



## **AGENDA**

**Semi-Monthly Meeting – Full Council**  
**Tuesday, April 22, 2008; 6:00 p.m.**  
Narragansett Bay Commission, Boardroom  
One Service Road, Providence, RI

Approval of the minutes of the previous meeting.  
Subcommittee Reports.  
Staff Reports

### **Applications which have been Out to Notice for 30 days and are before the Full Council for Decision:**

- 2007-07-013 CAROLYN & DAVID HURDIS** – Construct and maintain a residential boating facility consisting of a 4' x 137' fixed timber pier that leads to a 3' x 20' ramp that leads to a 6' x 25' (i.e. 150 s.f.) terminal float. The proposed facility is to extend 124 ft seaward of the cited mean low water mark and the applicant seeks a 74' length variance. Located at plat Y-1, lot 10; 76 Harbour Island Road, Narragansett, RI.
- 2008-02-006 COVE HAVEN CORPORATION** – Modify and existing Marina Perimeter Limit (MPL) south. There is no increase in the boat count proposed, the modification of the MPL is to accommodate larger vessels. Located at 101 Narragansett Avenue, Barrington, RI.
- 1995-07-232 ARCHES PROPERTY OWNERS ASSOCIATION** – Modification of existing Assent by removal of existing 3' x 10' fixed pier, 3' x 10' ramp and three 4' x 10' floats as assented (A1995-07-232). Construct a fixed timber pier 4' x 65'. The new facility will extend 15' beyond the existing facility (65' beyond mean low water). A variance to RICRMP 300.4.E.3(j) is required (the facility is 6' from the west property line extension and 4' from the east property line extension, standard distance is 25'). A variance to RICRMP 300.4.E.3(k) is required (proposed length is 65' beyond mean low water, standard is 50' beyond mean low water). Located at plat 10, lot 4; 3 Arches Road, Charlestown, RI

### **Public Hearing on Special Exceptions before the Full Council for decision:**

- 2007-10-111 TOWN OF WARREN** -- Construct and maintain a paved, off road route for cyclists and pedestrians, including grading and drainage improvements. The entire project is to occur along the route of an abandoned, previously disturbed railroad bed owned by the Town of Warren. The path extends approximately 4,500 linear feet from Long Lane to the end of the existing rail bed at the Kickemuit River. A special exception is required for filling tributary wetlands (Ref: RICRMP Section 100.4.F.1) (approximately 145 square feet will be impacted). A variance is required for creating fill slopes which exceed 3:1 (Horizontal:vertical) (ref: RICRMP Section 300.2.D.1) A variance is required for failing to provide stormwater treatment consistent with CRMC Standards (RICRMP 300.6.E.2).

**2008-02-071 TOWN OF EAST GREENWICH** -- Close and restore the former East Greenwich municipal landfill. The total area of the landfill is approximately 13 acres, as determined by subsurface investigations conducted by Fuss & O'Neill, Inc. in 2004 and 2005, approximately 11 acres of which will be disturbed for the closure construction. The landfill has a mounded height of between 20 to 30 feet and is covered with a mixed vegetative stand of grass, small trees and shrubs. Trees and small brush, ranging in diameter from a few inches to more than a foot, cover approximately 50 percent of the landfill including the majority of perimeter slopes. The central portion of the landfill is covered with a fair amount of grass and weed ground cover combined with dirt trails. The closing of the landfill consists mainly of regrading the site to provide stable slopes and to construct a landfill cap over contaminated soil and solid waste. Areas of the landfill, specifically on the slopes down to the bay that were determined to be adequately capped were carefully delineated, and these areas will remain undisturbed in order to preserve vegetation and minimize work on slopes. Steep landfill slopes that must be disturbed will be cut back at a 3:1 slope. The disturbed slopes will be cut back an additional two feet to install the required cap. The excavated material will be placed on the top of the landfill and then capped. The proposed grading will not result in filling of coastal water bodies, or loss in flood plain storage. Access to the subject site will remain at the south end of Crompton Avenue; however, an access road to the top of the landfill will replace the lower bench access road, which is a severely dilapidated asphalt road, mostly grown over by vegetation. A 40-space parking lot will be located on the west side of the north end of the site. Walking trails and a bikeway will traverse the top of the site and provide access to the lower bench and shoreline. The proposed landfill closure will require the issuance of two (2) Special Exceptions for activities which are prohibited under the RICRMP. A Special Exception is required per RICRMP Section 210.2 and 300.12 for the alteration of 4,615 sf total (0.10 acres) of coastal wetlands. Restoration in accordance with RICRMP Section 300.12 is proposed. A second Special Exception is required per Section 300.7 to construct structural shoreline protection (riprap) along approx 300 linear feet of shoreline abutting Type 1 waters. The riprap is proposed to retain the severely eroded coastal bank at the southern limit of the landfill.

**Public Hearing on changes to the RI Coastal Resources Management Program and Management Procedures:**

**1. RICRMP/Management Procedures**

Section 5.1 - Notification

**Revise** Section 5.1(3) as follows:

(3) It further shall be the policy of this Council that anyone interested in receiving notice of the pendency of any application or matter pending before this Council which would be the subject matter of this notification procedure, individually request to the Council in writing his/her desire to receive such notification. Petitions for or against any application or matter pending before the Council shall not constitute a request for notification. This request may address itself to receipt or notification of a single application, a group of applications affecting an area or subject matter or a general request of notifications of all applications and/or matters subject to notification procedure, pending before the Council. The immediate abutters shall also be notified except when the application requires noticing more than 50 abutters. In these cases, the Council's notification procedures will be conducted in accordance with the notification requirements of the Administrative Procedures Act.

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*Purpose: to address how the council manages petitions relative to requests for notification*

## 2. RICRMP (Redbook)

Section 110. Applications for Category A and Category B Council Assents

**Revise** Section 110.B as follows:

B. Through the adoption and implementation of the Marine Resources Development Plan by the Council on January 10, 2006, permit applications which meet the thresholds below in paragraph C., have received no objections, and are consistent with the goals and policies of the coastal resources management program will be reviewed and acted upon administratively by the executive director or his/her designee not less than 20 calendar days after the staff report(s) is/are completed and placed in the public file. Category B applications which do not meet the thresholds below or have received an objection(s) will be reviewed by the full Council, and are not subject to the 20 day wait period that the applications reviewable under subsection C below are. All public notice requirements, prerequisites, policies, prohibitions and standards shall remain in full force and effect and any reference to review and/or action by the full council cited herein shall be superseded by this rule.

*Purpose: to clarify that category B applications not listed in paragraph 'c' were not nor are to be subject to the 20 day wait period.*

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## 3. RICRMP (Redbook)

Section 300.4 – Recreational Boating Facilities

**Revise** the following subsections of Section 300.4.E.3 as follows:

(a) All residential dock design shall be in accordance with Table 3 - Minimum Design Criteria., ~~but in no case shall any structural member be designed to withstand less than 50 year storm frequency, including breaking wave conditions in accordance with ASCE 7-98 and FEMA Manual 55.~~ All design elements including the bathymetry shall be stamped by a Rhode Island Registered Professional Engineer.

(p) Materials used for the construction of residential boating facilities shall not include steel or concrete piles. All timber piles shall be Class A only (ASTMD25).

(y) All residential docks shall be inspected and certified by the Design Engineer that it was constructed according to the approved plans within typical marine construction standards. The Engineer shall submit a stamped AS-BUILT plan within 30 days of construction. The Executive Director shall have the discretion to require AS-BUILT survey plans of residential docks that includes property lines.

Add **new** subsection to Section 300.4.E.3 as follows:

(z) Variance requests to Table 3 Standards shall require design calculations utilizing FEMA 55 / ASCE 7 (current edition) design manual and utilize the 50 year frequency flood water levels.

Add **new** subsections to Section 300.4.E.3.1 as follows:

(d) All residential docks with excessive fetch shall be inspected and certified by a Registered Professional Engineer licensed in Rhode Island that all elements of the dock and lift system are in good condition and are in conformance with the approved plans every five (5) years.

(e) All docks in Excessive Fetch areas will likely suffer significant damage during a storm event equal to or greater than the 50 storm frequency. All design, construction and maintenance should consider the wind, storm surge, water velocity and debris impacts to the dock.

**Replace** Table 3 – Minimum Design Criteria in its entirety with the following:

TABLE 3 MINIMUM DESIGN CRITERIA	
Piles shall be Class A Min. Pile Tip diameter	9"
Class A Min. Pile Butt diameter	14"
Marina Minimum Pile embedment	15 feet
Residential Minimum Pile embedment	12 feet (Excessive Fetch shall add calculated scour potential)
Excessive Fetch Piles	All Piles Shall be Class A sustainably grown Greenheart only
Minimum Marina Pier and Float load	60 psf LL 500 lb concentrated
Residential Pier load	Dead Load Live load 40 PSF 400 LB concentrated See FEMA 55 for Wave, dynamic and impact loads
Residential Float Load	20 PSF or 400 LB concentrated
Minimum water depth for residential docks (at terminus)	1.5 feet at MLW
Minimum Pile embedment in Rock	4 feet
Minimum Stringer/Joist	3"x12"
Minimum Cross bracing	3"x10"
Min Float Pile Cut Off	V zone elevation + float freeboard + 1'
Minimum through bolt Hardware Diameter – hot dipped galvanized	3/4"
Minimum lag bolt diameter	1/2"

*Purpose: to better explain and clarify the standards for residential dock construction throughout the subsection*

**Enforcement Report – March 2008  
 Category “A” List**