottom disturbance which shows the turbulence from propellers now.

The original West Wind Marina application had the language "Riparian Line" – Not MPL. We believe this was an accepted term at the time, but since it did not read Marina Perimeter Limit, we have revised our proposed MPL to the 10' MPL standard. That said, the MPL does not restrict dockage (just improvements). West Wind Marina shall maintain the right to dock boats on the perimeter of the marina, including the south facing portion along the Coddington, as they have been doing for decades.

So much for that! To the north, immediately north of his pier, he recognizes a "common public right of way." ONLY TO THE SOUTH DOES HE CLAIM SOME KIND OF PERIMETER IN FAVOR OF HIS MARINA, THIRTY-THREE FEET INTO A FIFTY-FOOT CHANNEL! While we are concerned about moving all boat traffic from our marina and the one to the south toward shallow water, were we to be able to be assured that his new-fangled "Marina perimeter line" is of no import, we would not feel compelled to object to the Application. I do not know whether we can get that assurance and the deletion of that language, but we feel strongly (due to past history) that we cannot risk the future further intrusion into the channel that is critical to all our owners. We are aware that the Harbormaster has looked at the Proposal and we would be happy to elaborate upon our concerns if needed. Thanks for your time and your considerations

The northern "Common Public Right of Way" was delineated as it has legally and geographically defined limits. The southern channel lacks a formal description to this effect, regardless of its existence and the apparent design changes and stipulations set at both Coddington's and West Wind Marina to protect its usage. In response to your concern and other project considerations, the Marina Perimeter Line has been shifted northward to the 10-foot standard allowed by the CRMC.

We hope that this summary and the changes made to the proposed reconfiguration provides the requested assurance that no changes to the usage of, and no structural intrusions into, this area are proposed.



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We trust that this memorandum and attachments are sufficient for your continued review of the project located in Newport, RI. If you have any further comments, please contact me by phone (401) 230.7805 or by email at [josh@rmahydro.com](mailto:josh@rmahydro.com).

Sincerely,

RMA Environmental

/s

Joshua E. Rosenberg, P.E.

Principal

/s

Neal Hingorany, PLS MS

NEI





CITY OF NEWPORT  
CITY MANAGER  
Colin K. Kennedy, MPA

March 27, 2025

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

Re: CRMC File No. 2024-12-052  
Application of Harbor Realty, LLC, c/o Thomas Abruzese  
Location: Waites Wharf, Newport

Dear Mr. Willis:

The Newport City Council, at its regular meeting of March 26, 2025 considered the above referenced application, as well as the comments of the Newport Waterfront Commission, copy attached.

The City Council voted not object provided that the following conditions are made a part of the approval:

1. The marina shall include an intermodal/public transit landing for ferries and shuttles.
  - a. The path from the street to the ferry stop shall be clearly marked with signage.
  - b. The path to the shuttle landing shall be publicly accessible on all days and times when public transportation is available.
  - c. The ferry pickup point shall include a bench and a shelter and be fitted with a standard floating throw ring.
2. Construction and installation of a 36-space kayak rack and kayak launch system at the West Extension Street landing. The rack and launch system shall be maintained by the applicant, and administered and managed by the city as part of the existing kayak and dinghy permit program.
3. The applicant will provide rehabilitation of the deteriorated asphalt access point at the entrance to the West Extension St. Dinghy dock, including reconstruction of the drainage system in a manner consistent with the design aesthetic of the abutting property.

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

Sincerely,

  
Colin K. Kennedy, MPA  
City Manager

/paf  
Attachment

By Email: [CRMC-JeffreyWillis@crmc.ri.gov](mailto:CRMC-JeffreyWillis@crmc.ri.gov); [LisaTurner@crmc.ri.gov](mailto:LisaTurner@crmc.ri.gov)

cc: Director of Planning & Economic Development  
Harbormaster  
Chair, Waterfront Commission  
Harbor Realty, LLC, c/o Thomas Abruzese, 39 Agar Street, Yonkers, NY 10701, Applicant  
Turner Scott, Esq., Miller, Scott, Holbrook & Jackson, 122 Touro Street, Newport, RI 02840, Attorney for Applicant

City Hall, 43 Broadway • Newport, Rhode Island 02840  
Tel: (401) 845-5430 • E-mail: [ckennedy@cityofnewport.com](mailto:ckennedy@cityofnewport.com)





March 25, 2025

Mayor Charlie Holder  
City Council Members  
Newport City Hall  
43 Broadway  
Newport, RI 02840

Dear Mr. Mayor and Honorable Members of the City Council,

On Thursday, 13 March 2025 the Newport Waterfront Commission considered and voted on CRMC application 2024-012-52 for Harbour Realty LLC. The application was to expand the footprint of the Waites Wharf Marina. The proposed expansion will not increase the number of slips but will greatly improve the safety of the approach to the marina. The Commission voted unanimously to allow the expansion contingent upon the applicant meeting the following conditions:

1. The marina shall include an intermodal/public transit landing for ferries and shuttles.
  - a. The path from the street to the ferry stop shall be clearly marked with signage.
  - b. The path to the shuttle landing shall be publicly accessible on all days and times when public transportation is available.
  - c. The ferry pickup point shall include a bench and a shelter and be fitted with a standard floating throw ring.
2. Construction and installation of a 36-space kayak rack and kayak launch system at the West Extension Street landing. The rack and launch system shall be maintained by the applicant, and administered and managed by the city as part of the existing kayak and dinghy permit program.
3. The applicant will provide rehabilitation of the deteriorated asphalt access point at the entrance to the West Extension St. Dinghy dock, including reconstruction of the drainage system in a manner consistent with the design aesthetic of the abutting property.

Sincerely,

David J. Kane  
Chairman, Newport Waterfront Commission

CC: Harbormaster  
Friends of the Waterfront



## Oliver Allamby

---

**From:** Mason Sherman  
**Sent:** Friday, April 18, 2025 7:47 AM  
**To:** Oliver Allamby  
**Cc:** Brittany Spurlock  
**Subject:** FW: File Number 2024-12-052 - Waites Wharf Reconfiguration

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Oliver,

Could you please add this comment to 2024-12-052 when you get a chance?

Thanks,

Mason Sherman  
401-602-5302

---

**From:** Mason Sherman  
**Sent:** Thursday, April 17, 2025 11:17 AM  
**To:** Joanna Salvo <[jsalvo3719@yahoo.com](mailto:jsalvo3719@yahoo.com)>  
**Subject:** RE: File Number 2024-12-052 - Waites Wharf Reconfiguration

Mrs. Salvo,

As mentioned on the phone, I'm measuring out roughly an 8,500 sqft area in their proposed MPL expansion area on the north west side of their marina. This is based on me eyeballing it and measuring in Google Earth. The applicant's consultant could likely give you a more accurate number if desired. Keep in mind that CRMC is evaluating this application for marina and MPL reconfiguration with regards to the CRMP and our regulations.

Thanks and feel free to reach out with any further questions.

Mason Sherman  
401-602-5302

---

**From:** Mason Sherman  
**Sent:** Thursday, April 17, 2025 8:14 AM  
**To:** Joanna Salvo <[jsalvo3719@yahoo.com](mailto:jsalvo3719@yahoo.com)>  
**Subject:** RE: File Number 2024-12-052 - Waites Wharf Reconfiguration

Good Morning Mrs. Salvo,

Could you please clarify on the applicant's plans which "public waterway" you are referring to?

Thanks,

Mason Sherman  
401-602-5302

---

**From:** Joanna Salvo <[jsalvo3719@yahoo.com](mailto:jsalvo3719@yahoo.com)>  
**Sent:** Wednesday, April 16, 2025 5:00 PM  
**To:** Mason Sherman <[msherman@crmc.ri.gov](mailto:msherman@crmc.ri.gov)>  
**Subject:** Fw: File Number 2024-12-052 - Waites Wharf Reconfiguration

Hi Mr. Sherman,

With regard to this file number I would like you to let me know the exact square footage that this "public waterway" represents. In other words if and when CRMC does decide to allow this transfer of "public waterway" how much does that piece represent in terms of square feet?

I'm not a marine engineer but I hope the question is understandable.

My thanks.

Sincerely,

Joanna Salvo  
----- Forwarded Message -----  
**From:** Mason Sherman <[msherman@crmc.ri.gov](mailto:msherman@crmc.ri.gov)>  
**To:** [jsalvo3719@yahoo.com](mailto:jsalvo3719@yahoo.com) <[jsalvo3719@yahoo.com](mailto:jsalvo3719@yahoo.com)>  
**Sent:** Thursday, April 10, 2025 at 08:36:20 AM EDT  
**Subject:** File Number 2024-12-052 - Waites Wharf Reconfiguration

Good Morning Mrs. Salvo,

I just wanted to touch base with you regarding your request for a hearing on the subject project. I'm curious if you could provide some details on your concerns? As you likely saw, Coddington Landing Condominium Association also submitted an objection letter. My understanding is the applicant, and their consultant are working through a response to them. If you are willing to share your concerns, I could relay them to the applicant and consultant, and they could potentially come up with a solution addressing your concerns prior to the hearing.

Feel free to give me a call on my cell below or reply via email, whichever is easiest for you.

Thanks,

**Mason Sherman**

Marine Infrastructure & Dredging Coordinator

Coastal Resources Management Council

Oliver Stedman Government Center

4808 Tower Hill Rd, Suite 110

Wakefield, RI 02879

C: 401-602-5302

[msherman@crmc.ri.gov](mailto:msherman@crmc.ri.gov)

**From:** Matthew Landry <mjl@blishcavlaw.com>  
**Sent:** Sunday, March 16, 2025 7:52 PM  
**To:** Cstaff1  
**Subject:** Letter of Objection (Application No. 2024-12-052) Harbour Realty, LLC  
**Attachments:** Coddginton Letter of Opposition.pdf; Untitled attachment 00023.htm; Coddginton Letter of Opposition.pdf.zip; Untitled attachment 00026.htm; pastedGraphic.png; Untitled attachment 00029.htm

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Evening,

Please see attached letter of objection from abutting property owner Coddington Homeowners Association in opposition to Application of Harbour Realty, LLC. Please note I had to compress the file that contains photographs as they were too large for email. Please let me know if you have any issues opening. Hard Copies have been sent via first class mail.

Regards,



Joseph V. Cavanagh, Jr.  
William R. Landry  
Edmund L. Alves, Jr.  
Scott T. Spear  
Mary Cavanagh Dunn  
Joseph V. Cavanagh, III  
Christopher J. O'Connor  
Matthew J. Landry

Commerce Center  
30 Exchange Terrace  
Providence, RI 02903-1765

Tel (401) 831-8900  
Fax (401) 751-7542  
www.blishcavlaw.com

Stephen I. Rosenbaum  
Of Counsel

John H. Blish  
(1986-2007)

March 14<sup>th</sup>, 2024

***By E-Mail and  
First Class Mail***

State of Rhode Island  
Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900  
[Cstaff1@crmc.ri.gov](mailto:Cstaff1@crmc.ri.gov)



**RE: Application of Harbour Realty, LLC (File No: 2024-12-052)  
Objection to Petition to Establish New Marina Perimeter Limit (MPL) and  
Marina Configuration**

Dear Members of the Council:

Our office represents Coddington Landing Condominium Association ("Coddington"). I am writing on behalf of Coddington and its Members to note for the record a formal objection to the above proposed marina expansion located at Waite's Wharf in the City of Newport.

Coddington is comprised of a group of owners of real property located at Coddington Wharf, more particularly described as City of Newport Tax Assessor's plat 32, Lot 221 (the "Coddington Property"). The Coddington Property consists of residential condominium units and a marina situated directly South and adjacent to Waite's Wharf (hereinafter referred to as the "Waite's Marina").

The submission proposes to modify the existing pier configuration, contemplates the installation of new floating docks, and seeks to establish a new Marina Perimeter Limit (MPL). The Marina's existing MPL and dock configuration is a triangular shaped configuration purportedly approved for (27) total slips with (23) interior slips with access to the North. The existing approvals also provide for a 30' +/- "Abutter Access" travel way to allow unimpeded navigation between Waite's Marina and the mooring fields further to the west. To the South, the



existing MPL extends along the Property Line Extension more than thirty (30') feet from the existing Marina infrastructure.

Coddington has several concerns regarding the use of Waite's Marina, particularly in the South nearest to the Coddington Property. Over the last several years, Coddington has experienced an influx of larger vessels docked on the southerly side of Waite's Marina, some vessels exceeding seventy (70') feet in length with a beam often exceeding twenty-six (26) feet. Docking of these vessels to the south often impedes safe passage of vessels entering and existing the Coddington Marina, and in some instances even prohibits travel in this area due to fenders and/or anchoring projecting from Waite's Marina into the Coddington Marina. In one instance, a large vessel docked along the south side of Waite's Marina caused an unauthorized anchoring system to be placed in the middle Coddington Marina (See Photograph at Exhibit A). The placement of the anchorage impeded travel and represents a persistent issue with Waite's Marina and the location of the MPL.<sup>1</sup> Clearance to shallow water along the south also makes navigation and maneuverability difficult when exiting to the north or south – a difficulty that is exacerbated in the presence of larger vessels docked in this area.

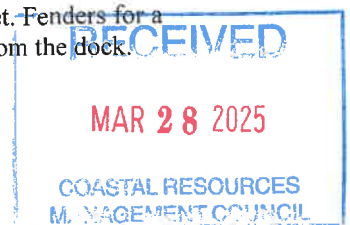
Similarly, travel within the "Abutter Access' Lane to the West is often impeded by large vessels projecting well within its limits. Coddington members have witnessed vessels over eighty (80) feet in length with a beam of twenty (20) to twenty-five (25) feet encroaching into the Abutter Access' area. Coddington has submitted a series of photographs herewith that accurately represent the narrow waterway to the South, the persistent interference with Coddington's use of its own marina and captures the overall concerns with the MPL location.

Respectfully, the Council is charged with ensuring safe and navigable waterways and to protect the riparian rights of all property owners. The Council's Marina Policies include a review of "the potential navigation impacts of the structures and associated use of structures; the potential aesthetic and scenic impacts associated with the structure; the cumulative impacts associated with increased density of existing recreational boating facilities in the vicinity of proposed marinas and must weigh its potential impacts and the potential impacts to other recreational or commercial uses of the affected resources. § 1.3.1(D)(2).

The submission contemplates a reconfiguration of the MPL, existing dock configuration and the installation of new floats for the marina. Although the submission contemplates twenty-three (23) slips to remain in the interior of the marina (up to twenty-seven (27) permitted), no information is provided as to how many berths are anticipated to the exterior of the new configuration, including how many vessels can be accommodated to the south. Notably, all new **or modified** Marina Perimeter Limit lines ***shall be a maximum of ten (10) feet outside of the marina structures*** (§ 1.3.1(D)(9)(o)).

The proposed conditions plan contemplates an MPL along the southerly property line extension – a location approximately **thirty-three (33) feet** from the closest "marina structure". The location of the MPL allows an excess of twenty-three (23) feet for marina related activities

<sup>1</sup> The photographs depict a vessel known as "Serenity" docked in the southerly portion of Waite's Marina. Based upon available public records, Serenity is approximately 121.4ft in length with a beam of 26.2feet. Fenders for a vessel this large often exceed thirty (30) inches in diameter and projects almost thirty (30) feet from the dock.

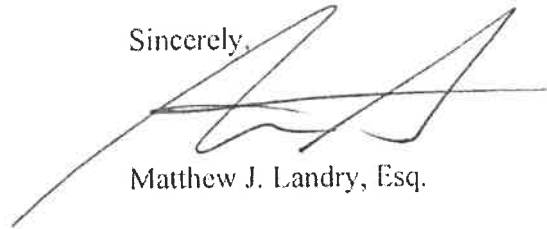


to occur to the South – well above and beyond what is permissible under modern regulations. Coddington encourages the Council to review the proposed MPL in its entirety and consider the impacts to the Coddington Marina and other adjacent riparian interest owners.

At a minimum, the MPL represents a threat of direct loss of property; the proposed alteration and activity does not meet all of the policies, prerequisites, and standards of the Council; and raises concerns regarding circulation, sediment deposition and erosion, water quality, public access to and along the shore, and has persistently impeded safe and navigable travel, specifically to the south between Waite's Wharf and Coddington Marina, as well as the established Abutter Access lane to the West.

Respectfully, Coddington asks the Council to consider these concerns during its deliberations and/or public hearing. An application proposing to modify an existing MPL should be reviewed in its entirety, and the review should evaluate both existing and proposed conditions to ensure the design is consistent with the aspirations, goals, and policies of the Council and associated programs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew J. Landry', with a long horizontal line extending to the left.

Matthew J. Landry, Esq.



Ex A

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MANAGEMENT COUNCIL





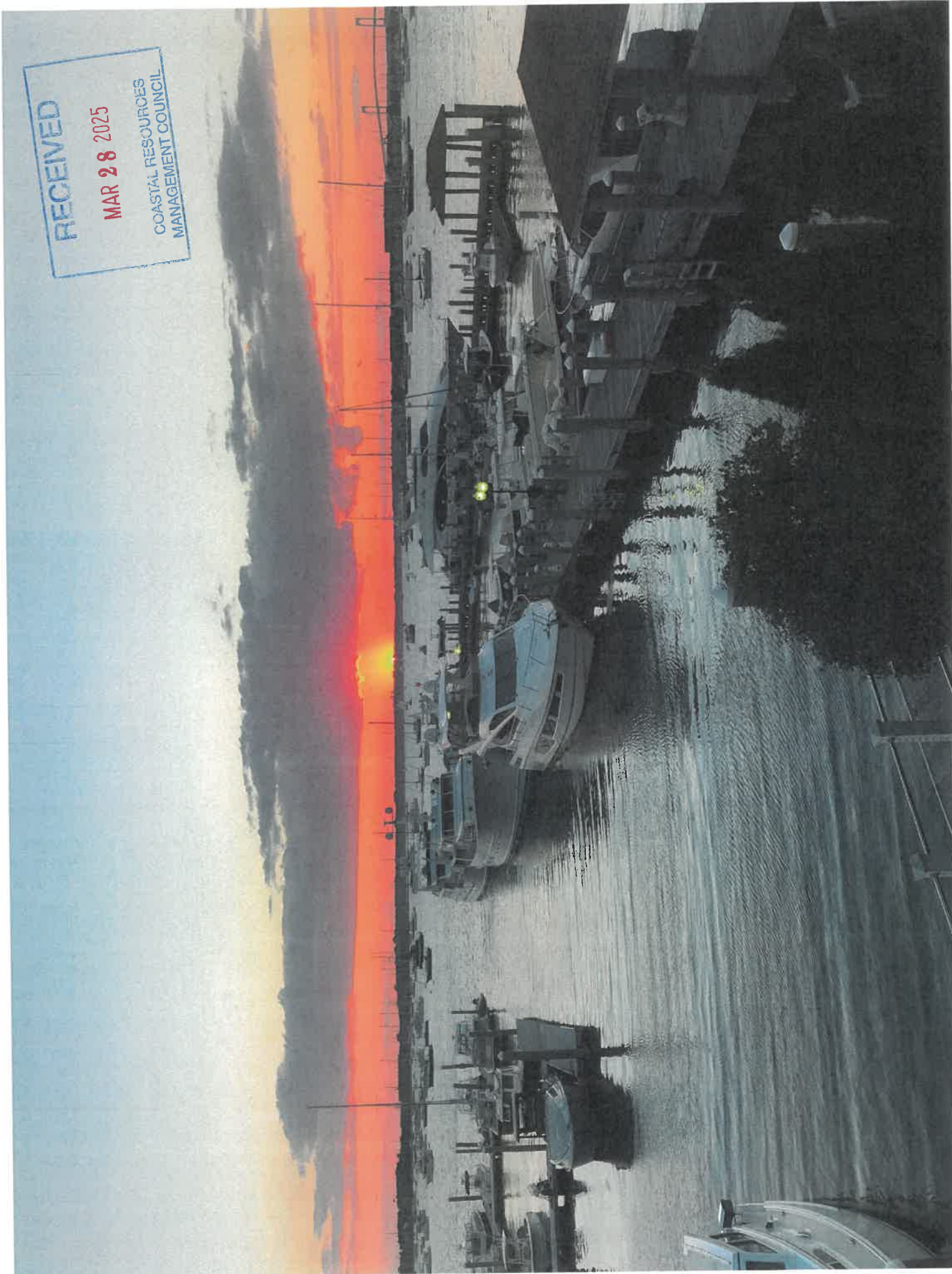


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MANAGEMENT COUNCIL

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MANAGEMENT COUNCIL





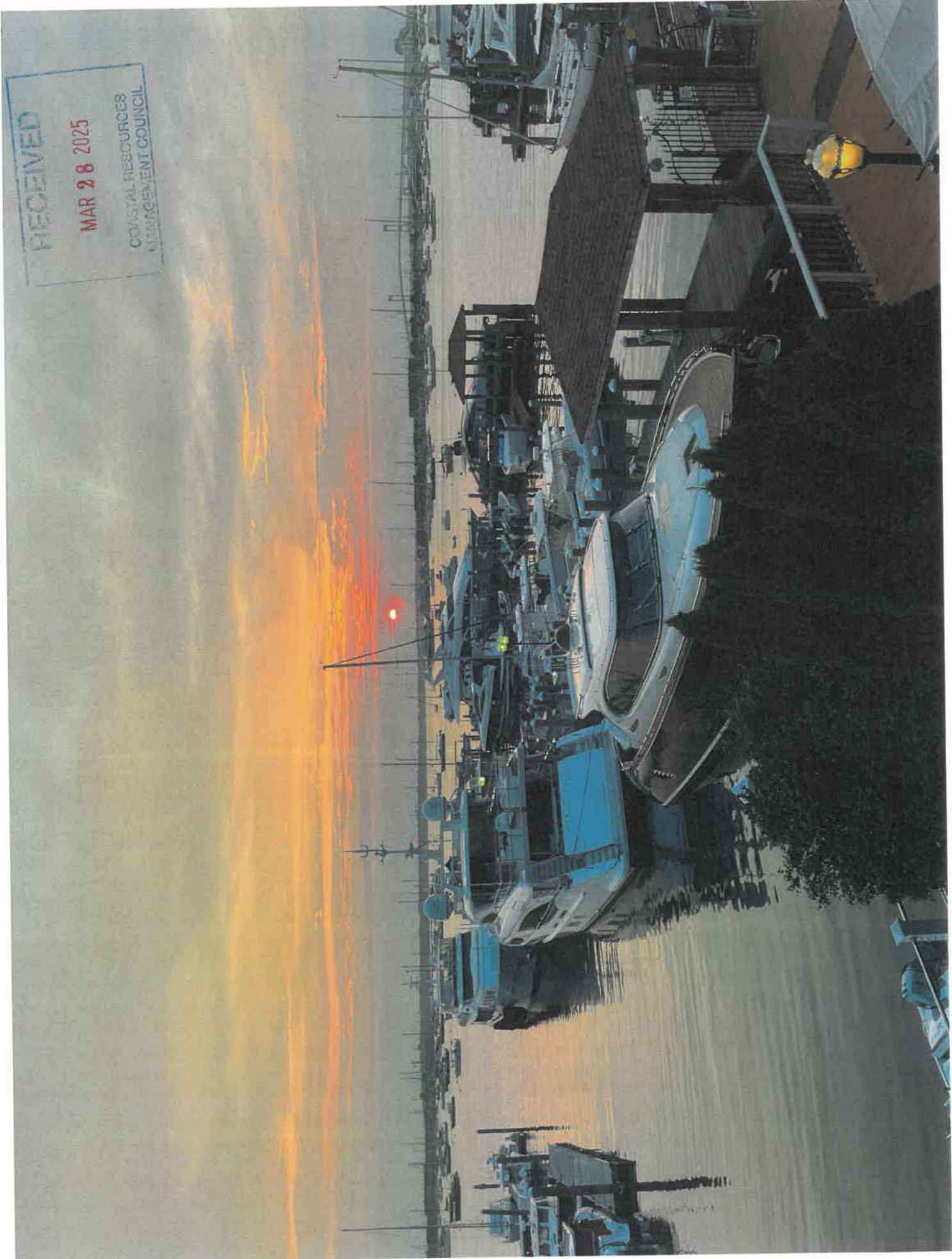
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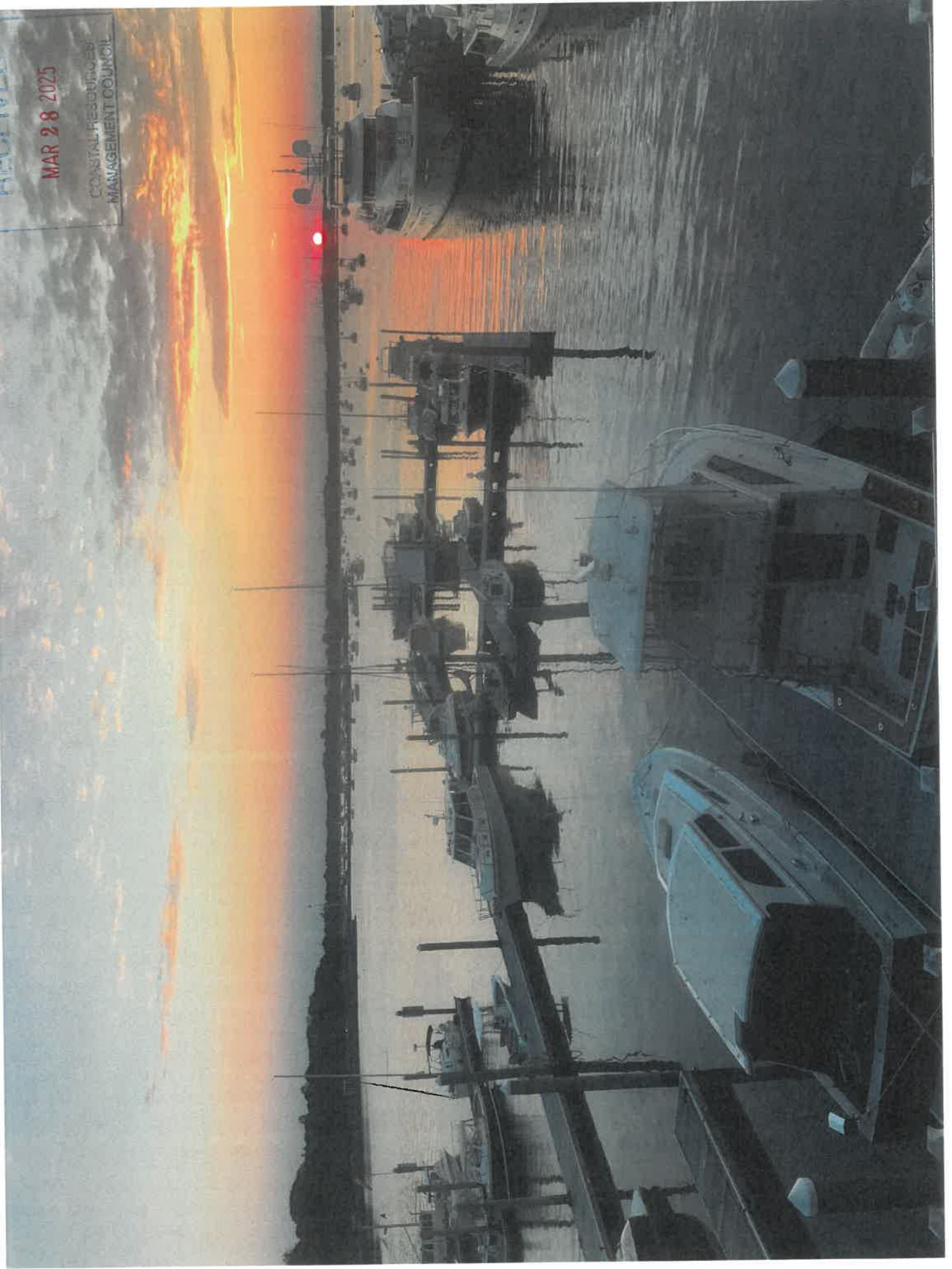


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MANAGEMENT COUNCIL

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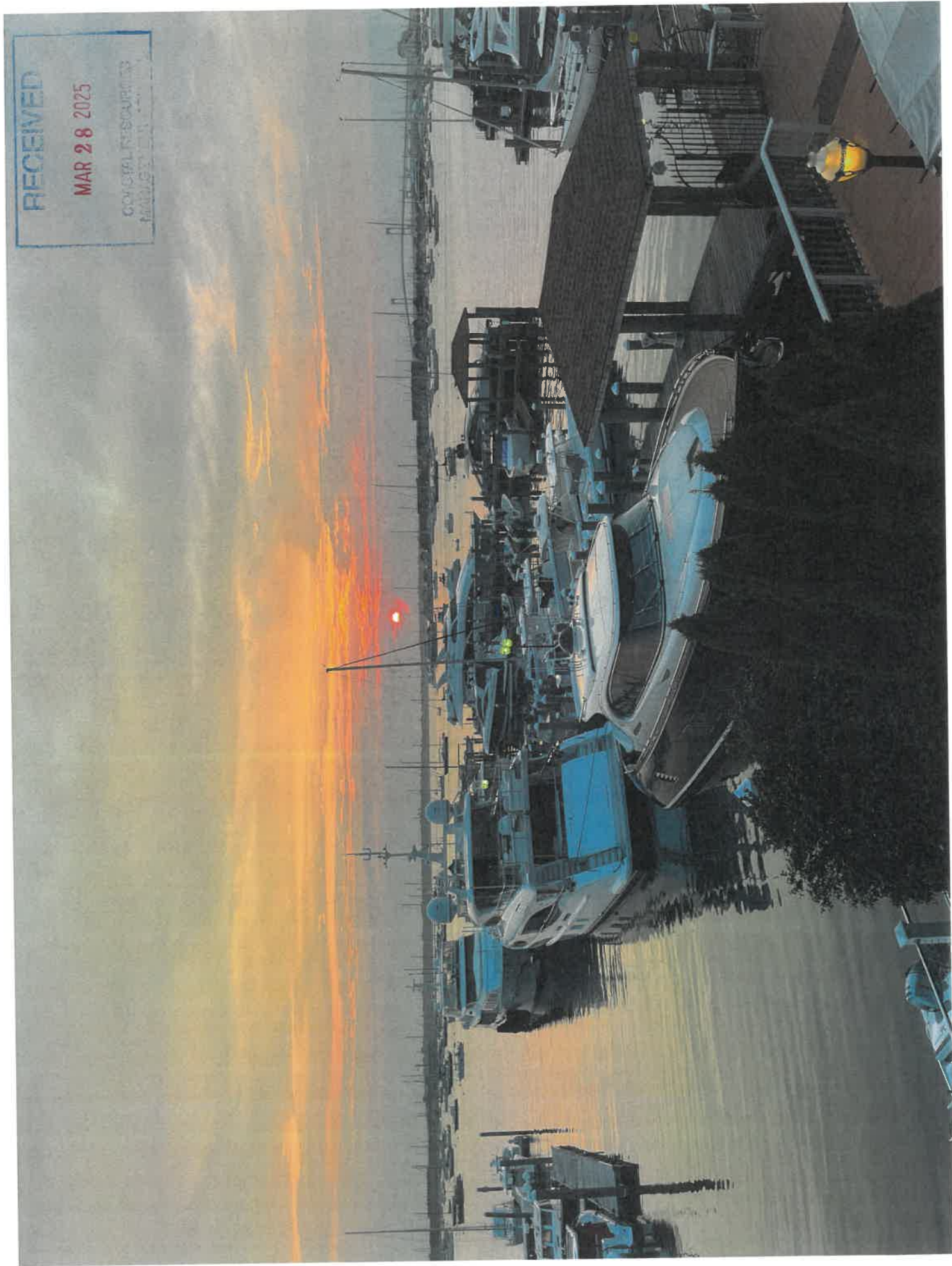




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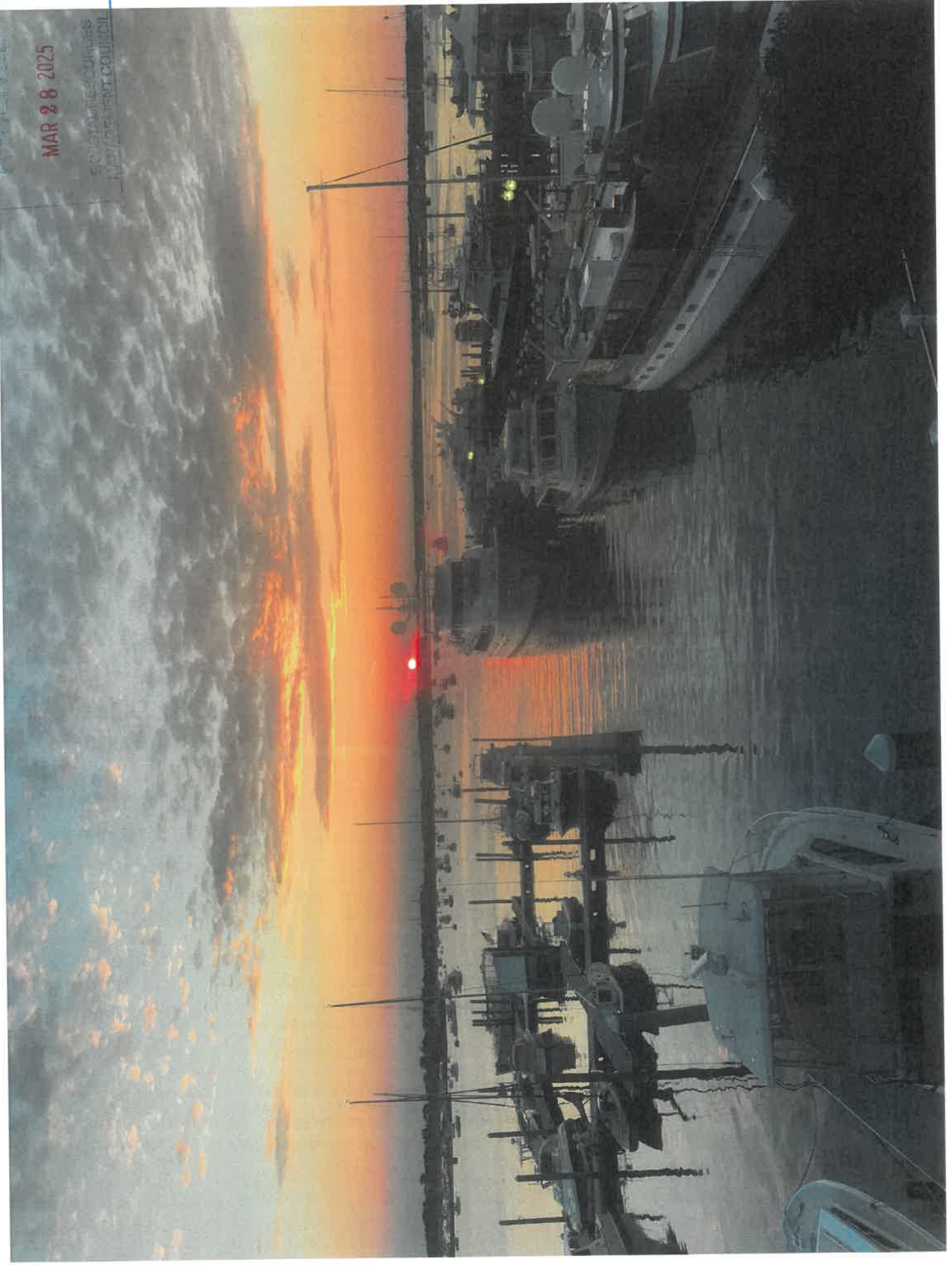
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MAYOR/DEPUTY COUNCIL





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MANAGEMENT COUNCIL

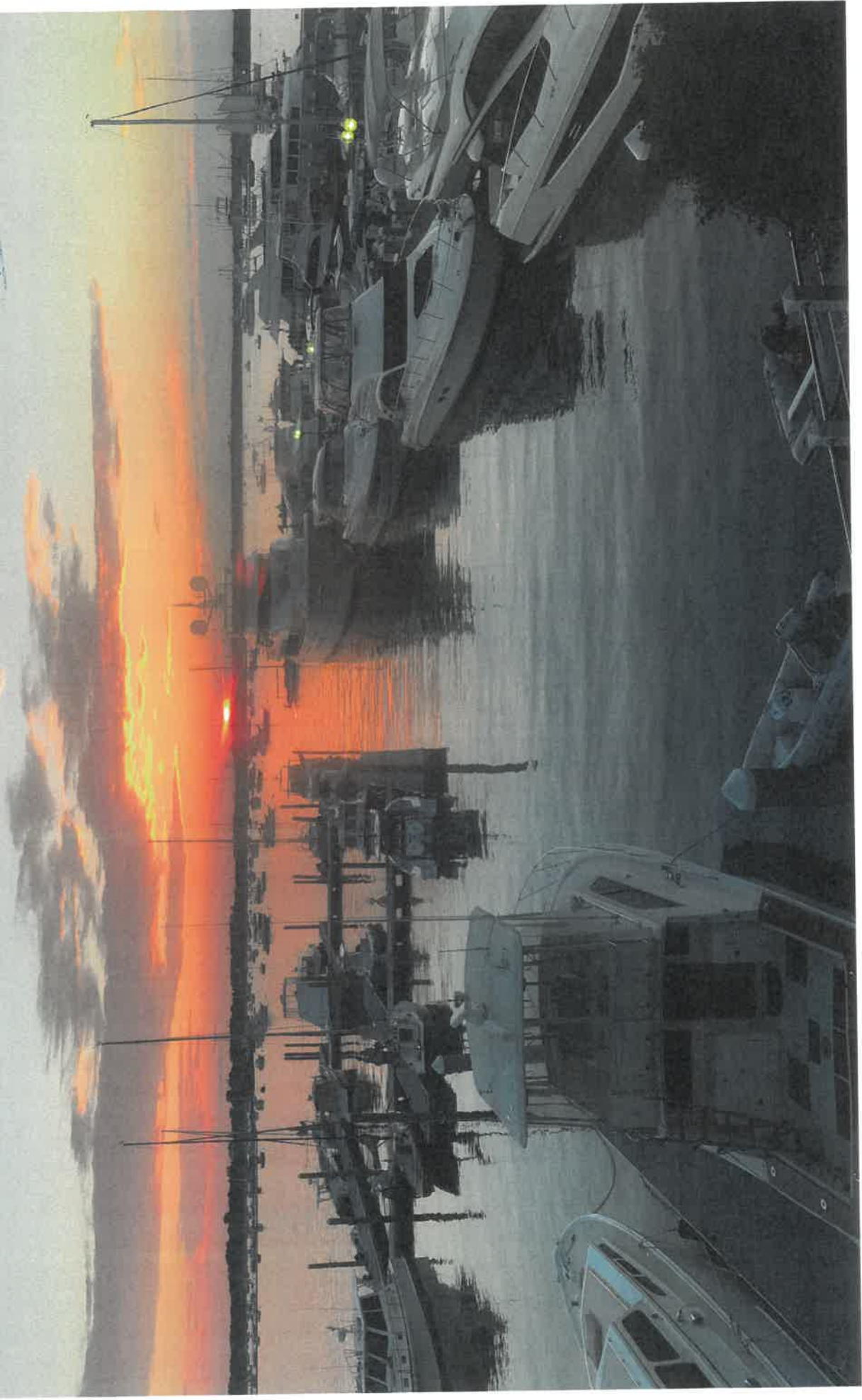


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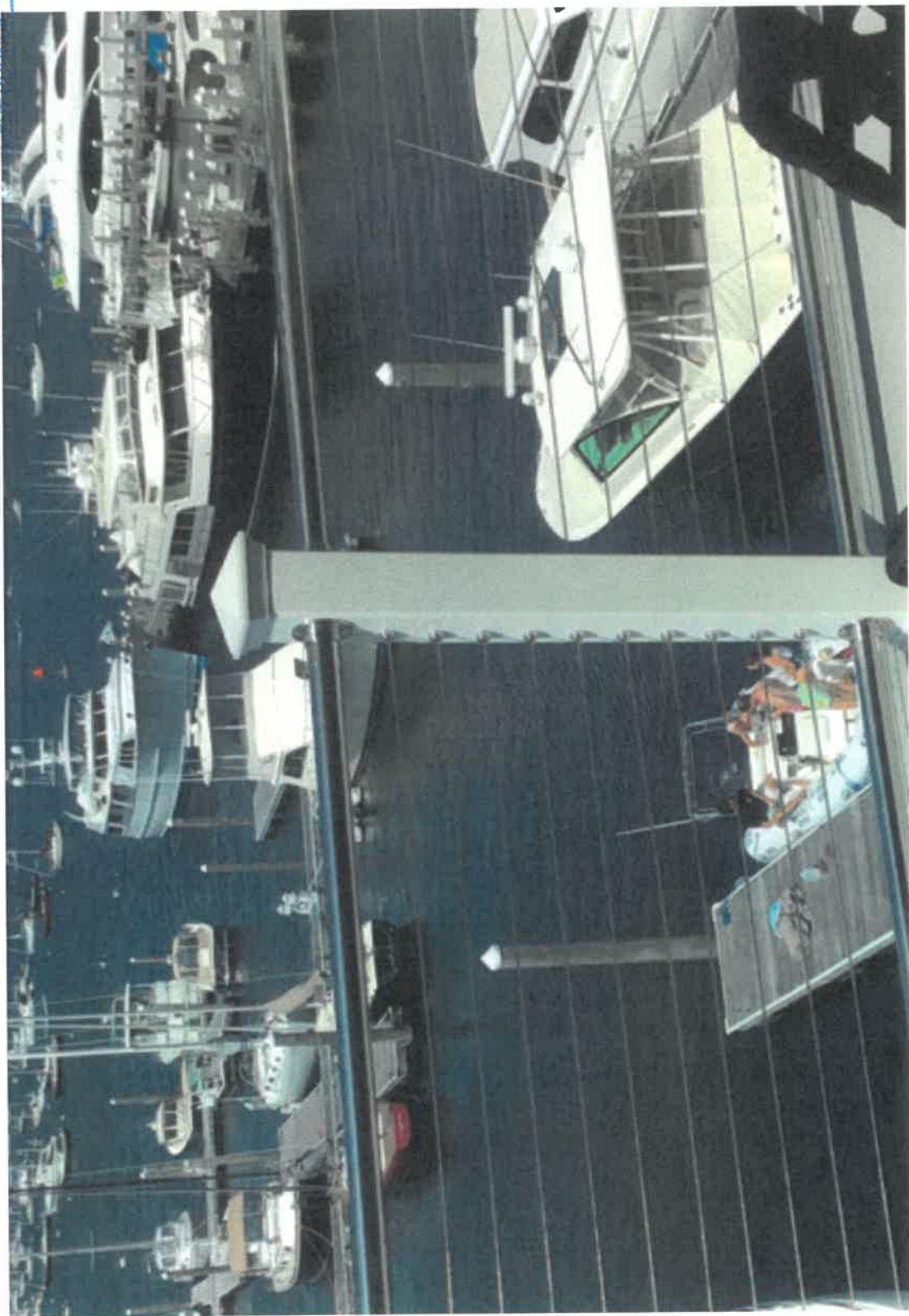
COASTAL RESOURCES  
FEDERAL BOAT COUNCIL



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MAR 28 2025

COSTAL RESOURCES  
COUNCIL



## Lisa Turner

---

**From:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA)  
<Elizabeth.C.Waterhouse@usace.army.mil>  
**Sent:** Monday, March 10, 2025 10:41 AM  
**To:** Lisa Turner  
**Subject:** FW: [Non-DoD Source] Public Notice CRMC File 2024-12-052 Harbour Realty LLC Newport  
**Attachments:** Public Notice CRMC File 2024-12-052 Harbour Realty LLC Newport.pdf

Hi Lisa,  
Please see our assigned number below.  
Thank you,  
Beth

---

**From:** cenae-r-ri <cenae-r-ri@usace.army.mil>  
**Sent:** Friday, March 7, 2025 9:07 AM  
**To:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <Elizabeth.C.Waterhouse@usace.army.mil>  
**Subject:** FW: [Non-DoD Source] Public Notice CRMC File 2024-12-052 Harbour Realty LLC Newport

Newly Assigned NAE-2012-00129

---

**From:** Lisa Turner <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)>  
**Sent:** Monday, February 17, 2025 1:14 PM  
**To:** Amanda Barker <[amanda@greenenergyconsumers.org](mailto:amanda@greenenergyconsumers.org)>; 'Amy Rose Weinreich, Charlestown TC' <[arose@charlestownri.org](mailto:arose@charlestownri.org)>; Bruce Eastman RISA <[rishellfisherman78@gmail.com](mailto:rishellfisherman78@gmail.com)>; 'Carol Wordell, Little Compton Town Clerk' <[cwordell@littlecomptonri.org](mailto:cwordell@littlecomptonri.org)>; Catherine Hall, Esq., Save The Bay <[khall@savebay.org](mailto:khall@savebay.org)>; Catie Alves, STB CoastKeeper <[calves@savebay.org](mailto:calves@savebay.org)>; 'Charlotte Taylor' <[Charlotte.Taylor@preservation.ri.gov](mailto:Charlotte.Taylor@preservation.ri.gov)>; Chris Dodge, Save The Bay <[cdodge@savebay.org](mailto:cdodge@savebay.org)>; 'Christine Andrews, QDC' <[candrews@quonset.com](mailto:candrews@quonset.com)>; 'Chuck Horbert, RIDEM' <[chuck.horbert@dem.ri.gov](mailto:chuck.horbert@dem.ri.gov)>; Breen, Daniel B CIV USARMY CENAE (USA) <[Daniel.B.Breen@usace.army.mil](mailto:Daniel.B.Breen@usace.army.mil)>; 'David Latham' <[davidclatham@gmail.com](mailto:davidclatham@gmail.com)>; 'David Murdock' <[rmurdock@geiconsultants.com](mailto:rmurdock@geiconsultants.com)>; 'Deborah Mongeau, Librarian' <[dmongeau@uri.edu](mailto:dmongeau@uri.edu)>; Edward A Mello, Jamestown Town Admin <[Emello@jamestownri.net](mailto:Emello@jamestownri.net)>; Elizabeth Totten <[Elizabeth.Totten@preservation.ri.gov](mailto:Elizabeth.Totten@preservation.ri.gov)>; 'Eric Schneider, RIDEM Fish and Wildlife' <[Eric.Schneider@dem.ri.gov](mailto:Eric.Schneider@dem.ri.gov)>; Janet Tarro, Town Clerk, Narragansett <[jtarro@narragansett.ri.gov](mailto:jtarro@narragansett.ri.gov)>; Jason Pezzullo, Cranston City Planner <[jpezzullo@cranstonri.org](mailto:jpezzullo@cranstonri.org)>; 'Jean Bellm, Exec Asst, Barrington' <[jbelle@barrington.ri.gov](mailto:jbelle@barrington.ri.gov)>; 'Jeanne Spencer, Tiverton Town Clerk's Office' <[townclerk@tiverton.ri.gov](mailto:townclerk@tiverton.ri.gov)>; 'Jeannette Alyward, North Kingstown TC' <[JAlyward@northkingstown.org](mailto:JAlyward@northkingstown.org)>; Jed Thorp, Director of Advocacy, Save The Bay <[jthorp@savebay.org](mailto:jthorp@savebay.org)>; 'Jeffrey C. Hall, Exec. Dir, ASRI' <[jhall@asri.org](mailto:jhall@asri.org)>; 'Jeffrey Gardner' <[watchhilloysters@gmail.com](mailto:watchhilloysters@gmail.com)>; Jeffrey M. Willis, Executive Director, CRMC <[jwillis@crmc.ri.gov](mailto:jwillis@crmc.ri.gov)>; 'Jennifer M. West, Portsmouth TC' <[jwest@portsmouthri.com](mailto:jwest@portsmouthri.com)>; Jessica Capaldi, Town of Warren <[jcapaldi@townofwarren-ri.gov](mailto:jcapaldi@townofwarren-ri.gov)>; Joan Chabot, Town Clerk, Tiverton <[jchabot@tiverton.ri.gov](mailto:jchabot@tiverton.ri.gov)>; 'John Brown, THPO, Narragansett Indian Tribe' <[tashtesook@aol.com](mailto:tashtesook@aol.com)>; 'John Torgan' <[jtorgan@tnc.org](mailto:jtorgan@tnc.org)>; 'John Williams, Warwick Cove Marina' <[jhwatmarina@verizon.net](mailto:jhwatmarina@verizon.net)>; 'Jude Zeh' <[zehj@srminc.net](mailto:zehj@srminc.net)>; Justin Mateus, Public Works Director, Cranston <[jmateus@cranstonri.org](mailto:jmateus@cranstonri.org)>; 'Kathy & Steve Jacques' <[kayjacques88@gmail.com](mailto:kayjacques88@gmail.com)>; 'Kathy & Steve Jacques' <[SteveJacques318@gmail.com](mailto:SteveJacques318@gmail.com)>; Kotelly, Kevin R CIV USARMY CENAE (USA) <[Kevin.R.Kotelly@usace.army.mil](mailto:Kevin.R.Kotelly@usace.army.mil)>; 'Laura C. Swistak, City Clerk, Newport' <[lswistak@CityofNewport.com](mailto:lswistak@CityofNewport.com)>; Laura Dwyer <[ldwyer@crmc.ri.gov](mailto:ldwyer@crmc.ri.gov)>; Leah Stoddard, E Prov Deputy Clerk <[lstoddard@eastprovidenceri.gov](mailto:lstoddard@eastprovidenceri.gov)>; 'Leigh Carney, Town Clerk' <[lcarney@eastgreenwichri.com](mailto:lcarney@eastgreenwichri.com)>; Martin, Leslie CIV USARMY USACE (USA) <[Leslie.Martin@usace.army.mil](mailto:Leslie.Martin@usace.army.mil)>; Lisa Turner <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)>; Lynn D'Abrosca, Warwick City Clerk <[lynn.dabrosca@warwickri.gov](mailto:lynn.dabrosca@warwickri.gov)>; Mary Leblanc, Westerly Town Clerk <[mleblanc@WesterlyRI.gov](mailto:mleblanc@WesterlyRI.gov)>; 'Matt Gineo, Oldport Marine' <[mattgineo@gmail.com](mailto:mattgineo@gmail.com)>; 'Matt O'Brien, AP Reporter' <[MOBrien@ap.org](mailto:MOBrien@ap.org)>; Melissa Cordeiro, Bristol Town Clerk <[mcordeiro@bristolri.gov](mailto:mcordeiro@bristolri.gov)>; 'Meredith J. DeSisto, Barrington

TC' <[mdesisto@barrington.ri.gov](mailto:mdesisto@barrington.ri.gov)>; Michael Arguello, RIDEM Water Resources <[Michael.Arguello@dem.ri.gov](mailto:Michael.Arguello@dem.ri.gov)>; 'Michael McGiveney' <[mclamdigger@aol.com](mailto:mclamdigger@aol.com)>; 'Neal Personeus, RIDEM' <[Neal.Personeus@dem.ri.gov](mailto:Neal.Personeus@dem.ri.gov)>; Nichole Romane, Town Clerk, South Kingstown <[nromane@southkingstownri.com](mailto:nromane@southkingstownri.com)>; 'Nick Donadio' <[info@rhodeislandmulch.com](mailto:info@rhodeislandmulch.com)>; 'Peter A. Healey' <[peter.healey@dot.ri.gov](mailto:peter.healey@dot.ri.gov)>; 'Peter M. Vieira, Marine Construction' <[got\\_tug@yahoo.com](mailto:got_tug@yahoo.com)>; 'Phil Capaldi' <[philcapaldi@yahoo.com](mailto:philcapaldi@yahoo.com)>; Philip Hervey, Town Manager <[phervery@barrington.ri.gov](mailto:phervery@barrington.ri.gov)>; Priscilla De La Cruz, Audubon Society of RI <[PDeLaCruz@asri.org](mailto:PDeLaCruz@asri.org)>; 'Providence City Clerk' <[clerkpost@providenceri.gov](mailto:clerkpost@providenceri.gov)>; Rebecca Russell RIDEM Water Resources <[Rebecca.Russell@dem.ri.gov](mailto:Rebecca.Russell@dem.ri.gov)>; Reuben Macfarlan, RIDEM/DMF <[Reuben.Macfarlan@dem.ri.gov](mailto:Reuben.Macfarlan@dem.ri.gov)>; RIAG/Environmental & Energy Unit <[eeu@riag.ri.gov](mailto:eeu@riag.ri.gov)>; Rich Hittinger, RISAA <[hittinger@risaa.org](mailto:hittinger@risaa.org)>; 'Richard Goldstein Pawtucket TC' <[RGoldstein@pawtucketri.com](mailto:RGoldstein@pawtucketri.com)>; Richard Langseth <[Richard@langseth.com](mailto:Richard@langseth.com)>; 'Robert Lyons, Ocean House Marina' <[rob@OceanHouseMarina.com](mailto:rob@OceanHouseMarina.com)>; Robin Barlow, RI Builders <[rbarlow@ribuilders.org](mailto:rbarlow@ribuilders.org)>; 'Rodman R. Black Jr. HIIA' <[RRBlackJr@aol.com](mailto:RRBlackJr@aol.com)>; Sandrea Speroni, Town Clerk's Office <[ssperoni@townofwarren-ri.gov](mailto:ssperoni@townofwarren-ri.gov)>; Sarah Frazar, RIDEM <[Sarah.Frazar@dem.ri.gov](mailto:Sarah.Frazar@dem.ri.gov)>; 'Scott Briggs, Librarian' <[scottb@uri.edu](mailto:scottb@uri.edu)>; Shirley Frietag, NRPA President <[nrpa@narrowriver.org](mailto:nrpa@narrowriver.org)>; Sue Cornachia <[tobyupelo@gmail.com](mailto:tobyupelo@gmail.com)>; Taylor Ellis <[ri2honduras@gmail.com](mailto:ri2honduras@gmail.com)>; 'Thomas R. Evans, State Librarian' <[statelibrary@sos.ri.gov](mailto:statelibrary@sos.ri.gov)>; Topher Hamblett, Save The Bay, Executive Director <[Thamblett@savebay.org](mailto:Thamblett@savebay.org)>; Tracy A. Nelson, Cranston City Clerk <[tnelson@cranstonri.gov](mailto:tnelson@cranstonri.gov)>; cenae-r-ri <[cenae-r-ri@usace.army.mil](mailto:cenae-r-ri@usace.army.mil)>; 'Wendy J. W. Marshall, Middletown TC' <[wmarshall@middletownri.com](mailto:wmarshall@middletownri.com)>  
**Subject:** [Non-DoD Source] Public Notice CRMC File 2024-12-052 Harbour Realty LLC Newport

Good Afternoon: Please see attached Public Notice. Comments must be submitted on or before March 16, 2025. Thank you!

Cordially,

*Lisa Turner*

---

Lisa A. Turner, Programming Services Officer  
aka Office Manager and Record Keeper  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road; Room 116  
Wakefield, RI 02879  
401-783-3370



**cstaff1@crmc.ri.gov**

---

**From:** Joanna Salvo <jsalvo3719@yahoo.com>  
**Sent:** Thursday, March 13, 2025 9:27 AM  
**To:** Cstaff1@crmc.ri.gov  
**Subject:** Objection/Protest to File number 2024-12-052 Waites Wharf pier, floating docks and related items on request . . . the entire request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

- Forwarded Message -----

**From:** Joanna Salvo <jsalvo3719@yahoo.com>  
**To:** cstaff@crmc.ri.gov <cstaff@crmc.ri.gov>  
**Sent:** Thursday, March 13, 2025 at 09:01:52 AM EDT  
**Subject:** OBJECT/PROTEST to reconfiguration of pier, floating docks, and new Marina Perimeter Limit to File number 2024-12-052

March 13, 2025

State of Rhode Island  
Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

Dear CRMC staff,

Kindly accept this request to protest and record this objection to the request file number 2024-12-052 made by:  
Harbour Reality, LLC  
c/o Thomas Abruzese  
39 Agar Street  
Yonkers, NY 10701

I wish to receive a hearing, to protest against this request for floating docks and other inclusions that Mr. Abruzese has requested.

My contact information is:  
Joanna Salvo jsalvo3719@yahoo.com 508-215-7500  
37 Marsh St.  
Newport, RI 02840

Thank you and I look forward to hearing from you.

Sincerely,

Joanna Salvo

**From:** Rick Bischoff <rbischoff3@gmail.com>  
**Sent:** Monday, March 3, 2025 2:02 PM  
**To:** cstaff1@crmc.ri.gov; sland@cityofnewport.com; drcarlin3@gmail.com  
**Cc:** Dick Hyde; Gary Lash  
**Subject:** Harbour Reality Proposal for Reconfiguration of West Wind Maria at Waite's Wharf in Newport Rhode Island

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

We, at Coddington Landing Condominium Association, are greatly appreciative of your receiving this and we hope you might give it the consideration that it deserves. Lisa Turner of the CRMC Staff was kind enough to send to me a digital copy of the dozen or so pages as I was unable to decipher most of the Proposal from the Notice due to the minute print. I wish to thank her. We have been able to go through the dozen or so pages and we appreciate the thoroughness of the effort. We could support most of the reconfiguration, however we have some concerns regarding some features on the southern portion of the Plan.

Coddington Landing and Waite's Wharf share the channel between our marinas. The channel goes from the east to the west, from the land into the Harbor. Its width is approximately 50 feet, although that distance is not shown on the Plans. In about 1998, Mr. Abruzese sought to add floating docks along the entire south side of his docks until we objected and he conceded that the additional floating docks and the beams of large vessels would virtually render our ingress and egress impossible. Since that time, Coddington Landing has not berthed any boats on the northside of our middle docks (a reduction of about four berths).

Unfortunately, our "sharing" of the channel has been anything but equal. Mr. Abruzese berths many of his largest vessels along his south dock. When they enter and when they leave, all other boat traffic must cease. When they try to turn around they must

enter into our basins. That had never bothered us but in the last few years we have witnessed damage to our docks and to our owners' boats and suffered gestures and responses that must not be repeated. We even had one of their guests anchor about 100' into our basin before a storm, preventing any of the dozen of our boats in our eastern basin from moving or leaving. No serious damages nor injuries. (nor apologies). Of even greater concern to our owners has been the regularity of West Wind's vessels being berthed next to it's western dock which protrude into over 1/2 of the "shared" channel! I have regularly asked those vessels to move back so as not to block the channel and pointed out when there was no vessel behind them to prevent their relocation. I am always advised that the West Wind Dockmaster has insisted that they may and must protrude into the channel. Thus, the history of the "shared" Channel.

Our concern is that we believe that Mr. Abruzese is trying to legitimise his claim that the "property line extension" goes west into the Bay and beyond his docks and ours and constitutes an "EXISTING PERIMETER LINE (per CRMC standard)", as he states on Page 2. We are not aware that his claim to 2/3 of the "shared" channel is "existing", just because he wants to claim such. Likewise, we do not believe that an extension of the landbound property line must be considered a "marina perimeter line" across the bay into the shallow water surrounding the rocks straight to the west.

To the west, he leaves himself about 10 feet (not measured) and then 30' for abutters. Of course, if he berths vessels with over 15 feet of beam there. That leaves just enough room to venture into the shallow water near the rocks at Little Ida Lewis Rock. Mr. Abruzese is well aware of the bottom disturbance which shows the turbulence from propellers now. So much for that!

To the north, immediately north of his pier, he recognizes a "common public right of way." ONLY TO THE SOUTH DOES HE CLAIM SOME KIND OF PERIMETER IN FAVOR OF HIS MARINA, THIRTY-THREE FEET INTO A FIFTY-FOOT CHANNEL!

While we are concerned about moving all boat traffic from our marina and the one to the south toward shallow water, were we to be able to be assured that his new-fangled "Marina perimeter line" is of no import, we would not feel compelled to object to the Application. I do not know whether we can get that assurance and the deletion of that language, but we feel strongly (due to past history) that we cannot risk the future further intrusion into the channel that is critical to all our owners.

We are aware that the Harbormaster has looked at the Proposal and we would be happy to elaborate upon our concerns if needed. Thanks for your time and your considerations.

Very truly yours,

S/ Richard J. Bischoff

--

Rick Bischoff

305 812-1043

[Rbischoff3@gmail.com](mailto:Rbischoff3@gmail.com)

## Lisa Turner

---

**From:** Lisa Turner <lturner@crmc.ri.gov>  
**Sent:** Tuesday, March 4, 2025 12:34 PM  
**To:** 'Fay, Pat'  
**Subject:** RE: CRMC File No. 2024-12-052 - Harbor Realty LLC-Waites Wharf - Request for Extension  
**Attachments:** CRMC File 2024-12-052 Harbour Realty LLC Public Notice Extension.pdf

Hi Pat: Please see attached approval for the City of Newport's Public Notice end date extension. Have a great afternoon!

Cordially,  
*Lisa Turner*

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Lisa A. Turner, Programming Services Officer  
aka Office Manager and Record Keeper  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road; Room 116  
Wakefield, RI 02879  
401-783-3370

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**From:** Fay, Pat <pfay@cityofnewport.com>  
**Sent:** Tuesday, March 4, 2025 10:47 AM  
**To:** 'Lisa Turner' <lturner@crmc.ri.gov>  
**Subject:** RE: CRMC File No. 2024-12-052 - Harbor Realty LLC-Waites Wharf - Request for Extension

Lisa:

I saw your out of office reply. I had put a note on my calendar to check with you on Thursday once you had a chance to catch up.  
I hope you had a fun and restful vacation.

Pat

Patricia Fay  
Executive Assistant to the City Manager  
City of Newport  
401-845-5429  
[pfay@cityofnewport.com](mailto:pfay@cityofnewport.com)

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**From:** Lisa Turner <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)>  
**Sent:** Tuesday, March 4, 2025 10:40 AM

To: Fay, Pat <[pfay@cityofnewport.com](mailto:pfay@cityofnewport.com)>

Subject: RE: CRMC File No. 2024-12-052 - Harbor Realty LLC-Waites Wharf - Request for Extension

**NOTICE: This email has originated outside the organization. Please confirm you know the sender before clicking any links or opening any attachments.**

Hi Pat: Hope you are well!

Just returning from vacation and will reply this week. I received both emailed and original filings of the extension of public notice request.

Thanks!

Cordially,

*Lisa Turner*

---

Lisa A. Turner, Programming Services Officer  
aka Office Manager and Record Keeper  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road; Room 116  
Wakefield, RI 02879  
401-783-3370

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From: Fay, Pat <[pfay@cityofnewport.com](mailto:pfay@cityofnewport.com)>

Sent: Monday, March 3, 2025 9:15 AM

To: 'Lisa Turner' <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)>

Subject: FW: CRMC File No. 2024-12-052 - Harbor Realty LLC-Waites Wharf - Request for Extension

Lisa:

Just following up on the below email to confirm that the extension request was received and check on the status. Please let me know. Thank you very much.

Pat

Patricia Fay  
Executive Assistant to the City Manager  
City of Newport  
401-845-5429  
[pfay@cityofnewport.com](mailto:pfay@cityofnewport.com)

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From: Fay, Pat

Sent: Wednesday, February 19, 2025 4:20 PM

To: 'Jeffrey Willis' (<[jwillis@crmc.ri.gov](mailto:jwillis@crmc.ri.gov)>) <[jwillis@crmc.ri.gov](mailto:jwillis@crmc.ri.gov)>; 'Lisa Turner' <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)>

Cc: Kennedy, Colin <[ckennedy@CityofNewport.com](mailto:ckennedy@CityofNewport.com)>; Land, Stephen <[sland@CityofNewport.com](mailto:sland@CityofNewport.com)>; Reynolds, Patricia



<[preynolds@CityofNewport.com](mailto:preynolds@CityofNewport.com)>; Dave Kane <[kane.dave@gmail.com](mailto:kane.dave@gmail.com)> <[kane.dave@gmail.com](mailto:kane.dave@gmail.com)>; 'Turner Scott. Esq. ([tscott@millerscott.com](mailto:tscott@millerscott.com))' <[tscott@millerscott.com](mailto:tscott@millerscott.com)>; Jackson, Lisa <[ljackson@CityofNewport.com](mailto:ljackson@CityofNewport.com)>

**Subject:** CRMC File No. 2024-12-052 - Harbor Realty LLC-Waites Wharf - Request for Extension

Mr. Willis/Ms. Turner:

The City is requesting an extension of the comment period of the above referenced application from **March 16, 2025 to March 31, 2025**. I have also mailed a hard copy of the attached request to your office. Please let us know if there is any issue with granting the extension. Thank you for your consideration.

Pat Fay  
Patricia Fay  
Executive Assistant to the City Manager  
City of Newport  
401-845-5429  
[pfay@cityofnewport.com](mailto:pfay@cityofnewport.com)

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State of Rhode Island and Providence Plantations  
**Coastal Resources Management Council**  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

(401) 783-3370  
Fax (401) 783-3767

March 4, 2025

Colin K. Kennedy, MPA  
Newport City Manager  
City Hall- 43 Broadway  
Newport, RI 02840

Re: CRMC File No. 2024-12-052 -- Request for Public Notice Extension end date.

Dear Mr. Kennedy:

CRMC is in receipt of the City of Newport's of February 19, 2025 requesting an Extension to the Public Notice period for CRMC File 2024-12-052 – Harbour Realty, LLC.

The request to extend the Public Notice Period end date from March 16, 2025 to March 31, 2025 has been granted.

If you require additional information, please do not hesitate to contact me. Thank you.

Sincerely,

Lisa A. Turner, Office Manager  
Coastal Resources Management Council

/lat



CITY OF NEWPORT  
CITY MANAGER  
Colin K. Kennedy, MPA



February 19, 2025

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

Re: CRMC File No. 2024-12-052  
Application of Harbor Realty, LLC, c/o Thomas Abruzese  
Location: Waites Wharf, Newport

Dear Mr. Willis:

The City of Newport respectfully requests that the deadline for comments on the above-referenced CRMC application be extended **from March 16, 2025 to March 31, 2025.**

The City's Waterfront Commission will review the application at their meeting of March 13, 2025. The first available docket for a meeting of the City Council following those dates is March 26, 2025 at which time the Council will receive and consider the comments of the Waterfront Commission. The City Council's comments will then be forwarded to the Coastal Resources Management Council.

Thank you for your consideration of this request. If there is a problem with granting the extension, please advise my office as soon as possible.

Sincerely,

Colin K. Kennedy, MPA  
City Manager

/paf

By Email: CRMC-Jeffrey Willis [jwillis@crmc.ri.gov](mailto:jwillis@crmc.ri.gov), Lisa Turner [ltturner@crmc.ri.gov](mailto:ltturner@crmc.ri.gov)

cc: Director of Planning & Economic Development  
Harbormaster  
Chair, Waterfront Commission  
Harbor Realty, LLC, c/o Thomas Abruzese, 39 Agar Street, Yonkers, NY 10701,  
Applicant  
Turner Scott, Esq., Miller, Scott, Holbrook & Jackson, 122 Touro Street,  
Newport, RI 02840, Attorney for Applicant

**oallamby@crmc.ri.gov**

---

**From:** msherman@crmc.ri.gov  
**Sent:** Tuesday, February 18, 2025 8:23 AM  
**To:** oallamby@crmc.ri.gov  
**Cc:** 'Brittany Spurlock'  
**Subject:** FW: [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion  
**Attachments:** 2012\_Newport\_De-Authorization\_Layout\_Final.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Oliver,

Could you please add the attached PDF as well as the below email string into both the 2024-12-052 and 2025-02-022 files? This deauthorization confirmation is relevant to both applicant's scope of work.

Thanks,

Mason Sherman  
401-602-5302

---

**From:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <Elizabeth.C.Waterhouse@usace.army.mil>  
**Sent:** Tuesday, February 18, 2025 7:33 AM  
**To:** msherman@crmc.ri.gov; Personeus, Neal (DEM) <neal.personeus@dem.ri.gov>  
**Subject:** FW: [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion

Morgan and Neal,

Please see attached and below. No S408 permit or application is required for the two projects (Waites and Newport Yacht Club). We still don't have an application for Waites, but both of these projects will likely be permitted as PCNs. Please note that they are pretty far down on my list of projects to process.

I hope this answers your questions, please let me know if you need further clarification from Navigation.

All the best,  
Beth

---

**From:** Comeau, Christina M CIV USARMY CENAE (USA) <[Christina.M.Comeau@usace.army.mil](mailto:Christina.M.Comeau@usace.army.mil)>  
**Sent:** Thursday, February 13, 2025 1:11 PM  
**To:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <[Elizabeth.C.Waterhouse@usace.army.mil](mailto:Elizabeth.C.Waterhouse@usace.army.mil)>  
**Cc:** Thalhauser, Jenifer E CIV USARMY CENAE (USA) <[Jenifer.E.Thalhauser@usace.army.mil](mailto:Jenifer.E.Thalhauser@usace.army.mil)>; Harris, Matthew J CIV USARMY CENAE (USA) <[Matthew.J.Harris@usace.army.mil](mailto:Matthew.J.Harris@usace.army.mil)>; Brien, Ruthann CIV USARMY CENAE (USA) <[Ruthann.A.Brien@usace.army.mil](mailto:Ruthann.A.Brien@usace.army.mil)>  
**Subject:** RE: [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion

Hi Beth,



I'm attaching a PDF that shows the deauthorization that we did for Newport Harbor. I agree with Matt Harris that they might be referring to the old FNP boundaries. The old channel lines run really close to that area with all the marinas. Both inquiries were in the same general area, correct?

You can also see the current boundaries on this website:

<https://www.arcgis.com/apps/mapviewer/index.html?layers=9227967a2748410983352b501c0c7b39>

I am also attaching an updated google earth layer that you can upload and use. The only thing missing is the most recently deauthorized area in Bridgeport.

Let me know what you think.

Regards,

Christina Comeau  
Navigation Section 408 Project Manager  
U.S. Army Corps of Engineers  
New England District  
696 Virginia Road  
Concord, MA 01742  
Office: 978-318-8705

---

**From:** Thalhauser, Jenifer E CIV USARMY CENAE (USA) <[Jenifer.E.Thalhauser@usace.army.mil](mailto:Jenifer.E.Thalhauser@usace.army.mil)>

**Sent:** Wednesday, February 12, 2025 7:03 AM

**To:** Comeau, Christina M CIV USARMY CENAE (USA) <[Christina.M.Comeau@usace.army.mil](mailto:Christina.M.Comeau@usace.army.mil)>; Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <[Elizabeth.C.Waterhouse@usace.army.mil](mailto:Elizabeth.C.Waterhouse@usace.army.mil)>

**Subject:** FW: [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion

Christina,

Can you assist Beth with this please? You can charge the RI PCS LCC for your time.

Jen

---

**From:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <[Elizabeth.C.Waterhouse@usace.army.mil](mailto:Elizabeth.C.Waterhouse@usace.army.mil)>

**Sent:** Tuesday, February 11, 2025 3:37 PM

**To:** Thalhauser, Jenifer E CIV USARMY CENAE (USA) <[Jenifer.E.Thalhauser@usace.army.mil](mailto:Jenifer.E.Thalhauser@usace.army.mil)>

**Subject:** FW: [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion

Hi Jen,

I need to check with Navigation about these "harbor lines" or "riparian lines" or old FNP boundaries are in Newport. We have two neighboring marina expansion projects proposed in that area that may have impacts.

Please let me know when you can.

Thank you,  
Beth

---

**From:** Harris, Matthew J CIV USARMY CENAE (USA) <[Matthew.J.Harris@usace.army.mil](mailto:Matthew.J.Harris@usace.army.mil)>

**Sent:** Tuesday, February 11, 2025 3:16 PM

**To:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <[Elizabeth.C.Waterhouse@usace.army.mil](mailto:Elizabeth.C.Waterhouse@usace.army.mil)>; Kotelly, Kevin R CIV USARMY CENAE (USA) <[Kevin.R.Kotelly@usace.army.mil](mailto:Kevin.R.Kotelly@usace.army.mil)>

**Subject:** RE: [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion

Hi Beth,

I'm not sure about what they mean by "riparian lines." It seems like they are referencing lines marking the limits of a deauthorized former federal anchorage. I would check with Navigation to make sure there is no FNP there or that they are otherwise outside of the offset of any FNP.

There is also an older Regulatory demarcation of "harbor lines," but I think those have been mostly defunct since 1970. Section 11 of the Rivers and Harbors Act of 1899, 33 USC 404, gave us authority to designate "harbor lines" inside of which an individual section 10 permit was not required. This pre-dated our public interest review. Post-1970, harbor lines only provide guidance on assessing navigation impacts. See the attached guidance and 33 CFR 320.4(o) for further guidance on harbor lines.

From the attached list of harbor lines, it looks like there we have established harbor lines in Newport. It's thus possible that the referenced "riparian lines" are "harbor lines," not old FNP boundaries. If these are harbor lines, see the attached guidance on how it would (or would not) impact your review. I think Ruthann Brien also has experience with harbor lines issues, in case they might be involved here.

Best,  
Matt

---

**From:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <[Elizabeth.C.Waterhouse@usace.army.mil](mailto:Elizabeth.C.Waterhouse@usace.army.mil)>

**Sent:** Tuesday, February 11, 2025 2:42 PM

**To:** Kotelly, Kevin R CIV USARMY CENAE (USA) <[Kevin.R.Kotelly@usace.army.mil](mailto:Kevin.R.Kotelly@usace.army.mil)>; Harris, Matthew J CIV USARMY CENAE (USA) <[Matthew.J.Harris@usace.army.mil](mailto:Matthew.J.Harris@usace.army.mil)>

**Subject:** FW: [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion

Hi Kevin,

I've had two inquiries on marina expansion projects today. The first is this one as Mason Sherman (CRMC) detailed below. I haven't seen or logged this project in yet, but it doesn't mean it's not in my queue, I have a lot of projects to process.

The second one is a similar situation (marina relocation/expansion) in the same area of Newport – asking about this mooring field/ "Riparian Line" that I can't find in ORM or on our NRV or reels and scans.

Do either of you know about this? Do we have any concerns?

Thanks so much,  
Beth

---

**From:** [msherman@crmc.ri.gov](mailto:msherman@crmc.ri.gov) <[msherman@crmc.ri.gov](mailto:msherman@crmc.ri.gov)>

**Sent:** Tuesday, February 11, 2025 1:39 PM

**To:** Waterhouse, Elizabeth C CIV USARMY CENAE (USA) <[Elizabeth.C.Waterhouse@usace.army.mil](mailto:Elizabeth.C.Waterhouse@usace.army.mil)>

**Subject:** [Non-DoD Source] CRMC Application 2024-12-052 - Proposed MPL Expansion

Beth,

Thanks for taking the time to speak with me earlier. As discussed, here are some further details on the project we were reviewing. Based on the map outlining federal projects that you pulled up, it seems this one will not be a conflict with the USACE but I just want to cover our bases.

It appears there was an old Riparian Line (Highlighted in red in the attached) marking a federal anchorage in Newport which has since been removed during a channel expansion and is now under the City of Newport's Jurisdiction. The applicant claims they called the Army Corps back in November 2021 and indicates USACE has no claim. The issue is I have no email or other backup substantiating this claim. Everything I'm looking at indicates they are in the clear on the USACE side, but I don't want us to approve this and run into conflicts down the road.

For reference, I did ask the applicant's engineer to try and track down additional backup and paper trail on whatever conversation they had with the USACE back in 2021. I am doubtful that amounts to anything.

Thanks for all your help.

**Mason Sherman**

Marine Infrastructure & Dredging Coordinator  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Rd, Suite 110  
Wakefield, RI 02879  
C: 401-602-5302  
[msherman@crmc.ri.gov](mailto:msherman@crmc.ri.gov)