

Staff Sign off on Hearing Packet (Eng/Bio) _____ date _____

Name: Water Street Landing Realty, LLC
CRMC File No.: 2025-02-071
Staff Report



STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL
STAFF REPORT TO THE COUNCIL

DATE: July 17, 2025
TO: Jeffrey M. Willis, Executive Director
FROM: Mason Sherman, Marine Infrastructure & Dredging Coordinator

Applicant's Name:	Water Street Landing Realty, LLC
CRMC File Number:	2025-02-071
Project:	New marina certification/establishing marina perimeter limit for existing marina
Location:	339 & 341A Water Street; Warren: Plat(s): 5; Lot(s): 104,2
Water Type/Name:	5- Recreational and Commercial Harbors / Warren Waterfront/River
Coastal Feature:	Manmade Shoreline/Bulkhead
Plans Reviewed:	"Marina Permitting Plan", Sheets WF-1 to WF-4, by Site Engineering Inc. and stamped by Ron T. Blanchard, P.E. (No. 6016) with relevant MPL drawings stamped by Stephen M. Murgo, PLS (No. 1663). Sheets WF-2 and WF-4 are both original revisions and dated 10/9/2024. Sheet WF-1 is revision 002 and dated 6/18/25. Sheet WF-3 is revision 004 and dated 6/18/25.

INTRODUCTION:

The application requests assent to obtain a marina certification for an existing floating dock area(s). There are two floating dock areas, one on either side of an existing stone pier where Blount Clam Shack resides. The northern area has a proposed slip count of 14 vessels and the southern area has a proposed count of 8 vessels. This location has been operating as a marina dating back as far as 1972 and the slip orientation has had no significant changes since 1997, all based on historical aerial imagery.

As can be seen in the CRMC History section below, a handful of permits have been issued for this location in the past. The majority of these applications were for seasonal food trailers to be installed onsite. As required by the CRMP for a new marina application, a Preliminary Determination (PD) was submitted and reviewed by CRMC in February 2025. Comments from the PD were directly addressed in this application for assent which included two variance requests. One request was regarding the MPL offset distance from structures and one for the required pile embedment.

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Signed: E. Mason Sherman Staff Engineer

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CRMC HISTORY:

File Number	Description	Owner	Category - Status
2007-03-061	Place seasonal trailer, fencing, tent	Estate of Steven Tomaselli	A-Approved
2008-02-075	Install two seasonal trailers	Estate of Steven Tomaselli	F-Approved
2008-05-066	Install seasonal trailer	Estate of Steven Tomaselli	A-Approved
2009-06-011	Place seasonal trailer, fencing, tent	Estate of Steven Tomaselli	F-Approved
2018-10-015	Install two concrete pads	Water St. Landing Realty	F-Approved
2021-09-032	Install one concrete pad	Water St. Landing Realty	F-Approved
2024-11-070	Feasibility of marina PD	Water St. Landing Realty	CRMC Reviewed
2025-02-071	Marina certification	Water St. Landing Realty	Current Application
2025-03-011	Replace piles and floats	Water St. Landing Realty	M-Approved

This application (2025-02-071) included a request for maintenance of piles and floats in addition to establishing an MPL. Due to time constraints required for public notice, council meeting, etc. this work was later submitted separately under file number 2025-03-011 to help expedite that portion of the permit. The applicant's intent was to replace/maintain damaged floats and improve safety for their patrons prior to the 2025 boating season.

COMMENTS ON APPLICATION/APPLICABLE POLICIES, STANDARDS & ETC:

SECTION	TITLE	SUMMARY
1.2.1(F)	Commercial and Recreational Harbors	
(2)	Warren Waterfront	The highest priority uses of Type 5 waters include berthing, mooring, and servicing of recreational craft and water dependent and water enhanced commerce, including businesses catering to tourists. A marina in this location is consistent with this policy. Blount Clam Shack is also pre-existing on the property and is consistent with Council policy for this water type.
1.3.1(A)	Category B Requirements	
(1)(a)	Demonstrate Need	The location has been in existence since 1972 and in current form since 1997. Applicant wishes to establish an MPL so their existing marina can continue to be effectively maintained.
(1)(b)	Zoning and Building Codes	No proposed landside activity as part of this application. Any necessary codes and local permits shall be followed and/or applied for. USACE and RIDEM permits have been applied for concurrently.
(1)(c)	Coastal Water Boundaries	Proposed float areas are surrounded on three sides by stone or sheet pile walls. No significant impact

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		expected as the existing facility areas have been in existence since at least 1972.
(1)(d)	Erosion	Floats are surrounded on three sides by manmade piers and no erosion impact is anticipated.
(1)(e)	Plant and Animal Diversity	There is no known SAV in the Warren River. There is adequate water depth below the floats at all tide cycles to minimize any significant shading of finfish habitat.
(1)(f)	Public Access	Existing facility improves public access through the use of the Blount Clam Shack patio area located between the two proposed floating dock locations. This area is open to both marina/Clam Shack Patrons and the general public. As part of this application a public access plan/drawing was developed which outlines the facilities onsite as well as parking.
(1)(g)	Water Circulation, Flushing, Turbidity	With the exception of a small amount of turbidity expected during removal of existing steel piles, pile driving, and removal/installation of new floats, no significant impacts to water quality are anticipated.
(1)(h)	Water Quality	No anticipated issues. WQC was received by RIDEM on April 14, 2025.
(1)(i)	Historic and Archaeological Significance	HPHC letter of no effect received on 3/27/2025.
(1)(j)	Water Dependent Uses	Proposed marina is consistent with water dependent uses in the area and Type 5 waters.
(1)(k)	Scenic Impact	Proposed floating docks are low profile and consistent with existing floating docks at this facility as well as other facilities in the area.
1.3.1(D)	Recreational Boating Facilities	
(2)	Marina Policies	
(a)	Use of Space	This facility has been utilizing the existing configuration for at least the last 25 years. It also meets CRMC's vessel density requirements.
(b)(1,2,&3)	Appropriateness of Facility, Structure, and Potential Impacts	Berthing of recreational craft is a priority of Type 5 Waters which is what this facility has been accomplishing for many years so there is no significant adverse impact to this project.
(b)(4)	Navigation Impacts	The proposed MPL is contained within stone pier areas and well outside of the channel so there are no perceived impacts to navigation.
(b)(5)	Scenic Impacts	There is no significant change in structures proposed with this application, so scenic impacts are negligible.

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(b)(6&7)	Vessel Density Impacts	This facility has been in operation for many years so there is no anticipated adverse impact to existing public trust, recreational, or commercial resources.
(b)(8&9)	Public Impacts	There is no anticipated negative public impact as part of this project. The floating docks provide vessel berthing and access to recreational crafts. The upland clam shack area provides waterfront seating and access to the public.
(b)(10)	Extension over Submerged Land	The floating docks are required to extend over submerged land to accomplish their purpose.
(c)	Marina Expansion within MPL	There is no existing MPL so this does not apply.
(d)	Water Quality	RIDEM water quality cert and USACE permits have been applied for concurrently with this CRMC application. RIDEM cert was received on April 14, 2025.
(e)	Public Trust	Staff feels that there is no negative impact to the public trust associated with applicant's proposal.
(f)	New or Significant Expansion	There is no existing MPL. The proposed area is considered the minimum necessary as it is consistent with the facilities use for 25+ years. The use is consistent with other locations in the Warren River area poses minimal impact to the aquatic environment.
(g)	Vessel Size Variety	The existing floating dock area makes good use of the available space and can accommodate a fair range of vessel sizes for the vessels frequenting the Warren River.
(h)	Public Access	A public access plan was provided.
(4)(a)	Prerequisites	The proposed MPL is within the property line extensions.
(5)	Marina Prerequisites	
(a)	Preliminary Determination (PD)	A preliminary determination was submitted under CRMC file number 2024-11-070.
(b)	Public Trust	It is the opinion of staff that there are no negative impacts to the public trust in conjunction with this application.
(c)(1)	Storage Alternatives	No new vessel storage (wet or dry stack) is proposed in this application. Applicant's intent is to establish an MPL around existing wet storage/vessel floats with no new storage or slips proposed. Additionally, the majority of vessels are stored off site in the off season.

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(c)(2)	Additional Permits	Army Corps of Engineers and RIDEM permits have been or will be applied for concurrently with this application.
(c)(3)	Commercial Mooring Area	No Commercial Mooring Area proposed with this application.
(c)(4)	Plan Drawing Requirements	A plan drawing outlining the proposed MPL is included and stamped by a Professional Land Surveyor. NAD83 is used and MLW and MHW are identified.
(7)	Prohibitions	
(a)	Type 1 and 2 Waters	The proposed marina is located in Type 5 waters thus, not prohibited by water type.
(b)	Type 1 Waters	The proposed marina is located in Type 5 waters thus, not prohibited by water type.
(c)	Unloading Catches	Unloading of catches from commercial fishing vessels is not allowed or applicable to this facility.
(d)	Additional Structures	Residential or limited recreational boating facilities are not applicable to this application.
(e)	Discharge	Discharge shall not be allowed at this facility.
(f)	Private Launching Ramps	Not applicable to this application.
(g)	T and L-Dock Sections	Residential or limited recreational boating facilities are not applicable to this application.
(h)	Terminal Floats	Residential or limited recreational boating facilities are not applicable to this application.
(i)	Terminal Float Area	Residential or limited recreational boating facilities are not applicable to this application.
(j)	Marine Railway	No marine railway is proposed with this application.
(k)	Facilities/Lot	Residential or limited recreational boating facilities are not applicable to this application.
(l)	Cribs	Residential or limited recreational boating facilities are not applicable to this application.
(8)	Standards	
(a)	Site Plans	Site plans are provided which include MLW and MHW contours.
(b)	PE Stamp	Plan drawings are stamped by an RI licensed Professional Engineer and/or Professional Land Surveyor where applicable.
(c)	Structural Design	Structures were designed by a licensed Professional Engineer and shall be constructed in accordance with the ASCE and RI State Building Code.
(d)	Submerged Aquatic Vegetation	Referenced below under 1.3.1(R) .

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(9)	Marina Standards	
(a)	Design for Storm Frequency	Plans were designed by a Professional Engineer and meet the CRMC requirements with new pile heights exceeding the FEMA 100-Year BFE.
(b)	Preliminary Determination (PD)	A preliminary determination was submitted prior to this application. CRMC comments on the PD were addressed in this application.
(c)	Impacts of Project	This facility has been in existence for over 50 years. With no proposed changes as part of this application with the exception of establishing an MPL and maintaining the facility. Proposed uses of the marina are consistent with uses in the area.
(d)	Vessel Density	The proposed vessel density is greater than 30/acre.
(e)	Dry Stacked Vessels	Not applicable to this application.
(f)	Dock Layout	Layout will remain as existing with the exception of the north area which will have a slight dock reconfiguration to optimize fairway width.
(g)	Maximum Length Dock	Maximum dock lengths do not exceed 1000'.
(h&i)	Sanitary Facilities	Minimum requirements based on slip count are 2 toilets, 1 urinal, and 1 pump out location. Permanent facilities are located on the property. In addition, four (4) portable toilets are kept onsite during normal operating season for marina and Clam Shack patron use. With this being a limited marina (between 5 and 25 vessels), portable toilets may satisfy the minimum requirements. Facilities are within 1,000' radius from all slips. No pump out onsite, but there is one located at the Town Wharf available to the public. A confirmation letter from Harbor Master indicating this is acceptable is included in the application.
(j)	Fire Code	Establishing an MPL is not an appropriate scenario for fire code compliance to be submitted, however, applicant shall be responsible for following all applicable state and local codes.
(k)	Electrical Installations	Existing electrical connections are in place in the floating dock areas. No new electrical work proposed as part of this application.
(l)	Parking	Policy is 1 space for every 1.5 vessels which would require 15 parking spaces for this facility. A total of 21 spaces are available and highlighted in applicant's Public Access Plan.
(m)	Minor Repairs and Heavy Machinery	Applicant understands and will adhere to CRMC requirements for minor repairs and proper

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		notifications for the use of heavy machinery. Standards have been implemented in the applicant's Operations and Maintenance Plan (OMP).
(o)	Marina Perimeter Limit (MPL)	The MPL is designated on the plan drawings and encompasses all in water structures. Plan drawings were revised to meet the maximum 10' off structures requirement for the MPL.
(p)	Vessel Berthing	All vessels are proposed to be berthed within the MPL.
(q)	MPL and Capacity Alterations	With the exception of a small alteration to the northern dock layout to optimize fairways, there are no proposed alterations to the existing dock layout or increase in slip count.
(r & s)	Operations & Maintenance Plan (OMP)	An OMP was submitted and follows CRMC's guidance document.
(t)	Clean Marina Cert	This marina has not gone through the Clean Marina Program and thus has submitted the full OMP.
(u)	Mooring Area Alterations	Not applicable to this application.
(v,w, & x)	Pumpout Facility	There is no pump out facility onsite, however, there is one located at the Town Wharf which is available to the public. A confirmation letter from the Harbor Master is included in the application.
(y)	Setback Policy	There are no mooring fields within 50' of the proposed MPL and there is no Federal Navigation Project/Federal Nav. Channel in the vicinity. This policy is satisfied.
(z)	Floating Dock Materials and Replacement	Applicant is proposing to replace floats which are properly encapsulated thus satisfying this policy.
(aa)	ADA Compliance	The proposed capacity of this marina classifies it as a Limited Marina so it is not required to meet ADA guidelines.
(10)	Launching Ramp Standards	There is an existing launching ramp in the south dock area. With regards to emergency vehicle turning, prep area, and parking, the ramp is consistent with other ramps in the area.
1.3.1(R)	Submerged Aquatic Vegetation and Aquatic Habitats of Particular Concern	Per the RI SAV mapping tool there are no known SAV in this area. Additionally, when conducting the hydrographic survey for the plan set, bottom was visible and no SAV was identified.
1.3.6	Protection and Enhancement of Public Access to the Shore	There are no conflicts with any CRMC ROW's as a part of this project. This facility has been in existence for over 50 years and there is adequate parking for both the marina

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		and food services area on the applicant's premises. The pier separating the two proposed dock areas is seating for the public/food service patrons. Food purchases are not necessary. Applicant's OMP with associated plan drawings describe current Public Access plan with parking areas, access points, and existing buildings identified.
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COMMENTS ON VARIANCE REQUEST:

Variance details/summary in black. CRMC comments in Red.

- Applicant submitted a variance request for the MPL extending further than 10' from marina structures. For the northern marina area, the original MPL extended from the corner of the northern seawall to the corner of the Blount Clam Shack Pier/seawall. For the southern marina area, the MPL extends from the corner of the Blount Clam Shack Pier/seawall to the corner of the southern seawall. The applicant was proposing to use these physical boundaries as a means to establish their MPL.
 - One objection from the northern abutter was in regards to the northern marina area's MPL riding along their shared the property line. Applicant revised the MPL to follow CRMC's regulations in this northern marina area to address abutter's concerns.
 - Proposed MPL was adjusted and now follows CRMC regs.
- Applicant submitted a variance request for pile embedment depth of 12' vs. 15'. The Professional Engineer/Designer has calculated the pile strength vs. embedment depth and concluded that 12' of embedment is sufficient for the pile to develop full strength in the soil. In addition, Greenheart wooden piles shall be used which are typically 3-5 times stronger than alternative wooden piles.
 - This area has historically been known for shallow bedrock and it is highly likely that the contractor reaches refusal on the piles before reaching target tip elevation. In this case the Engineer has provided a plan drawing indicating drilling and grouting may be required to fully secure the pile. This plan is adequate.
 - The plans are stamped by an RI Professional Engineer and Staff has no objection to applicant's proposal.
- Per 1.3.1(D)(v & w) new marina facilities are required to install a marine pumpout facility unless they can demonstrate that sufficient facilities are already in place to serve all the recreational boating needs in the region. Applicant submitted a letter from the Harbor Master indicating that the public pumpout at the Warren Town Wharf is sufficient.

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COMMENTS ON OBJECTIONS:

During the public notice period one set of comments and request for public hearing was received from Mr. J.E. Quattrocchi who owns the abutting property to the north. Comments are shown in black and CRMC notes in red.

- All the work in these two basins was done without CRMC assent by the prior owner, Steven Tomasselli. While not the fault of the Applicant, I believe this issue should be addressed.
 - One of the main purposes of this application is for the owner to remedy these issues. The applicant wishes to become a permitted marina and improve/maintain the facility. After meeting with Mr. Quattrocchi onsite, he expressed concerns of the existing dock structures breaking loose and coming down on his pier in a severe storm. The application directly addresses those concerns by replacing the worn steel piles and floats with new, as well as establishing an MPL so maintenance of this facility may be carried out in the future.
- Some of the work may have affected/will affect my property.
 - The proposed work is within the applicant's riparian lines and their newly drawn up MPL is setback from the northern property line to create a larger buffer between the two facilities.
- There is a rusted collapsed submerged H beam adjacent to my property. It is not shown on the plan and not addressed.
 - This H-Beam is planned to be removed in conjunction with installation of new floating docks and piles in the northern dock area.
 - i. Should this application be approved by the Council, a stipulation will be added to ensure compliance and removal of this H-Beam.
- There is no plan for a marina handicapped bathroom facility. In fact a portapotty is mentioned.
 - Due to the proposed slip count being less than 25 vessels, this is considered a limited marina which is not held to ADA compliance. In addition, being a limited marina allows the applicant to satisfy CRMC bathroom requirements with the use of portable toilets.
 - i. Finally, the applicant intends to install permanent bathroom facilities as part of a separate assent. Under their current application they do meet CRMC regulations and have intentions to further improve the facility beyond the requirements.
- The waiver of the 10 foot setback is not justified and I prefer it remain in place.
 - This topic of the MPL being a maximum of 10' off marina structures had considerable back and forth during and after the public notice period. The main concern of Mr. Quattrocchi was the MPL of the northernmost dock near his facility and property line. The applicant updated their plan drawings two times and ultimately revised the MPL to comply with CRMC regulations of a maximum of 10' off marina structures.
- Marina parking requirements are not designated and shown on the upland plan.
 - Parking is identified on the plan drawings. There are a total of 21 parking spaces called out on the drawings. CRMC regulations require 15 spaces based on proposed slip count.
 - Also, there is additional parking not pictured in the plan drawings in the vicinity of the marina, all on the applicant's property.
 - In addition, Staff requested a public access and parking plan be provided to identify parking spaces for marina patrons, Blount Clam Shack, and warehouse/employee/tenant parking. An access plan was provided and in the opinion of Staff addresses this concern.

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- Finally, on 7/14/2025 the northern abutter's consultant contacted CRMC confirming that the applicant's updated drawings are acceptable and remedy their objections. In addition, a request was made that a stipulation be added stating that no wharfing out beyond the MPL on the applicant's northern dock be allowed.
 - The Town Wharf directly north of the northern abutters property line includes a similar stipulation in Assent 1999-02-014. The reason for this type of stipulation is that the facilities are in close proximity to each other and must share fairways and access to the water. In this instance it is the opinion of Staff that the abutters request is reasonable and should Council approve this Assent, a stipulation shall be added to address this concern.

CONCLUSION AND RECOMMENDATION:

The applicant is proposing to establish an MPL for a location which has been operating as a marina for over 50 years and has had little to no change in dock configuration in at least the last 25 years. There are no proposed float layout changes or slip count modifications as a part of this assent. The applicant is simply applying to become a permitted marina with a CRMC recognized MPL.

The pier located between the north and south dockage area is utilized for Blount Clam Shack in the Summer. Access to the waterfront and seating is readily available to the public in this location. There will be no change to this existing public access as part of this application, and it is the applicant's intent to improve overall access and experience along the waterfront for the general public.

It is the opinion of Staff that the variance requests submitted adequately address the six (6) required criteria in the CRMP, and the applicant's request is consistent with CRMC's primary objectives related to activities in these waters. Objections from the northern abutter were addressed by the applicant through updated drawings. Staff recommends approval of this application given the following additional stipulations derived during the public comment period and correspondence between northern abutter, applicant, and CRMC Staff.

ADDITIONAL STIPULATIONS:

1. No vessel shall dock in such a manner than any portion of the vessel shall extend north of the northern-most border of the Area 1 MPL. This line is further defined as the line shown on sheet WF-3 of the approved plans as having endpoints (235109.89, 386391.29) and (235124.94, 386458.21).
2. The steel H-beam located between the applicant's northern dock and the northern abutters southern stone bulkhead shall be completely removed as part of this assent. If complete removal is unfeasible, the beam shall be cut at the mudline.

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