

Section 300.16
Boat Lift and Float Lift Systems

A. Definitions

1. Boat and float lift systems are accessory structures to residential boating facilities that raise either a boat or float out of the water to facilitate safety and/or maintenance.
2. Boat lifts are designed to lift a vessel out of the water. Generally, a cradle or strap supports the vessel while it is being lifted by a pulley-type lift system. Overhead arms or crane-like systems may also be used to lift vessels out of the water.
3. Float lifts are designed to lift a float out of the water. Generally, a cradle or cables support the float while it is being lifted by a pulley-type lift system.

B. Findings

1. Boat and float lifts can result in the elimination or reduction in the growth of marine organism by lifting either the boat or float out of water. However, because each are above the water, maintenance to the vessel or float is more readily accessible and increases the probability of paint, solvents and petroleum products entering the water.
2. Boat and float lifts can protect vessels and floats from low to moderate storms, tidal surges, wakes, wind and ice damage. In areas of high fetch, there is slight improvement to the safety of a vessel or float for damage from storm, wind and wave action. However, no practical amount of height above the water can ensure complete safety to the boat or float as storm surge and high winds can engulf or throw a boat and/or a float off of its lift.
3. Some boat lifts aid in the boarding of a vessel.
4. The Council states in §330 that "...every effort should be made to safeguard from obstruction significant views to and across the water from highways, scenic overlooks, public parks, and other vantage points. The importance of the skyline as seen from tidal waters in determining the character of a view site must be recognized; it should, where possible, not be disrupted by visually intrusive structures." Superstructures associated with boat and float lift systems constitute a significant

intrusive impact to the visual importance of Type 2 shorelines and also detracts from the character of Type 2 waters.

5. In accordance with §300.4.B, the Council assesses all proposed residential boating facilities for their appropriateness given geologic site conditions, potential impacts on public trust resources, potential navigation impacts, potential aesthetic and scenic impacts, and cumulative impacts associated with the increased density of existing recreational boating facilities in the vicinity of the proposed project. In considering these factors, the Council weighs the benefits of the proposed activity against its potential impacts and thus makes a determination on the merits of the structure given existing site conditions. Boat and/or float lifts may intensify low impact activities beyond that which is necessary to justify their use.

6. The Council's purpose in designating certain waterbodies as Type 2 is to minimize the potential for intensified use of the state's tidal waters and is in keeping with the Council's mandate to protect public trust resources. Boat and float lifts in coastal ponds and certain other low energy and low intensity use areas are considered excessive and can be expected to detract from high scenic values. In this regard, the Council has determined that in certain Type 2 waters, the construction of boat and float lifts is considered an unacceptable intensification of use which detracts from public use of tidal waters and associated natural resources held in the public trust.

C. Policies

1. Boat and/or float lifts may be allowed in Type 3, 5, and 6 waters. Boat and/or float lifts may be allowed in Type 2 Waters in accordance with this section. For Council purposes, the raising of floats and ramps by manual methods (manual pulleys, come-a-longs, etc...) for temporary elevated off-season storage shall not be considered a float lift in accordance with this section. This exception shall only apply to methods that do not require the installation of permanent winches, pulley systems or other permanent mechanical structures, pilings, or equipment. The off-season shall be considered November 1 to May 1.
2. It is the Council's policy to assess all boat and/or float lifts for their appropriateness given site conditions, including impacts on public trust and

coastal resources, aesthetic and scenic resources, and cumulative impacts. Boat and/or float lifts in Type 2 waters shall be allowed only for the minimum amount necessary to accommodate a residential dock.

D. Prerequisites

1. Boat and float lift applications for Type 2 waters shall be considered Category B applications (see §300.1).

2. All applications for boat lifts or float lifts in Type 2 waters, whether as part of a residential boating facility application or separate, shall be referred to the Council for a hearing. If a residential boating facility application includes a boat and/or float lift and is proposed in Type 2 waters, then the entire application shall be heard by the Council. All other boat and float lift applications shall be reviewed in accordance with the Council's established policies as found in §300.4.

3. As boat and float lifts are considered by the Council to be accessory structures to residential boating facilities, and as the Council only approves or denies a recreational boating facility on the merits of the structure given existing site conditions, boat and/or float lift requests shall not be deliberated by the Council unless the Council has separately or previously approved an application for a residential boating facility. Such an application for a residential boating facility may include a request for a boat and/or float lift; however the Council shall not weigh the benefits nor disadvantages of a boat or float lift as an argument for a residential boating facility approval or denial in its deliberations of a residential boating facility application.

4. An application for a Council Assent for a boat and/or float lift will include a plan prepared and stamped by a professional engineer.

E. Prohibitions

1. Marine elevator systems are prohibited at all residential boating facilities.

2. Boat and float lifts are prohibited in Type 1 waters and in association with existing previously-permitted residential boating facilities in Type 1 waters.

3. Since the Council has determined that boat and float lifts detract from the high scenic value and important visual characteristics of Type 2 waters, and, since these structures may be considered an unacceptable intensification of use within certain public waters designated for low intensity use, boat and float lifts are prohibited from all Type 2 waters within the following waterbodies:

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| Pawcatuck River; | Winnapaug Pond; |
| Quonochontaug Pond; | Ninigret Pond; |
| Green Hill Pond; | Potter Pond; |
| Pt. Judith Pond; | Narrow River; |
| Bissel Cove; | Wickford Harbor; |
| Barrington River; | Palmer River; |
| Kickemuit River; | Potter Cove; |
| Bristol Harbor; | Blue Bill Cove. |

4. Lift superstructures such as but not limited to beams and joist-like structures that sit or are fixed atop pilings are prohibited.

5. Float lifts shall be limited to one (1) per residential boating facility. More than one (1) float lift at a residential boating facility shall be prohibited.

F. Standards

1. When raised, the gunwale of the vessel or the deck of the float shall not be any higher than the deck of the fixed pier portion of the residential boating facility to which it is being lifted. When no fixed pier is used, the gunwale of the vessel or the deck of the float shall not be any higher than the plane of the land from which the residential boating facility emanates, or the bottom of the vessel or float shall not be greater than three (3) feet above the high tide level, whichever is lesser. When a lift system can allow a vessel or float to be raised higher than this standard, mechanical stops limiting the height allowance must be employed.

2. The height of the lift system shall not be higher than the height of the pilings used to construct the dock, or shall not be higher than five (5) feet above the deck of the pier to which it is constructed, whichever is lower. However, the winch of the lift system may sit affixed to the top of a piling.

3. Boat and/or float lifts shall not intrude into the area within 25 feet of an extension of abutting property lines unless (1) it is to be associated with a residential boating facility which is a common structure for two or more adjoining owners

concurrently applying, or (2) a letter or letters of no objection from the affected owner or owners are forwarded to the CRMC with the application.

4. Boat lifts shall be limited to two (2) per residential boating facility.